Mayor Bratina called the meeting to order and called upon Dr. Peter Marshall, Pastor of Victory and Faith International Churches, to lead Council in prayer.

Mayor Bratina also paid respect to two staff members who recently passed away, Douglas Rouse and Valine Vaillancourt.

### APPROVAL OF THE AGENDA

The Clerk advised of the following changes to the agenda:

1. **ADDED CORRESPONDENCE**

   5.18 Correspondence from Paul Mariutti expressing objection to the official plan amendment and zoning by-law amendment for 1354 Upper Sherman

   Recommendation: Be received.

   5.19 Correspondence from the following respecting 257, 259 and 261 Millen Road, Stoney Creek (Item 5 of Planning Committee Report 14-004):

   (a) George Teodosijevic
   (b) Ray Dietrich
   (c) Louis and Suzanne Mooney
   (d) Viv Saunders
(e) Don and Connie Sills
(f) Gerry Graham
(g) C. Simmons
(h) Lorraine Smith, including petition with 71 signatories
(i) Nicki Niceliu
(j) Dennis and Christine Atlee
(k) Mitchell Atlee
(l) Jordan Niceliu
(m) Christine Davidson
(n) Rick Smith
(o) Bruna Di Iorio
(p) Mike and Barka Domladovac

Recommendation: Be received.

2. ADDED CORRECTION

6.3 Planning Committee Report 14-004 – Information Section

(e)(ii) Applications for Amendments to the Urban Hamilton Official Plan, City of Stoney Creek Zoning By-law No. 3692-92 and Hamilton Zoning By-law No. 05-200 for Lands Located at 257, 259 and 261 Millen Road (Stoney Creek) (PED14042) (Ward 10) (Item 6.2)

Yeas: Farr
Total: 1
Nays: Collins, Partridge, Whitehead, Johnson, Clark
Total: 5
Absent: Pasuta, Ferguson
Total: 2
Abstain: Pearson
Total: 1

3. ADDED NOTICE OF MOTION

8.2 Inclusion of W. H. Ballard Public School in the Register of Property of Cultural Heritage Value or Interest

4. ADDED PRIVATE & CONFIDENTIAL

10.3 Acquisition of Property in Ward 8 (No Copy)
Pursuant to sub-section 8.1(c) of the City’s Procedural By-law and Section 239.2 of the Municipal Act, 2001, as amended, as the subject matter pertains to a proposed or pending acquisition or disposition of land by the municipality or local board respecting the acquisition of property in Ward 8

(Pearson/Johnson)
That the agenda for the March 26, 2014 meeting of Council be approved, as amended.

CARRIED
DECLARATIONS OF INTEREST

Item 2 and 5 – Planning Committee Report 14-004

Councillor Pearson declared an interest as she owns rental property that pertains to these two items.

Item 10.2 – Labour relations Matter respecting the Carpenters’ Union

Councillor B. Johnson declared a conflict as she has a family member who is a member of the Carpenters' Union.

CEREMONIAL ACTIVITIES/ANNOUNCEMENTS

3.1 Peacekeeping Medal Presentation

Mayor Bratina presented the Korea Peace Keeping Medal pin to Justice Thomas R. Lofchik.

3.2 Smart Commute Regional Employer of the Year Award Presentation

Mayor Bratina presented the award to Alan Griffiths, Mohawk College, and Peter Topalovic, Project Manager - Transportation Demand Management in the City’s Public Works Department

3.3 “These Hands” Video (Wentworth Lodge)

Vicki Woodcox introduced the video, “These Hands”.

APPROVAL OF MINUTES

4.1 February 26, 2014

(Johnson/Pearson)
That the Minutes of the February 26, 2014, meeting of Council be approved, as presented.

CARRIED

COMMUNICATIONS

(Partridge/Pasuta)
That Council Communications 5.1 through 5.19 be approved, as amended, as follows:

5.1 Request from the Canadian Association of Nurses in Oncology to proclaim Tuesday, April 1, 2014 as Canadian Oncology Nursing Day in the City of Hamilton

Recommendation: Be received. (Johnson/Pearson)
5.2 Request from Lupus Ontario, to proclaim May 10, 2014 as "World Lupus Day" and the month of October as "Lupus Awareness Month"

Recommendation: Be received (Pearson/Ferguson)

5.3 Correspondence from Craig Ashbaugh, Chair, Lake Erie Region Source Protection Committee, respecting "Source Water Protection - Policy Implementation Cost Share Approaches Guidance Document"

Recommendation: Be received. (Jackson/Pearson)

5.4 Correspondence from Tadeusz Wieclawek, Fire Marshal of Ontario and Chief of Emergency Management, respecting "Municipal Emergency Management Programs" review

Recommendation: Be received. (Pearson/Ferguson)

5.5 AMO Communication: AMO Calls for Rethink on Bill 69 - The Prompt Payment Act

Recommendation: Be received. (Jackson/Johnson)

5.6 News Release and Backgrounder from the Ministry of Municipal Affairs and Housing respecting the Ontario Government's decision to help municipalities affected by the December 2013 Ice Storm.

Recommendation: Be received. (Jackson/Whitehead)

5.7 Correspondence from Keith Murch, Assistant CAO/Secretary-Treasurer, Grand River Conservation Authority (GRCA), respecting "General Levy"

Recommendation: Be received. (Whitehead/Ferguson)

5.8 Correspondence from Randy Pettapiece, M.P.P., Perth-Wellington, respecting Private Member's "Resolution on Joint and Several Liability"

Recommendation: Be received. (Whitehead/Duvall)

5.9 Correspondence from the City of Toronto respecting "Initiatives to Strengthen Food and Beverage Sector (Collaborating for Competitiveness - Implementation Action 7)"

Recommendation: Be received. (Pasuta/Partridge)

5.10 Correspondence from the Honourable James Moore, P.C., M.P., Minister of Industry, in response to City Council's invitation to attend a meeting of the Steel Committee to discuss the future of U.S. Steel and its pensioners

Recommendation: Be forwarded to the Steel Committee for information. (Duvall/Whitehead)
5.11 Correspondence from the Honourable Linda Jeffrey, Minister of Municipal Affairs and Housing, in response to City Council correspondence respecting the City of Hamilton’s funding under the Community Homelessness Prevention Initiative (CHPI)

Recommendation: Be received. (Pearson/Johnson)

5.12 Correspondence from the Honourable Linda Jeffrey, Minister of Municipal Affairs and Housing, in response to City Council correspondence respecting the City’s request to amend the Development Charges Act, 1997

Recommendation: Be received. (Johnson/Pearson)

5.13 Correspondence from the Lakewood Beach Community Council respecting Zoning Amendment for 2 Oceanic

Recommendation: Be received. (Partridge/Pasuta)

5.14 Environmental Registry Posting respecting "Milkweed and Dog Strangling Vine" (45-day Comment Period between February 28, 2014 and April 14, 2014)

Recommendation: Be referred to the Acting General Manager of Planning and Economic Development for a report to the Planning Committee and the Agriculture and Rural Affairs Sub-Committee (Johnson/Ferguson)


Recommendation: Be referred to the Advisory Committee for Persons with Disabilities for appropriate action. (Johnson/Pearson)

5.16 AMO Communication respecting "Legislature Supports Motion on Municipal Liability Reform - More Municipal Action Needed"

Recommendation: Be referred to the City Solicitor for a report to the General Issues Committee. (Jackson/Collins)

5.17 Resolution from the Town of Aurora respecting "Introduction of Municipal Recall Election Legislation"

Recommendation: Be received. (Jackson/Collins)

5.18 Correspondence from Paul Mariutti expressing objection to the official plan amendment and zoning by-law amendment for 1354 Upper Sherman

Recommendation: Be received. (Ferguson/Pasuta)
5.19 Correspondence from the following respecting 257, 259 and 261 Millen Road, Stoney Creek (Item 5 of Planning Committee Report 14-004:

(a) George Teodosijevic
(b) Ray Dietrich
(c) Louis and Suzanne Mooney
(d) Viv Saunders
(e) Don and Connie Sills
(f) Gerry Graham
(g) C. Simmons
(h) Lorraine Smith, including petition with 71 signatories
(i) Nicki Niceliu
(j) Dennis and Christine Atlee
(k) Mitchell Atlee
(l) Jordan Niceliu
(m) Christine Atlee
(n) Rick Smith
(o) Bruna Di Iorio
(p) Mike and Barka Domladovac

Recommendation: Be received and referred to the appropriate Planning staff for information. (Johnson/Clark)

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

CARRIED

GENERAL ISSUES COMMITTEE REPORT 14-006

(Bratina/Pasuta)
That the SIXTH Report of the General Issues Committee be adopted, and the information section received. (attached hereto)

CARRIED

PUBLIC WORKS COMMITTEE REPORT 14-003

Item 11 Food Service Vehicles in City of Hamilton Parks - Permitting Program (PW 14026) (City Wide)

(Morrow/Merulla)
That Gage Park be added to the list of City of Hamilton Parks permitting food service vehicles with the provision that it does not compete with any existing food services in the park or where organizations are hosting events for revenues.

Amendment CARRIED
Motion as Amended CARRIED.
That the Third Report of the Public Works Committee be adopted, as amended, and the information section received. (attached hereto)

CARRIED

PLANNING COMMITTEE REPORT 14-004

Item 2 Rental Housing Sub-Committee – Revised Terms of Reference

(McHattie/Farr)
That Item 2 of Planning Committee Report 14-004 respecting Rental Housing Sub-Committee – Revised Terms of Reference, be amended as follows:

2. Rental Housing Sub-Committee – Revised Terms of Reference

   (a) That the Terms of Reference for the Rental Housing Sub-Committee, attached hereto as Appendix “A”, be amended to include three citizens at large as part of the membership;

   (b) That the Terms of Reference for the Rental Housing Sub-Committee, as amended, be approved.

   Amendment CARRIED
   Motion as Amended CARRIED

Item 5 Applications for Amendments to the Urban Hamilton Official Plan, City of Stoney Creek Zoning By-law No. 3692-92 and Hamilton Zoning By-law No. 05-200 for Lands Located at 257, 259 and 261 Millen Road (Stoney Creek) (PED14042) (Ward 10) (Item 6.2)

That Official Plan Amendment (OPA) Application OPA-12-001, by 1333664 Ontario Inc., c/o Mike Valvasori, Owner, for Amendment No. [ ] to the Urban Hamilton Official Plan (UHOP), to amend Land Use Plan Map B.7.1-1 Western Development Area Secondary Plan to redesignate lands from “Low Density Residential 2b” to “Medium Density Residential 3”, for the lands located at 257, 259 and 261 Millen Road, (Stoney Creek), as shown on Appendix “A” to Report PED14042, be DENIED.

The motion was DEFEATED on the following standing recorded vote:

Yeas: Partridge, Duvall, Collins, Clark, Johnson
Total: 5

Nays: Bratina, McHattie, Farr, Merulla, Jackson, Whitehead, Ferguson, Pasuta, Morrow
Total: 9

Absent: Powers
Total: 1

Abstain: Pearson
Total: 1
(Whitehead/Merulla)

(a) That approval be given to **Official Plan Amendment (OPA)** Application OPA-12-001, by 1333664 Ontario Inc., c/o Mike Valvasori, Owner, for Amendment No. [Redacted] to the Urban Hamilton Official Plan (UHOP), to amend Land Use Plan Map B.7.1-1 Western Development Area Secondary Plan to redesignate lands from “Low Density Residential 2b” to “Medium Density Residential 3”, for the lands located at 257, 259 and 261 Millen Road, (Stoney Creek), as shown on Appendix “A” to Report PED14042, on the following basis:

(i) That the draft OPA, attached as Appendix “B” to Report PED14042, be adopted by Council; and,

(ii) That the proposed OPA is consistent with the Provincial Policy Statement (PPS), and conforms to the Growth Plan for the Greater Golden Horseshoe.

(b) That approval be given to amended **Zoning Application ZAC-12-001, by 1333664 Ontario Inc., c/o Mike Valvasori, Owner**, for changes in zoning to By-law No. 3692-92 from the Single Residential “R2” Zone, to the Multiple Residential “RM3-53” Zone, with a Special Exception (Block 1), and for the removal of lands in Zoning By-law No. 05-200 zoned Neighbourhood Institutional (I1) Zone, and placing them into the Multiple Residential “RM3-53” Zone, with a Special Exception (Block 2), as shown on Schedule “A” to Appendices “C” and “D” to Report PED14042, on the following basis:

(i) That the draft By-law, attached as Appendix “C” to Report PED14042, which has been prepared in a form satisfactory to the City Solicitor, be enacted by City Council.

(ii) That the amending By-law be added to Schedule “A”, Map No. 6 of Zoning By-law No. 3692-92.

(iii) That the draft By-law, attached as Appendix “D” to Report PED14042, which has been prepared in a form satisfactory to the City Solicitor, be enacted by City Council.

(iv) That the amending By-law be removed from Schedule “A”, Map No. 1198 of Zoning By-law No. 05-200; and,

(v) That the proposed changes in zoning will be in conformity with the UHOP upon finalization of OPA No. [Redacted].

(c) That upon finalization of the implementing By-law, the Poplar Park Neighbourhood Plan be amended by changing the designation of 257, 259 and 261 Millen Road (Stoney Creek) from “Low Density Residential” to “Medium Density Residential”.


(d) That the privacy fencing be increased around the subject property from 1.5m to 2.0m;

(e) That trees are to be planted beside the fencing to provide additional parking.

The motion CARRIED on the following recorded vote:

Yeas: Bratina, McHattie, Farr, Merulla, Jackson, Whitehead, Ferguson, Pasuta, Morrow
Total: 9
Nays: Partridge, Duvall, Collins, Clark, Johnson
Total: 5
Absent: Powers
Total: 1
Abstain: Pearson
Total: 1

(Whitehead/Clark)
That Planning Committee Report 14-004 be amended to correct the recorded vote on page 20 as follows: Councillor Whitehead to be noted in the Yeas and Councillor Pearson to be indicated as Abstaining.

CARRIED

Item 6 Proposed Official Plan Amendment and Zoning By-law Amendment to Permit a Mobile Home Park and a Seasonal Traffic Park at 57 and 58 12th Concession Road East (Flamborough) (PED14032) (Ward 15)

(Partridge/Clark)
(a) That Item 6 of Planning Committee Report 14-004 respecting “Proposed Official Plan Amendment and Zoning By-law Amendment to Permit a Mobile Home Park and a Seasonal Traffic Park at 57 and 58 12th Concession Road East (Flamborough) (PED14032) (Ward 15)” be tabled;

(b) That the implementation of the by-law be held in abeyance until the April 23, 2014 meeting of Council to allow the Ward Councillor the opportunity to resolve outstanding issues with surrounding property owners which may avoid a costly OMB Hearing.

Amendment CARRIED
Motion as Amended CARRIED

Item 9 Application for a Zoning By-law Amendment for Lands Located at the Southwest Corner of Parkside Drive and Spring Creek Drive (Flamborough) (PED14018) (Ward 15) (Item 8.3)

(Partridge/Johnson)
That Item 9 of Planning Committee Report 14-004 respecting, Application for a Zoning By-law Amendment for Lands Located at the Southwest Corner of
Parkside Drive and Spring Creek Drive (Flamborough) (PED14018) (Ward 15), amended by:

(a) deleting the words, “in order to remove the regulation permitting a maximum of 34 dwelling units on the subject lands” and replacing them with the words, “in order to increase the maximum number of dwelling units on the subject lands”

(b) That Appendix B, the draft by-law, be revised to include a provision restricting the maximum number of dwelling units to 71, of which, no more than 45 dwelling units shall be street townhouses.

Amendment CARRIED
Motion as Amended CARRIED

Item 11 Medical Marihuana Growing and Harvesting Facility Under the Federal Regulations (MMPR) – Zoning By-law Interpretations (PED14037(a)) (City Wide) (Item 8.4)

(Merulla/Farr)
That the recommendations contained in item 11 of Planning Committee Report 14-004 respecting Medical Marihuana Growing and Harvesting Facility Under the Federal Regulations (MMPR) – Zoning By-law Interpretations, be amended by adding a new sub-section (c) as follows:

(c) That a Communication Plan be developed to outline the Federal Government’s intentions and best practices nationally to better understand what is being proposed.

Amendment CARRIED
CARRIED

Item 13 Shoppers Drug Mart - Appeals to the Ontario Municipal Board by Shoppers Drug Mart Limited for Lands Located at 41, 45, 47, 49, 55, 59 Head Street, 22, 24 Dundurn Street North, and 620, 622, 624 Main Street West (Hamilton) regarding City of Hamilton's Refusal or Neglect to Adopt Amendments to the City of Hamilton Official Plan (OPA-12-011) and Hamilton Zoning By-law No. 6593 (ZAC-12-028); and, Failure to Approve Site Plan DA-13:175 (LS14008/ PED14064) (Item 12.3)

(Johnson/Clark)
That Item 13 of Planning Committee Report 14-004 be deleted in its entirety and replaced with the following in lieu thereof:

(a) That, in regards to appeals to the Ontario Municipal Board by Shoppers Drug Mart Limited regarding Official Plan Amendment Application OPA-12-011, Zoning By-law Amendment Application ZAC-12-028 and Site Plan Application DA-13:175, staff be instructed to:

(i) Oppose the appeals at the Ontario Municipal Board as the development proposal is premature on the grounds of unresolved compatibility and urban design issues;
(ii) Continue settlement discussions with the appellant and report back to Planning Committee, if a settlement can be recommended by staff.

(b) That Report LS14008/ PED14064, and Appendices, remain confidential. Amendment CARRIED
Motion as Amended CARRIED

Item 14 Monterey Heights - Appeals to the Ontario Municipal Board on the City of Hamilton’s Refusal or Neglect to Adopt Amendments to the Town of Ancaster Official Plan and Zoning By-law for Lands Located at 591 and 611 Garner Road West (Ancaster) (LS14007) (Item 12.4)

(Johnson/Clark)
That Item 14 of Planning Committee Report 14-004 be deleted in its entirety and replaced with the following in lieu thereof:

(a) That Legal staff be directed to support the revised concept plan dated November 27, 2013, attached to Report LS14007/ PED14065, Monterey Heights - Appeals to the Ontario Municipal Board on the City of Hamilton’s Refusal or Neglect to Adopt Amendments to the Town of Ancaster Official Plan and Zoning By-law for Lands Located at 591 and 611 Garner Road West (Ancaster), as Appendix “B”, and an Official Plan Amendment and Zoning By-Law in a form satisfactory to the City Solicitor and with content acceptable to the Director of Planning, at the Ontario Municipal Board;

(c) That Appendix B to Report LS14007/ PED14065, be made public upon Council approval of recommendation (a);

(b) That Report LS14007/ PED14065, and remaining Appendices, remain confidential. Amendment CARRIED
Motion as Amended CARRIED

Item 15 1400 Upper James OMB Appeals Re: OPA (OPA-12-012), ZBA (ZAC-12-029) and Consent (HM/B-13:27) Owner: LPF Reality Inc. (LS14009) (Item 12.5)

(Johnson/Clark)
That Item 15 of Planning Committee Report 14-004 be deleted in its entirety and replaced with the following in lieu thereof:

(a) That recommendation (a) of Report LS14009 remain confidential;

(b) That, if a settlement is approved by the Ontario Municipal Board:

(i) the Mewburn Neighbourhood Plan be amended in accordance with Appendix “C” attached to Report LS14009/PED14063;
(ii) Appendix “C” attached to Report LS14009/PED14063, be made public.

(c) That, if a settlement is reached, the City Solicitor be authorized to execute Minutes of Settlement in a form acceptable to the City Solicitor;

(d) That Report LS14009/PED14063, and appendices, remain confidential.

Amendment CARRIED
Motion as Amended CARRIED

Item 16 1125 West 5th Street OMB Appeals Re: ZBA (ZAC-12-067 and Plan of Subdivision 25T-2012) Owner: DiCenzo Construction Limited (LS14010) (Item 12.6)

(Johnson/Clark)
That Item 16 of Planning Committee Report 14-004 be deleted in its entirety and replaced with the following in lieu thereof:

(a) That in regards to the appeals to the Ontario Municipal Board by DiCenzo Construction Company Limited in respect of Zoning By-law Amendment Application (ZAC-12-067) and Plan of Subdivision Application 25T-201202, Staff be instructed to:

(i) Oppose the appeals on the basis that approval of the applications is premature;

(ii) Continue settlement discussions with the appellant and report back to Planning Committee if a settlement can be recommended by the City Solicitor and Director of Planning.

(b) That Report LS14010/PED14062, and the appendix, remain confidential.

Amendment CARRIED
Motion as Amended CARRIED

Item 17 1041 West 5th Street OMB Appeals Re: OPA (OPA-12-024) and ZBA (ZAC-12-070) Owner: 1804487 Ontario Inc. (LS14011) (Item 12.7)

(Johnson/Clark)
That Item 17 of Planning Committee Report 14-004 be deleted in its entirety and replaced with the following in lieu thereof:

(a) That in regards to appeals to the Ontario Municipal Board by 1804487 Ontario Inc. of Official Plan Amendment application OPA-12-024 and Zoning By-law Amendment application ZAC-12-070 concerning lands located at 1041 West 5th Street, Staff be instructed to:
(i) Oppose the appeals on the basis that approval of the applications is premature; and,

(ii) Continue settlement discussions with the appellant and report back to Planning Committee if a settlement can be recommended by Staff.

(b) That Report LS14011/PED14061) and appendices, remain confidential.  

Amendment CARRIED  
Motion as Amended CARRIED

(Johnson/Clark) 
That the Third Report of the Planning Committee be adopted, as amended, and the information section received. (attached hereto) 

CARRIED

GENERAL ISSUES COMMITTEE REPORT 14-007

Item 3  Status of Discussions for Partnership Opportunities with Evergreen CityWorks and the Hamilton Community Foundation (CM14003) 

(Farr/Merulla) 
That sub-section (c) of Item 3 of General Issues Committee Report 14-007 respecting “Status of Discussions for Partnership Opportunities with Evergreen CityWorks and the Hamilton Community Foundation (CM14003)” be deleted in its entirety and replaced with the following in lieu thereof:

(c) That the source of funding commitment of $150,000 be funded through the Hamilton Realty Capital Corporation Capital Project No. 8200203107.  

Amendment CARRIED  
Motion as amended CARRIED

Item 11 Cannon Street Bi-Directional Cycle Track Pilot Project (PW14031) (Wards 1, 2 and 3) (Item 7.3) 

(McHattie/Farr) 
That the recommendations contained in Report PW14031, Cannon Street Bi-Directional Cycle Track Pilot Project, be amended by deleting sub-section (c) in its entirety and re-lettering the balance.  

Amendment CARRIED  
Motion as Amended CARRIED
Item 25  City of Hamilton War of 1812 Funding Update (PED12204(a)) (City Wide)  
(Item 8.10)  

(Pearson/Clark)  
That the recommendations contained in the General Issues Committee Report 14-007, respecting item 25, City of Hamilton War of 1812 Funding Update (PED12204(a)), be amended as follows:

Whereas as the City of Hamilton War of 1812 Funding Updated (PED12204(a)) approved by the General Issues Committee on March 19, 2014, defined a surplus of $36,037 in the War of 1812 Commemoration Project Budget;

Whereas a project to mark the route taken by the British troops on June 6, 1813 from Burlington Heights to the Battle of Stoney Creek had been removed from the project plan to avoid confusion with a similar project that never went forward;

Therefore be it resolved that $36,037 be allocated from the unspent project funds and staff be directed to develop and implement signage along the route accordingly.

Amendment CARRIED  
Motion as Amended CARRIED

Item 26  West Harbour Piers 5-8 - Hamilton Waterfront Trust Project Management Contract  

(Clark/Johnson)  
That Item 26 of General Issues Committee Report 14-007, respecting West Harbour Piers 5-8 - Hamilton Waterfront Trust Project Management Contract, be amended by adding the following as subsection (c):

(c) That staff be authorized and directed to negotiate all necessary agreements in a form satisfactory to the City Solicitor, including management agreements in relation to all work that the Hamilton Waterfront Trust is retained to support, including implementation and construction of the proposed Pier 5-8 Sanitary Pumping Station.

The motion CARRIED on the following recorded vote:

Yeas:    McHattie, Farr, Merulla, Jackson, Whitehead, Ferguson,  
         Pasuta, Partridge, Duvall, Collins, Clark, Johnson, Morrow,  
         Pearson

Total:   14

Nays:    None

Total:   0

Absent:  Powers, Bratina

Total:   2
(Pasuta/McHattie)
That Information Item (i)(ii) of General Issues Committee Report 14-007 respecting “Negotiation with Hamilton Conservation Authority with respect to the Ownership of Westfield Heritage Village” be lifted and deleted in its entirety.

CARRIED

Item 30 Negotiation with Hamilton Conservation Authority with respect to the Ownership of Westfield Heritage Village

(Pasuta/Collins)
That the following be added as Item 30 to General Issues Committee Report 14-007:

(a) That City lands known as Westfield Heritage Village be declared surplus to the requirements of the City of Hamilton in accordance with Procedural By-law for the Sale of Land, being By-law 04-299;

(b) That staff be directed to put in place all documents deemed necessary to effect the transfer/sale of Westfield Heritage Village to the Hamilton Conservation Authority as described in the Hamilton Conservation Authority’s Board of Directors’ resolution of October 3, 2013 as contained in this motion, and to include the additional condition that the City of Hamilton shall retain the right of first refusal to reacquire the lands, structures, heritage assets, artifacts and chattels for the same nominal sum, should the Hamilton Conservation Authority no longer desire to operate the Westfield Heritage Village at some future time;

(c) That the Mayor and City Clerk be authorized and directed to execute any necessary documents in a form satisfactory to the City Solicitor.

CARRIED

(Bratina/Pearson)
That the SEVENTH Report of the General Issues Committee be adopted, as amended, and the information section received. (attached hereto)

CARRIED

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<th>BOARD OF HEALTH REPORT 14-002</th>
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Item 8 Membership of the Joint City/Board Liaison Committee

(Merulla/Morrow)
That Item 8 of Board of Health Report 14-002, respecting Membership of the Joint City/Board Liaison Committee be deleted in its entirety and the balance of the Items be renumbered accordingly.

CARRIED
That the SECOND Report of the Board of Health be adopted, as amended, and the information section received. (attached hereto)

CARRIED

AUDIT, FINANCE AND ADMINISTRATION COMMITTEE REPORT 14-002

(Clark/Johnson)
That the SECOND Report of the Audit, Finance and Administration Committee be adopted, and the information section received. (attached hereto)

CARRIED

EMERGENCY AND COMMUNITY SERVICES COMMITTEE REPORT 14-002

(Farr/McHattie)
That the SECOND Report of the Emergency and Community Services Committee be adopted, and the information section received. (attached hereto)

CARRIED

(Merulla/Collins)
That the Committee of the Whole Rise and Report.

CARRIED

MOTIONS

7.1 Special Occasion Permit – Wentworth Adult Mixed Slo-Pitch League

(Duvall/Whitehead)
WHEREAS, City Council has received Notice (attached hereto as Appendix “A”) from the Wentworth Adult Mixed Slo-Pitch League that they wish to obtain a Special Occasion Permit to sell alcohol during their scheduled games;

AND WHEREAS, the Alcohol & Gaming Commission of Ontario requires that if a permit holder is not a registered charity or non-profit organization or association, that a resolution of the Council is required to designate the event as one of municipal significance;

THEREFORE, BE IT RESOLVED:

(a) That the City of Hamilton hereby deems the games of the Wentworth Adult Mixed Slo-Pitch League, being held at Turner Park, 344 Rymal Road East, Hamilton, on the following dates and times as municipally significant:

(i) June 20, 2014 – 5:00 p.m. to 11:00 p.m.
(ii) June 21, 2014 – 11:00 a.m. to 11:00 p.m.
(iii) June 22, 2014 - 11:00 a.m. to 7:00 p.m.
(iv) August 22, 2014 – 5:00 p.m. to 11:00 p.m.
(v) August 23, 2014 - 11:00 a.m. to 11:00 p.m.
(vi) August 24, 2014 - 11:00 a.m. to 7:00 p.m.

(b) That the Applicant be provided a copy of this resolution for inclusion with their application to the Alcohol & Gaming Commission of Ontario.

CARRIED

7.2 Removal of Stop Control Pritchard Road at Highland Road (Ward 6)

(Jackson/Clark)

(a) That the north bound and south bound Stop Control at the intersection of Pritchard Road at Highland Road, approved as Item 5 of PW Report 13-013 by Council on November 13, 2013 be removed;

(b) That the appropriate amending By-law be passed.

CARRIED

7.3 Council Representation on the Hamilton Conservation Authority Board

(Clark/Partridge)

(a) That Councillor Brenda Johnson replace Councillor Brad Clark as the Council representative on the Board of the Hamilton Conservation Authority for the balance of this term of Council;

(b) That the Hamilton Conservation Authority be advised accordingly.

CARRIED

7.4 Item 3(a)(vii) of General Issues Committee Report 13-022(a) - Gage Park Tropical House - 4451451004

(Morrow/Merulla)

That Item 3(a)(vii) of General Issues Committee Report 13-022(a), approved by Council on December 11, 2013, which “parked” the amount of $365,000 for the Gage Park Tropical House to allow for an opportunity to consult with the Ward Councillor, be deleted in its entirety and replaced with the following in lieu thereof:

Gage Park Tropical House - 4451451004

3(a)(vii) That the $365,000 for the Gage Park Tropical House be approved within the 2014 Tax Supported Capital Levy and charged to Account No. 4451451004.

Amendment CARRIED
MOTION AS AMENDED CARRIED

NOTICES OF MOTION

Councillor Whitehead introduced the following Notice of Motion:

That Item 3 of Public Works Committee Report 14-014 respecting Public Works Yards Review Strategy approved by Council on November 27, 2013 which reads as follows be reconsidered:

That Report PW09029(b) respecting Public Works Yards Review Strategy be received.

*(Whitehead/Duvall)*

That the rules be waived in order to introduce a Motion respecting Reconsideration of Item 3 of Public Works Committee Report 13-014 respecting Public Works Yards Review Strategy, approved by Council on November 27, 2013.

The motion to waive the rules was withdrawn.

Councillor Merulla introduced the following Notice of Motion:

8.2 **Inclusion of W. H. Ballard Public School in the Register of Property of Cultural Heritage Value or Interest**

Whereas the Memorial (City) School, located at 1175 Main Street East, Hamilton (Ward 3), is believed to be of cultural heritage value or interest and may be worthy of designation under Part IV of the *Ontario Heritage Act*.

And Whereas the W.H. Ballard Public School, located at 801 Dunsmure Road, Hamilton, (Ward 4), is believed to be of cultural heritage value or interest and may be worthy of designation under Part IV of the *Ontario Heritage Act*.

Therefore Be it Resolved:

(a) That following consultation with the Hamilton Municipal Heritage Committee, the Memorial (City) School and the W.H. Ballard Public School be included in the *Register of Property of Cultural Heritage Value or Interest* as non-designated properties.

(b) That Planning staff be directed to prepare a Staff Report and Preliminary Screenings of the Memorial (City) School and the W.H. Ballard Public School in accordance with the Council-approved Designation Process and report back to Planning Committee and Council for direction and prioritization.
STATEMENT BY MEMBERS

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

PRIVATE AND CONFIDENTIAL

(Collins/Johnson)
That the Council move into Closed Session at 10:44 p.m. pursuant to Sub-sections 8.1(c) and (f) of the City’s Procedural By-law and Section 239(2) of the Ontario Municipal Act, 2001, as the subject matters pertain to:

- a proposed or pending acquisition or disposition of land in Ward 8 by the municipality or local board;
- the receiving of advice that is subject to solicitor-client privilege, including communications necessary for that purpose respecting a Labour Relations Matter regarding the Carpenters’ Union.

CARRIED

The Committee reconvened in Open Session at 11:25 pm.

10.1 Closed Session Minutes – February 26, 2014

(Clarke/Pasuta)

(a) That the Closed Session Minutes of the February 26, 2014 meeting of Council be approved, as presented.

(b) That the Closed Session Minutes of the February 26, 2014 meeting of Council, remain confidential and restricted from public disclosure.

CARRIED

10.2 Labour Relations Matter respecting Carpenters’ Union

Direction was provided in closed session.

10.3 Acquisition of Property in Ward 8

Direction was provided in closed session.

BY-LAWS

(Pasuta/Clark)
That Bills No. 14-048 to 14-069 be passed, and that the Corporate Seal be affixed thereto, and that the By-laws be numbered and signed by the Mayor and the City Clerk to read as follows:
<table>
<thead>
<tr>
<th>Bill No.</th>
<th>Description</th>
</tr>
</thead>
</table>
| 048     | To Incorporate City Land  
Designated as Lots 7 and 20 on Plan 62M-1127 into Conch Road |
| 049     | To Authorize the Signing of a Multi-Year Governance Agreement  
for Fiscal Year 2013 - Fiscal Year 2018 |
| 050     | To Amend Zoning By-law No. 05-200  
Respecting Lands Located at 135-137 King Street East & 42 Passmore Street  
(Stoney Creek) |
| 051     | To Amend By-law No. 01-215  
Being a By-law To Regulate Traffic  
Schedule 2 – Speed Limits  
Schedule 8 – No Right Turns  
Schedule 9 – No Right on Red  
Schedule 18 – Bike Lanes |
| 052     | To Incorporate City Land  
Designated as Part 1 On Plan 62R-19756  
Into Upper James Street |
| 053     | To Incorporate City Land  
Designated as Block 169 On Plan 62M-1159  
To Vinton Road |
| 054     | 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 14 – Wheelchair Loading Zones |
| 055     | Removal of Part Lot Control  
Block 107, Registered Plan No. 62M-1181, “Summit Park – Phase 7”  
71-117 Celestial Crescent (Glanbrook) |
| 056     | Removal of Part Lot Control  
Lots 2-9, inclusive, Lots 11-16, inclusive,  
Blocks 19-22, inclusive, and Blocks 24-27, inclusive, Registered Plan 62M-1190  
64, 69, 73, 77, 81, 85, 88, 89, 92, 93, 97, 100, 101, 108, 109, 112, 113, 116, 117,  
120, 121, 125, 128, 129, 132, 133, 136 Springview Drive (Flamborough) |
| 057     | Removal of Part Lot Control  
Lots 1-10, inclusive, and Blocks 11&12, Registered Plan No. 62M-1195  
120-144 King Street West (Stoney Creek) |
| 058     | Removal of Part Lot Control  
Lots 138, 141, 142, 144, 145, 153 and 154 Registered Plan No. 62M-1166  
14, 16, 20, 22, 68, 70, 74, 76, 86, 88, 92, 94, 110 and 112 Summerberry Way  
(Hamilton) |
| 059     | To Amend Zoning By-law No. 90-145-Z (Flamborough), as amended  
Respecting lands located on the South Side of Parkside Drive,  
West of Spring Creek Drive |
| 060     | To Amend Zoning By-law No. 6593 (Hamilton), as amended, respecting lands  
located at 151 John Street South, in the City of Hamilton (Ward 2) |
061  To Amend By-Law No. 06-147
    Being a By-law to Authorize the City to Enter into Extension Agreements

062  To Amend Zoning By-law No. 3692-92 Respecting Lands Located
    at 22 Green Mountain Road West (Stoney Creek)

063  To Amend Zoning By-law No. 87-57 (Ancaster), as amended, respecting
    lands located at 86 and 90 Raymond Road (Formerly 1061 Garner Road
    East), in the former Town of Ancaster, now in the City of Hamilton

064  To Adopt:
    Official Plan Amendment No. 14 to the Urban Hamilton Official Plan
    Respecting:
    Lands located at the southwest corner of Rymal Road West and Garth
    Street, known municipally as 1670 Garth Street, Hamilton

065  To Amend Zoning By-law No. 6593
    Respecting Lands Located at 1670 Garth Street (Hamilton)

066  To Amend Zoning By-law No. 05-200,
    Respecting Lands Located at 1670 Garth Street (Hamilton)

067  To Amend By-law No. 12-031,
    For Responsible Animal Ownership in the City of Hamilton

068  Removal of Part Lot Control
    Blocks 97 and 98, Registered Plan No. 62M-1125, “Parkside Hills, Phase 1”
    4,6,8,10,14,16,18,20,22,24,28,30,32,34,36,38,42,44,46,48,50 and 52
    Nisbet Boulevard (Waterdown)

069  To Confirm Proceedings of Council

(Morrow/Jackson)
That there being no further business, the City Council meeting be adjourned at 11:27
p.m.                                       CARRIED

Respectfully submitted,

Mayor B. Bratina

R. Caterini, B.Comm., A.M.C.T.
City Clerk
SPECIAL MEETING OF THE
GENERAL ISSUES COMMITTEE
REPORT 14-006
10:00 a.m.
Thursday, March 6, 2014
Council Chambers
Hamilton City Hall
71 Main Street West

Present: Deputy Mayor J. Partridge
Mayor R. Bratina; Councillors B. McHattie, J. Farr, R. Morrow,
S. Merulla, C. Collins, T. Jackson, T. Whitehead, R. Pasuta,
L. Ferguson, B. Johnson, M. Pearson, B. Clark

Absent with Regrets: Councillor S. Duvall – FCM
Councillor R. Powers – Vacation

THE GENERAL ISSUES COMMITTEE PRESENTS REPORT 14-006 FOR
INFORMATION:

(a) CHANGES TO THE AGENDA (Item 1)

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

The agenda was approved, as presented.

(b) DECLARATIONS OF INTEREST (Item 2)

None

(c) APPROVAL OF MINUTES (Item 3)

None.

(d) PRIVATE AND CONFIDENTIAL (Item 5)

The Committee moved into Closed Session at 10:05 a.m. pursuant to Sub-
section 8.1(f) of the City’s Procedural By-law and Section 239.2 of the Municipal
Act, 2001, as amended, as the subject matter pertains to the receiving of advice
that is subject to solicitor-client privilege, including communications necessary
for that purpose.

Council – March 26, 2014
The Committee reconvened in Open Session at 11:12 a.m.

H.E.C.F.I. Contract (No Copy) (Item 5.1)

Staff direction was provided in closed session.

(e) ADJOURNMENT (Item 6)

There being no further business, the meeting adjourned at 11:13 p.m.

Respectfully submitted

Councillor J. Partridge
Deputy Mayor

Carolyn Biggs
Legislative Co-ordinator
Office of the City Clerk
PUBLIC WORKS COMMITTEE
REPORT 14-003
AS AMENDED BY COUNCIL MARCH 26, 2014
9:30 a.m.
Monday, March 17, 2014
Council Chambers
Hamilton City Hall
71 Main Street West

Present: Councillor T. Whitehead (Chair), Councillor S. Merulla (Vice Chair) Councillors C. Collins, S. Duvall, T. Jackson, B. McHattie, R. Pasuta.

Regrets: Councillor L. Ferguson – Personal Councillor R. Powers – City Business

Also Present: Councillors B. Clark and M. Pearson

THE PUBLIC WORKS COMMITTEE PRESENTS REPORT 14-003 AND RESPECTFULLY RECOMMENDS:

1. Ontario Clean Air Alliance/request the Province enter into an electricity supply contract with Hydro Quebec (PW 14024) (City Wide)

That Report PW14024 respecting the Ontario Clean Air Alliance/request the Province enter into an electricity supply contract with Hydro Quebec be received.

2. Access to Private Garage from Bull's Lane (PW14020) (Ward 7)

That Report PW14020 respecting Access to Private Garage from Bull's Lane be received.

3. Petition requesting Bell Canada relocate infrastructure on Quigley Road to permit new Railway Arm Installation (PW14029) (Ward 5)

That Report PW14029 respecting a Petition requesting Bell Canada relocate infrastructure on Quigley Road to permit new Railway Arm Installation be received.

4. 2013 Annual Drinking Water Report (PW14022) (City Wide)

Council – March 26, 2014
That Report PW14022 respecting the 2013 Annual Drinking Water Report be received.

5. **Legislation Governing Mobility Devices (PW14023) (City Wide)**

That Report PW14023 respecting Legislation Governing Mobility Devices be received.

6. **The 2013 Annual Smart Commute Hamilton Report (PW10062(b)) (City Wide)**

That Report (PW10062(b)) respecting the 2013 Annual Smart Commute Hamilton be received.

7. **Accelerated Remediation of Illegal Sewer Cross Connections (PW14028) (City Wide)**

   (a) That staff be directed to increase the Hamilton Water Division complement by two additional FTE to provide the administrative and technical support necessary for the Sewer Cross Connection Pilot Program (Program) to be delivered at an accelerated output relative to the existing Program;

   (b) That staff be directed to report back in 2016 respecting the success of the Program;

   (c) That Council approve the transfer of $450K from the Water Capital Reserve (108015) to capital account 51614-60302, Emergency Repairs - Cross Connection Program to fund the accelerated Program in 2014. Program funding for subsequent years will be achieved through the annual Water and Wastewater/Storm Rate Budget approval process;

   (d) That a copy of this report be forwarded to the Joint Stewardship Board.

8. **Truck Route Sub-Committee Report 14-001 – February 25, 2014**

   (a) **Use of Trucks on Garth Street north of Stone Church Road (Item 5.1)**

   That the secondary truck route designation be taken off Garth Street from the Lincoln Alexander Parkway to Rymal Road.

   (b) **Westover Road Truck Route (Item 5.3)**

   That staff be directed to report back to the Truck Route Sub Committee on the the following:

   (i) What are the standards for a truck route?
   (ii) Does the Westover Road Truck Route meet those standards?
   (iii) Is this truck route designated local or regional?
   (iv) Review the possibility of restricting the truck route for purposes of local agricultural use.
(c) Millgrove Truck Route (Item 5.4)

(i) That 5th Concession between Brock Road and Highway #6 be re-designated as a truck route and;

(ii) That staff be directed to monitor the route to determine what impact it has had and report back in one year.

9. Standardization of Iteris Brand Traffic Signal Control Equipment and Materials (PW14017) (City Wide)

That in accordance with the City of Hamilton’s Procurement Policy #14 - Standardization, the ITERIS brand long distance, temporary conditions and expressway monitoring vehicle detection systems and software single source supplier be changed from AE Traffic Technologies Ltd. to The Get Go Inc. (GGI Road and Traffic).

10. 2014 Special Events Requiring Temporary Road Closure Approval (PW 14019) (Wards 1, 2 and 15)

That each of the following applications:

(a) Lynne’s Legacy Run for the temporary closure of Macklin Street between Longwood Road and the 403 Underpass Road (refer to Appendix A of Report PW14019), from 9:00 a.m. to 11:00 a.m. on Sunday, May 3, 2014, to hold a charity run;

(b) The Waterdown Arts and Music Streetfest for the temporary closure of Highway 5 between Hamilton Street and Mill Street, and Main Street between Parkside Drive and Barton Street (refer to Appendix B of Report PW14019), from 1:00 a.m. Sunday, May 18, 2014, to 6:00 a.m. Monday, May 19, 2014, to hold an Arts and Music Festival;

(c) Acclamation Bar & Grill for the temporary closure of Mulberry Street between MacNab Street and James Street (refer to Appendix C of Report PW14019), on Saturday May 31, 2014 from 12:00 noon to 12:00 midnight to hold a Festival;

(d) Feast of Maria SS. del Monte for the temporary closure of MacNab Street between Barton Street and Colbourne Street, and Colbourne Street between MacNab Street and Severn Street (refer to Appendix D of Report PW14019), on Saturday June 21, 2014 and Sunday June 22, 2014 from 6:00 p.m. to 11:00 p.m. each day to hold a Festival,

Be approved, subject to the following conditions:

(i) That the City may revoke the temporary road closure at any time to gain access for emergency services;
(ii) That no property owner or resident within the barricaded area be denied access to their property upon request;

(iii) That the applicant ensure that clean-up operations be carried out immediately before the re-opening of the roads, to the satisfaction of the General Manager of Public Works or designate at the expense of the event organizer;

(iv) That all barricading and traffic control be supplied by the applicant, and must conform to "Ministry of Transportation Book 7 - Temporary Conditions";

(v) That all barricading and traffic control be subject to the direction and satisfaction of the General Manager of Public Works or designate with all costs the responsibility of the applicant;

(vi) That all warning boards and detour signs manufactured and installed by the City of Hamilton in advance of the closure be at the expense of the applicant;

(vii) That the applicant notify all property owners and tenants along the closed portion of the route of the event in writing a minimum of two weeks in advance of the closure. The notice must be completed prior to the event in a form acceptable to the General Manager of Public Works or designate, providing, but not limited to a 24-hour contact name and telephone number;

(viii) That the applicant provide proof of $2,000,000 public liability insurance naming the City of Hamilton as an added insured party with a provision for cross liability, and holding the City of Hamilton harmless from all actions, causes of action, interests, claims, demands, costs, damages, expenses and loss;

(ix) That the applicant pay the required full road closure fee of $609.55 made payable to “The City of Hamilton” prior to road closure.

11. Food Service Vehicles in City of Hamilton Parks - Permitting Program (PW 14026) (City Wide)

(a) That the General Manager of Public Works or his designate be authorized and directed to implement a pilot program for food service vehicles in parks for the 2014 season as set out in Report PW14026;

(b) That a daily permit fee of $50.00 be added to the 2014 User Fees and Charges By-law;

(c) That the daily permit fee of $50.00 be waived for the first two weeks of the program;

(d) That Confederation Park be added to the list of City parks selected for this pilot program as outlined in Report PW14026.
(e) That Gage Park be added to the list of City of Hamilton Parks permitting food service vehicles with the provision that it does not compete with any existing food services in the park or where organizations are hosting events for revenues.

12. Coordinated Street Furniture Program (PW09033(b)) (City Wide)

(a) That up to $55,000 be utilized for the retention of consulting services to develop Site Selection Criteria and Guidelines for the City’s Street Furniture Program funded from Transportation Account 55916-530400 and Engineering Services Account 55916-4031311015;

(b) That Staff be directed to renegotiate the Creative Outdoor Advertising (known as transit benches/waste receptacles) contract one year prior to its expiration in order to facilitate the installation of new street furniture elements prior to the 2015 Pan Am Games;

(c) That the contracts of the remaining street furniture elements, including but not limited to; transit shelters, bicycle racks and publication boxes, be awarded through competitive procurement processes and take effect January 1, 2016. Each street furniture element will align with the Site Selection Criteria and Guidelines.

13. HSR Bus Advertising – Contract Extension (PW08125(a)) (City Wide)

(a) That the General Manager of Public Works be authorized and directed to enter into negotiations with a single source, 1333988 Ontario Inc. (StreetSeen Media), for a 21-month extension of the existing HSR bus advertising licence agreement, expiring on March 31, 2014, resulting in a revised expiry date of December 31, 2015;

(b) That the licence agreement extension document be in a form satisfactory to the City Solicitor and that it incorporate the provisions contained within the revised City of Hamilton Commercial Advertising and Sponsorship Policy (Report PW08060) approved by City Council on June 11, 2008, (Public Works Committee Report 08-010)

14. Employer Commuter Transit Pass Pilot Program (PW08133(b)) (City Wide)

That the General Manager, Public Works, be authorized and directed to offer an additional one (1) year pilot Employer Commuter (EC) Transit Pass Program to Mohawk College as well as to work with up to two (2) additional employers for one (1) year each, within the City of Hamilton as outlined in Report PW08133b;

15. HSR Transcab and Scheduled Shuttle – In-House Bid for 2014 Request for Proposals (PW14030) (Wards 6, 9, 10 and 11)

That the General Manager of Public Works be authorized to prepare an in-house bid, upon the request of, and in conjunction with, Amalgamated Transit Union (ATU) officials, in response to the 2014 Request for Proposals (RFP) call for the Hamilton Street Railway (HSR) TransCab and Scheduled Shuttle services.
16. 2014 Sidewalk Repairs in Ward 7

(a) That the reconstruction cost for various sidewalk repairs in Ward 7, in the amount of $150,000.00, be funded from the Ward 7 Area Rating Special Capital Re-Investment Reserve Account Number 108057;

(b) That the General Manager of Public Works be authorized to prepare, advertise and award tenders as required for the above-noted works.

17. Provincial Review of the Use of Mobility Devices on Public Roadways

That the Ministry of Transportation expand the Review of Provincial Legislation Governing the use of Mobility Devices on Public Roadways to include all mobility devices and not be limited to only Segway Human Transporters™/Personal Transporters.

18. Sidewalk and Mountable Curb Repairs on Brookstream Court

(a) That staff be directed to replace the deficient sidewalks and mountable curb on Brookstream Court at an estimated cost of $65,000;

(b) That the work be funded from the Ward 5 Area Rating Special Capital Re-Investment Reserve.

FOR THE INFORMATION OF THE COUNCIL:

(a) APPROVAL OF THE AGENDA (Item 1)

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

-Added as Item 10.1 a Notice of Motion respecting 2014 Sidewalk Repairs in Ward 7.

-A request from staff to table Item 8.6 (PW Report 14027) respecting Publication Box Annual Permit Policy until the April 7th meeting

The February 3, 2014 Public Works Committee Agenda was approved, as amended.

(b) DECLARATIONS OF INTEREST (Item 2)

There were no declarations of interest.
(b) MINUTES (Item 3)

(i) February 3, 2014 (Item 3.1)

The Minutes of the February 3, 2014 Public Works Committee meeting were approved, as presented.

(d) DELEGATION REQUESTS (Item 4)

The delegation request from Ryan Huizinga respecting the installation of a 4-way stop at Powerline Road and Lynden Road was approved.

The delegation request from Alan Hansell respecting Stewards of Cootes Watershed was approved.

(e) CONSENT ITEMS (Item 5)

(i) Minutes of Various Sub-Committees (FOR INFORMATION PURPOSES ONLY)

The following Sub-committee Minutes were received:

(a) Glanbrook Landfill Coordinating Committee – November 25, 2013

(b) Waste Management Advisory Committee – October 8, 2013

(c) Hamilton Cycling Committee – October 2, 2013

(d) Hamilton Cycling Committee – November 6, 2013

(e) Hamilton Source Water Protection Committee – December 17, 2013

(f) Hamilton Source Water Protection Committee – January 28, 2014

(g) Keep Hamilton Clean and Green Sub-Committee – January 21, 2014

(f) PUBLIC HEARINGS/DELEGATIONS (Item 6)

(i) Delegation by Mr. John Vesprini respecting flooding on Lake Avenue Drive (Item 6.1)

Mr. Vesprini addressed the Committee about his concerns respecting flooding on Lake Avenue Drive. He reported that reconstruction on Lake Avenue Drive took place in 2010 and since then flooding has occurred on several occasions. Mr. Vesprini distributed a document outlining his concerns. A copy has been retained for the public record.
The delegation by Mr. John Vesprini respecting flooding on Lake Avenue Drive was received.

Staff were directed to investigate concerns respecting flooding on Lake Avenue Drive and take the necessary steps to remediate the problems and report back to the Public Works Committee.

(ii) Council requested delegation from the Ministry of Transportation respecting Area Transportation Projects (Item 6.2)

Mr. Martin Michalek, Area Manager, Planning and Design, Ministry of Transportation, addressed the Committee with the aid of a PowerPoint presentation. A copy of the presentation has been included in the public record. The presentation included but was not limited to the following:

- An Outline of Ministry of Transportation Ontario (MTO) projects in the area
  - Burlington Skyway Structure
  - Highway 5 and Highway 6 Resurfacing
  - Highway 403/York Blvd. Underpass Rehabilitation
  - 403 Resurfacing
  - Highway 403 Structures - Mohawk Road to Wilson Street
  - QEWR Resurfacing

- The key challenges and constraints, traffic mitigation plans and start and finish dates

Other MTO staff in attendance included:

- Fabio Saccon, Traffic Manager, Traffic Office
- Joe Costantino, Area Construction Engineer, Contracts Office
- John Lam, Senior Structural Engineer, Structural Office
- Richard Hassall, Sr. Project Manager, Morrison Hershfield Ltd.

The delegation by the Ministry of Transportation respecting Area Transportation Projects was received.

(g) PRESENTATIONS

(i) Closed Landfills

Mr. Emil Prpic, Manager of Recycling and Waste Disposal, addressed the Committee with the aid of a PowerPoint presentation. A copy of the presentation has been included in the public record.
The presentation included but was not limited to the following:

- Location of Closed Landfill Sites in Hamilton
- Environmental Monitoring
- Partnership with the Environmental Laboratory
- Site Examples – West Hamilton and Binbrook
- Maintenance
- Beneficial End Uses

The presentation respecting Closed Landfills was received.

(ii) **Accelerated Remediation of Illegal Sewer Cross Connections (PW14028) (City Wide)**

The presentation portion of PW14028 respecting Accelerated Remediation of Illegal Sewer Cross Connections was waived and the Committee proceeded to ask questions of staff.

The staff recommendation was amended by adding subsection (d) as follows:

(d) That a copy of this report be forwarded to the Joint Stewardship Board

For disposition on this matter refer to Item 7.

(h) **DISCUSSION ITEMS (Item 8)**

(i) **Publication Box Annual Permit Policy (PW14027) (City Wide)**

This Item was tabled until the April 7th, 2014 meeting of the Public Works Committee.

(ii) **HSR Bus Advertising – Contract Extension (PW08125(a)) (City Wide)**

The Motion CARRIED on the following Recorded Vote:

| Yeas:       | C. Collins, S. Duvall, T. Jackson, B. McHattie, R. Pasuta, |
|            | Total:             5                                    |
| Nays:       | T. Whitehead       |
|            | Total:             1                                    |
| Absent:     | L. Ferguson, R. Powers |
|            | Total:             2                                    |

For disposition on this matter refer to Item 13.

(iii) **Employer Commuter Transit Pass Pilot Program (PW08133(b)) (City Wide)**

Staff were directed to report back on the results, following the pilot program, in order to determine whether a full program should be implemented in 2015 as part of a Smart Commute Hamilton employer offer.

**Council – March 26, 2014**
(i) MOTIONS (Item 9)

(i) Investigation of Sidewalk Snow Clearing Program

Staff were directed to report back to the Public Works Committee with options and alternatives for a City of Hamilton sidewalk snow clearing program to include, but not be limited to best practices of other municipalities, and an update on slip and fall claims made to the City as a result of snow and ice-packed sidewalks.

The Motion CARRIED on the Following Recorded Vote:

Yeas: S. Duvall, T. Jackson, B. McHattie, R. Pasuta, T. Whitehead
Total: 5
Nays: C. Collins
Total: 1
Absent: L. Ferguson, R. Powers
Total: 2

(j) NOTICES OF MOTION (Item 10)

Councillor Duvall introduced the following Notice of Motion:

(i) 2014 Sidewalk Repairs in Ward 7 (Added Item 10.1)

That the reconstruction cost for various sidewalk repairs in Ward 7, in the amount of $150,000.00, be funded from the Ward 7 Area Rating Special Capital Re-Investment Reserve Account Number 108057.

That the General Manager of Public Works be authorized to prepare, advertise and award tenders as required for the above-noted works.

The rules of order were waived to allow the introduction of a Motion respecting 2014 Sidewalk Repairs in Ward 7.

For disposition on this matter refer to Item 16.

Councillor Merulla introduced the following Notice of Motion:

(ii) Provincial Review of the Use of Mobility Devices on Public Roadways

That the Ministry of Transportation expand the Review of Provincial Legislation Governing the use of Mobility Devices on Public Roadways to include all mobility devices and not be limited to only Segway Human Transporters™/Personal Transporters.
The rules of order were waived to allow the introduction of a Motion respecting Provincial Review of the Use of Mobility Devices on Public Roadways.

For disposition on this matter refer to Item 17.

Councillor Collins introduced the following Notice of Motion:

(iii) **Sidewalk and Mountable Curb Repairs on Brookstream Court**

That staff be directed to replace the deficient sidewalks and mountable curbs on Brookstream Court at an estimated cost of $65,000; and

That the work be funded from the Ward 5 Area Rating Special Capital Re-Investment Reserve.

The rules of order were waived to allow the introduction of a Motion respecting Sidewalk and Mountable Curb Repairs on Brookstream Court.

For disposition on this matter refer to Item 18.

Councillor Duvall introduced the following Notice of Motion:

(iv) **Snow Clearing on Corners**

That staff determine whether it is the responsibility of the City of Hamilton or property owners for the clearing of snow from corners; and report back to the Public Works Committee.

If it is determined to be a City responsibility, that staff report back to the Public Works Committee on what the associated costs are and what is the City’s plan of action for addressing this issue.

The rules of order were waived to allow the introduction of a Motion respecting Snow Clearing on Corners.

(k) **GENERAL INFORMATION/OTHER BUSINESS (Item 11)**

(i) **Outstanding Business List (Item 11.1)**

(a) The following items were approved for removal from Outstanding Business List:

(i) Item P - Ontario Clean Air Alliance /request the Province enter into an electricity supply contract with Hydro Quebec

(ii) Item G - Access to Private Garage from Bull's Lane
(iii) Item M – Citizen Committee Report – 13-001 Hamilton Cycling Committee

(iv) Item R - Remediation of Illegal Cross Connections - Chedoke Creek

(i) (v) Item T - Installation of new “Railway Arms” on Quigley Road

(b) The due date of following items were revised:

(i) Item N - Two Way Conversion Queen Street North between Stuart Street and Barton Street West
   Current Date – 2015
   Revised Date – September 15, 2014

(ii) Item O – Reduction in Greenhouse Gas and Energy
    Current Date – March 17, 2014
    Revised Date – May 5, 2014

(I) ADJOURNMENT (Item 13)

There being no further business, the Public Works Committee adjourned at 1:08 pm.

Respectfully submitted,

Councillor T. Whitehead Chair
Public Works Committee

Lauri Leduc
Legislative Coordinator
Office of the City Clerk
PLANNING COMMITTEE
REPORT 14-004
As Amended by Council on March 26, 2014
9:30 am
Tuesday, March 18, 2014
Council Chambers
Hamilton City Hall
71 Main Street West

Present: Councillors B. Johnson (Chair), J. Partridge (1st Vice Chair), C. Collins (2nd Vice Chair), J. Farr, B. Clark, R. Pasuta, M. Pearson and T. Whitehead

Absent with Regrets: Councillor L. Ferguson

Also Present: Councillor S. Duvall

THE PLANNING COMMITTEE PRESENTS REPORT 14-004 AND RESPECTFULLY RECOMMENDS:

1. Hamilton Historical Board Minutes - January 21, 2014 (Item 5.1)

That the minutes of the January 21, 2014 meeting of the Hamilton Historical Board, be received.

2. Rental Housing Sub-Committee - Revised Terms of Reference (City Wide) (PED10049(p)) (Item 5.2)

(a) That the Terms of Reference for the Rental Housing Sub-Committee, attached hereto as Appendix “A”, be amended to include three citizens at large as part of the membership;

(b) That the Terms of Reference for the Rental Housing Sub-Committee, as amended, be approved.

Council – March 26, 2014
3. **Keeping of Pigeons in Urban Areas (PED13107(a)) (City Wide) (Item 5.3)**

That the proposed By-law, attached as Appendix “A” to Report PED13107(a), which amends the Responsible Animal Ownership By-law No. 12-031 with respect to allowing pigeons in urban areas with appropriate restrictions, and which has been prepared in a form satisfactory to the City Solicitor, be passed.

4. **Official Plan Amendment and Zoning Amendment Application for Lands Located at 1354 Upper Sherman (Hamilton) (PED14026) (Ward 7) (Item 6.1)**

(a) That approval be given to **Urban Hamilton Official Plan Amendment Application OPA-13-019, by Malatesta Brothers Co. Ltd. (Owner)**, for a site-specific modification to the Neighbourhood Designation, in order to permit the development of 14 townhouse units at a density below 60 units per hectare (uph), for lands located at 1354 Upper Sherman (Hamilton), as shown on Appendix “A” to Report PED14026, on the following basis:

(i) That the draft Official Plan Amendment, attached as Appendix “B” to Report PED14026, be adopted by City Council.

(b) That approval be given to **Zoning By-law Application ZAC-11-050, by Malatesta Brothers Co. Ltd. (Owner)**, for a change in zoning from the “AA” (Agricultural) District to the “RT-20” (Townhouse-Maisonette) District, with a Special Exception, in order to permit the development of 14 townhouse units, for lands located at 1354 Upper Sherman (Hamilton), as shown on Appendix “A” to Report PED14026 on the following basis:

(i) That the draft By-law, attached as Appendix “C” to Report PED14026, that has been prepared in a form satisfactory to the City Solicitor, be enacted by City Council; and,

(ii) That the proposed change in zoning is in conformity with the Urban Hamilton Official Plan upon finalization of Official Plan Amendment No.

(c) That upon finalization of the implementing By-law, the subject lands within the Rushdale Neighbourhood Plan be re-designated from “Institutional” and “Recreation” to “Attached Housing”.

(d) Holding Provision approval is contingent on an approved Construction Management Plan to include:

(i) Prohibition on blasting

(ii) Flooding mitigation plan

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(iii) Fence and screening requirements
(iv) Individual garage connection
(v) Ward Councillor to be included in site plan approval
(vi) 2 storeys in height maximum

5. Applications for Amendments to the Urban Hamilton Official Plan, City of Stoney Creek Zoning By-law No. 3692-92 and Hamilton Zoning By-law No. 05-200 for Lands Located at 257, 259 and 261 Millen Road (Stoney Creek) (PED14042) (Ward 10) (Item 6.2)

(a) That approval be given to Official Plan Amendment (OPA) Application OPA-12-001, by 1333664 Ontario Inc., c/o Mike Valvasori, Owner, for Amendment No. to the Urban Hamilton Official Plan (UHOP), to amend Land Use Plan Map B.7.1-1 Western Development Area Secondary Plan to redesignate lands from “Low Density Residential 2b” to “Medium Density Residential 3”, for the lands located at 257, 259 and 261 Millen Road, (Stoney Creek), as shown on Appendix “A” to Report PED14042, on the following basis:

(i) That the draft OPA, attached as Appendix “B” to Report PED14042, be adopted by Council; and,

(ii) That the proposed OPA is consistent with the Provincial Policy Statement (PPS), and conforms to the Growth Plan for the Greater Golden Horseshoe.

(b) That approval be given to amended Zoning Application ZAC-12-001, by 1333664 Ontario Inc., c/o Mike Valvasori, Owner, for changes in zoning to By-law No. 3692-92 from the Single Residential “R2” Zone, to the Multiple Residential “RM3-53” Zone, with a Special Exception (Block 1), and for the removal of lands in Zoning By-law No. 05-200 zoned Neighbourhood Institutional (I1) Zone, and placing them into the Multiple Residential “RM3-53” Zone, with a Special Exception (Block 2), as shown on Schedule “A” to Appendices “C” and “D” to Report PED14042, on the following basis:

(i) That the draft By-law, attached as Appendix “C” to Report PED14042, which has been prepared in a form satisfactory to the City Solicitor, be enacted by City Council.

(ii) That the amending By-law be added to Schedule “A”, Map No. 6 of Zoning By-law No. 3692-92.

(iii) That the draft By-law, attached as Appendix “D” to Report PED14042, which has been prepared in a form satisfactory to the City Solicitor, be enacted by City Council.

(iv) That the amending By-law be removed from Schedule “A”, Map No. 1198 of Zoning By-law No. 05-200; and,

(v) That the proposed changes in zoning will be in conformity with the UHOP upon finalization of OPA No. .

(c) That upon finalization of the implementing By-law, the Poplar Park Neighbourhood Plan be amended by changing the designation of 257,
259 and 261 Millen Road (Stoney Creek) from “Low Density Residential” to “Medium Density Residential”.

(d) That the privacy fencing be increased around the subject property from 1.5m to 2.0m;

(e) That trees are to be planted beside the fencing to provide additional parking.

6. Proposed Official Plan Amendment and Zoning By-law Amendment to Permit a Mobile Home Park and a Seasonal Trailer Park at 57 and 58 12th Concession Road East (Flamborough) (PED14032) (Ward 15) (Item 6.3)

(a) That Item 6 of Planning Committee Report 14-004 respecting “Proposed Official Plan Amendment and Zoning By-law Amendment to Permit a Mobile Home Park and a Seasonal Traffic Park at 57 and 58 12th Concession Road East (Flamborough) (PED14032) (Ward 15)” be tabled;

(b) That the implementation of the by-law be held in abeyance until the April 23, 2014 meeting of Council to allow the Ward Councillor the opportunity to resolve outstanding issues with surrounding property owners which may avoid a costly OMB Hearing.

7. Downtown Built Heritage Inventory (PED14039) (City Wide) (Item 7.1)

(a) That the property evaluation framework developed by ERA Architects Inc., Hamilton Downtown Built Heritage Inventory DRAFT Heritage Constraints and Opportunities, attached as Appendix “A” to Report PED14039, be used to guide future inventory work;

NOTE: Due to the size and bulk of the ERA Architects report, Hamilton Downtown Built Heritage Inventory DRAFT Heritage Constraints and Opportunities, and its large scale appendices, a hard copy of the full report will be available for viewing in the Office of the City Clerk, 71 Main Street West, 1st Floor, Hamilton and on the City’s website at: http://www.hamilton.ca/CityDepartments/CorporateServices/Clerks/AgendaMinutes/Planning/2014/March 18, 2014

(b) That staff be directed to consult with the Hamilton Municipal Heritage Committee and the owners of the properties listed in Appendix “C” of ERA Architects report, Hamilton Downtown Built Heritage Inventory DRAFT Heritage Constraints and Opportunities, attached as Appendix
“A” to Report PED14039, and report back to the Planning Committee regarding the addition of these properties to the Register of Property of Cultural Heritage Value or Interest as non-designated properties;

(c) That staff be directed to consult with the Hamilton Municipal Heritage Committee and the owners of the properties listed in Appendix “C” of ERA Architects report, *Hamilton Downtown Built Heritage Inventory DRAFT Heritage Constraints and Opportunities*, attached as Appendix “A” to Report PED14039, and report back to the Planning Committee regarding the priority of Cultural Heritage Assessment work for each property for potential designation under the *Ontario Heritage Act*;

(d) That staff be directed to prepare a work plan for Recommendations (b) and (c) of Report PED14039 and for completion of the inventory and evaluation of the remaining properties in the City's *Inventory of Buildings of Architectural and/or Historical Interest*, including community engagement, volunteer opportunities, survey methodology, data management, and the feasibility of applying the evaluation framework identified in Recommendation (a) of Report PED14039;

(e) That staff be directed to prepare a Capital Budget submission for the work described in Recommendation (d) of Report PED14039 to be brought forward in the 2015 Budget deliberations.

8. **Waterdown Village Core – Traffic Management and Land Use Options (PED14047) (Ward 15) (Item 8.2)**

That the following strategy be approved in respect to traffic management and land use for the Waterdown Village Core area:

(a) Continue with the traffic calming review for the Waterdown Village Core;

(b) Initiate the Growth Management Road Infrastructure Implementation Strategy;

(c) Initiate the Waterdown Community Node Secondary Plan;

(d) Initiate a Transportation Management Plan for the Waterdown Community Node;

(e) Require a Traffic Impact Study for all residential development in the Waterdown Core;

(f) The City not pursue an Interim Control By-law or a Holding By-law for the Waterdown Village Core.
9. Application for a Zoning By-law Amendment for Lands Located at the Southwest Corner of Parkside Drive and Spring Creek Drive (Flamborough) (PED14018) (Ward 15) (Item 8.3)

That approval be given to **Zoning By-law Amendment Application ZAC-09-030, by Mattamy Homes (Waterdown) Limited, (Owner)**, for a modification to the existing Urban Residential “R1-30” Zone, in order to increase the maximum number of dwelling units on the subject lands, for lands located at the southwest corner of Parkside Drive and Spring Creek Drive (Flamborough), as shown on Appendix “A” to Report PED14018, on the following basis:

(a) That the draft By-law, attached as **REVISED Appendix “B” to Report PED14018**, which has been prepared in a form satisfactory to the City Solicitor, be enacted by City Council;

(b) That the proposed change in zoning is in conformity with the Urban Hamilton Official Plan (UHOP).

10. Pedestrian Access on Fellowes Crescent Waterdown

Whereas the residential development on Fellowes Crescent, Waterdown is an existing mature neighbourhood built in the 1980's; and

Whereas there are significant traffic and parking issues on the existing section of Fellowes Crescent; and

Whereas the proposed extension of Fellowes Crescent to connect with the new Mattamy development will result in increased traffic from 71 new units having access into the older neighbourhood;

Therefore be it resolved:

(a) That the interface between the existing Fellowes Crescent and the proposed extension of Fellowes to the new development to the East remain closed to vehicle access and allow only pedestrian access, to be monitored once:

(i) The residential construction and abutting land use is completed;  

(ii) The proposed supporting transportation infrastructure ie Parkside Drive improvements; Bypass corridor between Dundas St. and Parkside Drive are completed and functional.
(b) Pedestrian access on the existing Fellowes Crescent through the extension will be constructed to include bullard barricades and maintained by the developer satisfactory to the city growth management staff.

11. Medical Marihuana Growing and Harvesting Facility Under the Federal Regulations (MMPR) – Zoning By-law Interpretations (PED14037(a)) (City Wide) (Item 8.4)

(a) That staff be directed to undertake a City Initiative for the urban area to amend the Urban Hamilton Official Plan and/or the existing Zoning By-laws to establish a definition of a Medical Marihuana Growing and Harvesting Facility, to include appropriate regulations, and to identify appropriate locations for this use.

(b) That staff be directed to establish a definition of a Medical Marihuana Growing and Harvesting Facility, establish appropriate regulations, and identify it as an agricultural use within the proposed agricultural zones for the Rural area.

(c) That a Communication Plan be developed to outline the Federal Government’s intentions and best practices nationally to better understand what is being proposed.

12. Hamilton Municipal Heritage Committee Report 14-002 (Item 8.5)

(a) Hamilton Heritage Conservation Grant Program (City Wide)

That the Hamilton Heritage Conservation Grant Program (HHCGP) be established as per the terms and conditions outlined by staff in Appendix B, attached hereto.

(b) Funding for Hamilton Municipal Heritage Committee 2013 Awards

That funds up to the amount of $500 from the appropriate account be made available, for the expenses incurred from the 2013 Hamilton Municipal Heritage Committee Awards Night

(c) 170 Longwood Road North, Hamilton letter

That the Hamilton Municipal Heritage Committee be authorized to write a letter to the Ministry of Tourism, Culture & Sport, as well to the Ontario Heritage Trust, outlining concerns with limitations of the Ontario Heritage Act with respect to regulating alterations to non-designated properties that are included in the municipal Register, as demonstrated by the
extent of alterations to the existing house at 170 Longwood Road North (for information see Appendix C, attached hereto).

13. Shoppers Drug Mart - Appeals to the Ontario Municipal Board by Shoppers Drug Mart Limited for Lands Located at 41, 45, 47, 49, 55, 59 Head Street, 22, 24 Dundurn Street North, and 620, 622, 624 Main Street West (Hamilton) regarding City of Hamilton’s Refusal or Neglect to Adopt Amendments to the City of Hamilton Official Plan (OPA-12-011) and Hamilton Zoning By-law No. 6593 (ZAC-12-028); and, Failure to Approve Site Plan DA-13:175 (LS14008/ PED14064) (Item 12.3)

   (a) That, in regards to appeals to the Ontario Municipal Board by Shoppers Drug Mart Limited regarding Official Plan Amendment Application OPA-12-011, Zoning By-law Amendment Application ZAC-12-028 and Site Plan Application DA-13:175, staff be instructed to:

      (i) Oppose the appeals at the Ontario Municipal Board as the development proposal is premature on the grounds of unresolved compatibility and urban design issues;

      (ii) Continue settlement discussions with the appellant and report back to Planning Committee, if a settlement can be recommended by staff.

   (b) That Report LS14008/ PED14064, and Appendices, remain confidential.

14. Monterey Heights - Appeals to the Ontario Municipal Board on the City of Hamilton’s Refusal or Neglect to Adopt Amendments to the Town of Ancaster Official Plan and Zoning By-law for Lands Located at 591 and 611 Garner Road West (Ancaster) (LS14007) (Item 12.4)

   (a) That Legal staff be directed to support the revised concept plan dated November 27, 2013, attached to Report LS14007/ PED14065, Monterey Heights - Appeals to the Ontario Municipal Board on the City of Hamilton’s Refusal or Neglect to Adopt Amendments to the Town of Ancaster Official Plan and Zoning By-law for Lands Located at 591 and 611 Garner Road West (Ancaster), as Appendix “B”, and an Official Plan Amendment and Zoning By-Law in a form satisfactory to the City Solicitor and with content acceptable to the Director of Planning, at the Ontario Municipal Board;

   (c) That Appendix B to Report LS14007/ PED14065, be made public upon Council approval of recommendation (a);

   (b) That Report LS14007/ PED14065, and remaining Appendices, remain confidential.
15. 1400 Upper James OMB Appeals Re: OPA (OPA-12-012), ZBA (ZAC-12-029) and Consent (HM/B-13:27) Owner: LPF Reality Inc. (LS14009) (Item 12.5)

(a) That recommendation (a) of Report LS14009 remain confidential;

(b) That, if a settlement is approved by the Ontario Municipal Board:

(i) the Mewburn Neighbourhood Plan be amended in accordance with Appendix “C” attached to Report LS14009/PED14063;

(ii) Appendix “C” attached to Report LS14009/PED14063, be made public.

(c) That, if a settlement is reached, the City Solicitor be authorized to execute Minutes of Settlement in a form acceptable to the City Solicitor;

(d) That Report LS14009/PED14063, and appendices, remain confidential.

16. 1125 West 5th Street OMB Appeals Re: ZBA (ZAC -12-067 and Plan of Subdivision 25T-2012) Owner: DiCenzo Construction Limited (LS14010) (Item 12.6)

(a) That in regards to the appeals to the Ontario Municipal Board by DiCenzo Construction Company Limited in respect of Zoning By-law Amendment Application (ZAC-12-067) and Plan of Subdivision Application 25T-201202, Staff be instructed to:

(i) Oppose the appeals on the basis that approval of the applications is premature;

(ii) Continue settlement discussions with the appellant and report back to Planning Committee if a settlement can be recommended by the City Solicitor and Director of Planning.

(b) That Report LS14010/PED14062, and the appendix, remain confidential.

17. 1041 West 5th Street OMB Appeals Re: OPA (OPA-12-024) and ZBA (ZAC-12-070) Owner: 1804487 Ontario Inc. (LS14011) (Item 12.7)

(a) That in regards to appeals to the Ontario Municipal Board by 1804487 Ontario Inc. of Official Plan Amendment application OPA-12-024 and
Zoning By-law Amendment application ZAC-12-070 concerning lands located at 1041 West 5th Street, Staff be instructed to:

(i) Oppose the appeals on the basis that approval of the applications is premature; and,

(ii) Continue settlement discussions with the appellant and report back to Planning Committee if a settlement can be recommended by Staff.

(b) That Report LS14011/PED14061 and appendices, remain confidential.

FOR THE INFORMATION OF COUNCIL:

(a) CHANGES TO THE AGENDA (Item 1)

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

4.2 Delegation Request from Janice Brown respecting item 8.5, Hamilton Municipal Heritage Committee Report 14-002

6.1 Official Plan Amendment and Zoning Amendment Application for Lands Located at 1354 Upper Sherman (Hamilton) (PED14026) (Ward 7)

(i) Correspondence from Marc and Karen Campanelli

6.2 Applications for Amendments to the Urban Hamilton Official Plan, City of Stoney Creek Zoning By-law No. 3692-92 and Hamilton Zoning By-law No. 05-200 for Lands Located at 257, 259 and 261 Millen Road (Stoney Creek) (PED14042) (Ward 10)

(i) Correspondence from Todd Hennings and Nicole Cockcroft

6.3 Proposed Official Plan Amendment and Zoning By-law Amendment to Permit a Mobile Home Park and a Seasonal Trailer Park at 57 and 58 12th Concession Road East (Flamborough) (PED14032) (Ward 15)

(i) Correspondence from Glen and Joan Wigood and Al, Donna, AJ and Alicia Mount

8.3 Application for a Zoning By-law Amendment for Lands Located at the Southwest Corner of Parkside Drive and Spring Creek Drive (Flamborough) (PED14018) (Ward 15)
(x) Correspondence from Ryan Oosterhoff – Mattamy Homes

10.1 Renaming of the Trinity Church Arterial Road Corridor (Clark)

10.2 Naming of the Waterdown East/West Roadway (Partridge)

The Agenda for the March 18, 2014 meeting of the Planning Committee was approved, as amended.

(b) DECLARATIONS OF INTEREST (Item 2)

Councillor Pearson declared an interest in item 5.2, Rental Housing Sub-Committee - Revised Terms of Reference (City Wide) (PED10049(p)) and item 6.2 Applications for Amendments to the Urban Hamilton Official Plan, City of Stoney Creek Zoning By-law No. 3692-92 and Hamilton Zoning By-law No. 05-200 for Lands Located at 257, 259 and 261 Millen Road (Stoney Creek) (PED14042) (Ward 10), as she owns rental property that pertains to these two items.

(c) APPROVAL OF MINUTES (Item 3)

(i) February 18, 2014

The Minutes of the February 18, 2014 Planning Committee meeting were approved.

(d) DELEGATION REQUESTS (Item 4)

(i) Delegation Request from Anna Roberts and Viv Saunders respecting changes to Land Use Process and Procedures (Item 4.1)

The delegation request from Anna Roberts and Viv Saunders respecting changes to Land Use Process and Procedures, was approved for a future meeting.

(ii) Delegation Request from Janice Brown respecting item 8.5, Hamilton Municipal Heritage Committee Report 14-002 (Item 4.2)

The delegation Request from Janice Brown respecting item 8.5, Hamilton Municipal Heritage Committee Report 14-002, was approved.
Public Hearings and Delegations (Item 6)

Official Plan Amendment and Zoning Amendment Application for Lands Located at 1354 Upper Sherman (Hamilton) (PED14026) (Ward 7) (Item 6.1)

Correspondence from Marc and Karen Campanelli

In accordance with the provision of the Planning Act, Chair B. Johnson 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 and official plan 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.

Greg Macdonald, Senior Planner, provided an overview of the report with the aid of a PowerPoint Presentation. A copy of the PowerPoint has been included as part of the public record.

The staff presentation respecting Report PED14026, Official Plan Amendment and Zoning Amendment Application for Lands Located at 1354 Upper Sherman (Hamilton), was received.

Liam Doherty, agent, provided an overview of the application with the aid of a PowerPoint Presentation. A copy of the presentation has been included in the public record.

The applicant representative’s presentation respecting Report PED14026, Official Plan Amendment and Zoning Amendment Application for Lands Located at 1354 Upper Sherman (Hamilton), was received.

Public Speakers:

1. Mike Cordeiro – 65 Rupert Court, Hamilton, ON L8W 2Y9
Mr. Cordeiro expressed concerns with privacy, fencing, grading issues and flooding.

2. Gary Josefik - 1336 Upper Sherman, Hamilton, ON L8W 1C2
   Mr. Josefik spoke to the application.

3. Marg Himmen - 1336 Upper Sherman, Hamilton, ON L8W1C2
   Mr. Himmen spoke to the application.

The public presentations respecting Report PED14026, Official Plan Amendment and Zoning Amendment Application for Lands Located at 1354 Upper Sherman (Hamilton), were received.

The public meeting respecting Report PED14026, Official Plan Amendment and Zoning Amendment Application for Lands Located at 1354 Upper Sherman (Hamilton), was closed.

The correspondence respecting Report PED14026, Official Plan Amendment and Zoning Amendment Application for Lands Located at 1354 Upper Sherman (Hamilton), was received.

The recommendations to Report PED14026, Official Plan Amendment and Zoning Amendment Application for Lands Located at 1354 Upper Sherman (Hamilton), were amended by adding new sub-section (d), as follows:

(d) Holding Provision approval is contingent on an approved Construction Management Plan to include:

   (i) Prohibition on blasting
   (ii) Flooding mitigation plan
   (iii) Fence and screening requirements
   (iv) Individual garage connection
   (v) Ward Councillor to be included in site plan approval
   (vi) 2 storeys in height maximum

For disposition on this Item, refer to item 4.

(ii) Applications for Amendments to the Urban Hamilton Official Plan, City of Stoney Creek Zoning By-law No. 3692-92 and Hamilton Zoning By-law No. 05-200 for Lands Located at 257, 259 and 261 Millen Road (Stoney Creek) (PED14042) (Ward 10) (Item 6.2)
Correspondence from Todd Hennings and Nicole Cockcroft

In accordance with the provision of the Planning Act, Chair B. Johnson 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-laws and urban Hamilton official plan 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.

Joe Muto, Senior Planner, provided an overview of the report with the aid of a PowerPoint Presentation. A copy of the PowerPoint has been included as part of the public record.

The staff presentation respecting Report PED14042, Applications for Amendments to the Urban Hamilton Official Plan, City of Stoney Creek Zoning By-law No. 3692-92 and Hamilton Zoning By-law No. 05-200 for Lands Located at 257, 259 and 261 Millen Road (Stoney Creek), was received.

Matt Johnson, on behalf of the applicant, provided an overview of the application with the aid of a PowerPoint Presentation. A copy of the PowerPoint has been included as part of the public record.

The agent’s presentation respecting Report PED14042, Applications for Amendments to the Urban Hamilton Official Plan, City of Stoney Creek Zoning By-law No. 3692-92 and Hamilton Zoning By-law No. 05-200 for Lands Located at 257, 259 and 261 Millen Road (Stoney Creek), was received.

Public Speakers:

1. Raymond D. – 252 Millen Road, Stoney Creek, ON L8E 2G9
   He expressed concerns with over-intensification and privacy.

2. Lorraine Smith – 389 Hemlock Ave, Stoney Creek, ON L8E 2E2
   Ms. Smith expressed concerns with privacy, noise, parking overflow, landscaping, excessive traffic, building height, potential rental units.
The public presentations respecting Report PED14042, Applications for Amendments to the Urban Hamilton Official Plan, City of Stoney Creek Zoning By-law No. 3692-92 and Hamilton Zoning By-law No. 05-200 for Lands Located at 257, 259 and 261 Millen Road (Stoney Creek), were received.

The public meeting respecting Report PED14042, Applications for Amendments to the Urban Hamilton Official Plan, City of Stoney Creek Zoning By-law No. 3692-92 and Hamilton Zoning By-law No. 05-200 for Lands Located at 257, 259 and 261 Millen Road (Stoney Creek), was closed.

The correspondence respecting Report PED14042, Applications for Amendments to the Urban Hamilton Official Plan, City of Stoney Creek Zoning By-law No. 3692-92 and Hamilton Zoning By-law No. 05-200 for Lands Located at 257, 259 and 261 Millen Road (Stoney Creek), was received.

The recommendations contained in Report PED14042, Applications for Amendments to the Urban Hamilton Official Plan, City of Stoney Creek Zoning By-law No. 3692-92 and Hamilton Zoning By-law No. 05-200 for Lands Located at 257, 259 and 261 Millen Road (Stoney Creek), were amended by adding new sub-sections (d) and (e) as follows:

(d) That the privacy fencing be increased around the subject property from 1.5m to 2.0m;

(e) That trees are to be planted beside the fencing to provide additional parking.

Councillor Whitehead proposed tabling this item in order to accommodate further discussion. The applicant was not supportive.

(a) That approval be given to Official Plan Amendment (OPA) Application OPA-12-001, by 1333664 Ontario Inc., c/o Mike Valvasori, Owner, for Amendment No. to the Urban Hamilton Official Plan (UHOP), to amend Land Use Plan Map B.7.1-1 Western Development Area Secondary Plan to redesignate lands from “Low Density Residential 2b” to “Medium Density Residential 3”, for the lands located at 257, 259 and 261 Millen Road, (Stoney Creek), as shown on Appendix “A” to Report PED14042, on the following basis:

(i) That the draft OPA, attached as Appendix “B” to Report PED14042, be adopted by Council; and,

(ii) That the proposed OPA is consistent with the Provincial Policy Statement (PPS), and conforms to the Growth Plan for the Greater Golden Horseshoe.
(b) That approval be given to amended Zoning Application ZAC-12-001, by 1333664 Ontario Inc., c/o Mike Valvasori, Owner, for changes in zoning to By-law No. 3692-92 from the Single Residential “R2” Zone, to the Multiple Residential “RM3-53” Zone, with a Special Exception (Block 1), and for the removal of lands in Zoning By-law No. 05-200 zoned Neighbourhood Institutional (I1) Zone, and placing them into the Multiple Residential “RM3-53” Zone, with a Special Exception (Block 2), as shown on Schedule “A” to Appendices “C” and “D” to Report PED14042, on the following basis:

(i) That the draft By-law, attached as Appendix “C” to Report PED14042, which has been prepared in a form satisfactory to the City Solicitor, be enacted by City Council.

(ii) That the amending By-law be added to Schedule “A”, Map No. 6 of Zoning By-law No. 3692-92.

(iii) That the draft By-law, attached as Appendix “D” to Report PED14042, which has been prepared in a form satisfactory to the City Solicitor, be enacted by City Council.

(iv) That the amending By-law be removed from Schedule “A”, Map No. 1198 of Zoning By-law No. 05-200; and,

(v) That the proposed changes in zoning will be in conformity with the UHOP upon finalization of OPA No. 12.

(c) That upon finalization of the implementing By-law, the Poplar Park Neighbourhood Plan be amended by changing the designation of 257, 259 and 261 Millen Road (Stoney Creek) from “Low Density Residential” to “Medium Density Residential”.

(d) That the privacy fencing be increased around the subject property from 1.5m to 2.0m;

(e) That trees are to be planted beside the fencing to provide additional parking.

The recommendations were DEFEATED on the following vote:

Yeas: Farr, Whitehead
Total: 2
Nays: Collins, Partridge, Johnson, Clark
Total: 4
Absent: Pasuta, Ferguson, Pearson
Total: 3
For disposition on this Item, refer to item 5.

(iii) Proposed Official Plan Amendment and Zoning By-law Amendment to Permit a Mobile Home Park and a Seasonal Trailer Park at 57 and 58 12th Concession Road East (Flamborough) (PED14032) (Ward 15) (Item 6.3)

(i) Correspondence from Glen and Joan Wigood and Al, Donna, AJ and Alicia Mount

In accordance with the provision of the Planning Act, Chair B. Johnson 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 and official plan 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.

Cam Thomas, Planner, provided an overview of the report with the aid of a PowerPoint Presentation. A copy of the PowerPoint has been included as part of the public record.

The staff presentation respecting Report PED14032, Proposed Official Plan Amendment and Zoning By-law Amendment to Permit a Mobile Home Park and a Seasonal Trailer Park at 57 and 58 12th Concession Road East (Flamborough), was received.

Hal Watson, on behalf of the applicant, provided an overview of the application.

The agents’ presentation respecting Report PED14032, Proposed Official Plan Amendment and Zoning By-law Amendment to Permit a Mobile Home Park and a Seasonal Trailer Park at 57 and 58 12th Concession Road East (Flamborough), was received.

Public Speakers:

1. Fred Paatz – 75 Concession 11 E., Freelton, ON L0R 1K0
   
   Mr. Paatz expressed his opposition.

2. Joyce Jones – 79 Concession 11 E., Freelton, ON L0R 1K0

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Expressed her opposition and concerns with the application.

3. David Curtis – 57 Concession 12 E., Freelton, ON L0R 1K0

Expressed his opposition and concerns with the application and spoke on behalf of Cheryl Smith and himself.

4. Karl Glover - Concession 12 E., Freelton, ON L0R1K0

Mr. expressed his support for the application.

The public presentations respecting Report PED14032, Proposed Official Plan Amendment and Zoning By-law Amendment to Permit a Mobile Home Park and a Seasonal Trailer Park at 57 and 58 12th Concession Road East (Flamborough), were received.

The public meeting respecting Report PED14032, Proposed Official Plan Amendment and Zoning By-law Amendment to Permit a Mobile Home Park and a Seasonal Trailer Park at 57 and 58 12th Concession Road East (Flamborough), was closed.

The correspondence respecting Report PED14032, Proposed Official Plan Amendment and Zoning By-law Amendment to Permit a Mobile Home Park and a Seasonal Trailer Park at 57 and 58 12th Concession Road East (Flamborough), was received.

The recommendations contained in Report PED14032, Proposed Official Plan Amendment and Zoning By-law Amendment to Permit a Mobile Home Park and a Seasonal Trailer Park at 57 and 58 12th Concession Road East (Flamborough), were amended by adding a new sub-section (c) as follows:

(c) That Appendix “C” to Report PED14032, Proposed Official Plan Amendment and Zoning By-law Amendment to Permit a Mobile Home Park and a Seasonal Trailer Park at 57 and 58 12th Concession Road East (Flamborough), be deleted and replaced with the REVISED Appendix “C”.

For disposition on this Item, refer to item 6.

(f) DISCUSSION ITEMS (Item 8)

(i) Pool Enclosure By-law (PED13126(a)) (City Wide) (Item 8.1)
Report PED13126(a)) Pool Enclosure By-law be referred back to staff for further information including the cost to enforce and inspect, a review of the fines and penalties, as well as to hold public consultation and a public meeting.

(ii) Application for a Zoning By-law Amendment for Lands Located at the Southwest Corner of Parkside Drive and Spring Creek Drive (Flamborough) (PED14018) (Ward 15) (Item 8.3)

(i) Correspondence from Margaret Ritchie
(ii) Correspondence from Steve Oliver
(iii) Correspondence from Bonnie Valade
(iv) Correspondence from Doug and Lucille Bradshaw
(v) Correspondence from Joan Moore
(vi) Correspondence from Seth Stewart
(vii) Correspondence from Gary Gesner
(viii) Correspondence from Corey and Patti Shaw
(ix) Correspondence from Sharon and Rick Mackie
(x) Correspondence from Ryan Oosterhoff – Mattamy Homes

The correspondence respecting Report PED14018, Application for a Zoning By-law Amendment for Lands Located at the Southwest Corner of Parkside Drive and Spring Creek Drive (Flamborough), was received.

For disposition on this Item, refer to item 9.

(iii) Hamilton Municipal Heritage Committee Report 14-002 (Item 8.5)

Janice Brown provided an overview of her concerns with the aid of a handout. A copy of the handout has been included in the public record.

The presentation from Janice Brown respecting Report 14-002, Hamilton Municipal Heritage Committee, was received.

For disposition on this Item, refer to item 12.
(g) **NOTICES OF MOTION (Item 10)**

Councillor Johnson introduced the following Notice of Motion:

(i) **Renaming of the Trinity Church Arterial Road Corridor (Item 10.1)**

Whereas the Red Hill Business Park South Transportation Master Plan finalized the location of the Trinity Church Arterial Road Corridor;

And whereas the Trinity Church Arterial Road Corridor will no longer connect to Trinity Church Road;

Therefore be it resolved;

(a) That the Trinity Church Arterial Road Corridor be renamed as Upper Red Hill Valley Parkway from Stone Church Road East to the point of connection to the future extension of Twenty Road East;

(b) That this motion be forwarded to all departments in the City of Hamilton, and all agencies and utilities that receive regular notification from the City concerning street names and addressing.

Councillor Partridge introduced the following Notice of Motion:

(ii) **Naming of the Waterdown East/West Roadway (Item 10.2)**

Whereas the Waterdown/Aldershot Transportation Master Plan finalized the location of the Waterdown East/West Roadway;

Therefore be it resolved;

(a) That the Waterdown East/West Roadway be named as North Waterdown Drive from Highway No. 6 to the point of connection with Parkside Drive;

(b) That this motion be forwarded to all departments in the City of Hamilton, and all agencies and utilities that receive regular notification from the City concerning street names and addressing.

(h) **GENERAL INFORMATION AND OTHER BUSINESS (Item 11)**

(i) **Outstanding Business List Amendments (Item 11.1)**

The following Outstanding Business List due dates were revised:

Council – March 26, 2014
Item Z: Amendments to the Prohibition of Exotic Animals within the Responsible Animal Ownership By-law – Criteria and Process (Motion from GIC)
Current Due Date: March 18, 2014
Proposed Due Date: May 6, 2014

The following items were removed from the Outstanding Business List:

(aa) Item F: Racing Pigeons

(bb) Item I: Hamilton Municipal Heritage Committee Report 12-006 (Proactive Heritage Building Protection Strategy)

(cc) Item BB: Rental Housing Sub-Committee Terms of Reference (PED10049(o))

(dd) Item GG: Traffic management and land use strategy for the Waterdown Village Core area

(ee) Item JJ: Application for a Zoning By-law Amendment for Lands Located at the Southwest Corner of Parkside Drive and Spring Creek Drive (Flamborough)

(ff) Item LL: Notice of Motion - Possible Property Acquisition (In Camera)

(i) **PRIVATE AND CONFIDENTIAL (Item 12)**

(i) **Closed Session Minutes – February 18, 2014 (Item 12.1)**

(a) The Closed Session Minutes of the February 18, 2014 meeting of the Planning Committee were approved, as presented.

(b) The Closed Session Minutes of the February 18, 2014 meeting of the Planning Committee, are to remain confidential and restricted from public disclosure.

The Planning Committee moved into Closed Session, at 5:49 p.m. for the discussion of Items 12.2 through to item 12.7, pursuant to Section 8.1, Sub-sections (c), (e) and (f) of the City's Procedural By-law 10-053, and Section 239, Sub-sections (c), (e) and (f) of the Ontario Municipal Act, 2001, as amended, as the subject matter pertains to:

- litigation or potential litigation, including matters before administrative tribunals, affecting the City;
• advice that is subject to solicitor-client privilege, including communications necessary for that purpose;
• a proposed or pending acquisition or disposition of land by the municipality or local board

Committee moved into open session at 6:15 p.m.

(ii) **Possible Property Acquisition – Motion (Item 12.2)**

The motion respecting Possible Property Acquisition, was tabled to the next meeting of the Planning Committee.

(iii) **Shoppers Drug Mart - Appeals to the Ontario Municipal Board by Shoppers Drug Mart Limited for Lands Located at 41, 45, 47, 49, 55, 59 Head Street, 22, 24 Dundurn Street North, and 620, 622, 624 Main Street West (Hamilton) regarding City of Hamilton’s Refusal or Neglect to Adopt Amendments to the City of Hamilton Official Plan (OPA-12-011) and Hamilton Zoning By-law No. 6593 (ZAC-12-028); and, Failure to Approve Site Plan DA-13:175 (LS14008) (Item 12.3)**

For disposition on this Item, refer to item 13.

(iv) **Monterey Heights - Appeals to the Ontario Municipal Board on the City of Hamilton’s Refusal or Neglect to Adopt Amendments to the Town of Ancaster Official Plan and Zoning By-law for Lands Located at 591 and 611 Garner Road West (Ancaster) (LS14007) (Item 12.4)**

For disposition on this Item, refer to item 14.

(v) **1400 Upper James OMB Appeals Re: OPA (OPA-12-012) , ZBA (ZAC-12-029)and Consent (HM/B-13:27) Owner: LPF Reality Inc. (LS14009) (Item 12.5)**

For disposition on this Item, refer to item 15.

(vi) **1125 West 5th Street OMB Appeals Re: ZBA (ZAC -12-067 and Plan of Subdivision 25T-2012) Owner: DiCenzo Construction Limited (LS14010) (Item 12.6)**

For disposition on this Item, refer to item 16.
(vii) 1041 West 5th Street  OMB Appeals Re: OPA (OPA-12-024) and ZBA (ZAC-12-070) Owner: 1804487 Ontario Inc. (LS14011) (Item 12.7)

For disposition on this Item, refer to item 17.

(j) ADJOURNMENT

There being no further business, the Planning Committee adjourned at 6:24 p.m.

Respectfully submitted,

Councillor B. Johnson
Chair, Planning Committee

Vanessa Robicheau
Legislative Coordinator
Office of the City Clerk
Terms of Reference
Rental Housing Sub-Committee

The establishment of a Rental Housing Sub-Committee was approved by City Council on September 25, 2013 in approving Item 6 of Planning Committee Report 13-014.

MANDATE

To work with interested stakeholders to assist with the implementation of an approach to enforcement and legalization of appropriate rental housing including, but not limited to, process, fees and by-law regulations.

MEMBERSHIP AND REPORTING STRUCTURE

The Rental Housing Sub-Committee will report to the Planning Committee.

Sub-Committee membership will consist of

- Three members of Council appointed by Council;
- a representative of the Realtors Association of Hamilton-Burlington (RAHB);
- a representative of the Hamilton and District Apartment Association (HDAA);
- an independent member who is an operator of a low density rental housing operation;
- a representative of the Legal Aid Community;
- a representative of the Housing Help Centre;
- a representative of the Social Planning and Research Council of Hamilton;
- a representative of the McMaster Student Union;
- a representative of the Mohawk College Student Association; and,
- three citizens at large

SUPPORT SERVICES

Technical support will be provided by staff of the Parking and By-Law Services Division, with advice by Legal Services staff as required.

Administrative costs of operating the Sub-Committee and legislative support will be provided by the Clerk's Division.

MEETINGS AND AGENDA

The Rental Housing Sub-Committee shall meet quarterly at the call of the Chair. The Sub-Committee will begin meeting in Q2 2014, and is expected to continue its work through to the end of the 2014 – 2018 Term of Council.
The meetings shall be open to the public.

The Sub-Committee Chair shall propose the agenda. The Chair may grant requests for discussion of items not on the Agenda.

The Sub-Committee will follow all processes and procedures established in the City of Hamilton Procedural By-law.

**AMENDMENTS TO THE TERMS OF REFERENCE**

The Terms of Reference may be amended periodically by consensus of the Sub-Committee and forwarded to the Planning Committee for approval.

Approved by Council (Date)
RECOMMENDATION

That the City of Hamilton Municipal Heritage Committee advise Council that the Hamilton Heritage Conservation Grant Program (HHCGP) be established as per the terms and conditions outlined by staff in this Report.

EXECUTIVE SUMMARY

The HHCGP is intended to provide financial assistance in the form of matching grants between $1,000 to $5,000, for the conservation and restoration of cultural heritage resources (see Appendix “A”). The objective of the HHCGP is to assist in the ongoing conservation of heritage properties designated under the Ontario Heritage Act that are not eligible for the Hamilton Heritage Property Grant Program (HHPGP). Staff recommend that the grant program be established for a three-year term, and that Urban Renewal staff report back to Council by 2017, to provide a review of the program and recommendations for further direction.

Staff recommend that the delegated approval authority of the General Manager of Planning and Economic Development be expanded to include the HHCGP (see Appendix “B”). The maximum grant available under this program is $5,000.
Funding for the proposed heritage financial incentive program is contained in the Community Heritage Reserve Account, which was established to fund the former Commercial Heritage Improvement and Restoration Program (CHIRP), which ended in 2010. Sufficient monies are contained in the account to fund the new heritage program for a limited time.

Alternatives for Consideration – See Page 7

FINANCIAL – STAFFING – LEGAL IMPLICATIONS

Financial: Funding for the proposed heritage financial incentive program is contained in the Community Heritage Reserve Account 102047 (Project Account Number: 58201-812040) in the amount of $250,138.90. This account was established to fund the former CHIRP, approved by Council for a five-year term that ended in 2010 (Report PD04256). Sufficient monies are contained in the account to fund the new heritage program for a limited time.

Staffing: Administration of the proposed heritage program can be accommodated within the Urban Renewal Section, Development Planning, Heritage and Design Section of the Planning and Economic Development Department, as well as the Corporate Services Department.

Legal: Sub-Section 39 (1) of the Ontario Heritage Act states that a council of a municipality may pass by-laws providing for the making of a grant or loan to the owner of a property designated under the Act for the purpose of paying for the whole or any part of the cost of alteration of such designated property on such terms and conditions as the council may prescribe. By-law No. 07-346 (attached as Appendix “C”), approved by Council at its meeting held on December 12, 2007, authorizes the municipality to offer loans and grants to owners of a property designated under the Ontario Heritage Act.

Upon approval of the program terms and conditions, staff from the Urban Renewal Section will consult with Legal Services and Corporate Counsel in the preparation of appropriate documentation required for administration purposes in order to protect the City’s interests. In order to receive funding, projects must comply with any planning and building code approvals, including any Heritage Permit requirements for the proposed work.

Legal Services has reviewed the proposed By-law, attached as Appendix “B”, to further amend By-law No. 10-052, to include delegated approval of grants under the HHCGP.
HISTORICAL BACKGROUND

Planning Committee, at its meeting held on December 4, 2012, directed staff to report back with a summary of financial incentives currently offered to heritage property owners. Consequently, the information was provided in Report PED13089 and received by City Council at its meeting held June 12, 2013. The Report PED13098 outlined the two existing financial incentive programs that target properties designated under the Ontario Heritage Act: the HHPGP and the Hamilton Community Heritage Fund Loan Program (HCHF).

Report PED13098 identified that the available financial incentive programs administered through the Urban Renewal Section provide a well-rounded suite of options for the conservation and adaptive re-use of industrial, commercial, institutional and multi-residential heritage properties in areas targeted for intensification and redevelopment. However, the existing programs do not adequately address the funding needs of single-detached dwellings and properties located outside of the Community Improvement Project Areas (CIPA).

While the HCHF is a City-wide loan program, the HHPGP has geographic-specific eligibility because it is administered under the Planning Act, and is tied to the existing CIPA. The HHPGP was originally authorized through the Ontario Heritage Act by City of Hamilton By-law No. 07-346, passed and enacted by City Council at its meeting held on December 7, 2007. However, due to the limitations of the Ontario Heritage Act, the program is now administered under the Downtown and Community Renewal Community Improvement Plan, a plan adopted under the Planning Act that permits a municipality to loan or grant monies to a condominium corporation (PED10164).

The proposed HHCGP is closely aligned with the existing HHPGP and is intended to provide financial assistance for the continued conservation and restoration of heritage features of properties throughout the City of Hamilton that are not eligible for the existing HHPGP.

Commercial Heritage Improvement and Restoration Program (CHIRP)

Funding for the proposed heritage financial incentive program is contained in the Community Heritage Reserve Account, which was established to fund the former CHIRP. CHIRP was a financial incentive program targeting commercial and industrial heritage buildings, which was authorized by Council for a five-year term in 2004 (Report PD04256). The objective of CHIRP was to improve the appearance of designated commercial and industrial properties throughout the City by providing funds in the form of a matching grant, to a maximum of $20,000, for the restoration of important heritage features. The program aimed to encourage long-term economic and physical investments in the conservation of heritage fabric of designated commercial and industrial heritage properties to assist in maintaining traditional "Main Streets" and industrial buildings in "brownfield" environments.
When the program ended in 2010, CHIRP had received $647,183.13 in funding from the City. Allocations were made in 2004, 2005, 2007, and 2008, with 2010 marking the final year of funding committed to the program. A review of the five-year term indicates that the program uptake was low; 19 applications were funded, an average of four applications were submitted in a typical year, and three properties received multiple grants within that period. In addition, the majority of applications requested funding for maintenance of the structure, rather than restoration or reconstruction of documented historical features. The Community Heritage Reserve Account has a current surplus balance of $250,138.90. Sufficient monies are contained in the account to fund the new heritage program for a limited time.

Urban Renewal and Development Planning, Heritage and Design staff will apply performance measurements to track the success of the program and report back to Council on an annual basis. Indicators could include the number of improved heritage buildings, investment in heritage properties, and the employment of local contractors.

POLICY IMPLICATIONS AND LEGISLATED REQUIREMENTS

Urban Hamilton Official Plan
Volume 1, Section B.3.4 – Cultural Heritage Resources Policies of the Urban Hamilton Official Plan (UHOP) states that the City shall “protect and conserve the tangible cultural heritage resources of the City, including archaeological resources, built heritage resources, and cultural heritage landscapes for present and future generations” (B.3.4.2.1 (a)), and “encourage public and private stewardship of, and custodial responsibility for, the City’s cultural heritage resources” (B.3.4.2.1(c)). In addition, the UHOP states that the City shall “support the continuing use, reuse, care, and conservation of cultural heritage resources and properties by encouraging property owners to seek out and apply for funding sources available for conservation and restoration work” (B.3.4.2.1(f)).

Rural Hamilton Official Plan
Volume 1, Section B.3.4 – Cultural Heritage Resources Policies of the Rural Hamilton Official Plan outlines the same policies found in the UHOP, as indicated above.

RELEVANT CONSULTATION
Urban Renewal and Development Planning, Heritage and Design staff collaborated on the preparation of the HHCGP and consulted with Legal Services in preparing the proposed By-law attached as Appendix “B”, to further amend By-law No. 10-052 to include delegated approval of grants under the HHCGP. Their comments have been incorporated into this Report.
ANALYSIS AND RATIONALE FOR RECOMMENDATION

The proposed HHCGP is closely aligned with the existing HHPGP and is intended to provide financial assistance for the continued conservation and restoration of heritage features of properties throughout the City of Hamilton.

Analysis

The available financial incentive programs administered through the Urban Renewal Section provide a well-rounded suite of options for the conservation and adaptive re-use of industrial, commercial, institutional, and multi-residential heritage properties in areas targeted for intensification and redevelopment. However, the existing programs do not provide grant funding for the continued conservation of single-detached dwellings across the City, as well as all other properties located outside of the areas covered by the HHPGP. The HHPGP requires that a property be located within Downtown Hamilton, Community Downtowns, an active Business Improvement Area (BIA), or be located within the lower City between Highway 403 and the Red Hill Valley Parkway, and be used for commercial, institutional, or multi-residential purposes.

Approximately 430 of the 600 properties designated under the Ontario Heritage Act are not eligible for funding through the existing HHPGP.

Residential Properties:
- Most of the properties that are ineligible for the existing HHPGP (located outside of the BIA-CIPA/Lower City area or do not meet HHPGP criteria), are residential.
- There are different types of residential uses (e.g., single detached, rowhouses, multi-residential), but for the most part, properties that are ineligible are single-detached dwellings.

Commercial Properties:
- Most designated commercial properties in Hamilton are eligible for funding through existing HHPGP, since the majority of designated commercial properties are located within a BIA and/or CIPA.

Institutional Properties and Conservation Lands:
- Five designated schools and eight designated churches fall outside the HHPGP boundaries.
- There are eight properties owned by the Conservation Authority that are not within HHPGP boundaries.

Heritage Conservation Districts (HCDs):
- Six of the seven HCDs are completely or partially located within HHPGP boundaries.

OUR Vision: To be the best place in Canada to raise a child, promote innovation, engage citizens and provide diverse economic opportunities.
OUR Mission: WE provide quality public service that contribute to a healthy, safe and prosperous community, in a sustainable manner.
OUR Values: Accountability, Cost Consciousness, Equity, Excellence, Honesty, Innovation, Leadership, Respect and Teamwork.
• However, since most properties located in HCDs are residential, specifically single detached, they are ineligible to receive funding through existing HHPGP.

The proposed HHCGP will be administered through the Ontario Heritage Act and will, therefore, be available to all eligible heritage properties, regardless of the type of property (e.g., residential, commercial institutional, etc.) across the entire City.

Terms and Conditions

The HHCGP, provided in the form of a matching grant, gives the municipality control in what type of work is “eligible”, and ensures that the actual work is completed to the City’s approval prior to funding under the Program being advanced. Requiring the property owner to match half of the cost provides additional private investment, and demonstrates a financial commitment on behalf of the owner. The HHPGP has similar terms and conditions, and has been successful at targeting improvements and conservation efforts, since funding is contingent upon actual work being completed to the City’s approval.

Highlights of the proposed City-wide HHCGP:

• Provides financial assistance in the form of a matching grant for the conservation and restoration of heritage features of properties;

• Requires that a property be designated under Part IV or Part V of the Ontario Heritage Act; and,

• Grants will be based on 50% of the total eligible cost for a minimum of $1,000 and a maximum of $5,000 per municipal address, identifying multiple and separate units and entranceways.

Staff have previously expressed that the routine maintenance and general upkeep of all properties should be the responsibility of the homeowner, including heritage properties. However, staff recognize that, over time, the need for rehabilitation or a desire to restore identified heritage attributes may require significant investment, and should be eligible for financial assistance. The objective of the HHCGP is to provide property-owners with the financial assistance necessary for the continued conservation or restoration of identified heritage features, to ensure that the integrity of the City’s cultural heritage resources are maintained.

Staff propose a minimum matching grant of $1,000 and maximum of $5,000 for the HHCGP. The scope of the grant is based on best practices of municipalities across Ontario with similar heritage grant programs (see Report PED13098 for more information), which range from a maximum of $1,000 to $15,000. The minimum grant amount ensures that the cost reflects work beyond that of typical routine maintenance and the efficient use of City administration.
The $5,000 maximum grant aims to promote the continued conservation and restoration of heritage features of properties, rather than more intensive adaptive re-use or redevelopment projects, which may already be eligible for the existing HHPGP or HHCF. The recommended threshold of $5,000 per grant, per year, will allow for an uptake of approximately 50 applications of $5,000 over three years, or 16 grants of $5,000 per year.

The full program description is attached as Appendix “A”.

**Delegated Approval**

Staff are recommending that the delegated authority of the General Manager of Planning and Economic Development be expanded to include the HHCGP. Delegated authority shortens turnaround time to process an application, thereby allowing property owners to address any urgency in the implementation of improvements to their properties. The maximum grant under this program is $5,000.

**Funding**

Funding for the proposed heritage financial incentive program is contained in the Community Heritage Reserve Account 102047. This account was established to fund the former CHIRP, which was limited to commercial/industrial heritage buildings. When the five-year term of the program ended in 2010, CHIRP had received $647,183.13 in funding from the City. Sufficient monies remain in the Community Heritage Reserve Account 102047 to fund the new heritage program in the amount of $250,138.90.

**ALTERNATIVES FOR CONSIDERATION**

The Hamilton Municipal Heritage Committee may advise Council of the following:

- Council may propose a different term or budget for the grant program. Staff are of the opinion that a three-year term will provide staff with the necessary time to implement the program and gauge its effectiveness, before reporting back to Council for further direction.

- Council may amend the proposed program description, such as the conditions or eligibility criteria. Given the consideration of all the factors noted in the Analysis section of this Report, staff are of the opinion that the recommended program description is closely aligned with other existing programs, reflects municipal best practices, and adequately addresses the identified funding needs.

- Council may choose to not provide delegated approval authority to the General Manager of Planning and Economic Development. This will require applications to be forwarded to Committee and Council for approval. In order to provide an efficient and effective service, this alternative is not recommended.
Council may decide to not approve the HHCGP. Staff do not recommend this alternative as monies have already been committed to fund heritage conservation work, and the proposed grant program addresses identified funding needs.

ALIGNMENT TO THE 2012 – 2015 STRATEGIC PLAN

Strategic Priority #1 - A Prosperous & Healthy Community

*WE enhance our image, economy and well-being by demonstrating that Hamilton is a great place to live, work, play and learn.*

**Strategic Objective:**

1.6 Enhance Overall Sustainability (financial, economic, social and environmental).

Staff Comments:

The approval of the recommendations of this Report demonstrates Council's commitment to conserving cultural heritage resources, as directed by provincial and federal level policies.

APPENDICES AND SCHEDULES ATTACHED

- Appendix “A”: Hamilton Heritage Conservation Grant Program Description
- Appendix “B”: By-law to further amend By-law No. 10-052 delegating authority for approving grants to the General Manager, Planning and Economic Development, for certain grants under the Ontario Heritage Act
- Appendix “C”: City of Hamilton By-law No. 07-346 authorizing the making of loans and grants to the owners of properties, designated under the Ontario Heritage Act

AG:HM
Attachs. (3)
Hamilton Heritage Conservation Grant Program (HHCGP)

1.0 Program Description

The Hamilton Heritage Conservation Grant Program (HHCGP) is intended to provide financial assistance in the form of matching grants between $1,000 to $5,000 for the conservation and restoration of cultural heritage resources. The objective of the Hamilton Heritage Conservation Grant Program is to assist in the on-going conservation of heritage properties designated under the Ontario Heritage Act that are not eligible for the Hamilton Heritage Property Grant Program (HHPGP).

2.0 Terms of the Program

2.1 Grant Information

1. The grant is contingent on properties being designated under Parts IV or V of the Ontario Heritage Act.

2. An application fee of $75 is to accompany the application. The rate of the fee may be changed from time to time as approved by City Council.

3. The grant is conditional upon a Heritage Permit; or easement approval; or other City approval, being issued for the heritage component.

4. The grant is conditional upon all required planning and building code approvals.

5. Improvements commenced prior to submitting an application are ineligible. Improvements commenced after submitting an application, but prior to application approval, are undertaken at the applicant’s risk, as funding may be refused.

6. The Urban Renewal Section, in consultation with Planning staff, reserves the right to recommend works that are integral to the preservation of the building required to preserve/conserve the heritage features.

7. The grant amount will total a minimum of $1,000 to a maximum $5,000 per municipal address, identifying multiple and separate units and entranceways per year, subject to available funding. The awarded grant amount will total one half the lesser of either the actual eligible project cost (cost as outlined in the final invoices for the completed project) or the estimated eligible project cost (estimated cost as identified on the Hamilton Heritage Conservation Grant Program application form).

8. Work completed must comply with estimates, and work proposed and identified within the application unless previously approved by the Urban Renewal Section. City staff will visit the site to ensure that the work has been completed in conformity with the conditions of the grant approval.
9. At the sole discretion of the Manager of Urban Renewal, partial payments for works completed can be processed consistent with the payment process described above.

10. At the sole discretion of the Manager of Urban Renewal, the grant cheque can be made jointly payable to the applicant and the contractor if such a request has been received from the applicant.

11. The grant is not transferable upon sale of the property.

12. Properties eligible for the Hamilton Heritage Property Grant Program are not eligible for this grant program.

13. The grant may be received by an owner in conjunction with approval of a loan under the Hamilton Community Heritage Fund Loan Program, provided that funding under these programs will not fund the same work.

14. Approval of the grant application is at the absolute discretion of the City and subject to the availability of funds.

15. Without limiting the discretion as set out in paragraph 14 herein, the City Council, whether or not an Applicant satisfies the requirements of the Program, may reject any application received from an applicant where, in the opinion of Council, the commercial relationship between the City and the Applicant has been impaired by, but not limited to, the applicant being involved in litigation with the City. Applicants are individuals, corporate entities and individuals behind the corporation (Officers/Directors/Shareholders).

16. A successful applicant will enter into an agreement with the City containing, but not limited to, the terms and conditions set out in the program description.

2.2 Submission Requirements

Prospective applicants must consult with Planning staff as early as possible in the process of planning a project. This pre-consultation is required to determine eligibility, avoid delays in the processing of an application, and determine if a Heritage Permit is required.

Prospective applicants should also discuss their proposal with representatives from Building Services and the Planning Division to determine if there are regulations that require additional permits or approvals.

Prospective applicants shall then submit a Hamilton Heritage Conservation Grant Program application form, as well as other required information. The types of information required with each grant submission include, but are not limited to:

- A Heritage Permit application form and/or a Heritage Permit approval letter;
Appendix “A” to HMHC Report

Photographs of the project site and of the features showing what and where the work will take place;

Copies of any relevant historical documentation, including historical photographs or illustrations;

Drawings, specifications or descriptions (as necessary) that adequately illustrate the scope, type of work and location as proposed. Depending on the scope of the work, drawings prepared by the property owner may be acceptable. However, should an architect or consultant be retained, detailed drawings are requested;

A brief summary of the overall project budget, with eligible conservation work clearly itemized;

At least two (2) competitive cost estimates for all labour and materials involved in the proposed work unless there is only one local specialized supplier of a particular product, trade or service. Although it is not mandatory, applicants are encouraged to select suppliers, contractors and/or trades people with demonstrated experience with heritage properties. Please note a contractor licensed with the City of Hamilton may be required to undertake the works; and,

A statement detailing other grants or funding sought for the proposed work, where applicable.

2.3 Frequency of Grant

Funding for eligible applications will be awarded on a first-come-first-served basis. A property owner may receive one grant per deeded property per calendar year. Applications will either be conditionally approved or refused.

2.4 Completion of Work

Work must be completed within one year of receiving a conditionally approved grant. Invoices for costs of the completed project shall be submitted to Urban Renewal staff to verify the eligible amount of the grant. Invoices must be submitted within one year of receipt of the conditionally approved grant, unless the deadline is extended by Urban Renewal staff. An applicant with a conditionally approved grant who is deemed to have failed to comply with the terms of the Hamilton Heritage Conservation Grant Program shall not be awarded that grant and is prohibited from making a grant application for the same work in the following calendar year.

NOTE: Work that was approved, but done in a poor or defective manner or in a manner contrary to the conditions of the grant approval or the Heritage Permit (if required), will not be funded.
3.0 Eligibility

3.1 Eligibility Requirements

- The eligible property must not be in arrears or default of any municipal taxes.
- The eligible property must not be the subject to any outstanding Fire Code, Building Code or Property Standards orders. Any outstanding violations on the property for which the grant is sought must be addressed prior to any grant monies being advanced.
- The existing use of the eligible property must be in compliance with applicable Zoning By-law regulations and other relevant planning regulations.
- Owners and tenants of eligible properties may apply for assistance. Tenants are required to provide documentation of the property owner’s consent to the improvements with their application.
- Eligible properties owned by any level of government are not eligible for the Program, except in the following cases:
  a) where the property is under long-term lease to an individual and the tenant or lessee is the applicant; or,
  b) where a non-profit community group has assumed, by long-term lease or legal agreement, responsibility for the building and the non-profit community group is the applicant.

3.2 Eligible Conservation Work

Eligible conservation work includes any work that conserves, restores and/or enhances elements identified and described in the relevant heritage designation By-law, Heritage Conservation District Plan and/or Heritage Easement Agreement.

All work must be executed in such a manner as to not detract from or diminish the cultural heritage value of the property or Heritage Conservation District.

All work should conform to relevant municipal heritage policy, such as Heritage Conservation District Plan guidelines, as well as best practices for heritage conservation, including *Eight Guiding Principles in the Conservation of Built Heritage Properties* (Ministry of Culture, 2007) and the *Standards and Guidelines for the Conservation of Historic Places in Canada* (Parks Canada, Second Edition, 2010).

The types of eligible conservation work include, but are not limited to:

- The *conservation* of significant architectural features. This may include the conservation or restoration of: doors, windows, verandahs, cupolas, chimneys, bargeboard or other decorative trim, parapets, cornices, hood mouldings and any other features important to the overall composition of the structure as specified in the *Reasons for Designation*, the
Statement of Cultural Heritage Value of Interest or, a description of the Heritage Attributes accompanying the designating by-law under the Ontario Heritage Act.

- The **reconstruction** of former and significant architectural features for which the appearance can be clearly determined from documentary sources (photographs, drawings, etc.).

- The **conservation** or renewal of original siding and roofing materials including repair and replacement, where necessary, of wood clapboard or board-and-batten, repair and repointing of masonry buildings, stucco repair, repair or replacement of original roofing materials (slate, wood shingles, tile, etc.). Eligible work also includes removal of a modern material (synthetic siding, asphalt shingles, etc.) and replacement with documented original materials.

- Cleaning of masonry buildings may be eligible if it is necessary for the building’s conservation. Under no circumstances will grants be paid for any form of abrasive cleaning, (e.g., sandblasting or sodablasting) or high-pressure water cleaning. **Planning staff approval is required as to cleaning method to be employed before work is undertaken.**

- Exterior painting in documented original colours. Colours must be documented for the individual building or be proved to have been a common contemporary colour in the area. **Painting of unpainted masonry is not eligible.**

### 3.3 Ineligible Work

Ineligible work includes any work or projects of a non-heritage nature, works that focus on non-heritage attributes, new additions, spaces, features and finishes, new construction, or any works that may diminish the cultural heritage value of the property.

Repair, maintenance, reconstruction or improvements to the following are ineligible for grant assistance, unless specifically identified and described in the *Reasons for Designation*, the *Statement of Cultural Heritage Value of Interest* or, a description of the Heritage Attributes:

- Repair of non-original siding or roofing materials (aluminum siding, asphalt shingles, etc.).
- Landscaping.
- Work on modern additions.
- Work on sheds or outbuildings.
- Installation of modern doors and windows, unless replicas of the original.
- Installation of new storm or screen doors and windows.
• Chimney repairs other than restoration of a significant chimney.

• Repair of eavestrough unless its nature is such that it is significant to the heritage of the structure.

• Repairs to or renewal of modern materials.

• Painting previously unpainted masonry.

• Interior Work.

• Abrasive cleaning (e.g. sandblasting or sodablasting) or high-pressure water cleaning.

_The final determination of what constitutes eligible and ineligible work is at the discretion of Planning staff._

3.4 Eligible Costs

Eligible costs shall be the costs of materials, equipment and contracted labour to complete eligible conservation, restoration or preservation work, documented by invoices to the satisfaction of Planning and Urban Renewal staff. Labour provided by the applicant or tenant of the property will not be an eligible cost.

The grant is paid, subject to compliance with these terms and conditions of the Program, upon completion of the conditionally approved work.
CITY OF HAMILTON

BY-LAW NO. _______

To Amend City of Hamilton By-law No. 10-052, as amended, to delegate authority to the General Manager, Planning and Economic Development for certain grants under the Ontario Heritage Act.

WHEREAS the Council of the City of Hamilton enacted a By-law to delegate authority to the General Manager, Planning and Economic Development with respect to certain grants and loans under the Downtown and Community Improvement Plan being City of Hamilton By-law No. 10-052;

AND WHEREAS this By-law provides for amendments to City of Hamilton By-law No. 10-052 to delegate authority to the General Manager, Planning and Economic Development for certain grants under the Ontario Heritage Act;

AND WHEREAS under subsection 39(1) of the Ontario Heritage Act, R.S.O. 1990, c. O.18, Council enacted City of Hamilton By-law No. 07-346 to make grants or loans to owners of a property designated under Part IV of the Ontario Heritage Act for the purpose of paying for the whole or any part of the cost of alteration of such designated property on such terms and conditions as Council may prescribe;

AND WHEREAS under sections 9 and 10 of the Municipal Act, 2001, S.O. 2001, c. 25, in accordance with section 23.1 of the Municipal Act, 2001, the powers of a municipality under that or any other Act may be delegated to a person or body subject to the restrictions set in sections 23.2 to 23.5, inclusive of the Municipal Act, 2001;

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. City of Hamilton By-law No. 10-052 is amended by deleting Section 2(2) in its entirety and replacing it with the following new Section 2(2):

   (2) subsection 39(1) of the Ontario Heritage Act, for the financial incentive programs known as the Hamilton Heritage Conservation Grant Program.
2. This By-law comes into force on the date of its passing.

PASSED this day of 2014.

__________________________  ____________________________
R. Bratina                        R. Caterini
Mayor                             City Clerk
CITY OF HAMILTON

BY-LAW NO. 07-346

BEING A BY-LAW TO AUTHORIZE THE MAKING OF LOANS AND GRANTS TO THE OWNERS OF PROPERTIES DESIGNATED UNDER THE ONTARIO HERITAGE ACT

WHEREAS Sub-Section 39 (1) of the Ontario Heritage Act authorizes the City of Hamilton to pass by-laws providing for the making of a grant or loan to the owner of a property designated under the Ontario Heritage Act for the purpose of paying for the whole or any part of the cost of alteration of such designated property on such terms and conditions as the Council may prescribe;

AND WHEREAS the Council of the City of Hamilton deems it advisable and in the public interest to provide financial assistance to owners of properties designated under the Ontario Heritage Act as set-out in program terms and conditions approved by Council from time to time.

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. That the City of Hamilton may make loans and grants to the owners of properties designated under the Ontario Heritage Act for the purpose of paying for the whole or any part of the cost of alteration of such designated property on such terms and conditions as may be approved by Council.

PASSED and ENACTED this 12th day of December, 2007

Fred Eisenberger
Mayor

Kevin C. Christenson
City Clerk
170 Longwood Road North, Hamilton comprises the Art Moderne house known as "Hambly House". The property is included in the City's Inventory of Property of Cultural Heritage Value or Interest as a non-designated property and research and evaluation of the property for potential designation is on staff's work plan for 2017. The request for designation was submitted in 2011 by the previous property owner.

The current owner of the property wishes to construct a second storey addition and complete other alterations to the existing building, including the replacement of windows and recladding the stucco exterior. A Building Permit has been issued for the proposed construction and some alterations have commenced. There are no restrictions under the Ontario Heritage Act with respect to alterations to non-designated properties included in the Municipal Register.

Accordingly, the attached drawings are solely for the information of the Municipal Heritage Committee and staff is not providing any recommendations regarding the proposed alterations.

:MH
Attach. (1)
Existing front (west) elevation

Existing side (north) elevation
Existing northwest corner

Existing rear (east) elevation
Proposed front (east) and side (south) elevations

Proposed front (west) and side (north) elevations

Proposed rear (east) and side (north) elevations
GENERAL ISSUES COMMITTEE
REPORT 14-007
(as amended and approved by Council on March 26, 2014)
9:30 a.m.
Wednesday, March 19, 2014
Council Chambers
Hamilton City Hall
71 Main Street West

Present: Deputy Mayor J. Partridge (Chair)
Councillors B. Clark, C. Collins, S. Duvall, J. Farr,
T. Jackson, B. Johnson, B. McHattie, S. Merulla,
R. Morrow, R. Pasuta, M. Pearson, T. Whitehead

Absent with Regrets: Councillor R. Powers – City Business
Councillor L. Ferguson – Vacation

THE GENERAL ISSUES COMMITTEE PRESENTS REPORT 14-007 AND
RESPECTFULLY RECOMMENDS:

PSB 14-027 (Item 5.1)

That Hamilton Police Services Board – Hamilton Police Service Monthly Report
PSB 14-027 be received.

2. Official Mark – Life Made Easy (FCS14023) (City Wide) (Item 5.3)

(a) That the official mark “LIFE MADE EASY” be abandoned;

(b) That the City Solicitor be authorized and directed to take all necessary
steps to abandon the official mark “LIFE MADE EASY” on behalf of the
City of Hamilton, including the execution of all required documents.
Sub-section (c) was deleted in its entirety and replaced with the following in lieu thereof:

3. Status of Discussions for Partnering Opportunities with Evergreen CityWorks and the Hamilton Community Foundation (CM14003) (Wards 1 and 2) (Item 5.4)

   (a) That staff be directed to move forward and develop a Terms of Reference for the partnership between Evergreen CityWorks, the Hamilton Community Foundation and the City of Hamilton to implement a series of plans and projects for the Downtown, Waterfront and “inner-city” Neighbourhoods;

   (b) That consideration be given to the Bayfront secondary planning process and Brownfields Strategy as focus areas;

   (c) That the source of funding commitment of $150,000 be funded through the Hamilton Realty Capital Corporation Capital Project No. 8200203107.

4. Locke Street Business Improvement Area (BIA) Revised Board of Management (PED11034(c)) (Ward 1) (Item 5.5)

   That the following individuals be appointed to the Locke Street BIA’s Board of Management:

   • Steve Knight
   • Jamie Reid
   • Todd Buhmer
   • Kevin Turbitt
   • Heather Coward

5. Declaration of Surplus Property, Abrey-Zimmerman House Being Part of Courtcliffe Park (159 Carlisle Road), Hamilton (PED14046) (Ward 15) (Item 5.6)

   (a) That the stone heritage house known as the Abrey-Zimmerman House within Courtcliffe Park, municipally known as 159 Carlisle Road be severed from the park that is legally described as the south half of Lot 10, Concession 9, in the former Township of East Flamborough, forming part of PIN 17523-0221(LT); the severed portion will have an approximate area of 4,050 square metres as depicted in Appendix “A” attached to Report PED14046, (final property limits to be determined by survey) and declared surplus to the requirements of the City of Hamilton in accordance with the “Procedural By-law for the Sale of Land”, being By-law No. 04-299;
(b) That the Real Estate Section of the Economic Development Division of the Planning and Economic Development Department be authorized and directed to sell the subject lands, at fair market value, in accordance with the “Procedural By-law for the Sale of Land”, being By-Law 04-299;

(c) That the net proceeds of the sale be deposited in Account No. 47702-3560150200 (Civic Property Purchases and Sales), and that all associated legal costs, appraisal fees, and property maintenance costs related to the subject property be sourced from this account;

(d) That as a condition of sale, a Heritage Conservation Easement be registered on title to conserve the structural, landscaping and archaeological heritage elements of the Abrey-Zimmerman House.

6. Request for Extension of Building Covenants from Gilles Roussel, 890 Beach Boulevard, Hamilton (PED14041) (Ward 5) (Item 5.7)

(a) That a request to extend building covenants imposed by the City upon Gilles Roussel, owner of 890 Beach Boulevard, regarding his building lot described as Part 6, Plan 62R-17407, as shown on Appendix “A” attached to Report PED14041, be approved;

(b) That the dates for commencement and completion of construction be extended to commencement of construction by October 31, 2015 and completion of construction by October 31, 2016;

(c) That the Mayor and Clerk be authorized and directed to execute all necessary documents in a form satisfactory to the City Solicitor.

7. Conveyance of Parts 2, 3, 4 and 5, Plan RC-H-796 to Canadian National Railway (PED14049/PW14025) (Ward 1) (Item 5.8)

(a) That staff be authorized and directed to convey land to Canadian National Railways comprising a total of 1.08 acres in four parcels described as Parts 2, 3, 4 and 5, Plan RC-H-796 at the nominal consideration of $2;

(b) That staff be authorized and directed to provide Canadian National Railways with an Authority to Enter and Construct which would permit access to the property in advance of the closing of the conveyance requested in Recommendation (a) of Report PED14049 / PW14025;

(c) That the Mayor and Clerk be authorized and directed to execute the requisite documentation to the satisfaction of the City Solicitor as outlined in Report PED14049/PW14025.
8. **Surplus Declaration and Land Exchange of City Property Located at 1351 Upper James Street for Parts 2 and 3, Plan RB-H-857, Owned by Hess Village Restaurant Gardens Ltd. (Name of Principal) (PED14033/PW14014) (Ward 7) (Item 5.9)**

That an exchange of lands between the City of Hamilton and Hess Village Restaurant Gardens Ltd. be approved on the following basis:

(a) That the City lands, municipally known as 1351 Upper James Street, described as Part 5 on Plan RB-H-857, as shown on Appendix “A” attached to Report PED14033/PW14014, be declared surplus;

(b) That the Real Estate Section of the Economic Development Division of the Planning and Economic Development Department be authorized and directed to exchange with Hess Village Restaurant Gardens Ltd. the land described in Recommendation (a) of Report PED14033/PW14014 for lands described as Parts 2 and 3, Plan RB-H-857, as shown on Appendix “A” attached to Report PED14033/PW14014;

(c) That the sum of $4,000 be funded from Account No. 5301384002 and credited to Account No. 45408-3560150200 (Property Purchases and Sales) being the costs incurred for Real Estate, appraisal and legal expenses;

(d) That any applicable HST be collected by the City and credited to Account No. 22828-009000 (HST Payable);

(e) That the Mayor and Municipal Clerk be authorized and directed to execute and issue a Certificate of Compliance in the form prescribed pursuant to Section 268 of the Municipal Act, incorporating the following, if required:

   (i) That, in accordance with the approved method of providing notice in the City of Hamilton By-law No. 04-299 “Procedural By-law for the Sale of Land”, notice has been given to the public by way of inclusion of this land on the agenda of Committee recommending to Council the proposed conveyance;

   (ii) That valuations were completed for the properties described in Recommendations (a) and (b) in December 2013, in compliance with Section 3(b) of By-law No. 04-299.
9. Immigrant Attraction Action Plan/Immigration Portal (CM14005) (City Wide) (Item 5.10)

(a) That Councillor B. McHattie be appointed to the Global Hamilton Council within the seven to nine community leaders as referenced in the Terms of Reference (attached as Appendix “A” to Report 14-007);

(b) That the Terms of Reference for the Global Hamilton Council (attached as Appendix “A” to Report 14-007), be approved.

10. Neighbourhood Home Improvement Project (CES14015) (Wards 1-5, 8) (Item 5.11)

(a) That the City of Hamilton partner with the Ministry of Training, Colleges and Universities (MTCU), Threshold School of Building and the Hamilton Community Foundation (HCF), to implement the Neighbourhood Home Improvement Project;

(b) That $35,000 of the Neighbourhood Action Strategy Fund be provided to the Threshold School of Building to assist in the delivery of this initiative in 2014; and,

(c) That the Acting General Manager of Community and Emergency Services be authorized and directed to execute an agreement for the period April 1, 2014 to December 31, 2014 between the City of Hamilton and the Threshold School of Building to implement the above project, in a form satisfactory to the City Solicitor.

Sub-section (c) was deleted in its entirety and the balance of the sections re-numbered accordingly.

11. Cannon Street Bi-Directional Cycle Track Pilot Project (PW14031) (Wards 1, 2 and 3) (Item 7.3)

(a) That the General Manager, Public Works, be authorized to implement a three (3) year Cannon Street Bi-directional Cycle Track Pilot Project from Sherman Avenue to Hess Street in Spring 2014;

(i) the estimated capital cost of $867,200 be funded from Ward 2 - Capital Infrastructure (108052) $333,600, Ward 3 - Capital Infrastructure (108053) $333,600 and $200,000 funded from the Red-Light Camera Project Reserve (112203);

(ii) the projected annual operating cost of $242,990 be funded from the Tax Stabilization Reserve (110046) for 2014 and be referred to the annual budget process thereafter;
(b) That the General Manager, Public Works, be directed to report back at least annually through the budget process on the performance of the Bi-directional Cycle Track on Cannon Street pilot project, and to include actual operating cost;

(c) That the General Manager, Public Works, be authorized to undertake the detailed design and implementation of bike lanes on York Boulevard, from Hess Street to Dundurn Street, in coordination with the implementation of the three (3) year Bi-directional Cycle Track Pilot Project on Cannon Street at an estimated cost of fifty eight thousand dollars ($58,000), funded from the Ward 1 Area Rating Account;

(c) That the General Manager of Public Works be authorized and directed to undertake the detailed design and implementation of bike lanes on York Boulevard, from Hess Street to Dundurn Street, in coordination with the implementation of the three-year Bi-directional Cycle Track Pilot Project on Cannon Street, at an estimated cost of $58,000, funded from the Ward 1 Area Rating Account;

(d) That staff be directed to provide a status report to the General Issues Committee on all costs, expenditures and benefits, including labour impact on GFL and contingencies, involved during the period of the pilot project.

12. **Correspondence from Jim Paterson, Pan Am Legacy Trails Co-ordinator, Trans Canada Trail Ontario, respecting “Cannon Street Bi-directional Cycle Track Pilot Project: Feasibility Assessment and Functional Design” (Item 7.3(a))**

That the correspondence from Jim Paterson, Pan Am Legacy Trails Co-ordinator, Trans Canada Trail Ontario, respecting “Cannon Street Bi-directional Cycle Track Pilot Project: Feasibility Assessment and Functional Design” be received.

13. **Correspondence from Wayne Terryberry, Chair – Hamilton Burlington Trails Council, Department of Athletics and Recreation, McMaster University, in support of the “Cannon Street B-directional cycle Track Pilot Project: Feasibility Assessment and Functional Design” Project (Item 7.3(b))**

That the correspondence from Wayne Terryberry, Chair – Hamilton Burlington Trails Council, Department of Athletics and Recreation, McMaster University, in support of the “Cannon Street B-directional cycle Track Pilot Project: Feasibility Assessment and Functional Design” Project be received.
14. Terms of Reference for the Evaluation of City of Hamilton Community Partnership Program (FCS14024) (City Wide) (Item 7.1)

(a) That the Terms of Reference for the Evaluation of City of Hamilton Community Partnership Program (attached as Appendix “B” to Report 14-007), be amended to include the following under “Goals”

“5. To incorporate all streams in the final result.”

(b) That the Terms of Reference for the Evaluation of the City of Hamilton Community Partnership Program; as amended, be approved;

(c) That upon completion of the 2014 Community Partnership Program Review and prior to implementation, that the process include an opportunity for the public to provide comments to the process.

15. Clean & Green Hamilton Strategy 2013 Year-End Update (PW11052(f)) (City Wide) (Item 7.2)

That Report PW11052(f) respecting the “Clean & Green Hamilton Strategy 2013 Year-End Update” be received.

16. Labour Relations Grievance Activity Reporting & Analysis (2007-2013) (HUR14001) (Item 7.4)

That Report HUR14001 respecting “Labour Relations Grievance Activity Reporting and Analysis” be received.

17. Facility Naming Sub-Committee Report 14-001 – February 12, 2014 (Item 8.1)

Additional naming opportunities to permanently recognize the contribution made by Victor K. Copps

That additional naming opportunities to permanently recognize the contribution made by Victor K. Copps be forwarded to the Hamilton Public Library Board for consideration and report back to the Facility Naming Sub-Committee.
18. Realignment of Communications Function and Resourcing for Digital, Electronic and Social Media (CM14004) (City Wide) (Item 8.2)

(a) That 1 FTE be transferred from Community and Emergency Services to the City Manager’s Office, in accordance with the Budget Complement Policy, with no impact on the levy for a Digital, Electronic and Social Media Communications position;

(b) That the estimated annual cost in the amount of $97,000 for the Digital, Electronic and Social Media Communications position, including wages, benefits and associated equipment, be financed as follows:

   (i) a base budget transfer from Community and Emergency Services of $25,000;
   (ii) a base budget transfer from Public Works of $42,000;
   (iii) budgeted annual revenue of $30,000 from non-city department agencies, in accordance with the Budget Control Policy, with no impact on the levy.

(c) That in an effort to streamline and enhance the City’s communications efforts, the realignment of the City’s communications functions where oversight of the corporate and departmental communication functions will now fall within the City Manager’s Office, with the Manager of Corporate Communications, be approved.

19. Waterdown Aldershot East-West Transportation Corridor - Noise and Lighting Mitigation (PW08063(d)) (City Wide) (Item 8.3)

(a) That the City of Hamilton adopts the approved Ministry of Environment - “Environmental Noise Guidelines - NPC 300” (August 2013) and utilize these guidelines in the planning, design and maintenance of City facilities and infrastructure;

(b) That the City continues to use the ANSI/IESNA RP-08 American National Standard Practice for Roadway Lighting and the Transportation Association of Canada - Roadway Design Guide to define and maintain street lighting standards.

20. James Street North Road Closures for Art Crawl (PED14038) (Ward 2) (Item 8.5)

That Report PED14038 respecting “James Street North Road Closures for Art Crawl” be received.
21. Future of the Hamilton Children's Museum (PED13152(a)) (Ward 3) (Item 8.6)

(a) That staff be directed to repair the current structure of the Hamilton Children’s Museum and use the repaired facility as an interim museum while planning for a new facility within Gage Park is under development;

(b) That the cost of the repairs to the Hamilton Children’s Museum, in the amount of $400,000, be funded from the unallocated Capital Levy Reserve – 108020;

(c) That staff be directed to complete the long-term development planning for an expanded and/or new Children’s Museum Facility within Gage Park.

22. Balfour Estate Adaptive Re-Use (PED13153(a)) (Ward 8) (Item 8.7)

(a) That staff be directed to work with the Ontario Heritage Trust to implement Option A(1) of the Adaptive Reuse – Chedoke House, George Robb, Architects - January 3, 2014, attached as Appendix A to Report PED13153(a), specifically to adapt the property as mixed use residential tenant/film location facility on an interim basis using the existing Balfour Estate Trust - Chedoke Reserve 120010;

(b) That staff be directed to develop and issue a non-binding Request for Proposal for the long-term adaptive re-use of Chedoke House/Balfour Estate including addressing Capital development costs and on-going operational expenses in consultation with the Ontario Heritage Trust.

23. Small Business Enterprise Centre (SBEC) Youth Program Initiatives (PED14051) (City Wide) (Item 8.8)

(a) That the City of Hamilton via the Hamilton Small Business Enterprise Centre (SBEC) facilitate and coordinate the “Starter Company Program” with the Ministry of Economic Development Trade and Employment (MEDTE);

(b) That the City of Hamilton via the Hamilton Small Business Enterprise Centre (SBEC) act as the Regional Grant Administrator (RGA) for the “Starter Company Program”, servicing Region Seven, encompassing Niagara, St. Catharines, Hamilton and Brantford – Brant County;

(c) That the City of Hamilton via the Hamilton Small Business Enterprise Centre (SBEC) facilitate the “High School Entrepreneurship Outreach Program”, as part of Ontario’s comprehensive Youth Jobs Strategy.
(d) That the Acting General Manager of Planning and Economic Development, or designate, be authorized and directed to negotiate and execute on behalf of the City of Hamilton all necessary agreements and documents to implement the recommendations in paragraphs (a), (b), and (c) of Report PED14051, all with content acceptable to the Acting General Manager of Planning and Economic Development, and in a form satisfactory to the City Solicitor.

24. City Purchase of 178 Hixon Road, Hamilton (PED13157(a)) (Ward 5) (Item 8.9)

(a) That an Option to Purchase with Authority to Enter, executed by Aleksandrija Ilic and Abuca Mendoza on January 19, 2014, and scheduled to close on July 23, 2014, for property identified as Part Lot 11, Plan 948, in the City of Hamilton, comprising an area of 565 square meters, municipally known as 178 Hixon Road, Hamilton, as shown on Appendix “A” attached to Report PED13157(a), be approved and completed at a purchase price of $278,000, subject to adjustments and subject to:

(i) The owner providing the City of Hamilton access to the property for the purpose of undertaking an Environmental Assessment and/or Designated Substance Survey;

(b) That the purchase price of $278,000, subject to adjustments, be funded from Capital Project ID 59259-4401456451, which will be source funded through area rating of Wards 1 through 8;

(c) That the Mayor and Clerk be authorized and directed to execute any necessary documents, in a form satisfactory to the City Solicitor;

(d) That upon Council approval of the purchase of 178 Hixon Road, the Director of Facilities be authorized and directed to take all the necessary steps for the demolition of the subject building(s), and that the cost for the demolition and any additional ancillary expenses be funded from Capital Project ID 4401456451, which will be source funded through area rating of Wards 1 through 8;

(e) That the sum of $13,800 be funded from Capital Project ID 59259-4401456451 and credited to Account No. 45408-3560150200 (Capital – Property Purchases and Sales), being the costs incurred for real estate, appraisal and legal services.
Item 25 was amended by adding sub-section (b), to read as follows:

25. City of Hamilton War of 1812 Funding Update (PED12204(a)) (City Wide) (Item 8.10)

(a) That Report PED12204(a) respecting “City of Hamilton War of 1812 Funding Update” be received;

(b) That $36,037 be allocated from the unspent project funds and staff be directed to develop and implement signage along the route accordingly.

Item 26 was amended by adding sub-section (c), to read as follows:

26. West Harbour Piers 5-8 - Hamilton Waterfront Trust Project Management Contract (PED14002(a)) (Ward 2) (Item 8.11)

(a) That staff be authorized and directed to draft a “Terms of Reference” for the implementation and construction of the proposed Pier 5-8 Sanitary Pumping Station, with an upset limit of $2,700,000, as described in Capital Project No. 4401356800 and approved as part of the 2014 Capital Budget;

(b) That staff be authorized and approved to retain the Hamilton Waterfront Trust as the Project Manager for the identified project, in a manner that satisfies both the “Terms of Reference” and approved project budget, and that for the purposes of this project, the Hamilton Waterfront Trust will report and take direction from the identified City staff team;

(c) That staff be authorized and directed to negotiate all necessary agreements in a form satisfactory to the City Solicitor, including management agreements in relation to all work that the Hamilton Waterfront Trust is retained to support, including a Terms of Reference, implementation and construction of the proposed Pier 5 to 8 Sanitary Pumping Station.

27. Cultural Roundtable: Terms of Reference (PED12117(b)) (City Wide) (Item 8.12)

That the Cultural Roundtable: Terms of Reference, attached as Appendix "C" to Report 14-007, be approved.

28. 2014 Easter Egg Hunts at City Parks (Item 9.1)

That all City facility rental fees for Easter egg hunts be waived for 2014.
29. Moratorium on School Board Closures

(a) That the City of Hamilton request the Province of Ontario to issue a moratorium on school closures until the Ministry of Education can call a meeting of City and School Board officials to develop a process to better understand neighbourhood changes, future growth predictions and the impact of closures on the health of neighbourhoods, and;

(b) That the Province of Ontario and Ministry of Education develop a new approach to the Accommodation Review Committee (ARC) process that includes a broader, more participatory engagement process;

(c) That a copy of the correspondence be forwarded to all Leaders of the Provincial Parties and the Association of Municipalities of Ontario.

Item 30 was added as follows:

30. Negotiation with Hamilton Conservation Authority with respect to the Ownership of Westfield Heritage Village

WHEREAS Westfield Heritage Village is 100% owned by the City of Hamilton and operated under a management agreement with the Hamilton Conservation Authority; and,

WHEREAS on November 14, 2011, the General Issues Committee directed that the General Manager of Community Services be authorized and directed to negotiate an interim operating agreement with the Hamilton Conservation Authority for Westfield Heritage Village in a form satisfactory to the City Solicitor; and,

WHEREAS work on the interim agreement for Westfield Heritage Village has been delayed pending completion of the Confederation Park agreement and staff and organizational changes at the City and the Hamilton Conservation Authority; and

WHEREAS the Hamilton Conservation Authority has managed Westfield Heritage Village without requiring any non-monetary resources from firstly, the Region of Hamilton-Wentworth, and then the City of Hamilton, for over the last 25 years, and during this time, taken what was an unused facility of 32 individual buildings and grown it to a heritage village of over 40 period buildings with over 15 special events annually, a vibrant school program and nearly 40,000 visitors supported by a volunteer network of 400 community individuals; and

WHEREAS on October 3, 2013 meeting, the Board of Directors for the Hamilton Conservation Authority (HCA) passed the following resolution:
That HCA staff be directed to enter into negotiations with the City of Hamilton towards the acquisition of Westfield Heritage Village including its lands, structures, heritage assets, artifacts and chattels, for a nominal sum; and further

That this acquisition is predicated on the continuance of the municipal levy support and inflationary increases consistent with the balance of the HCA levy.

WHEREAS the November 14, 2011 direction did not direct staff to consider or negotiate the transfer/sale of Westfield.

Therefore be it resolved:

(a) That City lands known as Westfield Heritage Village be declared surplus to the requirements of the City of Hamilton in accordance with Procedural By-law for the Sale of Land, being By-law 04-299;

(b) That staff be directed to put in place all documents deemed necessary to effect the transfer/sale of Westfield Heritage Village to the Hamilton Conservation Authority as described in the Hamilton Conservation Authority’s Board of Directors’ resolution of October 3, 2013 as contained in this motion, and to include the additional condition that the City of Hamilton shall retain the right of first refusal to reacquire the lands, structures, heritage assets, artifacts and chattels for the same nominal sum, should the Hamilton Conservation Authority no longer desire to operate the Westfield Heritage Village at some future time;

(c) That the Mayor and City Clerk be authorized and directed to execute any necessary documents in a form satisfactory to the City Solicitor.

FOR THE INFORMATION OF COUNCIL:

(a) CHANGES TO THE AGENDA (Item 1)

The Committee Clerk advised of the following changes:

DELEGATION REQUESTS

4.1 Request from Justin Jones, on behalf of “Yes We Cannon”, to appear before the Committee to speak in favour of the proposed design for the Cannon Street Cycle Tracks (Item 7.3)
4.2 Request from Lynda Lukasik, on behalf of Environment Hamilton, to speak to Item 7.3 on the March 19 GIC agenda – Cannon Street Bi-Directional Cycle Track Pilot Project

4.3 Request from Sean Burak, on behalf of Hamilton Bike Share, to speak in support of the Cannon Street Cycle Track (Item 7.3)

CORRESPONDENCE

7.3(a) Correspondence from Jim Paterson, Pan Am Legacy Trails Co-ordinator, Trans Canada Trail Ontario, respecting “Cannon Street Bi-directional Cycle Track Pilot Project: Feasibility Assessment and Functional Design”

7.3(b) Correspondence from Wayne Terryberry, Chair – Hamilton Burlington Trails Council, Department of Athletics and Recreation, McMaster University, in support of the “Cannon Street B-directional cycle Track Pilot Project: Feasibility Assessment and Functional Design” Project (Item 7.3)

The agenda was approved, as amended.

(b) DECLARATIONS OF INTEREST (Item 2)

Councillor B. Johnson requested that the record reflect her declaration of interest with respect to the Labour Relations Matter regarding the Carpenters’ Agreement as she has a family member who is a member of that Union.

(c) APPROVAL OF PREVIOUS MINUTES (Item 3.1)

The Minutes of the February 19 and 25, 2014 meetings of the General Issues Committee were approved, as presented.

(d) DELEGATION REQUESTS

The delegation requests from the following were approved, and the rules of order were waived to allow for the delegates to present at today’s meeting with respect to the Cannon Street Bi-Directional Cycle Track Pilot Project:

(i) Justin Jones on behalf of “Yes We Cannon”
(ii) Lynda Lukasik on behalf of “Environment Hamilton”
(iii) Sean Burak on behalf of Hamilton Bike Share.

(e) CONSENT ITEMS

(i) Various Advisory and Sub-Committee Minutes: (Item 5.2)
The following Advisory and Sub-Committee Minutes were received:

(aa) Advisory Committee for Persons with Disabilities – January 14, 2014 (Item 5.2(a))

(bb) Web Redevelopment and Service Channel Sub-Committee Minutes - November 12, 2013 (Item 5.2(b))

(f) PUBLIC HEARINGS/DELEGATIONS

(i) Justin Jones, on behalf of “Yes We Cannon”, to appear before the Committee to speak in favour of the proposed design for the Cannon Street Cycle Tracks (Item 4.1)

Justin Jones appeared before the Committee to express the support of the “Yes We Cannon” organization for the Cannon Street project, and thanked staff for keeping the organization involved in the process and opportunity to participate. Mr. Jones also spoke to why this project is so important to the City.

A copy of Mr. Jones’ comments was submitted to the Clerk for the public record.

The presentation from Justin Jones respecting the proposed design for the Cannon Street Cycle Tracks were received.

(ii) Request from Lynda Lukasik, on behalf of Environment Hamilton, to speak to Item 7.3 on the March 19 GIC agenda – Cannon Street Bi-Directional Cycle Track Pilot Project (Item 4.2)

Lynda Lukasik appeared before the Committee on behalf of Environment Hamilton to strongly support the project and the need for an east-west bike route in the City. Ms. Lukasik also noted that this is not just an environmental justice, but a social justice as well, to provide a viable route for those whose only means of transportation requires the use of the bike lanes.

In conclusion, Ms. Lukasik urged the Committee to support the recommendations put forward by staff, and to move the project forward.

The presentation from Lynda Lukasik respecting the Cannon Street Bi-Directional Cycle Track Pilot Project was received.

Council – March 26, 2014
(iii) Sean Burak, on behalf of Hamilton Bike Share, to speak in support of the Cannon Street Cycle Track (Item 4.3))

Sean Burak appeared before the Committee on behalf of Hamilton Bike Share to speak and in support of the Cannon Street Cycle Track and requested that the Committee unanimously support this project as an important part of a city-wide cycling initiative.

A copy of a PowerPoint presentation which Mr. Burak provided to the Committee was submitted for the public record can be viewed on the City of Hamilton website.

The presentation from Sean Burak respecting the Cannon Street Bi-Directional Cycle Track Pilot Project was received.

(g) PRESENTATIONS

(i) Cannon Street Bi-Directional Cycle Track Pilot Project (PW14031) (Wards 1, 2 and 3) (Item 7.3)

Don Hull, Director of Transit, introduced Norma Moores, P.Eng., Associate and principle consultant with the IBI Group and noted that Ms. Moores is a certified complete streets instructor. Mr. Hull indicated that this report is a multi-divisional/multi-departmental initiative, and advised that the appropriate staff were in attendance to respond to questions of the Committee.

With the assistance of a PowerPoint presentation, Ms. Moores spoke to the following:

- Project Update
- Implementation highlights for Cannon Street
- Main issues to overcome
- Recommended design
- Recommended design: Hess Street to Victoria Avenue; Victoria Avenue to Sherman Avenue; separators
- City initiatives
- Cycling, complete streets, pedestrian, transit, traffic operations, parking, loading/unloading, maintenance and operations assessments
- Cost estimate: Capital implementation cost estimate; annual maintenance cost estimate
- Summary

A copy of the presentation was distributed to the Committee and can be viewed on the City of Hamilton website.
The presentation respecting “Cannon Street Bi-Directional Cycle Track Pilot Project” was received.

Sub-section (e) was deleted in its entirety and replaced with the following in lieu thereof:

(e) That the General Manager of Public Works be authorized and directed to undertake the detailed design and implementation of bike lanes on York Boulevard, from Hess Street to Dundurn Street, in co-ordination with the implementation of the three-year Bi-directional Cycle Track Pilot Project on Cannon Street, at an estimated cost of $58,000, funded from the Ward 1 Area Rating Account

The following sub-section was added:

(f) That staff be directed to provide a status report to the General Issues Committee on all costs, expenditures and benefits, including labour impact on GFL and contingencies, involved during the period of the pilot project.

The following sub-section was added:

(g) That 30-day written public comment period be put in place on the feasibility study recommendations, with an information report back to the General Issues Committee prior to implementation.

The above-noted amendment was **DEFEATED** on the following Standing Recorded Vote:

Yeas: Johnson, Pearson, Clark
Total Yeas: 3
Nays: McHattie, Farr, Morrow, Merulla, Collins, Jackson, Duvall, Whitehead, Partridge, Pasuta
Total Nays: 10
Absent: Ferguson, Powers, Bratina
Total Absent: 3

The Main Motion, as amended, **CARRIED** on the following Standing Recorded Vote:

Yeas: McHattie, Farr, Morrow, Merulla, Collins, Jackson, Duvall, Whitehead, Partridge, Pasuta, Johnson, Pearson, Clark
Total Yeas: 13
Total Nays: 0
Absent: Ferguson, Powers, Bratina
Total Absent: 3
(ii) Terms of Reference for the Evaluation of City of Hamilton Community Partnership Program (FCS14024) (City Wide) (Item 7.1)

John Hertel, Director of Finance, Administration and Revenue Generation, acknowledged and thanked the efforts of staff involved in reviewing the grants process. With the assistance of a PowerPoint presentation, Mr. Hertel spoke to the following:

- Context for the presentation (provided to the Grants Sub-Committee on February 6, 2014)
- Objectives
- Why the review is being done
- Areas for funding
- Grants Sub-Committee Guidance – Areas to investigate
- Kudos
- Importance of Engagement (for Stakeholders and Communities)
- “Draft” – Stakeholder groups to engage
- Parallel approach
- Municipal Arts Investment Program
- Deliverables
- Refresher – Current CPP Objectives
- Approach

A copy of the PowerPoint presentation is attached to Report FCS14024 and can be viewed on the City of Hamilton website.

The presentation respecting “Terms of Reference for the Evaluation of City of Hamilton Community Partnership Program was received.

The Goals section of the Terms of Reference was amended to add the following:

“5. To incorporate all streams in the final result.”

The following was added as sub-section (b):

That upon completion of the 2014 Community Partnership Program Review and prior to implementation, that the process include an opportunity for the public to provide comments to the process.

(iii) Clean & Green Hamilton Strategy 2013 Year-End Update (PW11052(f)) (City Wide) (Item 7.2)

Phil Homerski, Information and Business Advisor, appeared before the Committee to provide an update on the progress of the City’s Clean Strategy, as per direction of Council. With the assistance of a PowerPoint presentation, Mr. Homerski spoke to the following issues:

Council – March 26, 2014
• Clean & Green Hamilton Strategy Purpose and Vision
• Clean & Green Principles
• Program Pillars – Litter; Illegal Dumping; Graffiti; Beautification and Environmental Stewardship.

A copy of the presentation was distributed to the Committee and can be viewed on the City of Hamilton website.

The presentation respecting “Clean & Green Hamilton Strategy 2013 Year-End Update” was received.

(iv) **Labour Relations Grievance Activity Reporting & Analysis (2007-2013) (HUR14001) (Item 7.4)**

Lora Fontana, Director of Labour and Employee Relations, provided a PowerPoint presentation with respect to Labour Relations Grievance Activity Reporting and Analysis between 2007 and 2013 and spoke to the following:

• Total Grievances – by Union, Department, Category
• Legal and Mediation Costs – by Union, Department and Category
• Non-grievance Related Costs
• Total Grievances per year – 2007 to 2013
• Total Grievances by Union Summary – 2007 to 2013
• Total Grievances by Department Summary
• Grievance Category Comparison
• Total Grievance Activity for Public Works, Community Services, Hamilton Fire Department, Hamilton Paramedic Services, Planning and Economic Development, Corporate Services, Public Health and City Housing Hamilton
• Total Legal Arbitration and Mediation Costs (2006-2013)
• 2013 Collective Agreement Settlements

A copy of the PowerPoint presentation was distributed to the Committee and can be viewed on the City of Hamilton website.

The presentation respecting “Labour Relations Grievance Activity Reporting & Analysis (2007-2013)” was received.

(iv) **City Manager’s Annual Update – 2013 (Item 7.5)**

Chris Murray, City Manager, provided the City Manager's Annual Update for 2013 and with the assistance of a PowerPoint presentation, and spoke to the following:

• City Manager's Focus

**Council – March 26, 2014**
• OUR Relationship between the Community, City Council and Civic Administration
• What Matters Most
• Conditions for Success
• 2013 Key Accomplishments relative to Performance Appraisal Objectives
  • “Strategic”
  • “Financial”
  • “People Focused”
  • “Citizen Focused, Public Engagement, Service Delivery”

The presentation respecting the City Manager’s 2013 Annual Update was received.

(h) DISCUSSION ITEMS

(i) Citizen Engagement - Two-Way/Complete Streets Conversion (PW13097(a)) (City Wide) (Item 8.4)

Report PW13097(a) respecting “Citizen Engagement – Two-Way/Complete Streets Conversion” was deferred to the April 2, 2014 meeting of the General Issues Committee.

(i) MOTIONS

Councillor S. Duvall introduced the following Motion:

(i) 2014 Easter Egg Hunts at City Parks

Whereas Easter egg hunts are popular community-building events that take place in various City of Hamilton parks;

And Whereas event organizers of such hunts are required to obtain approval through the Special Event Advisory Team and to secure liability insurance and a rental permit for the health and safety of the organizers, participants, the City and citizens at large;

And Whereas Easter egg event organizers are mostly community volunteers with access to minimal budgets;

And Whereas City staff is developing a policy for future years that will assist community event organizers to access City facilities affordably.

Therefore Be It Resolved:

That all City facility rental fees for Easter egg hunts be waived for 2014.
See Item 28 for the disposition of this item.

The following Motion was lifted and deleted in its entirety:

(ii) **Negotiation with Hamilton Conservation Authority with Respect to the Ownership of Westfield Heritage Village**

Whereas, Westfield Heritage Village is 100% owned by the City of Hamilton and operated under a management agreement with the Hamilton Conservation Authority;

And Whereas, on November 14 2011, the General Issues Committee directed that the General Manager of Community Services be authorized and directed to negotiate an interim operating agreement with the Hamilton Conservation Authority for Westfield Heritage Village in a form satisfactory to the City Solicitor;

And Whereas, work on the interim agreement for Westfield has been delayed pending completion of the Confederation Park agreement and staff and organizational changes at the City and the Hamilton Conservation Authority;

And Whereas, on October 3, 2013 meeting, the Board of Directors for the Hamilton Conservation Authority, HCA, passed the following resolution:

(a) That HCA staff be directed to enter into negotiations with the City of Hamilton towards the acquisition of Westfield Heritage Village including its lands, structures, heritage assets, artifacts and chattels, for a nominal sum; and,

(b) That this acquisition is predicated on the continuance of the municipal levy support and inflationary increases consistent with the balance of the HCA levy;

Whereas, the November 14, 2011 direction did not direct staff to consider or negotiate the transfer/sale of Westfield;

Therefore be it resolved:

That staff be directed to assess the implications of the transfer/sale of Westfield Heritage Village in consultation with the Hamilton Conservation Authority and to report back to the General Issues Committee with recommendations by June 30, 2014.

See Item 30 which was added to this Report.
Councillor S. Merulla introduced the following Notice of Motion:

(i) **Moratorium on School Board Closures**

Whereas, municipalities have been dealing with school closures across the Province of Ontario as part of the Accommodation Review Process;

And Whereas, the City of Hamilton has been leading the way in neighbour-hood development;

And Whereas, neighbourhoods continue to indicate schools are a key community and infrastructure assets;

And Whereas, education has been identified as a critical component of the City's goal to build strong healthy neighbourhoods;

And Whereas, neighbourhoods have called for new ways of being engaged in the school closure decision making process;

And Whereas, the City has no authority on school closures;

Therefore be it resolved;

(a) That the City of Hamilton request the Province of Ontario to issue a moratorium on school closures until the Ministry of Education can call a meeting of City and School Board officials to develop a process to better understand neighbourhood changes, future growth predictions and the impact of closures on the health of neighbourhoods; and,

(b) That the Province of Ontario and Ministry of Education develop a new approach to the Accommodation Review Committee (ARC) process that includes a broader, more participatory engagement process.

The rules of order were suspended in order to allow for the introduction of a motion respecting “Moratorium on School Board Closures”.

The following was added as sub-section (c):

(c) That a copy of the correspondence be forwarded to all Leaders of the Provincial Parties and the Association of Municipalities of Ontario.

See Item 29 for the disposition of this item.
Councillor S. Merulla introduced the following Notice of Motion:

(ii) Rail-Cargo Safety – Real Time Information

Whereas, there is a heightened sense of concern regarding the transportation of dangerous goods via rail cargo through cities;

And Whereas, the federal government has already instructed rail companies to share historical data with cities in order to improve public safety and assist first responders;

And Whereas, there is a legitimate public safety interest in having immediate and real time data;

Therefore be it resolved:

(a) That the City of Hamilton request Transport Canada to explore the feasibility of having rail companies provide real-time information to municipal first responder personnel;

(b) That should impediments exist to preclude rail companies from providing such information, that Transport Canada require rail companies to implement notification procedures at the immediate outset of an emergency which requires them to provide the local first responders with a detailed manifest of the dangerous goods and their exact location relative to the composition of the involved train.

Councillor C. Collins introduced the following Notice of Motion:

(iii) Landscape Management Plan for Hamilton’s Beach Community

(a) That staff be directed to develop a Terms of Reference and associated budget to support a Landscape Management Plan for Hamilton’s Beach Community;

(b) That the Plan be developed in anticipation of future Hydro One maintenance activities along the Waterfront Trail and hydro corridor.

(i) OTHER BUSINESS/GENERAL INFORMATION

(i) Outstanding Business List Items

(aa) Revised Due Dates

The due dates for the following items on the Outstanding Business List were amended accordingly, as follows:

Council – March 26, 2014
Item G - Hamilton Police Services Forensic Building  
Current Due Date: March 24, 2014  
Proposed New Due Date: September 17, 2014

Item U1: Memorandum of Understanding with Hamilton Port Authority  
Due Date: March 19, 2014  
Proposed New Due Date: April 2, 2014

Item U2: Hamilton Port Authority Land Lease - Parking  
Due Date: March 19, 2014  
Proposed New Due Date: April 2, 2014

Item WW1: West Harbour Piers 5 to 8 Servicing Studies  
Due Date: March 19, 2014  
Proposed New Due Date: May 21, 2014

(bb) Items to be removed from the Outstanding Business List:

The following items were deemed complete and removed from the Outstanding Business List:

Item C: Waterdown-Aldershot East-West Transportation Corridor – Noise and Lighting Mitigation (Item 8.3)

Item BB: Bi-Directional Bike Lane Project – South Side of Cannon, from Sherman to Bay (Item 7.3)

Item EE: Future of Hamilton Children's Museum (Item 8.7)

Item FF: Chedoke Estate (Item 8.8)

Item HH: James Street North Road Closure for Art Crawl (Item 8.6)

Item II1: Cultural Plan 2013 (Terms of Reference for Cultural Roundtable) (Item 8.13)

Item WW2: West Harbour Piers 5-8 Servicing Studies (Management Recommendations) (Item 8.12)

(i) PRIVATE & CONFIDENTIAL

(i) Closed Session Minutes – February 19, 2014

(aa) The closed session minutes from the February 19, 2014 meeting of the General Issues Committee were approved, as presented;

Council – March 26, 2014
(bb) The Minutes will remain confidential and restricted from public disclosure.

Committee moved into Closed Session at 6:00 p.m., pursuant to Sub-section 8.1(b) of the City’s Procedural By-law and Section 239(2) of the Ontario Municipal Act, 2001, as the subject matter pertains to personal matters about an identifiable individual, including municipal or local board employees, respecting the City Manager’s Performance Review.

Committee reconvened in Open Session.

(ii) City Manager’s Performance Review (Item 12.2)

No action to report.

(j) PROCEDURAL MATTERS

(i) Cannon Street Bi-Directional Cycle Track Pilot Project

Item 7.3 respecting the above-noted matter was moved up for discussion following the public delegations.

(ii) Waterdown Aldershot East-West Transportation Corridor - Noise and Lighting Mitigation (PW08063(d)) (City Wide) (Item 8.3)

Deputy Mayor J. Partridge relinquished the Chair in order to move the recommendation contained in the above-noted report.

(k) ADJOURNMENT

There being no further business, the Committee adjourned at 6:32 p.m.

Respectfully submitted,

Councillor J. Partridge
Deputy Mayor

Carolyn Biggs
Legislative Co-ordinator
Office of the City Clerk

Council – March 26, 2014
Global Hamilton Council – Terms of Reference

1. Mission

The Global Hamilton Council will provide a leadership forum to oversee the implementation of the multi-faceted City of Hamilton's Immigrant Attraction Action Plan. It will advise the City of Hamilton and staff in supporting the attraction and retention of immigrants and international students, particularly as these pertain to business creation and growth.

2. Mandate

The Global Hamilton Council will:

- Provide advice and oversight in the implementation of the City of Hamilton's Immigrant Attraction Action Plan, including the Immigration Portal.
- Monitor and track progress and make recommendations where new or improved performance is required.
- Provide advice and suggestions to the Project Manager, Economic Development Division and the City of Hamilton where required.
- Provide a "bridge" to the external public in order to facilitate partnerships, leverage resources and champion the work of Global Hamilton.

3. Governance

3.1 Governance Defined

Governance is the process of decision-making and the process by which decisions are implemented (or not implemented). Good governance has been defined as having eight major characteristics. It is participatory, consensus-oriented, accountable, transparent, responsive, effective and efficient, equitable and inclusive and follows the rule of law. It assures that corruption is minimized, the views of minorities are taken into account and that the voices of the most vulnerable in society are heard in decision-making. It is also responsive to the present and future needs of society.
3.2 Governance Model

- Mayor and City Council
  - Hamilton

- Funder
  - Ministry of Citizenship and Immigration
  - Ontario

- Project Sponsor
  - City of Hamilton Economic Development Division

- Global Hamilton Council
  - Global Hamilton

- Project Staff

- Community
3.3 Governance Model Explained

3.3.1 Project Sponsor

The Global Hamilton initiative is sponsored by the City of Hamilton. As per the funding arrangement with Ministry of Citizenship and Immigration (MCI), the City of Hamilton, through the Economic Development Division, will have final accountability to MCI for all monies and deliverables and will be considered the final decision making authority for the project on any matters related to the contract.

Economic Development provides resources for project management, research, budgeting and administrative activities, and assumes financial accountability for the project. Economic Development is the link to the Mayor, Hamilton City Council, City Departments, City of Hamilton’s Citizen Advisory Committees and access to strategic planning tables.

3.3.2 Global Hamilton Council

Acting as an advisory group, the Global Hamilton Council, consisting of seven (7) to nine (9) community leaders, with a Chair and Vice-Chair, will provide strategic leadership in guiding the implementation of the Immigration Attraction Action Plan.

Each member of the Global Hamilton Council is expected to meet the following standards:

- Be responsible and respected leaders who have demonstrated and embrace the many benefits of a vibrant diverse population.
- Have an understanding of and commitment to the principles of partnerships and collaboration as a means to effect positive change.
- Value the multi-faceted role that immigrants can play in contributing to Hamilton’s growth and prosperity.
- Be linked to a wide network of leaders across a broad spectrum of stakeholders.

The characteristics required of a Global Hamilton Council member include:

- Understands why “getting immigration right” affects us all
- Has a Hamilton community agenda in addition to individual or organizational special interest, not just their own agenda
- Recognizes that successful collaboration produces results, not just structures and activities
- Is able to balance keeping the peace and ‘stirring the pot’ to get solutions
- Is open, reflective and can help the group find their way to the answers
- Engages others with diplomacy and political astuteness
Appendix “A” to Item 9 of GIC Report 14-007
Page 4 of 9

- Is willing to put tough or delicate issues on the table and work them through
- Is willing to pioneer, break through and find new ways
- Has experience being a change agent
- Has linkages or can connect to those who have linkages to a multitude of stakeholders
- Brings a city of Hamilton focus

In addition, in recognition that the level of involvement and understanding by the receiving society is the most important factor in achieving successful integration and an inclusive community, the composition of the Global Hamilton Council should include at least one representative from a variety of different sectors such as: business, education, economic development, communications/marketing/media, and Francophone community as well as being cognizant of the immigration status, age, gender and diversity balance. The Council will include a representative of the HIPC Steering Committee.

Accountability

The Global Hamilton Council is accountable to the following:

1. Members’ Organizations
   Many Global Hamilton Council members represent an organization and in such instances are accountable for ensuring that their decisions, advice and guidance are in keeping with the policies and priorities of their organizations.

2. The Community
   The Global Hamilton Council is accountable for considering the impact of their decisions and recommendations on the broader community including newcomers to Hamilton, existing settlement services and the organizations that deliver these services and the service system as a whole.

3. The City of Hamilton
   The Global Hamilton Council as a whole is accountable to the City of Hamilton.

4.3.3 Chair and Vice-Chair

The Global Hamilton Council will be led by a Chair and Vice-Chair. The Chair and Vice-Chair play three key roles:
I. Leaders, facilitators, and team builders for the Global Hamilton Council including presiding over Global Hamilton Council meetings;
II. Principal overseers of the Global Hamilton Council's reports to stakeholders; and,
III. Chief spokespersons in representing the Global Hamilton Council to reviewers, the City of Hamilton, sponsors and the public.

The Chair and Vice-Chair will be individuals who are able to inspire colleagues and keep them focused on the necessary effort to complete the initiative.

4.3.4 Working Groups

Working groups will be established on an as needed basis and Global Hamilton Council members may be asked to volunteer in various aspects of these working groups. Working groups will report directly to the Steering Committee.

4.3.5 Staff Support

The Project Sponsor will ensure a staff complement is in place that is necessary to meet the deliverables of the project. The staff will provide support to the Global Hamilton Council and its sub-committees and be accountable to the Project Sponsor.

4.4 Decision-Making Authority

For a Global Hamilton Council meeting quorum to be achieved, the majority of members must be present. A majority consists of 50% of the membership plus one.

All Global Hamilton Council members are equal voting partners for decision-making that will be done on a consensus basis seeking 80% agreement.

The Global Hamilton Council will meet a minimum of four times a year in addition to occasional educational events and community forums.

5. Term

Global Hamilton Council members will serve three years for their first term after which appointments for membership will be staggered to ensure continuity. Members can opt to renew their membership for a one, two or three year term with the approval of the Global Hamilton Council Chair, Vice Chair, Project Sponsor and Project Manager.

If a member must leave before the end of their term, they can recommend a replacement to complete their term who represents the same sector of the community. The Global Hamilton Council Chair, Vice Chair, Project Sponsor and Project Manager will make the final determination for the replacement.
If a membership is not renewed, the Global Hamilton Council Chair, Vice-Chair, Project Sponsor and Project Manager will determine if a replacement is required then identify and recruit individuals who reflect various sectors and possess the qualities outlined in these Terms of Reference. These will be individuals who are responsible and respected leaders, passionate about Hamilton and the community and embrace the many benefits of a vibrant immigrant population some of whom may have lived experience of the immigration and settlement process.

5.1 Recruiting and Selecting Members

The process for recruiting and selecting new members will be as follows:

- Recruitment – Candidates will be recruited using one or all of the following methods: candidates are recruited through an open call and posting; candidates are approached by Global Hamilton Council Chair, Vice Chair, Project Sponsor or Project Manager and encouraged to become a member.
- Selection – For the initial term, the Global Hamilton Project Sponsor and Project Manager will select the candidates with the skills, attitudes and experiences described in these Terms of Reference, while ensuring major sectors of the community are represented and a gender and diversity balance are reflected on the Global Hamilton Council. After the initial term, the selection process will also include the Global Hamilton Council Chair and Vice Chair. Candidates selected will be invited to become members of the Global Hamilton Council.

6. Code of Conduct

Members of the Global Hamilton Council have a duty to make decisions solely in terms of the best interest of the community. It is expected that the members will not engage in any behaviour or conduct that may be seen to be an attempt to gain, through their position as a member or through their knowledge or contacts gained as an Global Hamilton Council member, any personal advantage, advancement, favour, influence, benefit, discount or other interest, for themselves, their spouses, their relatives, their friends, or the organization for which they work.

Global Hamilton Council members must therefore declare any actual, potential or perceived conflict of interest.

There may be times when members will be required to treat discussions, documents or other information relating to the work of the committee in a confidential manner.

Members of the Global Hamilton Council will commit themselves to the following:
- Shall work for the well-being of all citizens of Hamilton.
• Shall not use their membership for personal advantage or the advantage of other individuals.
• Shall work with other members in a spirit of respect, openness, co-operation and proper decorum in spite of differences that may arise during discussions.
• Will not divulge confidential information that they may obtain in their capacity as a Global Hamilton Council member.

Members are expected to attend all meetings of the Global Hamilton Council. Should a member miss more than three meetings during their three year term on the Global Hamilton Council, they will be contacted by the Chair to discuss their ongoing participation.

In the event that there is a failure to comply with Code of Conduct guidelines the Chair will be responsible for addressing the issue with the member, and recommending a suitable course of action.

7. Conflict of Interest

A conflict of interest is defined as a situation in which the personal, professional or business interests of a Global Hamilton Council member or a close relative/associate of the member are in conflict with the member’s ability to contribute to achieving the overall goals of the Global Hamilton Council. A conflict of interest arises when a person or close associate may benefit or appear to benefit from that position financially or in some other inappropriate way.

7.1 Policy

a) Members shall not place themselves in a position where they are under obligation to any person or organization that might benefit from improper consideration or favour from members while performing their duties and responsibilities as a Global Hamilton Council member.

b) Members shall not divulge confidential information or restricted information to any unauthorized person(s) or release such information in advance of authorization or authority.

c) Members shall not engage in any activity, work or business undertaking that may interfere with the achievement of the overall goals of the Global Hamilton Council and Steering Committee. However, members are encouraged to:
   ▪ conduct any business that facilitates the achievement of the overall goals of the Global Hamilton Council
   ▪ share any business they may be involved in that pertains to or has an impact on the overall goals of the Global Hamilton Council
   ▪ establish mutually beneficial partnerships that facilitate the achievement of the overall goals of the Global Hamilton Council
d) Should a member be considered for employment with the Immigration Strategy staff, the member will take a leave of absence until the successful candidate is selected. If the Global Hamilton Council member is the successful candidate, the member will resign from the Global Hamilton Council.

e) Members shall declare if they have direct or indirect personal business or financial activities that conflict with their Hamilton Immigration Partnership Council duties and responsibilities.

f) Members will declare any conflict of interest at all Global Hamilton Council meetings which shall be recorded in the minutes.

g) After declaring a conflict of interest, the member shall not be present (nor vote) during the discussions, or otherwise attempt to influence the decision, nor shall the member in conflict of interest be counted in any required quorum with respect to a vote.

7.2 Procedure and Resolution

a) Members must disclose to the Chair any situation or matter where they have a conflict of interest or the potential for conflict of interest, prior to the meeting based on the agenda.

b) Members must disclose to all other members any situation or matter where they have a conflict of interest or the potential for conflict of interest immediately within the Global Hamilton Council meeting when recognition of a conflict of interest or potential conflict of interest arises.

c) Once a conflict is declared, the member declaring the conflict will leave the meeting.

d) The Global Hamilton Council will then decide whether or not the member in conflict of interest should be invited back to the meeting for information gleaning purposes; and/or whether the Global Hamilton Council agrees the member is in a conflict of interest.

e) The member in conflict of interest may be asked to return to the meeting for information gathering and then asked to leave again, before a decision is made. The member in a conflict may accept or decline the invitation.

f) The member in conflict of interest shall not be present for the decision/vote.

g) Once the decision/vote is made, the Global Hamilton Council will decide how to communicate the outcome to the member.
h) The Chair will communicate the outcome to the member following the agreed approach.

i) Before a person becomes a member, s/he must be made aware of this policy and be required to disclose any potential conflict of interest.

j) Any postings for positions with the Immigration Staff shall reference the Conflict of Interest Policy.
CITY OF HAMILTON

2014 COMMUNITY PARTNERSHIP PROGRAM REVIEW
TERMS OF REFERENCE

Goals

1. To evaluate the criteria, prioritization methodologies and procedures under which the City of Hamilton provides grants to culture, sports, special events and social & community service agencies and organizations in the community;
2. To ensure that a strategic and transparent process is in place;
3. To leverage the work already completed by the Arts Advisory Commission as a benchmark model for the sports, special events, and social & community services areas where appropriate and;
4. To facilitate the best use of taxpayers’ dollars and ensure that a sustainable and appropriately funded Grant Program is in place for the 2015 intake process.
5. To incorporate all streams in the final result.

Objectives

The review will involve input from staff, elected officials, and representatives of the community stakeholders groups. It will consist of the following areas of investigation as suggested by the Grants Subcommittee:

1. General
   - Marquee Events (new category)
   - Non-Legislated Boards & Agencies Review
   - Environmental (incorporating Vision 2020 and the Corporate Strategy)
   - Reviewing the CPP budget division
   - Grants Process Review
   - Review Electronic Submissions, CPP application on-line, revise website
   - Review charitable vs. Non-charitable by category.
   - Review profit vs. non-profit
   - Revise applications
   - Define roles and responsibilities'
   - Review guidelines
   - Review evaluation process
2. Social & Community Services and Sports & Recreation

- Benchmarking to “like size” municipalities
- Review types of programming
- Review New & Emerging Needs
- Funding Additional … best practice, benchmarking
- Assess funding status of long term organizations, review transition programs out to stand on their own.

3. Special Events & Culture

- Review a tiered system by categories; level of funding
- Review Start-up funding
- Policy VS Principles (better defining)
- Alignment with Corporate Strategies and culture plan
- Review gated funding VS non-gated
- Review funding for Anniversary Events
- Define objectives and priorities

Implementation Plan

Will outline:

- Risks
- Issues
- Communication
- Resource requirements
- Timing

Project Team

- Director Finance, Administration, & Revenue Generation (Chair)
- Administrative Assistant/Grants Co-Coordinator
- Business Administrator
- Manager of Sports Development
- Senior Policy Analyst
- Program Coordinator, Planning & Economic Development and;
- Manager of Arts, Events, & Grants
Deliverables-Proposed Recommendations to Committee

1. A consultation plan and summary inputs;
2. A framework for a City of Hamilton Grants funding program including eligibility criteria, process efficiencies and value for money allocation;
3. Adjudication and accountability guidelines;
4. Financial overlay of existing grants into the new framework;
5. A transition plan and timelines for any proposed changes to the current model or recipients;
6. A recommendation for each grant stream regarding the allocation of any future increases in monies available;
7. A transition plan and timelines for moving non-legislative Boards & Agencies under the new Grants program umbrella;
8. Redesigned processes and performance metrics

Timelines & Budget Considerations

1. Maximum funds available for this review not to exceed $20K for public consultation and facilitation expense. Monies to be funded from the Grants reserve.
2. Final report to be made available by June 2013.
1. Mandate

The Cultural Roundtable oversees the on-going governance and implementation of the City of Hamilton’s Council approved Corporate Cultural Plan, PED12117(a).

The Cultural Roundtable strives to act as a catalyst to build community capacity in culture and a shared responsibility for culture.

2. Nature of Authority

The establishment of a Cultural Roundtable is a City Council-endorsed recommendation. The Cultural Roundtable works with the City staff who will report to the General Issues Committee regarding the implementation of the Corporate Cultural Plan.

Some aspects of the Cultural Plan align with the mandates of other organizations, committees or groups. The Cultural Roundtable will liaise with existing and emerging organizations, committees or groups as appropriate in order to oversee the governance and implementation of the Cultural Plan and act as a catalyst to build community capacity in culture.

3. Role

The Cultural Roundtable will:

- Advise City staff towards the establishment a Cultural Plan Report Card
- Report on the progress of the Cultural Plan
- Communicate the value of culture to Hamilton’s overall vitality
- Identify issues and opportunities to support cultural development
- Recommend new actions to or updates in the Cultural Plan
- Cultivate community partnerships - identify, facilitate and support community collaboration and engagement
- Consult on updates to the Cultural Plan
- Provide recommendations to and receive recommendations from the Staff Advisory Team and other committees or boards associated with culture in Hamilton
4. Composition

a. Members are selected by a cross-departmental staff selection committee through an application process.
b. As recommended by participants in the final Cultural Plan workshop, there shall be diverse representation from: arts organizations; artists; creative industries; heritage; cultural diversity; youth; education; business; tourism; neighbourhood associations; citizens with a vested interest in culture.
c. Any interest from the community to serve on the Cultural Roundtable will be added to a list of interested candidates. If there is a vacancy, eligible candidates will be reviewed for selection.
d. The duration of membership is for a minimum of two years.
e. A Chair and Vice Chair shall be appointed annually by a majority vote of the Cultural Roundtable.

5. Responsibilities of Members

a. Members are expected to prepare for and attend all scheduled meetings of the Cultural Roundtable and participate in the Cultural Roundtable’s discussions and deliberations.
b. Members may be asked to represent the Cultural Roundtable at events and to make presentations as required.
c. A member who misses two consecutive meetings, without being excused by the Chair, may be asked to resign.

6. Meetings

a. Quorum consists of a majority of the membership plus one.
b. Meetings occur at the call of the Chair or as determined by the Cultural Roundtable (minimum of three meetings per year).
c. It is anticipated that meetings will be in the evening.

7. Reporting

Reports (when required) shall be forwarded to the General Issues Committee through City staff in accordance with established City policy and procedures.
8. Resources

a. Designated staff will attend meetings and assist in preparing agendas, minutes and performing tasks related to the Cultural Roundtable’s activities.
b. Additional staff and community stakeholders may attend meetings, as needed, to discuss specific items and/or in an advisory capacity.
c. Meeting space will be provided by the City of Hamilton.

9. Remuneration

Members of the Cultural Roundtable will serve without remuneration. All expenses associated with travel to or from meetings will be the responsibility of each member.

10. Conflict of Interest

A conflict of interest is defined as a situation in which the personal, professional or business interests of a member or a close relative / associate of the member are in conflict with the member’s ability to contribute to achieving the overall goals of the Cultural Roundtable. A conflict of interest arises when a person or close associate may benefit or appear to benefit from that position financially or in some other inappropriate way.

11. Code of Conduct

Members of the Cultural Roundtable will:

a. Act with honesty and integrity
b. Exercise due care, diligence and skill
c. Act in good faith in the best interest of citizens and society
d. Act fairly and impartially
e. Use information appropriately
f. Use their position appropriately
g. Demonstrate leadership and stewardship

12. Review

The Terms of Reference will be reviewed annually in collaboration with City staff and updated as required.
Appendix “C” to Item 27 of GIC Report 14-007
Page 4 of 5

13. Background

Council approved the Cultural Policy in June 2012 and the Cultural Plan in October 2013. More than 2,300 stakeholders were engaged in the development of the Cultural Plan.

Within the Cultural Plan, culture is defined as a broad concept which encompasses the people, places and things that reflect our community identity and channel creative expression including:

- Cultural Heritage
- Creative Cultural Workers
- Creative Cultural Industries
- Cultural Organizations
- Festivals and Events
- Natural Heritage
- Cultural Spaces and Facilities
- Stories, Values and Traditions

The Guiding Principles state that culture is instrumental to City-building and that we value culture because it is:

- How people define Hamilton’s identity and shapes how people experience our City
- A source of economic growth, employment and wealth creation
- Vital to human development
- A source of community pride
- Reflective of our diversity
- An essential source of new ideas and innovation
- Key to neighbourhood development
- Critical to downtown renewal
- A magnet for tourism
- A tool to honour inclusivity, build connections and strengthen social capital

The Cultural Policy which is contained within the Cultural Plan, states the following:

The City of Hamilton embraces the international consensus that culture is the fourth pillar of sustainable development, joining economic prosperity, environmental responsibility and social equity. Consideration of integrating cultural vitality into all City decisions and City initiatives shall be given as the City adopts a holistic approach to culture.

The City of Hamilton is committed to being a reliable and trusted partner, working with community stakeholders to create conditions which support and cultivate creative people, creative capacity, and a shared responsibility for culture.
The Cultural Plan cites eight transformational goals, which are:

1. Culture as an Economic Engine
2. Downtown Renewal
3. Quality of Life Quality of Place
4. Build Tourism
5. Neighbourhood Revitalization
6. Build Community Identity, Pride and Image
7. Encourage Welcoming Communities
8. Creativity for All

The eight transformational goals are founded on best practice research and stakeholder input. The eight transformational goals represent the major ways culture impacts community and City-building. Within the Cultural Plan, the eight transformational Goals expand into twelve recommendations and further into 78 Actions.

Absent with regrets: Councillor J. Farr – Personal

THE BOARD OF HEALTH PRESENTS REPORT 14-002 AND RESPECTFULLY RECOMMENDS:

1. Ontario Public Health Organizational Standards – 2013 Status Review (BOH14005) (City Wide) (Item 5.1)

That Report BOH14005 respecting Ontario Public Health Organizational Standards – 2013 Status Review be received.

2. Capital Projects’ Status Report as of December 31, 2013 (BOH13031)(City Wide) (Item 5.2)

That Report BOH13031 respecting Capital Projects’ Status Report as of December 31, 2013 be received.
3. **Infectious Disease and Health Hazard Semi-Annual Report – (Q3 and Q4) (July 1, 2013 to December 31, 2013) (BOH14003) (City Wide) (Item 5.3)**

That Report BOH14003 respecting Infectious Disease and Health Hazard Semi-Annual Report – (Q3 and Q4) (July 1, 2013 to December 31, 2013) be received.

4. **Bed Bug Strategy (BOH14010/CES14013) (City Wide) (Item 7.1)**

(a) That Public Health Services and the Community and Emergency Services Department be directed to develop a Community bed bug strategy for Hamilton by the first quarter of 2015;

(b) That Public Health Services staff and the Community and Emergency Services Department staff be directed, as part of a bed bug strategy, to report back on Item 6.3 from the September 16, 2013 Board of Health delegation submission by Shawn Cormer and Ruth Cormer, respecting Mr. Comer’s ideas for pest prevention and for a potential bed bug registry for rental dwellings;

(c) That Community and Emergency Services Department staff be directed to pilot a unit preparation service for low income, vulnerable residents, to develop community education materials regarding bed bugs, and to hire 1.0 temporary FTE for up to 18 months to develop the Community Bed Bug Strategy, for a total of $200,000 to be funded from Bed Bug Eradication capital project #6731341301;

(d) That Public Health Services be directed to provide navigation support, to assist vulnerable residents with bed bug infestation remediation processes using up to $100,000 from the City’s Unallocated Capital Reserve (#108020) to hire one temporary FTE navigator for a maximum of 18 months, without impact to the operational levy;

(e) That Appendix "A" attached hereto Report BOH14-002 respecting Bed Bug Action Group Membership and their Bed Bug Related Roles be approved, without impact to the operational levy.

(f) That the Board of Health, under the Mayor’s signature, send a reminder letter to the Province requesting that the bed bug funding which ceased in 2012 be reinstated and copies be forwarded to the Association of Municipalities of Ontario (AMO) and the Federation of Canadian Municipalities (FCM) to ensure that the provincial and federal governments are engaged with respect to a provincial and nationwide strategy.
5. **Post-Accreditation: Maintaining Quality in Public Health (BOH14009) (City Wide) (Item 8.1)**

That Report BOH14009 respecting Post-Accreditation: Maintaining Quality in Public Health be received.

6. **Children’s Aid Society/Catholic Children’s Aid Society – Update on Collaboration (BOH13028)(a) (City Wide) (Item 8.2)**

That Report BOH13028 respecting Children’s Aid Society/Catholic Children’s Aid Society – Update on Collaboration be received.

7. **Active and Sustainable School Transportation (ASST) Charter (Added Item 9.1)**

Whereas, schools are now the second biggest car trip generator for the morning commute in the GTHA;

And whereas, a number of Hamilton schools are being considered for closure resulting in larger amalgamated schools with impacts on transportation choice, community cohesion and health, and the environment;

And whereas, reducing vehicle trips to and from school by promoting more walkable and bikeable neighbourhoods improves pedestrian and cyclist safety, and reduces air pollution and greenhouse gas emissions;

And whereas, making a community and school grounds more walkable and bikeable contributes to total daily physical activity for better health and student performance;

And whereas, the City of Hamilton Public Health Services has been dedicated to the Active and Safe Routes to School initiatives since 2000;

And whereas, the City of Hamilton’s Urban Official Plan and Metrolinx’s Regional Transportation Plan, The Big Move, includes policy goals for the achievement of an integrated transportation network that impacts health and quality of life;

And whereas, a number of Ontario municipalities and school boards have recently developed and signed their own ASST charters recognizing the value of ASST and demonstrating commitment to take action in support of ASST including Toronto, Ottawa, York, and Waterloo

Therefore be it resolved:

**Council – March 26, 2014**
(a) That the Joint City/Board Relations Committee be directed to
develop an Active and Sustainable School Transportation Charter to
support the long-term commitment to active and sustainable school
transportation.

(b) That staff from Public Health Services and Public Works, through the
existing Active and Safe Routes to School Steering Committee, be
directed to assist the Committee with their deliberations and the
development of the Charter.

The following Item 8 was amended by deleting it in its entirety and the balance of the
items renumbered accordingly.

8. **Change in Membership of the Joint City/School Board Liaison Committee**

   That representatives of the Hamilton Wentworth Catholic District School Board
be added as members of the Joint City/School Board Liaison Committee and that
the Terms of Reference be amended accordingly.

9. 8. **Correspondence from Arlene King, Chief Medical Officer of Health,**
**Ministry of Health and Long-Term Care respecting reissuance of the**
**Provincial Case Definition for Clostridium Difficile Infection (CDI) outbreaks**
**in public hospitals (Item 11.1)**

   That the correspondence from Arlene King, Chief Medical Officer of Health, Ministry of Health and Long-Term Care respecting reissuance of the Provincial Case Definition for Clostridium Difficile Infection (CDI) outbreaks in public hospitals be received.

10. 9. **Correspondence from Deb Matthews, Minister of Health and Long-Term**
**Care, respecting the Universal Influenza Immunization Program (Item 11.2)**

   That the Correspondence from Deb Matthews, Minister of Health and Long-Term Care, respecting the Universal Influenza Immunization Program be received.

14.10. **Correspondence from Barry Ward, Chair, Board of Health, Simcoe**
**Muskoka District Health Unit, respecting Oral Health Care for Low**
**Income People (Item 11.3)**

   That the correspondence from Barry Ward, Chair, Board of Health, Simcoe Muskoka District Health Unit, respecting Oral Health Care for Low Income People be received.
12.11. Phase 1 – Administrative Efficiencies (BOH14006) (City Wide) (Item 12.1)

(a) That 1.0 FTE Clinical & Preventive Services Division Program Manager be transferred to the Planning & Business Improvement Division with no impact on the levy;

(b) That 0.5 FTE Program Secretary position in Planning & Business Improvement be converted into a 0.4 FTE Public Health Dentist in Clinical & Preventative Services with no impact on the levy;

(c) That Report BOH14006 respecting Phase 1 – Administrative Efficiencies remain confidential and not be released as a public document as the information relates to identifiable individuals.

FOR THE INFORMATION OF COUNCIL:

(a) CHANGES TO THE AGENDA (Item 1)

The Committee Clerk advised of the following change:

(i) Added Motion as Item 9.1 – Active & Sustainable School Transportation (ASST) Charter

The agenda was approved, as amended.

(b) DECLARATIONS OF INTEREST (Item 2)

There were no declarations of interest.

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

(i) January 13, 2014 (Item 3.1)

The Minutes from the January 13, 2014 meeting of the Board of Health were approved, as presented.
(d) DELEGATION REQUESTS (Item 4)

(i) Ms. Elizabeth McGuire representing the Campaign for Adequate Welfare and Disability Benefits respecting the Good to Go Food Box (Item 4.1)

The delegation request submitted by Ms. Elizabeth McGuire, representing the Campaign for Adequate Welfare and Disability Benefits respecting the Good to Go Food Box, was approved, and the rules of order waived, in order to address the Board at the meeting.

(ii) Ms. Susan Muma representing Hamilton Organization for Poverty Elimination (HOPE) respecting the Good to Go Food Box (Item 4.2)

The delegation requests submitted by Ms. Susan Muma representing Hamilton Organization for Poverty Elimination (HOPE) respecting the Good to Go Food Box, was approved, and the rules of order waived, in order to address the Board at the meeting.

(e) PUBLIC HEARINGS/DELEGATIONS (Item 6)

(i) Mr. Shawn Comer respecting the development of a new approach to dealing with pests in rental units in Hamilton (Item 6.1)

Mr. Shawn Comer spoke to the Board with regard to the development of a new approach to dealing with pests in rental units.

The Board provided Mr. Comer with a copy of the staff report and invited him to stay for the presentation of this item.

The presentation by Mr. Shawn Comer respecting the development of a new approach to dealing with pests in rental units in Hamilton was received.

(ii) Ms. Elizabeth McGuire representing the Campaign for Adequate Welfare and Disability Benefits respecting the Good to Go Food Box. (Item 6.2)

Ms. Elizabeth McGuire was not in attendance.
(iii) Ms. Susan Muma representing the Hamilton Organization for Poverty Elimination (HOPE) respecting the Good to Go Food Box. (Item 6.3)

Anne Newbigging spoke on behalf of Susan Muma. She expressed the importance of the Good to Go Food Box and gratitude for the program.

Councillor McHattie advised that Council has decided to extend the Good to Go Food Box until August 2015.

The presentation by Anne Newbigging on behalf of Susan Muma respecting the Good to Go Food Box was received.

(f) PRESENTATIONS (Item 7)

(i) Bed Bug Strategy (BOH14010/CES14013) (City Wide) (Item 7.1)

Susan Harding-Cruz, Program Manager, Health Protection and Kirstin Maxwell, Policy and Program Specialist, Housing Services, gave a presentation respecting Bed Bug Strategy with the aid of a PowerPoint presentation. A copy of the presentation has been included in the public record.

The presentation included but was not limited to the following:

- Bed Bug Information
- Impacts of infestations and trend
- What’s been done in Hamilton
- What needs to be done

Staff outlined experiences with regard to bed bugs from residents.

The Board discussed the presentation and matters pertaining to funding, provincial and federal government engagement and the proposal of the use of notice cards on buildings.

The presentation by Susan Harding-Cruz respecting Bed Bug Strategy (BOH14010/CES14013), was received.

(a) Sub-section (d) of Report BOH14010/CES14013, respecting the Bed Bug Strategy, was amended by adding the words “, without impact to the operational levy” after the words … for a maximum of 18 months, to read
as follows:

(d) That Public Health Services be directed to provide navigation support, to assist vulnerable residents with bed bug infestation remediation processes using up to $100,000 from the City's Unallocated Capital Reserve (#108020) to hire one temporary FTE navigator for a maximum of 18 months, without impact to the operational levy;

(b) Sub-section (e) of Report BOH14010/CES14013, respecting the Bed Bug Strategy, was amended by adding the words “, without impact to the operational levy” after the words …Related Roles be approved, to read as follows:

(e) That Appendix "A" attached to Report BOH14010/CES14013 respecting Bed Bug Action Group Membership and their Bed Bug Related Roles be approved, without impact to the operational levy.

(c) Sub-section (f) was added to the recommendation of Report BOH14010/CES14013, respecting the Bed Bug Strategy, to read as follows:

(f) That the Board of Health, under the Mayor’s signature, send a reminder letter to the Province requesting that the bed bug funding which ceased in 2012 be reinstated and copies be forwarded to the Association of Municipalities of Ontario (AMO) and the Federation of Canadian Municipalities (FCM) to ensure that the provincial and federal governments are engaged with respect to a province and nationwide strategy.

For disposition of this matter please refer to Item 4.

The Mayor relinquished the chair to Deputy Mayor Partridge and left the meeting.

(g) NOTICES OF MOTION (Item 10)

(i) Ottawa Street Mobile Farmer’s Market 2-Year Pilot Program (Item 10.1)

Councillor Merulla presented the following notice of motion:

Whereas low consumption of vegetables and fruit is associated with a poor diet and increased risk of obesity, heart disease, Type 2 diabetes, and
some cancers; and

Whereas the majority of Hamiltonians do not eat the recommended daily servings of vegetables and fruit, with less than half reporting they eat vegetables and fruit five or more times a day; and

Whereas in 2011-12, 11.6% of households in the City of Hamilton reported food insecurity due to income, which impacts their ability to consume fresh vegetables and fruit, and increases the risk of preventable chronic diseases; and

Whereas some Hamilton neighbourhoods have limited physical access to healthy food retail, but are surrounded by many unhealthy food retail outlets; and

Whereas a mobile farmers’ market could result in multiple benefits, including improved access to fresh produce in Hamilton neighbourhoods with limited access to healthy food retail, increased support for the economic livelihood of local farmers, and building community resilience.

Therefore be it resolved:

(a) That Public Health Services assist the Ottawa Street BIA apply for funding from the Local Food Grant for the proposed 2-year pilot mobile farmers’ market project and that any shortfall would be funded through the City’s Tax Stabilization Reserve.

(b) That within By-law No. 07-170, Food Service Vehicles (Schedule 6), Planning and Economic Development explore options, when funding is obtained, to implement the 2-year pilot mobile farmers’ market on sites identified by Planning and Economic Development and Public Health Services.

(c) That Public Health Services and Planning and Economic Development work in collaboration with the Ottawa Street BIA on the operation of the proposed 2-year pilot mobile farmers’ market project.
(h) GENERAL INFORMATION/OTHER BUSINESS (Item 11)

(i) Community Food Security Stakeholder Advisory Committee minutes – November 6, 2013 (Item 11.4)

The Community Food Security Stakeholder Advisory Committee minutes of the November 6, 2013 meeting were received.

(ii) Community Food Security Stakeholder Advisory Committee minutes – December 4, 2013 (Item 11.5)

The Community Food Security Stakeholder Advisory Committee minutes of the December 4, 2013 meeting were received.

(i) PRIVATE AND CONFIDENTIAL (Item 12)

(ii) Closed Session Minutes – January 13, 2014-03-14 (Item 12.1)

(a) The closed session minutes of January 13, 2014 were approved, as presented;

(b) The closed session minutes of January 13, 2014 are to remain private and confidential and restricted from public disclosure.

(ii) Phase 1 – Administrative Efficiencies (BOH14006) (City Wide) (Item 12.2)

For disposition of this matter please refer to Item 12.

(j) ADJOURNMENT (Item 13)

The Board of Health adjourned at 3:37 p.m.

Respectfully submitted,

Mayor R. Bratina
Chair, Board of Health

Jasmine Branton

Council – March 26, 2014
<table>
<thead>
<tr>
<th>Name of Organization</th>
<th>Bed Bug Related Role</th>
<th>Supports to Bed Bug Issues</th>
<th>Name of representative(s) on Bed Bug Action Group</th>
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</thead>
<tbody>
<tr>
<td>Housing Help Centre</td>
<td>Provide referrals, build connections</td>
<td>Housing stabilization</td>
<td>Larry Huibers (Co-chair)</td>
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<td></td>
<td>Advocacy</td>
<td>Deliver Ontario Disability Support Program (ODSP) funding</td>
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<td>Information portal</td>
<td>Rental housing</td>
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<td>City of Hamilton Public Health Services</td>
<td>By law enforcement</td>
<td>Education</td>
<td>Susan Harding-Cruz (Co-chair)</td>
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<td>Education/Outreach</td>
<td>Advocacy</td>
<td>Connie DeBenedet</td>
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<td>Provide resources</td>
<td>Resource development</td>
<td>Shelley Sharpen</td>
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<td>Influence policy development</td>
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<td>Steve Susnik</td>
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<td>Facilitate complaints</td>
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<td></td>
<td>Provide referrals and connections</td>
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<td></td>
<td>Identify bugs</td>
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<td>City of Hamilton Community and Emergency Services Housing Services Division City Housing Hamilton</td>
<td>Implement the Housing Homelessness Action Plan</td>
<td>Develop a bed bug strategy</td>
<td>Gillian Hendry Kirstin Maxwell</td>
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<td>Provide funding</td>
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<td>Oversee and manage contracts</td>
<td>Resolve tenant issues</td>
<td>Matt Bowen Kelly Miller</td>
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<td>Provide tenant supports</td>
<td>Maintain/protect asset value</td>
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<td>Provide expert knowledge</td>
<td>Contract for pest control</td>
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<td>Structural expertise</td>
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<td>City of Hamilton City Manager’s Office Health, Safety and Wellness</td>
<td>Support employees exposed during work</td>
<td>Voice of the employee</td>
<td>David Lindeman Kari Lindsay</td>
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<td>Internal education and training</td>
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<td>Canadian Mental Health Association</td>
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<td>Reduce stigma</td>
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<td>Contract pest control</td>
<td>Maintain/ improve property values</td>
<td>Dan Casuccio</td>
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<td>Educate property stakeholders</td>
<td>Manage properties effectively and efficiently</td>
<td>H.D.A.A</td>
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<td>Provide structural expertise</td>
<td>Tina Novak,</td>
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<td>Improve properties image for resale (seller disclosure)</td>
<td>Greenwin Property Management</td>
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<td>Advocate for change</td>
<td>Augustino</td>
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<td>Advocacy for provincial bed bug funding</td>
<td>Ammendolia</td>
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<td>Advocacy for Bed Bugs to be declared health hazard</td>
<td>Donna Eaton</td>
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<td>Hamilton Community Legal Clinic</td>
<td>Advise tenants on legal rights</td>
<td>Advocate for change</td>
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<td>Advocacy for provincial bed bug funding</td>
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<td>Tenant Advisory Committee</td>
<td>Voice of the tenant</td>
<td>Advise/advocate</td>
<td>John Hawker</td>
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<td>Research issues impacting tenants</td>
<td>Improve the City’s image (in particular the downtown core)</td>
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<td>Councillor’s Office, Ward 1</td>
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<td>Nikola Wojewoda-Patti</td>
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Members not available for Facilitated meeting:
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<td>Hamilton Public Library</td>
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<td>Julianna McCormick</td>
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<td>Andy Skrypniak</td>
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AUDIT, FINANCE & ADMINISTRATION COMMITTEE
AS APPROVED BY COUNCIL ON MARCH 26, 2014

REPORT 14-002
9:30 a.m.
Monday, March 24, 2014
Council Chambers
Hamilton City Hall
71 Main Street West

Present: Councillors R. Powers (Chair), B. Clark (Vice Chair), C. Collins, B. Johnson, B. Morrow, M. Pearson

THE AUDIT, FINANCE & ADMINISTRATION COMMITTEE PRESENTS REPORT 14-002 AND RESPECTFULLY RECOMMENDS:

1. 2013 Fourth Quarter Emergency and Non-Competitive Procurements Report (FCS13014(c)) (City Wide) (Item 5.2)

   That Report FCS13014(c), respecting the 2013 Fourth Quarter Emergency and Non-Competitive Procurements Report, be received.

2. 2013 Fourth Quarter Non-compliance with the Procurement Policy Report (FCS13015(c)) (City Wide) (Item 5.3)

   That Report FCS13015(c), respecting the 2013 Fourth Quarter Non-compliance with the Procurement Policy Report, be received.

3. Status Report of Tenders and Requests for Proposals for November 2, 2013 to December 31, 2013 (FCS13016(j)) (City Wide) (Item 5.4)

   That Report FCS13016(j), respecting the Status Report of Tenders and Requests for Proposals for November 2, 2013 to December 31, 2013, be received.

Council – March 26, 2014
4. **Reserve/Revenue Fund Investment Performance Report - December 31, 2013 (FCS13063(a)) (City Wide) (Item 5.5)**

That Report FCS13063(a), respecting the Reserve/Revenue Fund Investment Performance Report - December 31, 2013, be received.

5. **Hamilton Future Fund Investment Performance Report - December 31, 2013 (FCS13064(a)) (City Wide) (Item 5.6)**

That Report FCS13064(a), respecting the Hamilton Future Fund Investment Performance Report - December 31, 2013, be received.

6. **Cemetery Accounts Investment Performance Report - December 31, 2013 (FCS13065(a)) (City Wide) (Item 5.7)**

That Report FCS13065(a), respecting the Cemetery Accounts Investment Performance Report - December 31, 2013, be received.

7. **Report of the 2013 Remuneration and Expenses as required under Section 284 of the Municipal Act (FCS14006) (City Wide) (Item 5.8)**

That Report FCS14006, respecting the Report of the 2013 Remuneration and Expenses as required under Section 284 of the Municipal Act, be received.

8. **Freedom of Information Quarterly Report (October 1 to December 31, 2013) (CL13001(c)) (City Wide) (Item 5.9)**

That Report CL13001(c), respecting the Freedom of Information Quarterly Report (October 1 to December 31, 2013), be received.

9. **Tax Appeals under Sections 357 and 358 of the Municipal Act, 2001 (FCS14016) (City Wide) (Item 5.10)**

(a) That Appendix “A” attached to Report 14-002, respecting the “Tax Appeals processed under Section 357 of the Municipal Act, 2001”, in the amount of $85,721, be approved; and,

(b) That Appendix “B” attached to Report 14-002, 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 $12,221, be approved.
10. **Treasurer's Apportionment of Land Taxes (FCS14002(a)) (Ward 12) (Item 5.11)**

That the 2013 land taxes in the amount of $21,926 for Wentworth Standard Condominium Plan 484, Ancaster, originally known as Roll #2518 140 280 29015 0000, be apportioned and split amongst the seventy-nine condominium units, as set out in the attached Appendix “C” to Report 14-002.

11. **Follow Up of Audit Report 2011-10 - Human Resources - Grievance Processes (AUD14005) (City Wide) (Item 5.12)**

That Report AUD14005, respecting the follow up of Audit Report 2011-10, Human Resources – Grievance Processes, be received.

12. **Follow Up of Audit Report 2012-05 - Long Term Contract Review - Recycling Collection Services (Blue Box Collection) (AUD14006) (City Wide) (Item 5.13)**

That Report AUD14006, respecting the follow up of Audit Report 2012-05, Long Term Contract Review – Recycling Collection Services (Blue Box Collection), be received.

13. **Follow Up of Audit Report 2012-02 - Public Works - Bridge Maintenance Program (AUD14009) (City Wide) (Item 5.14)**

That Report AUD14009, respecting the follow up of Audit Report 2012-02, Public Works – Bridge Maintenance Program, be received.

14. **Follow Up of Audit Report 2012-10 - Public Health Services - Tobacco Control Program (AUD14010) (City Wide) (Item 5.15)**

That Report AUD14010, respecting the follow up of Audit Report 2012-10, Public Health Services – Tobacco Control Program, be received.

15. **Amended Water and Wastewater/Storm Arrears Policy (FCS14007) (City Wide) (Item 8.1)**

That the Amended Water and Wastewater/Storm Arrears Policy, as outlined in the attached Appendix “D” to Report 14-002, be approved.
16. Reserve/Revenue Funds and Trust Accounts Statement of Investment Policies and Procedures Review (FCS14020) (City Wide) (Item 8.3)


17. Audit Report 2013-16 - Community and Emergency Services - Homes for the Aged - Accommodation Fees and Trust Funds (AUD14007) (City Wide) (Item 8.4)

(a) That the Management Action Plans, as detailed in Appendix “F” of Report 14-002, be approved;

(b) That the Acting General Manager of Community and Emergency Services be directed to instruct the appropriate staff to have the Management Action Plans (attached as Appendix “F” to Report 14-002) implemented; and,

(c) That Legal staff, the Director of Audit Services and the Administrator for Homes for the Aged be directed to devise a policy respecting Powers of Attorney for residents of City of Hamilton homes for the aged and report back to the Emergency & Community Services Committee.

18. Performance Audit Report 2013-14 - Unlicensed Businesses (Value for Money Audit) (AUD14008) (City Wide) (Item 8.5)

(a) That the Management Action Plans, as detailed in the attached Appendix “A” to Report AUD14008, be received;

(b) That the Acting General Manager of Planning and Economic Development be directed to instruct the appropriate staff to investigate and detail the costs of staff resources and technology improvements required to implement recommendations 1 and 2 of Appendix “A” of Report AUD14008 and report back with a work plan, to the Audit, Finance and Administration Committee, no later than the July 9, 2014; and,

(c) That, notwithstanding sub-section (b) above, staff be directed to modify the current work plan to ensure that unlicensed businesses be inspected in the immediate future to ensure that there are no health and safety issues at these establishments.
19. **Authority to Negotiate and Place a Debenture Issue(s) (FCS14022) (City Wide) (Item 8.6)**

   (a) That the General Manager, Finance & Corporate Services, be authorized and directed to negotiate the terms and placement of a debenture issue(s) in an amount not to exceed $89,000,000 Canadian currency;

   (b) That the General Manager, Finance and Corporate Services, be authorized and directed to engage the services of a fiscal agent(s) and/or Infrastructure Ontario’s Loan Program, and outside legal counsel; and enter into all agreements necessary, including Letter(s) of Representation with The Canadian Depository for Securities Ltd., to secure the terms and issuance of a debenture issue(s); and,

   (c) That a By-Law be passed authorizing the debenture issue(s) negotiated and placed in accordance with recommendation (a) above.

**FOR THE INFORMATION OF COUNCIL:**

(a) **CHANGES TO THE AGENDA (Item 1)**

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

   (i) Added as Item 4.1 – Delegation Request from Joey Coleman, respecting the City’s New Public Facing Agenda System.

   The agenda for the March 24, 2014 Audit, Finance & Administration Committee meeting was approved, as amended.

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

   There were no declarations of interest.

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

   (i) **February 10, 2014 (Item 3.1)**

   The Minutes of the February 10, 2014 meeting of the Audit, Finance and Administration Committee were approved, as presented.
(d) **DELEGATION REQUESTS (Item 4)**

(i) Joey Coleman respecting the City’s New Public Facing Agenda System (Item 4.1)

The delegation request from Joey Coleman, respecting the City’s New Public Facing Agenda System, was approved.

The Rules of Order were waived to permit Joey Coleman to appear before Committee on March 24, 2014.

(e) **Various Advisory Committee Minutes (Item 5.1)**

That the following Advisory Committee Minutes, be received:

(i) Committee Against Racism, November 26, 2013 (Item 5.1(a))

(ii) Aboriginal Advisory Committee, December 5, 2013 (Item 5.1(b))

(iii) LGBTQ Advisory Committee, September 19, 2013 (Item 5.1(c))

(iv) Status of Women Committee, October 24, 2013 (Item 5.1(d))

(f) **DELEGATIONS (Item 6)**

(i) Gerald Asa, Vice President of The Effort Trust Company, respecting the Proposed Amendments to the Water and Wastewater / Storm Arrears Policy (Item 6.1)

Mr. Asa addressed Committee respecting the proposed Water and Wastewater / Storm Arrears Policy amendments. Mr. Asa voiced concerns respecting the proposed amendments to the Water and Wastewater / Storm Arrears Policy; primarily with respect to the notification of arrears process.

The presentation from Gerald Asa, Vice President of The Effort Trust Company, respecting the Water and Wastewater / Storm Arrears Policy, was received.
(ii) **Written Submission from Martin Wray, Vice President of Operations for Cadillac Fairview, respecting the Proposed Amendments to the Water and Wastewater / Storm Arrears Policy (Item 6.2)**

The correspondence from Martin Wray, Vice President of Operations for Cadillac Fairview, respecting the proposed amendments to the Water and Wastewater / Storm Arrears Policy, was received.

(iii) **Joey Coleman respecting the City’s New Public Facing Agenda System (Item 6.3)**

Joey Coleman addressed Committee, respecting the City’s agenda system. His comments included, but were not limited to, the following:

- Mr. Coleman understands that the goals of the upgrade are to focus on improvement to internal workflow, but externally he is no longer able to view agendas on his tablet or laptop, and now requires the use of a mouse to work the very small icons.

- His website advised him that he now has hundreds of broken links.

- He believes this was a missed opportunity for public engagement.

- Accessibility at City Hall is limited and occasionally overflow seating is required for people who want to come to engage in the process.

- We should have the ability to simulcast at City Hall outside of Council Chambers.

- Mr. Coleman believes that the Engagement Committee is the best place to address those matters.

- Very limited amount of time, when chambers isn't being used, to make the required changes.

The presentation from Joey Coleman, respecting the City’s New Public Facing Agenda System, was received.
(g) Aboriginal Advisory Committee – Draft Terms of Reference (AAC14001) (City Wide) (Item 8.2)

Report AAC14001, respecting the Draft Terms of Reference for the Aboriginal Advisory Committee, was referred to the General Manager of Finance & Corporate Services for a report back to the Audit, Finance & Administration Committee.

(h) Audit of City of Hamilton Utilities (9.1)

Staff were directed to review the potential for including an audit of the City utilities (Horizon, Water and Wastewater), including the process on arrears, to the 2015 work plan and report back to the Audit, Finance & Administration Committee.

(i) Live Streaming of Audio and Video it City Hall Upper and Lower Forecourts (Item 9.2)

Staff were directed to review the possibility of providing live streaming of audio and video for Council and Standing Committee meetings in the upper and lower City Hall lobby areas for meetings that require overflow seating outside of the Council Chambers and report back to the Audit, Finance & Administration Committee.

(j) By-law Compliance by Bidders to City of Hamilton Projects (Item 10.1)

Councillor Johnson introduced the following Notice of Motion:

That staff be directed to review the tender process to determine the feasibility of including a phase in the procedure, which ensures staff have confirmed that bidders are compliant with the zoning and licensing by-laws, prior to awarding a contract(s), and report back to the Audit, Finance & Administration Committee.

(k) GENERAL INFORMATION / OTHER BUSINESS (Item 11)

11.1 Amendments to Outstanding Business List

The proposed new due dates for the following Outstanding Business List items, were approved:

(a) Item "F" - Costs Associated with Condominium Corporation Maintenance
Current Due Date: March 24, 2014
Proposed New Due Date: June 23, 2014

(b) Item "G" - Employee Attendance Performance Measures - Comprehensive Annual Report
Current Due Date: March 24, 2014
Proposed New Due Date: April 14, 2014

(c) Item "M" - Timelines for the Retention of E-mails
Current Due Date: March 24, 2014
Proposed New Due Date: April 14, 2014

(d) Item "P" - Performance Audit Report 2013-13 - Employer Paid Parking (Value for Money Audit)
Current Due Date: March 24, 2014
Proposed New Due Date: April 14, 2014

(e) Provision of Information Technology Services to Global Spectrum
Current Due Date: March 24, 2014
Proposed New Due Date: April 14, 2014

(I) ADJOURNMENT (Item 13)

There being no further business, the Audit, Finance & Administration Committee adjourned at 11:40 a.m.

Respectfully submitted,

Councillor R. Powers, Chair
Audit, Finance & Administration Committee

Stephanie Paparella
Legislative Coordinator
Office of the City Clerk

Council – March 26, 2014
<table>
<thead>
<tr>
<th>Appeal No.</th>
<th>Property Address</th>
<th>Roll Number</th>
<th>Explanation</th>
<th>Year</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>357-10-325</td>
<td>180 Beach Blvd</td>
<td>0505110103000000</td>
<td>Exempt - Place of Worship many Mansions Spiritual Centre</td>
<td>2010</td>
<td>-2,033.18</td>
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<tr>
<td>357-11-012</td>
<td>180 Beach Blvd</td>
<td>0505110103000000</td>
<td>Exempt - Place of Worship many Mansions Spiritual Centre</td>
<td>2011</td>
<td>-8,033.04</td>
</tr>
<tr>
<td>357-13-010</td>
<td>78 Wentworth St S</td>
<td>0302070659000000</td>
<td>Fire - cancel processed on Post Roll Assessment Notice</td>
<td>2013</td>
<td>0.00</td>
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<tr>
<td>357-13-011</td>
<td>411 King St E</td>
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<td>2013</td>
<td>0.00</td>
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<tr>
<td>357-13-012</td>
<td>409 King St E</td>
<td>0302120178000000</td>
<td>Fire - cancel processed on Post Roll Assessment Notice</td>
<td>2013</td>
<td>0.00</td>
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<tr>
<td>357-13-047</td>
<td>232 Stonehenge Dr Unit 33</td>
<td>1402805463700000</td>
<td>Fire renovation completed homeowner moved back March 15, 2014</td>
<td>2013</td>
<td>-520.89</td>
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<tr>
<td>357-13-080</td>
<td>40 Holmes Ave</td>
<td>0100420124000000</td>
<td>Demolition of original structure</td>
<td>2013</td>
<td>-485.60</td>
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<tr>
<td>357-13-081</td>
<td>451 Garner Rd</td>
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<td>Demolition of original structure</td>
<td>2013</td>
<td>-560.75</td>
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<tr>
<td>357-13-119</td>
<td>438 Hughson St N</td>
<td>0201840313000000</td>
<td>Exempt - denied - does not meet the criteria according to Assessment Act</td>
<td>2013</td>
<td>0.00</td>
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<tr>
<td>357-13-121</td>
<td>38 Smith Rd</td>
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<td>-226.34</td>
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<tr>
<td>357-13-122</td>
<td>406 Fifth Rd E</td>
<td>0035103300000000</td>
<td>Demolition occurred in 2012 not carried forward</td>
<td>2013</td>
<td>-1,942.75</td>
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<tr>
<td>357-13-139</td>
<td>433 Hamilton Dr</td>
<td>1402204290000000</td>
<td>Demolition or original structure</td>
<td>2013</td>
<td>-62.24</td>
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<tr>
<td>357-13-141</td>
<td>145 Chatterton Dr</td>
<td>1402400620000000</td>
<td>Demolition of inground pool</td>
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<td>-98.50</td>
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<tr>
<td>357-13-143</td>
<td>324 Robina Rd</td>
<td>1403800980000000</td>
<td>Demolition or original structure</td>
<td>2013</td>
<td>-42.21</td>
</tr>
<tr>
<td>357-13-144</td>
<td>12 Hatt St</td>
<td>2601203560000000</td>
<td>Tax Class Conversion now all residential</td>
<td>2013</td>
<td>-2,843.14</td>
</tr>
<tr>
<td>357-13-149</td>
<td>726 Strathearn Ave</td>
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<td>Demolition of warehouse</td>
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<td>-48,856.66</td>
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<td>357-13-162</td>
<td>330 Vanwagner's Beach Rd</td>
<td>0048103180000000</td>
<td>Tax Class Conversion city tenant vacated</td>
<td>2013</td>
<td>-4,367.28</td>
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<tr>
<td>357-13-159</td>
<td>2 King St W</td>
<td>0038502600000000</td>
<td>Gross or Manifest Error amend tax class</td>
<td>2013</td>
<td>-182.38</td>
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<td>357-13-097</td>
<td>756 Main St E</td>
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<td>Demolition of Garage</td>
<td>2013</td>
<td>-36.59</td>
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<tr>
<td>357-13-113</td>
<td>651-663 Main St E</td>
<td>0302310043000000</td>
<td>Tax Class Conversion now a four unit residential building</td>
<td>2013</td>
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<tr>
<td>357-13-164</td>
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<td>Exempt City purchase</td>
<td>2013</td>
<td>-574.24</td>
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<tr>
<td>357-13-155</td>
<td>6 Centennial Pkwy S</td>
<td>0505210050000000</td>
<td>Exempt City purchase</td>
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<td>-574.24</td>
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<tr>
<td>357-13-156</td>
<td>2874 King St E</td>
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<td>Exempt City purchase</td>
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<tr>
<td>357-13-157</td>
<td>2800 King St E</td>
<td>0505210059000000</td>
<td>Exempt City purchase</td>
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<tr>
<td>357-13-159</td>
<td>772 Barton St E</td>
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<td>Gross or Manifest Error converted to residential years ago</td>
<td>2013</td>
<td>-1,406.93</td>
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<tr>
<td>357-13-164</td>
<td>992 Regional Rd 97</td>
<td>0302710414000000</td>
<td>Tax Class Conversion now farm and residential</td>
<td>2013</td>
<td>-3,515.78</td>
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<tr>
<td>357-13-170</td>
<td>Twenty Rd E</td>
<td>0212061010000000</td>
<td>Exempt city property</td>
<td>2013</td>
<td>-7,376.11</td>
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<tr>
<td>357-18-172</td>
<td>1378 Barton St E</td>
<td>0403335884000000</td>
<td>Tax Class Conversion now all residential</td>
<td>2013</td>
<td>-787.70</td>
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</tbody>
</table>

Total: -85,720.97
### Appendix “B” to Item 9 of AF&A Report 14-002

City of Hamilton

Taxation Division

Section “358” Appeals of the Municipal Act, 2001

Realty Tax Applications for overcharges

<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>
</tr>
</thead>
<tbody>
<tr>
<td>358-13-067</td>
<td>2 King St W</td>
<td>0033651600000000</td>
<td>B</td>
<td>Demolition of building not recorded</td>
<td>2012</td>
<td>-173.48</td>
</tr>
<tr>
<td>358-13-067</td>
<td>2 King St W</td>
<td>0033651600000000</td>
<td>B</td>
<td>A non-profit organization, eligible for residential class which it already has - does not meet the criteria for exemption</td>
<td>2011</td>
<td>-143.92</td>
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<tr>
<td>358-13-056</td>
<td>438 Hughson St N</td>
<td>0201640313000000</td>
<td>B1</td>
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<td>2012</td>
<td>0.00</td>
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<tr>
<td>358-13-057</td>
<td>438 Hughson St N</td>
<td>0201640313000000</td>
<td>B1</td>
<td>commercial ceased years ago, this property is all residential</td>
<td>2011</td>
<td>0.00</td>
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<td>358-13-069</td>
<td>772 Barton S E</td>
<td>0302655058000000</td>
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<td>-1,499.53</td>
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<td>358-13-070</td>
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<td>358-13-058</td>
<td>180 Beach Blvd</td>
<td>0505110103000000</td>
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<td>place of worship now exempt</td>
<td>2012</td>
<td>-8,085.93</td>
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<td>358-13-055</td>
<td>283 Robina Rd</td>
<td>1403601020000000</td>
<td>B</td>
<td>place of worship now exempt</td>
<td>2012</td>
<td>-966.90</td>
</tr>
</tbody>
</table>

**Total** |                      |                   |        |                                                                            |      | -12,221.27|
APPORPTIONMENT OF TAXES

That the original 2013 land taxes levied against WSCP 484 in the amount of $21,925.97 recorded on Roll #2518 140 280 29015 0000 be split amongst the seventy-nine condominium units as summarized below:

1. Roll #2518 280 29043 0000 having a municipal address of 12 Montpellier Trail and an assessment value of 20,280 be apportioned $263.35 for the 2013 taxes.
2. Roll #2518 280 29044 0000 having a municipal address of 10 Montpellier Trail and an assessment value of 18,317 be apportioned $237.85 for the 2013 taxes.
3. Roll #2518 280 29045 0000 having a municipal address of 8 Montpellier Trail and an assessment value of 18,317 be apportioned $237.85 for the 2013 taxes.
4. Roll #2518 280 29046 0000 having a municipal address of 6 Montpellier Trail and an assessment value of 18,317 be apportioned $237.85 for the 2013 taxes.
5. Roll #2518 280 29047 0000 having a municipal address of 4 Montpellier Trail and an assessment value of 18,037 be apportioned $234.22 for the 2013 taxes.
6. Roll #2518 280 29048 0000 having a municipal address of 2 Montpellier Trail and an assessment value of 19,830 be apportioned $257.50 for the 2013 taxes.
7. Roll #2518 280 29049 0000 having a municipal address of 3 Toulon Ave. and an assessment value of 20,278 be apportioned $263.32 for the 2013 taxes.
8. Roll #2518 280 29050 0000 having a municipal address of 5 Toulon Ave. and an assessment value of 18,317 be apportioned $237.85 for the 2013 taxes.
9. Roll #2518 280 29051 0000 having a municipal address of 7 Toulon Ave. and an assessment value of 18,317 be apportioned $237.85 for the 2013 taxes.
10. Roll #2518 280 29052 0000 having a municipal address of 9 Toulon Ave. and an assessment value of 18,317 be apportioned $237.85 for the 2013 taxes.
11. Roll #2518 280 29053 0000 having a municipal address of 11 Toulon Ave. and an assessment value of 20,110 be apportioned $261.14 for the 2013 taxes.
12. Roll #2518 280 29054 0000 having a municipal address of 12 Menton Drive and an assessment value of 17,757 be apportioned $230.58 for the 2013 taxes.
13. Roll #2518 280 29055 0000 having a municipal address of 14 Menton Drive and an assessment value of 17,253 be apportioned $224.04 for the 2013 taxes.
14. Roll #2518 280 29056 0000 having a municipal address of 16 Menton Drive and an assessment value of 15,349 be apportioned $199.31 for the 2013 taxes.
15. Roll #2518 280 29057 0000 having a municipal address of 18 Menton Drive and an assessment value of 15,573 be apportioned $202.22 for the 2013 taxes.
16. Roll #2518 280 29058 0000 having a municipal address of 20 Menton Drive and an assessment value of 17,925 be apportioned $232.76 for the 2013 taxes.
17. Roll #2518 280 29059 0000 having a municipal address of 24 Menton Drive and an assessment value of 20,278 be apportioned $263.32 for the 2013 taxes.

18. Roll #2518 280 29060 0000 having a municipal address of 26 Menton Drive and an assessment value of 18,317 be apportioned $237.85 for the 2013 taxes.

19. Roll #2518 280 29061 0000 having a municipal address of 28 Menton Drive and an assessment value of 18,317 be apportioned $237.85 for the 2013 taxes.

20. Roll #2518 280 29062 0000 having a municipal address of 30 Menton Drive and an assessment value of 19,438 be apportioned $252.41 for the 2013 taxes.

21. Roll #2518 280 29063 0000 having a municipal address of 32 Menton Drive and an assessment value of 20,280 be apportioned $263.35 for the 2013 taxes.

22. Roll #2518 280 29064 0000 having a municipal address of 36 Menton Drive and an assessment value of 25,839 be apportioned $335.53 for the 2013 taxes.

23. Roll #2518 280 29065 0000 having a municipal address of 38 Menton Drive and an assessment value of 21,956 be apportioned $285.11 for the 2013 taxes.

24. Roll #2518 280 29066 0000 having a municipal address of 40 Menton Drive and an assessment value of 21,956 be apportioned $285.11 for the 2013 taxes.

25. Roll #2518 280 29067 0000 having a municipal address of 42 Menton Drive and an assessment value of 25,839 be apportioned $335.53 for the 2013 taxes.

26. Roll #2518 280 29068 0000 having a municipal address of 32 Toulon Ave. and an assessment value of 21,744 be apportioned $282.36 for the 2013 taxes.

27. Roll #2518 280 29069 0000 having a municipal address of 30 Toulon Ave. and an assessment value of 21,462 be apportioned $278.69 for the 2013 taxes.

28. Roll #2518 280 29070 0000 having a municipal address of 28 Toulon Ave. and an assessment value of 18,568 be apportioned $241.11 for the 2013 taxes.

29. Roll #2518 280 29071 0000 having a municipal address of 26 Toulon Ave. and an assessment value of 18,568 be apportioned $241.11 for the 2013 taxes.

30. Roll #2518 280 29072 0000 having a municipal address of 24 Toulon Ave. and an assessment value of 18,568 be apportioned $241.11 for the 2013 taxes.

31. Roll #2518 280 29073 0000 having a municipal address of 22 Toulon Ave. and an assessment value of 21,321 be apportioned $276.86 for the 2013 taxes.

32. Roll #2518 280 29074 0000 having a municipal address of 48 Toulon Ave. and an assessment value of 24,826 be apportioned $315.37 for the 2013 taxes.

33. Roll #2518 280 29075 0000 having a municipal address of 46 Toulon Ave. and an assessment value of 23,651 be apportioned $307.12 for the 2013 taxes.

34. Roll #2518 280 29076 0000 having a municipal address of 44 Toulon Ave. and an assessment value of 21,956 be apportioned $285.11 for the 2013 taxes.

35. Roll #2518 280 29077 0000 having a municipal address of 42 Toulon Ave. and an assessment value of 21,956 be apportioned $285.11 for the 2013 taxes.
36. Roll #2518 280 29078 0000 having a municipal address of 40 Toulon Ave. and an assessment value of 21,956 be apportioned $285.11 for the 2013 taxes.

37. Roll #2518 280 29079 0000 having a municipal address of 38 Toulon Ave. and an assessment value of 23,580 be apportioned $306.20 for the 2013 taxes.

38. Roll #2518 280 29080 0000 having a municipal address of 36 Toulon Ave. and an assessment value of 23,580 be apportioned $306.20 for the 2013 taxes.

39. Roll #2518 280 29081 0000 having a municipal address of 60 Toulon Ave. and an assessment value of 25,839 be apportioned $335.53 for the 2013 taxes.

40. Roll #2518 280 29082 0000 having a municipal address of 58 Toulon Ave. and an assessment value of 23,298 be apportioned $302.54 for the 2013 taxes.

41. Roll #2518 280 29083 0000 having a municipal address of 56 Toulon Ave. and an assessment value of 21,674 be apportioned $281.45 for the 2013 taxes.

42. Roll #2518 280 29084 0000 having a municipal address of 54 Toulon Ave. and an assessment value of 21,956 be apportioned $285.11 for the 2013 taxes.

43. Roll #2518 280 29085 0000 having a municipal address of 52 Toulon Ave. and an assessment value of 24,287 be apportioned $315.38 for the 2013 taxes.

44. Roll #2518 280 29160 0000 having a municipal address of 72 Toulon Ave. and an assessment value of 24,625 be apportioned $319.77 for the 2013 taxes.

45. Roll #2518 280 29161 0000 having a municipal address of 70 Toulon Ave. and an assessment value of 22,450 be apportioned $291.52 for the 2013 taxes.

46. Roll #2518 280 29162 0000 having a municipal address of 68 Toulon Ave. and an assessment value of 20,915 be apportioned $271.59 for the 2013 taxes.

47. Roll #2518 280 29163 0000 having a municipal address of 66 Toulon Ave. and an assessment value of 20,915 be apportioned $271.59 for the 2013 taxes.

48. Roll #2518 280 29164 0000 having a municipal address of 64 Toulon Ave. and an assessment value of 24,625 be apportioned $319.77 for the 2013 taxes.

49. Roll #2518 280 29165 0000 having a municipal address of 84 Toulon Ave. and an assessment value of 24,625 be apportioned $319.77 for the 2013 taxes.

50. Roll #2518 280 29166 0000 having a municipal address of 82 Toulon Ave. and an assessment value of 23,857 be apportioned $309.79 for the 2013 taxes.

51. Roll #2518 280 29167 0000 having a municipal address of 80 Toulon Ave. and an assessment value of 20,915 be apportioned $271.59 for the 2013 taxes.

52. Roll #2518 280 29168 0000 having a municipal address of 78 Toulon Ave. and an assessment value of 20,915 be apportioned $271.59 for the 2013 taxes.

53. Roll #2518 280 29169 0000 having a municipal address of 76 Toulon Ave. and an assessment value of 25,201 be apportioned $327.25 for the 2013 taxes.

54. Roll #2518 280 29170 0000 having a municipal address of 2 Burgundy Grove and an assessment value of 23,666 be apportioned $307.31 for the 2013 taxes.
55. Roll #2518 280 29171 0000 having a municipal address of 4 Burgundy Grove and an assessment value of 21,555 be apportioned $279.90 for the 2013 taxes.

56. Roll #2518 280 29172 0000 having a municipal address of 6 Burgundy Grove and an assessment value of 20,915 be apportioned $271.59 for the 2013 taxes.

57. Roll #2518 280 29173 0000 having a municipal address of 8 Burgundy Grove and an assessment value of 23,410 be apportioned $303.99 for the 2013 taxes.

58. Roll #2518 280 29174 0000 having a municipal address of 95 Toulon Ave. and an assessment value of 23,666 be apportioned $307.31 for the 2013 taxes.

59. Roll #2518 280 29175 0000 having a municipal address of 93 Toulon Ave. and an assessment value of 20,915 be apportioned $271.59 for the 2013 taxes.

60. Roll #2518 280 29176 0000 having a municipal address of 91 Toulon Ave. and an assessment value of 20,723 be apportioned $269.10 for the 2013 taxes.

61. Roll #2518 280 29177 0000 having a municipal address of 89 Toulon Ave. and an assessment value of 22,962 be apportioned $298.17 for the 2013 taxes.

62. Roll #2518 280 29178 0000 having a municipal address of 5 Burgundy Grove and an assessment value of 23,154 be apportioned $300.67 for the 2013 taxes.

63. Roll #2518 280 29179 0000 having a municipal address of 7 Burgundy Grove and an assessment value of 23,857 be apportioned $309.79 for the 2013 taxes.

64. Roll #2518 280 29180 0000 having a municipal address of 9 Burgundy Grove and an assessment value of 20,915 be apportioned $271.59 for the 2013 taxes.

65. Roll #2518 280 29181 0000 having a municipal address of 11 Burgundy Grove and an assessment value of 20,915 be apportioned $271.59 for the 2013 taxes.

66. Roll #2518 280 29182 0000 having a municipal address of 13 Burgundy Grove and an assessment value of 23,410 be apportioned $303.99 for the 2013 taxes.

67. Roll #2518 280 29183 0000 having a municipal address of 15 Burgundy Grove and an assessment value of 24,561 be apportioned $318.94 for the 2013 taxes.

68. Roll #2518 280 29184 0000 having a municipal address of 17 Burgundy Grove and an assessment value of 25,287 be apportioned $328.36 for the 2013 taxes.

69. Roll #2518 280 29185 0000 having a municipal address of 104 Toulon Ave. and an assessment value of 24,561 be apportioned $318.94 for the 2013 taxes.

70. Roll #2518 280 29186 0000 having a municipal address of 106 Toulon Ave. and an assessment value of 19,252 be apportioned $250.00 for the 2013 taxes.

71. Roll #2518 280 29187 0000 having a municipal address of 108 Toulon Ave. and an assessment value of 20,915 be apportioned $271.59 for the 2013 taxes.

72. Roll #2518 280 29188 0000 having a municipal address of 110 Toulon Ave. and an assessment value of 20,595 be apportioned $267.44 for the 2013 taxes.

73. Roll #2518 280 29189 0000 having a municipal address of 112 Toulon Ave. and an assessment value of 19,124 be apportioned $248.33 for the 2013 taxes.
74. Roll #2518 280 29190 0000 having a municipal address of 114 Toulon Ave. and an assessment value of 24,625 be apportioned $319.77 for the 2013 taxes.

75. Roll #2518 280 29191 0000 having a municipal address of 10 Toulon Ave. and an assessment value of 23,346 be apportioned $303.16 for the 2013 taxes.

76. Roll #2518 280 29192 0000 having a municipal address of 8 Toulon Ave. and an assessment value of 20,979 be apportioned $272.42 for the 2013 taxes.

77. Roll #2518 280 29193 0000 having a municipal address of 6 Toulon Ave. and an assessment value of 20,915 be apportioned $271.59 for the 2013 taxes.

78. Roll #2518 280 29194 0000 having a municipal address of 4 Toulon Ave. and an assessment value of 17,845 be apportioned $231.73 for the 2013 taxes.

79. Roll #2518 280 29195 0000 having a municipal address of 2 Toulon Ave. and an assessment value of 24,625 be apportioned $319.77 for the 2013 taxes.
I GENERAL

The Water and Wastewater/Storm Arrears Policy details the current account collections protocol including the timing of certain collection activities when accounts are unpaid and past due for water and/or wastewater/storm services provided by the City. Disconnection of water and/or wastewater service for delinquent accounts does not occur under this Water and Wastewater/Storm Arrears Policy.

II BACKGROUND

The City has a service agreement with Horizon Utilities Corporation (HUC) for the provision of water and wastewater/storm billing, account collection and meter reading services. As a result, the Water and Wastewater/Storm Arrears Policy is administered by HUC. The current term of this service agreement is up to December 31, 2014.

III POLICY

Water and Wastewater/Storm Account Collection Process

1. Accounts are issued with a due date of 21 calendar days from the mailing date. Interest begins to be charged 6 calendar days after the due date compounded daily from the due date (current rate is 19.56% per annum).

2. Accounts that fall into arrears follow the collection protocol below. The collection protocol applies to residential, commercial and industrial water accounts and provides:
   a. reminders to account holders and property owners of their financial obligation;
   b. ample opportunity for payment; and
   c. the City with tools needed to safeguard its water and wastewater revenue.
<table>
<thead>
<tr>
<th>Progressive Steps</th>
<th>Circumstance</th>
<th>Response Outcome</th>
<th>Result</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Account outstanding 10 calendar days beyond due date</td>
<td>&quot;Reminder Notice&quot; mailed to account holder on the 10th day</td>
<td>Payment of amount due or account remains outstanding</td>
</tr>
<tr>
<td>2</td>
<td>Account outstanding 17 calendar days beyond due date</td>
<td>&quot;Final Notice&quot; is mailed to account holder on the 17th day (where arrears exceeds a minimum of $99.00)</td>
<td>Payment of amount due or account remains outstanding</td>
</tr>
<tr>
<td>3</td>
<td>Account outstanding 30 or more calendar days beyond due date</td>
<td>&quot;Arrears Letter&quot; is mailed to account holder and the property owner (if different from the account holder) on the Friday following the 30th day advising of arrears on account and request to pay</td>
<td>Payment of amount due or account remains outstanding</td>
</tr>
<tr>
<td>4</td>
<td>Account outstanding 60 or more calendar days beyond due date</td>
<td>&quot;Final Arrears Letter&quot; is mailed to account holder and the property owner (if different from the account holder) on the Friday following the 60th day advising of pending action if payment not received within 15 days.</td>
<td>Payment of amount due or account remains outstanding</td>
</tr>
<tr>
<td>5</td>
<td>Account outstanding 90 or more calendar days beyond due date</td>
<td>Outstanding amount transferred to property tax account roll. No further notice to the account holder or property owner.</td>
<td>City water and wastewater/storm revenue secured</td>
</tr>
</tbody>
</table>

Customer Notifications

**Reasonable efforts are undertaken by the City and HUC to provide the following notifications:**

**Reminder Notice** – mailed to account holder of accounts 10 calendar days after the due date. This notice provides a reminder to the account holder of the overdue status and requests payment within 7 calendar days.

**Final Notice** – mailed to account holder 17 calendar days after the due date. This notice provides notice of account overdue status and requests immediate payment.

**Arrears Letter** – mailed to account holder and property owner (if different from the account holder) of all water and wastewater/storm accounts 30 or more calendar days after the due date. This notification advises of the past due water and/or wastewater/storm arrears and requests payment of outstanding amounts.
Final Arrears Letter – mailed to account holder and property owner (if different from the account holder) of all water and wastewater/storm accounts 60 or more calendar days after the due date. This notification advises of the past due water and/or wastewater/storm arrears and advises of a two-week period for the payment to be made.

HUC’s property owner database is updated on a monthly basis with the City’s Corporate Services Department’s (Taxation Division) records.

Rental Properties

Where a landlord-tenant relationship exists, the protocol outlined in Table 1 is followed. Where the tenant is named as the account holder, the Reminder and Final Notices will be received by the tenant. The Arrears and Final Arrears Letters advising of the potential transfer of arrears to the property tax roll are sent to both the account holder and the property owner.

Authority to Transfer Arrears to Tax Roll

The Municipal Act, 2001 authorizes the municipality to place unpaid fees and charges for public utilities on the tax roll for the property to which the public utility was supplied, regardless of who is the consumer. Section 398(2) provides that a municipality may add unpaid public utility fees and charges, which include water and/or wastewater/storm arrears, to the respective property’s tax roll.

Ontario Regulation No. 581/06 additionally identifies such fees or charges associated with the supply of water and sewage services as having ‘priority lien status’ as described in section 1 of the Act such that, when added to a property tax roll because of payment default, these fees/charges:

(a) may be collected in the same manner as taxes on the property;

(b) may be recovered with costs as a debt due to the municipality from the assessed owner of the property at the time the fee was added to the tax roll and from any subsequent owner of the property or any part of it;

(c) are a special lien on the property in the same manner as taxes under subsection 349 (3) Act; and

(d) may be included in the cancellation price under Part XI of the Act, in the same manner as are taxes on the property, in the event that a Tax Arrears Certificate is registered on title of the property.

The City’s Waterworks By-Law R84-026, as amended, re-stated or re-enacted from time to time, also permits the collection of water and wastewater/storm arrears in the same manner as property taxes by transferring arrears amounts to the tax roll.
Statement of Investment Policies and Procedures

City of Hamilton – Reserve/Revenue Funds and Trust Accounts

January 2014

APPROVED on this day of , 2014
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Executive Summary

Section 1: Overview and Administration
- Policy provides investment framework for the City’s Reserve/Revenue funds and Trust Accounts.
- Overall objective is to ensure Funds and Trust Accounts are invested in accordance with existing legislation.
- Overall responsibility for Funds and Trust Accounts rests with the City Treasurer and Council, but many administrative duties and responsibilities have been delegated.
- The Chief Investment Officer (CIO) will complete and deliver a performance report to City Treasurer semi-annually and inform the City Treasurer of any security which experiences a credit downgrade in a timely manner.
- City’s Investment staff will comply with the Code of Ethics and Standards of Professional Conduct as promulgated by the CFA Institute and the City’s Code of Conduct.
- Council members, the City’s senior management team, and all external advisors are subject to the City’s guidelines pertaining to actual and perceived conflicts of interest.
- CIO will monitor the Funds’ and Trust Accounts’ asset mixes on a quarterly basis and will rebalance when necessary.
- City Treasurer must formally review the Policy at least once in every four calendar years.
- City Treasurer shall prepare and provide a comprehensive annual investment report to Council.

Section 2: Asset Mix and Diversification
- CIO will arrange for the investment of the Funds and Trust Accounts to achieve a satisfactory return using diversified portfolios that conform with all legislative constraints.
- Asset mix policies have been established for the Funds and Trusts Accounts at acceptable risk levels.
- Funds and Trust Accounts will be managed by the City’s investment personnel.

Section 3: Reserve/Revenue Funds
- A short description of the City’s Reserve/Revenue Funds and important cash flow considerations.
- The primary goals of the Funds include: 1) conforming to legislative constraints; 2) preserving capital; 3) maintaining adequate liquidity; and 4) maximizing returns.
- The performance objective is to outperform its benchmark composed of sixty-two decimal five percent (62.5%) DEX All-Gov’t Short Term Bond Index, twenty-seven decimal five percent (27.5%) DEX All-Gov’t Bond Index and ten percent (10.0%) DEX 91-Day T-Bill Index.
- Accounting issues will be taken into account when managing the City’s fixed income assets.
- Duration is to be maintained between one (1) year and six (6) years.
Section 4: Reserve/Revenue Funds – Permitted Investments
- The investments of the Funds must comply with the requirements and restrictions set out in the *Municipal Act, 2001*, specifically Eligible investments and Related Financial Agreements, Ontario Regulation 438/97 and any revisions thereof.
- Minimum quality standard for eligible individual bonds is “BBB” and for short term securities is “R-1 low” as rated by a recognized bond rating agency.
- Please refer to chart in Section 4.06 for maximum quantity restrictions.
- The City shall not invest in a security that is payable in any currency other than Canadian dollars.
- Securities lending is acceptable but must be properly securitized.

Section 5: Trust Accounts
- A very brief description of the City’s Trust Accounts is included.
- The primary goals of the Trust Accounts include: 1) conforming to legislative constraints; 2) preserving capital; 3) maintaining adequate liquidity and 4) maximizing returns.
- Individual performance objectives will be set for each Trust Account. A customized sub-policy will also be drafted and appended to this Policy because the composition of investment assets and asset mix may vary broadly for each Trust Account.

Section 6: Trust Accounts – Permitted Investments
- The investments of the Trust Accounts must comply with the requirements and restrictions set out in the *Trustee Act*.
- Permitted investments are set out in detail in Section 6.02.
- Minimum quality standard for eligible individual bonds is “A (low)” and short term securities is “R-1 low” at purchase, as rated by a recognized bond rating agency. However issues rated “BBB” are permitted subject to the individual Trust Account maximums.
- All investment must be reasonably liquid (capable of liquidation with six (6) months).
- Please refer to Section 6.04 for maximum quantity restrictions.
- If it is not obvious that an investment qualifies under this Policy, the CIO must consult with the City Treasurer prior to purchasing the investment.

Appendix A – Sector and Issuer Limitations
Appendix B – *Municipal Act, 2001* (Eligible Investments and Related Financial Agreements, Ontario Regulation 438/97)
Appendix C – *Trustee Act* (Investment Provisions)
Appendix D – CFA institute Code of Ethics and Standards of Professional Conduct
Section 1 – Overview and Administration

1.01 Purpose of Statement
This Statement of Investment Policies and Procedures (the “Policy”) provides the framework for the investment of the assets of the City of Hamilton’s Reserve/Revenue Funds (the “Funds”) and the City of Hamilton’s Trust Accounts (the “Trust Accounts”).

The overall objective of the Policy is to ensure that the Funds and Trust Accounts are invested in accordance with existing legislation in such a way as to maximize investment returns while minimizing investment risk.

1.02 Background
The City Treasurer of the City of Hamilton (the “City”) establishes the Policy for approval by the Council of the Municipality for the City of Hamilton (“Council”) and ensures that the designated assets are managed in accordance with the guidelines set out in the Policy. Council has determined that the Funds and Trust Accounts shall be managed internally by the Chief Investments Officer (the “CIO”). The Custodian, as appointed by council, is to hold an account for the assets to be managed in accordance to this policy.

1.03 Delegation of Responsibilities
Overall responsibility for the Funds and Trust Accounts ultimately rests with the City Treasurer and Council. It is permitted however to delegate administrative duties and responsibilities to internal and external agents.

a) Chief Investment Officer
The CIO is responsible for:
(i) monitoring asset mix and rebalancing as required;
(ii) day-to-day liaison with the Custodian and the Investment Consultant;
(iii) monitoring and budgeting for cash flow within the Funds and Trust Accounts.
(iv) researching, recommending and implementing improvements to asset management of the City’s investment assets; and
(v) directing and implementing investment strategies for City managed portfolios.

b) Custodian/Trustee
The custodian/trustee will:
(i) fulfill the regular duties of a Custodian/Trustee as required by law;
(ii) maintain safe custodcy over the assets of the Funds and Trust accounts;
(iii) execute the instructions of the City Treasurer and the CIO; and
(iv) record income and provide financial statements to the City Treasurer monthly, or as required.

c) Investment Consultant
The investment consultant will:
(i) assist the CIO and the City Treasurer in developing a prudent long-term asset mix, and specific investment objectives and policies;
(ii) monitor, analyze and report on the Fund’s investment performance and to support the City Treasurer on any investment related matters;
(iii) assist with the selections of investment managers, custodians and other suppliers; and,
(iv) meet with the City Treasurer and/or CIO as required.

d) The City Treasurer
The City Treasurer will provide annual audited financial statements of the Funds and Trust Accounts.

e) City Solicitor
The City’s Solicitor will:
(i) provide legal advice to the City Treasurer regarding compliance with relevant legislation; and
(ii) provide legal counsel on a range of issues, including the review of contracts with suppliers.

The City Treasurer has the authority to retain other consultants/suppliers as the City Treasurer deems necessary from time to time.

1.04 Performance Reporting
The CIO is required to complete and deliver a performance report to the City Treasurer and to Council semi-annually.

1.05 Downgrades in Credit Quality
In order to keep the City Treasurer informed, the CIO will take the following steps in the event of a downgrade in the credit rating of a portfolio asset by a recognized bond rating agency to below the purchase standards set out in Sections 4.04 and 6.03:

• within ten (10) business days, the CIO will advise the City Treasurer in writing of the course of action taken, or intended to be taken by the CIO, and his rationale;
• immediately upon downgrade, the asset will be placed on a Watch List subject to monthly review by the CIO with the City Treasurer until such time as the security is sold or is upgraded to a level consistent with the Policy’s purchase quality standards; and
• if an investment falls below the standard required, the municipality shall sell the investment within one hundred and eighty (180) days after the day the investment falls below the standard.

1.06 Standard of Professional Conduct
The City’s investment personnel are expected to comply, at all times and in all respects, with the Code of Ethics and Standards of Professional Conduct as promulgated by the CFA Institute and the City’s Code of Conduct Policy.

The CIO will manage the assets with the care, diligence and skill that an investment manager of ordinary prudence would use in dealing with assets of this nature. The CIO will also use all relevant knowledge and skill that he or she possesses, as a prudent investment manager.
1.07 Conflicts of Interest
The standard applies to individual members of Council, the City’s senior management team, the Custodian, the Investment Consultant and any other external Advisor(s). All are subject to the following guidelines pertaining to both actual and perceived conflicts of interest.

Disclosure of Council Members and the Senior Management Team
Council Members and City employees shall subscribe to the City’s Conflict of Interest guidelines. In addition:

a) A member of Council and the City’s senior management team shall fully disclose the particulars of any actual or perceived conflict of interest immediately upon becoming aware of the actual or perceived conflict, and in writing to the City Treasurer; and

b) The person or persons in conflict as identified above shall not directly or indirectly participate in any discussion on the subject of the conflict nor participate in any vote on the matter. All such disclosures shall be recorded in the minutes of council or the senior management team meeting during which the apparent conflict was discussed.

The Custodian, the Investment Consultant and any other Advisor(s) (the “Parties”)
While it is impossible to determine every circumstance or case which can give rise to possible conflicts of interest, the following indicates some of the types of activities that could result in an actual or perceived conflict of interest and must be disclosed:

a) Disclosure of Conflict
A representative of the Parties shall disclose to the City Treasurer any material conflict of interest relating to him, and any material beneficial ownership of investments involved, which could reasonably be expected to impair his ability to render unbiased and objective advice. These disclosures shall be made whenever one of the Parties wishes to make recommendations concerning an investment in which he has a material beneficial interest or perceived conflict.

b) Disclosure of additional compensation arrangements
The Parties shall disclose to the City Treasurer in writing any compensation including payments in cash or in kind, he receives from an issuer of securities or any person other than his employer for services he renders to his customers or clients which could reasonably be expected to impair his ability to render unbiased and objective advice with respect to the assets. An employee of the Parties shall also disclose, with the approval of his employer, special compensation arrangements with the employer that might conflict with the City's interests, such as bonuses based on short term performance criteria. Such written notice shall be presented within thirty (30) days.

c) Disclosure of referral fees
The Parties shall disclose any consideration paid to others for making a particular recommendation relating to asset matters. This disclosure statement shall be provided before the recommendation is implemented.

1.08 Related Party Transactions
The City Treasurer, on behalf of the Funds and Trust Accounts, may not enter into a transaction with a related party unless:

a) the transaction is both required for operation and or administration of the Funds and Trust Accounts and the terms and conditions of the transaction are not less favourable than market terms and conditions;

b) securities of the related party are acquired at a public exchange; or

c) the combined value of all transactions with the same related party is nominal or the transaction(s) is immaterial

For the purposes of this Section 1.08, transactions involving less than TEN THOUSAND DOLLARS ($10,000.00) are considered nominal. A “related party” is defined to include any officer, director or employee of the City. It also includes a spouse or child of the persons named previously, or a corporation that is directly or indirectly controlled by the persons named previously, among others. Related party does not include government or a government agency, or a bank, trust company or other financial institution that holds the assets of the Funds and/or Trust accounts.

1.09 Monitoring of Asset Mix
In order to ensure that the Funds and Trust Accounts operate within the minimum and maximum guidelines stated in the Policy, the CIO shall monitor the asset mix on a calendar quarterly basis. Rebalancing can take place over a reasonably short period of time after an imbalance has been identified. Rebalancing may be effected by redirecting the net cash flows to and from the Funds and/or Trust Accounts, or by transferring cash or securities.

1.10 Policy Review
This Policy may be reviewed and revised at any time, but the City Treasurer and Council must formally review it at least once in every four calendar years.

1.11 City Treasurer’s Report
The City Treasurer shall provide an investment report annually to Council by May 31 of the calendar year for the prior fiscal year that:

a) contains a statement about the performance of the portfolio of investments of the City during the period covered by the report;

b) contains a listing of the types of securities in which the portfolio invested during the period covered by the report;

c) contains a listing of the securities and their credit ratings held by the portfolio at the date of the report;

d) contains a description of the estimated proportion of the total investments of a municipality that are invested in its own long-term and short-term securities to the total investment of the municipality and a description of the change, if any, in that estimated proportion since the previous year’s report;

e) contains a record of the date of each transaction in or disposal of its own securities, including a statement of the purchase and sale of each security.

f) contains a statement by the CIO as to whether or not, in his or her opinion all investments were made in compliance with this investment policy; and

g) contains such other information that the council may require or that, in the opinion of the City Treasurer, should be included.
Section 2 – Asset Mix and Diversification Policy

2.01 Portfolio Return Expectations
The City Treasurer has appointed the CIO to arrange for the investment of part or all of the assets of the Funds and Trust Accounts to achieve a satisfactory long-term rate of return through a diversified portfolio, consistent with acceptable risks and prudent management and that conforms with all legislative constraints.

An appropriate asset mix policy has been established for the Funds and Trust Accounts to provide a reference for long-term return requirements at risk levels acceptable to the City Treasurer. Risk is controlled by investing in well diversified and high quality portfolios.

2.02 Management Structure
The Funds and Trust Accounts will be managed by the City’s investment personnel.
Section 3 – Reserve/Revenue Funds

3.01 Fund Policy
The City’s Reserve/Revenue Funds were amalgamated in 2001. Little historical data is available to accurately project the pattern of cash flows for the Fund. But based on the pattern of cash flows experienced in the past, one can assume that cash flow will be added to the Funds between February and October and the Funds will be drawn down between November and February.

These assets of the Reserve/Revenue Fund will be managed on a total return basis and measured against performance benchmarks. Another important cash flow consideration relates to the Fund’s intra-month cash flow activity. According to City sources, there is a great deal of short-term cash activity every month and the Funds require a comprehensive cash management operation.

3.02 Objectives
The primary goals of the Funds are to ensure compliance with the Municipal Act, 2001 and Eligible Investments and Related Financial Agreements, Ontario Regulation 438/97, to minimize investment risk, and to maximize investment returns.

The four basic objectives of the Policy are:

1. Conform to Legislative Constraints
   The City’s investment portfolios must conform with the Municipal Act, which is the guiding legislation for investment of municipal funds. In particular, the investments must conform to Eligible Investments and Related Financial Agreements, Ontario Regulation 438/97. Eligible investments are discussed in greater detail in Section 4.02.

2. Preserve Capital
   Ensuring the safety of principal is of paramount importance for the City. Proper diversification will help to ensure that this objective is met. The establishment of limitations relating to credit rating, sector exposure and term structure will ensure safety of principal by limiting the investment exposure to any one issuer, sector or term.

   The limitations described in Section 4 reflect the requirements of the current legislation and the City’s own guidelines on prudent investment standards. All eligible investments must adhere to these limits.

3. Maintain Adequate Liquidity
   Maintaining adequate liquidity ensures that the Funds can be fully invested until required by the City. Liquid investments also afford more opportunities for investment management (i.e. lengthening or shortening the term of securities to take advantage of movements in interest rates or shifts in the yield curve).

   The predictability of the City’s cash flows will be an important consideration in determining the degree of liquidity required in the portfolio.
4. **Maximize Returns while Conforming to Other Objectives**

Investment returns should be maximized through opportunistic investment management without compromising the objectives of preservation of capital and maintenance of liquidity.

The CIO is responsible for managing the Fund’s investment assets. For the purposes of evaluating the Fund’s performance, all rates of returns will be measured over moving one-year and four-year periods. Return objectives will be on a total return basis and will include realized and unrealized capital gains or losses plus income from all sources. Returns will be calculated on a time-weighted basis and compared to the objectives described below.

**Performance Objectives:**

The Fund’s performance objective, as outlined in Section 4.10, is to outperform a benchmark portfolio constructed from a blend of returns composed of sixty-two decimal five percent (62.5%) of the DEX All-Government Short Term Bond Index, twenty-seven decimal five percent (27.5%) of the DEX All-Government Bond Index and ten percent (10.0%) of the DEX 91-Day Treasury Bill Index, measured over four-year cycles.

The City’s cash management objectives include the maintenance of positive cash flow, the development of prudent temporary borrowing strategies and the investment of the City’s idle funds to earn a competitive rate of return.

3.03 **Investment and Risk Philosophy**

a) **Investment Philosophy**

The Funds will be managed on a total return basis, as per the objectives, guidelines and constraints imposed by the Policy. Efforts will be made to maximize returns and avoid capital losses, while incorporating the Funds’ unique cash flow demands.

b) **Risk Philosophy**

The Funds shall be managed in a conservative manner with special care and attention being taken to minimize risk and preserve capital.

3.04 **Accounting Issues**

With the likelihood that the City’s fixed income portfolio may incur unrealized losses, it is extremely important to address the accounting treatment of such unrealized losses with the City’s auditors. Discussions with the City’s auditors reveal that they will adopt a very conservative approach in valuing the portfolio, but will distinguish between temporary and permanent impairments in value. Should the loss in value of a portfolio be deemed permanent, the investment will be written down to recognize the loss. A write down of a portfolio investment to reflect a loss in value will not be reversed if there is a subsequent increase in value.

Section PS 3041 – Portfolio investments, Paragraph .10 of The Canadian Institute of Chartered Accountants Official Pronouncements Collection states: “that a decline in quoted market value below carrying value of an investment with a fixed maturity amount may be considered temporary unless it is anticipated that the investment will be disposed of before it matures or that the carrying value may not be realizable”.

This information has important implications for the manner in which the City’s fixed income investments should be managed and its resulting term structure.
Section 4 - Reserve/Revenue Funds: Permitted Investments and Performance Measurement

4.01 General Guidelines
The investments of the Funds must comply with the requirements and restrictions set out in the Municipal Act, 2001 S.O. 2001, c.25 (the “Municipal Act”), specifically Eligible Investments and Related Financial Agreements, Ontario Regulation 438/97 and any revisions thereof. Any changes or revisions to the Municipal Act, specifically Eligible Investments and Related Financial Agreements, Ontario Regulation 438/97, subsequent to the formal adoption of this Policy, will be effective immediately. This Policy will be updated to reflect the change(s) at the time of its formal review.

4.02 Permitted Investments
The City will invest only in securities permitted under the Municipal Act and its related regulations, as amended from time to time.

A list of Sector and Issuer Limitations (the List) will be established by the General Manager and the Chief Investments Officer (see Appendix A). The List will state explicitly the approved sectors and issuer limitations of securities that may be held in the portfolio. In addition, while all investments on the List must meet legislative requirements, specific minimum credit rating requirements, dollar limits and/or percentage limits (of the total portfolio) will be established for each issuer. The List will be amended from time to time by the Chief Investments Officer.

4.03 Grandfathered Investments—Non-Bank ABCP
Investments which were allowed under the Municipal Act will be grandfathered and considered acceptable investments provided that:

a) the City invested in the security before January 12, 2009; and

b) the terms of the City’s continued investment in the security have been changed pursuant to the Plan Implementation Order of the Ontario Superior Court of Justice dated January 12, 2009 (Court file number 08-CL-7440) and titled “In the matter of the Companies’ Creditors Arrangement Act, R.S.C. 1985, c. C-36 as amended and in the matter of a plan of compromise and arrangement involving Metcalfe & Mansfield Alternative Investments II Corp. et al”. O. Reg. 438/97 s.2.1

4.04 Minimum Quality Requirements
The City shall not invest in a security that does not meet the credit rating requirements established under the Municipal Act and Regulations.

4.05 Investments in School Board Issued Securities
A municipality shall not invest in a security issued or guaranteed by a school board or similar entity unless the money raised by issuing the security is to be used for school purposes.
4.06 Maximum Quantity Restrictions

The City shall not invest more than twenty-five percent (25%) of the portfolio in short-term debt issued or guaranteed by the City. Short-term debt means any debt instrument that shall be fully repaid no later than three hundred and sixty-four (364) days after the debt is incurred. The total investment in ‘A’ or equivalent rated debt on purchase must not exceed thirty-five percent (35%) of the market value of the City’s bond portfolio.

Subject to the quality limits imposed above, the following quantity restrictions at the total fund level are to be respected. Please see the Sector and Issuer Limitations List in Appendix A for more details:

<table>
<thead>
<tr>
<th>Minimum %</th>
<th>Maximum %</th>
</tr>
</thead>
<tbody>
<tr>
<td>Federal issues in aggregate</td>
<td>0</td>
</tr>
<tr>
<td>Federal Guarantee</td>
<td>0</td>
</tr>
<tr>
<td>Provincial holdings in aggregate</td>
<td>0</td>
</tr>
<tr>
<td>Single province exposure</td>
<td>0</td>
</tr>
<tr>
<td>Individual non-federal/non-provincial holding (*)</td>
<td>0</td>
</tr>
<tr>
<td>Non-federal/non-provincial holdings in aggregate</td>
<td>0</td>
</tr>
<tr>
<td>Municipal Issues (*)</td>
<td></td>
</tr>
<tr>
<td>-individual muni issue rated “AAA”</td>
<td>0</td>
</tr>
<tr>
<td>-individual muni issue rated “AA”</td>
<td>0</td>
</tr>
<tr>
<td>-individual muni issue rated “A”</td>
<td>0</td>
</tr>
<tr>
<td>Municipal holdings in aggregate</td>
<td>0</td>
</tr>
<tr>
<td>Banks in aggregate</td>
<td>0</td>
</tr>
<tr>
<td>Asset-Backed in aggregate</td>
<td>0</td>
</tr>
<tr>
<td>Foreign Country Debt in Cdn dollars</td>
<td>0</td>
</tr>
<tr>
<td>Commercial paper in aggregate</td>
<td>0</td>
</tr>
<tr>
<td>ONE Funds in aggregate</td>
<td>0</td>
</tr>
<tr>
<td>Corporate Debt rated A or better &lt; 5 years in aggregate</td>
<td>0</td>
</tr>
<tr>
<td>OSIFA/“AA” Broader Public Sector</td>
<td>0</td>
</tr>
<tr>
<td>Supranational</td>
<td>0</td>
</tr>
<tr>
<td>Short term securities in aggregate</td>
<td>0</td>
</tr>
<tr>
<td>Non charitable gift of bonds, debentures, promissory notes or other securities of a corporation, must be sold within 90 days</td>
<td>0</td>
</tr>
<tr>
<td>Shares of a corporation received through a court order in lieu of debt that is payable to the municipality</td>
<td>0</td>
</tr>
<tr>
<td>Forward Rate Agreement</td>
<td>0</td>
</tr>
<tr>
<td>Portfolio benchmark duration (Macaulay)</td>
<td>1 year</td>
</tr>
</tbody>
</table>

(*) Except for City of Hamilton issues which have a limit of twenty-five percent (25%).
4.07 Currency
The City shall not invest in a security that is expressed or payable in any currency other than Canadian Dollars.

4.08 Securities Lending
The investments of the Funds may be loaned, for the purpose of generating revenue for the Funds on a fully indemnified basis.

For securities held in segregated accounts, such loans must be secured by cash and/or readily marketable government bonds, treasury bills and/or letters of credit, discount notes and bankers’ acceptances of chartered banks. For bonds, the security held must have a market value of at least one hundred and two percent (102%) of the market value of the loaned securities. This market value relationship must be calculated at least daily. The terms and conditions of any securities lending program will be set out in a contract with the Custodian. The Custodian shall, at all times, ensure that the City Treasurer has a current list of those institutions that are approved to borrow the Fund’s investments.

4.09 Forward Rate Agreements
The City is authorized to enter into agreements to make prescribed investments as outlined in O. Reg. 438/97, on a future date and to that effect may enter into a one or more forward rate agreements.

a) Description of a Forward Rate Agreement
A Forward Rate Agreement (“FRA”) is legally binding agreement between two parties to exchange cash flows based on interest rates (usually one party pays a fixed interest rate and the other party pays a floating interest rate) applied to a notional principal amount at a given future date.

b) Purpose
The FRA should be used to minimize the cost or risk associated with investments because of fluctuations in interest rates.

Overall, the FRA should provide the City with the possibility to protect the future returns in anticipation of fluctuating interest rates (i.e. fixes today the interest rate that will accrue on an investment occurring in the future). It will also allow the City’s to plan for cash flows more effectively as future interest rates are no longer uncertain.

The FRA must be entered into with the intent of accomplishing the above purposes. For example, the fund may enter into a FRA to fix the rate of return for an investment that would meet the obligations of a sinking fund debenture.

c) Standard FRA Contract
The standard FRA contract shall include the following:
- A forward amount, which is the principal amount of the investment or that portion of the principal amount to which the agreement relates;
- A settlement day, which is a specified future date;
- A forward rate of interest, which is a notional rate of interest applicable on the settlement day;
• A reference rate of interest, which is the market rate of interest payable on a specified future date on an acceptance issued by a bank listed in Schedule I, II and III to the Bank Act, S.C. 1991, c. 46 (the "Bank Act"); and
• A settlement payment to be payable on the settlement day if the forward rate and the reference rate of interest are different.

d) Type of investments
The City is allowed to enter into a FRA in any of the fixed income securities prescribed in the Sector and Issuer Limitations list (Appendix A). Dealing in FRA’s is permitted in Canadian dollars only.

e) Counterparty
The City shall not enter a FRA except with a bank listed in Schedule I, II and III to the Bank Act and only if the bank’s long term debt obligations on the day the agreement is entered are rated A (high) or higher by DBRS, A+ or higher by Fitch, A1 or higher by Moody’s or A+ or higher by S&P.

f) Reference Rate
The reference rate is the market rate of interest (floating interest rate) payable on a specified future date.

The parties are free to use any market rate of interest as a reference rate for entering into a FRA, provided the methodology of computing the rate is objective, transparent and mutually acceptable to counterparties.

g) Size Limit
The City should not enter a FRA if the forward notional amount, when added to all forward notional amounts under other forward agreements, if any, relating to the same investment, would exceed the total amount of the principal of the investment.

h) Term
The City shall not enter a FRA unless the settlement day under the agreement is within twelve (12) months of the day on which the agreement is executed.

i) Valuation
The FRA portfolio must be marked to market as determined by the custodian. The City shall apply the Generally Accepted Accounting Principles (GAAP) in reporting the impact of the FRA on the financial statements.

j) Netting Settlement
The agreement should be set up so that on the settlement date, all FRA payments to be exchanged will be net settled (i.e. only the differential between the fixed and floating is paid).

In case of insolvency, the claim of the counterparty provides for the netting of the transaction between the insolvent and the creditor. In such case, the amount payable by one party is set off against the amount payable by the other party and only the net balance is paid or received.
k) Risk Management Authorization
All agreements will be negotiated by the CIO and authorized by the City Treasurer or Council of the City. The City Treasurer or Council will be presented with:
1. Estimated cost to the municipality resulting from the use of a FRA
2. Detailed estimate of the expected results of the use of a FRA
3. An analysis of financial and other risk to the municipality that would exist with and without the use of a FRA

l) Contract
A FRA contract should be developed and used as standard in all transactions. The standard shall clearly define the rights and obligations of each party.

m) Credit exposure limits
FRA with Schedule III banks should be limited to twenty-five percent (25%) of the entire FRA portfolio.

n) Monitoring
The CIO shall ensure that the appropriate infrastructure and monitoring systems such as ability to price the FRA, marked to market the positions, monitor limit exposures on an ongoing basis are put in place.

o) Monitoring Report
If the City has any subsisting FRA in a fiscal year, the City Treasurer of the City shall prepare and present to the City council once in that fiscal year, or more frequently if the council or desires, a detailed report on all those agreements.

The report must contain the following information and documents:
- A statement about the status of the forward rate agreements during the period of the report, including a comparison of the expected and actual results of using the agreements;
- A statement by the City Treasurer indicating whether, in his or her opinion, all the forward rate agreements entered during the period of the report are consistent with the City’s statement of policies and goals relating to the use of forward rate agreements;
- Such information as the council may require; and
- Such other information as the City Treasurer considers appropriate to include in the report.

4.10 Performance Measurement
For purposes of evaluating the performance of the Funds, all rates of returns are measured over moving one-year and four-year periods. Return objectives include realized and unrealized capital gains or losses plus income from all sources.

The Funds’ performance objective is to outperform a benchmark portfolio constructed from a blend of returns composed of sixty-two decimal five percent (62.5%) of the DEX All-Government Short Term Bond Index, twenty-seven decimal five percent (27.5%) of the DEX All-Government Bond Index and ten percent (10.0%) of DEX 91-Day Treasury Bill Index.
Total Fund
Investment weightings and investment results are to be measured regularly against a long-term Benchmark Portfolio comprising:

<table>
<thead>
<tr>
<th>Benchmark</th>
<th>%</th>
</tr>
</thead>
<tbody>
<tr>
<td>DEX All-Government Short Term Bond Index</td>
<td>62.5</td>
</tr>
<tr>
<td>DEX All-Government Bond Index</td>
<td>27.5</td>
</tr>
<tr>
<td>DEX 91-Day Treasury Bill Index</td>
<td>10.0</td>
</tr>
<tr>
<td>Total</td>
<td>100.0</td>
</tr>
</tbody>
</table>
Section 5 - Trust Accounts

5.01 Profile
The City’s Trust Accounts consist of multiple accounts, each with distinct and unique objectives. The individual Trust Accounts therefore, although small, may not be co-mingled.

Notwithstanding the following, a subpolicy will be developed for each individual Trust Account and appended to this Policy. Each subpolicy will contain a statement of objectives, and constraints and guidelines customized to the unique requirements of the individual Trust Accounts.

5.02 Objectives
The primary goals of the Trust Accounts are to ensure compliance with the investment provisions of the Trustee Act, R.S.O. 1990, c. T.23 (the “Trustee Act”). Effective July 1, 1999, the investment provisions of the Trustee Act were amended to a “prudent investor” standard. The new legal standard of “prudent investor” allows for greater portfolio diversification and a less restrictive means of selecting appropriate investments.

The basic objectives of the Trust Accounts include:

1. Conform to Legislative Constraints
The City’s Trust Accounts must conform with the Trustee Act of Ontario, which is the guiding legislation for investment of trust monies. In particular, the investments must conform to the requirements and restrictions imposed by Section 27 of the Trustee Act.

Among other criteria, Section 27 of the Trustee Act stipulates that a trustee:
- must exercise the care, skill, diligence and judgment that a prudent investor would exercise in making investments;
- may invest trust property in any form of property in which a prudent investor might invest; and
- must diversify the investments of trust property to the extent that is appropriate.

2. Preserve Capital
Ensuring the safety of principal is of paramount importance for the City. Proper diversification will help to ensure that this objective is met.

The limitations described in Section 6 reflect the requirements of the current legislation and the City’s own guidelines on prudent investment standards. All eligible investments must adhere to these limits.

3. Maintain Adequate Liquidity
Maintaining adequate liquidity ensures that the Trust Accounts can be fully invested until required by the City. Liquid investments also afford more opportunities for investment management (i.e. moving in to or out of equity investments as dictated by prevailing market conditions or lengthening or shortening the term of fixed income securities to take advantage of movements in interest rates).
4. Maximize Returns while Conforming to Other Objectives

Investment returns should be maximized through opportunistic investment management without compromising the objectives of preservation of capital and maintenance of liquidity.

The CIO is responsible for managing the Trust Accounts' investment assets. For the purposes of evaluating the Trust Accounts performance, all rates of returns will be measured over moving one-year and four-year periods. Return objectives will be on a total return basis and will include realized and unrealized capital gains or losses plus income from all sources. Returns will be calculated on a time-weighted basis.

Performance Objectives:
The performance objectives of the individual Trust Accounts must be treated on an account-by-account basis. The Trust Accounts are too diverse in nature to set specific performance objectives as individual objectives and constraints vary and the composition of investment assets and asset mix vary broadly.

5.03 Investment and Risk Philosophy

a) Investment Philosophy

The Trust Accounts will be managed on a total return basis, as per the objectives, guidelines and constraints imposed by the Policy and individual Trust Accounts. Efforts will be made to maximize returns and avoid capital losses.

b) Risk Philosophy

The Funds shall be managed in a conservative manner with special care and attention being taken to minimize risk and preserve capital.
Section 6 - Trust Accounts: Permitted Investments

6.01 General Guidelines
The investments of the Trust Accounts must comply with the requirements and restrictions set out in the Trustee Act, R.S.O. 1990, c. T.23 (the “Trustee Act”), specifically the requirements and restrictions imposed by Section 27 of the Trustee Act. Any changes or revisions to the Trustee Act, specifically Section 27, subsequent to the formal adoption of this Policy will be effective immediately. This Policy will be updated to reflect the change(s) at the time of the Policy’s formal review.

6.02 Permitted Investments
The following are prescribed, for the purposes of this investment policy, as securities that the City may invest in:

1. Canadian and Foreign Equities
Permitted instruments are:
- common and convertible preferred equity listed on recognized stock exchanges;
- debentures convertible into common equity;
- rights, warrants and special warrants for common or convertible preferred stock;
- instalment receipts;
- American Depository Receipts and Global Depository Receipts; and
- exchange traded index participation units.

2. Bonds
Permitted instruments are:
- bonds, debentures, notes and other evidences of indebtedness of Canadian issuers denominated in Canadian dollars;
- mortgage-backed securities, guaranteed by the federal government as to the timely payment of all payments under the National Housing Act, R.S.C. 1985, c. N-11;
- term deposits and guaranteed investment certificates; and
- Supra-National bonds issued by the International Bank for Reconstruction and Development denominated in Canadian dollars.

3. Cash and Short Term Investments
Permitted instruments (defined to be securities with less than one (1) year to maturity) are:
- cash on hand and demand deposits including deposit accounts of the custodian,
- treasury bills issued by the federal and provincial governments and their agencies, obligations of trust companies and Canadian and foreign banks chartered to operate in Canada, including bankers' acceptances, and
- commercial paper and term deposits.

4. Other Investments
Permitted instruments are:
- deposit accounts of the custodian which can be used to invest surplus cash holdings; and
- investments may be made in mutual funds.
6.03 Minimum Quality Requirements
Within the investment restrictions for individual portfolios, including mutual funds, all portfolios should hold a prudently diversified exposure to the intended market.

The following minimum quality restrictions apply to all investments held in the portfolio:

- generally speaking, the minimum quality standard for individual bond issues is ‘A (Low)’ or equivalent, as rated by a recognized bond rating agency at the time of purchase, however, issues rated ‘BBB’ are permitted subject to the individual Trust Account maximums;
- the minimum quality standard for individual short term securities is ‘R-1 (Low)’ or equivalent, as rated by a recognized bond rating agency at the time of purchase; and
- all investments shall be reasonably liquid (i.e. in normal circumstances they should be capable of liquidation within six (6) months).

6.04 Maximum Quantity Restrictions
The following restrictions are to be respected:

Equities
- The equity holdings will be well diversified and contain at least fifteen (15) securities. The maximum holding for any individual stock will be ten percent (10%) of the equity portfolio based on market value;
- Equity holdings representing more than ten percent (10%) of the voting shares of a corporation or more than ten percent (10%) of the available public float shall be disclosed on a quarterly basis; and
- Equity holdings representing more than twenty percent (20%) of the voting shares of a corporation or more than twenty percent (20%) of the available public float are not permitted. In addition, the combined share of all holdings in excess of ten percent (10%) of the voting shares or public float may not exceed three percent (3%) of the total equity portfolio. All calculations are based on market value.

Bonds and Short Term
- Except for federal and provincial bonds (including government guaranteed bonds), no more than ten percent (10%) of the bond portfolio may be invested in the bonds of a single issuer and its related companies;
- No one bond holding shall represent more than ten percent (10%) of the market value of the total outstanding for that bond issue;
- No more than ten percent (10%) of the market value of the bond portfolio may be held in ‘BBB’ issues; and
- No more than ten percent (10%) of the market value of the bond portfolio may be held in real return bonds.

Mutual Fund Investments
The CIO may invest in mutual funds, provided that every effort is made to minimize investment management fees.

Pooled Fund Investments
Investments in pooled funds are not permitted, unless such funds can be deemed to be mutual funds.
Prior Permission Required
The following investments may be permitted provided that prior approval has been obtained from the City Council:

- investments in private placements;
- direct investments in real estate;
- direct investments in venture capital financing or private equity limited partnerships;
- investments in bonds of foreign issuers;
- investments in units of investment trusts (e.g. REITs or resource trust units); and
- direct investments in mortgages.

No other investment is permitted.

6.05 General Restriction
At all times, the CIO must meet the requirements for eligible investments as outlined in the Trustee Act.

If it is not obvious that an investment qualifies under this Policy, the CIO should consult with the City Treasurer of his concern about the investment before the investment is acquired.
## Appendix A – Sector and Issuer Limitations

<table>
<thead>
<tr>
<th>Credit Rating</th>
<th>Money Market Rating</th>
<th>Portfolio Limit</th>
<th>Individual Limit</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Federal Canada Government</strong></td>
<td>N/A</td>
<td>R1 high</td>
<td>100%</td>
</tr>
<tr>
<td><strong>Federal Guarantees</strong></td>
<td>N/A</td>
<td>R1 high</td>
<td>100%</td>
</tr>
<tr>
<td><strong>Provincial</strong></td>
<td>AA</td>
<td>R1 mid</td>
<td>100%</td>
</tr>
<tr>
<td></td>
<td>A</td>
<td>R1 mid</td>
<td>20%</td>
</tr>
<tr>
<td></td>
<td>BBB</td>
<td>R1 mid</td>
<td>10%</td>
</tr>
<tr>
<td><strong>Municipal</strong></td>
<td>N/A</td>
<td>R1 high or mid</td>
<td>25%</td>
</tr>
<tr>
<td><strong>City of Hamilton</strong></td>
<td>AAA &amp; AA</td>
<td>25%</td>
<td>25%</td>
</tr>
<tr>
<td><strong>Other Municipalities and School Boards</strong></td>
<td>A</td>
<td>15%</td>
<td>5%</td>
</tr>
<tr>
<td><strong>Municipal Totals</strong></td>
<td>AAA</td>
<td>30%</td>
<td></td>
</tr>
<tr>
<td><strong>Asset-Backed</strong></td>
<td>AAA</td>
<td>25%</td>
<td>10%</td>
</tr>
<tr>
<td><strong>Banks</strong></td>
<td>AA(L)</td>
<td>R1 mid</td>
<td>50%</td>
</tr>
<tr>
<td></td>
<td>A</td>
<td>R1 low</td>
<td>20%</td>
</tr>
<tr>
<td><strong>Schedule I Banks</strong></td>
<td>AA(L)</td>
<td>R1 high</td>
<td>15%</td>
</tr>
<tr>
<td></td>
<td>A</td>
<td>R1 mid</td>
<td>10%</td>
</tr>
<tr>
<td><strong>Schedule II Banks</strong></td>
<td>AA(L)</td>
<td>R1 high</td>
<td>15%</td>
</tr>
<tr>
<td></td>
<td>A</td>
<td>R1 mid</td>
<td>10%</td>
</tr>
<tr>
<td><strong>Schedule III Banks</strong></td>
<td>AA(L)</td>
<td>R1 high</td>
<td>15%</td>
</tr>
<tr>
<td></td>
<td>A</td>
<td>R1 mid</td>
<td>10%</td>
</tr>
<tr>
<td><strong>Bank Total</strong></td>
<td>50%</td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Commercial Paper</strong></td>
<td>R1 high</td>
<td>15%</td>
<td>5%</td>
</tr>
<tr>
<td></td>
<td>R1 mid</td>
<td>10%</td>
<td>2%</td>
</tr>
<tr>
<td><strong>Commercial Total</strong></td>
<td>20%</td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Foreign Country Debt (Cdn Issued)</strong></td>
<td>AA</td>
<td>25%</td>
<td>10%</td>
</tr>
<tr>
<td><strong>One Funds</strong></td>
<td>N/A</td>
<td>R1 high</td>
<td>10%</td>
</tr>
<tr>
<td><strong>Corporate Debt &lt; 5Yrs.</strong></td>
<td>A</td>
<td>15%</td>
<td>5%</td>
</tr>
<tr>
<td><strong>OSIFA/ “AA” Broader Public Sector</strong></td>
<td>N/A</td>
<td>R1 high</td>
<td>15%</td>
</tr>
<tr>
<td><strong>Supranationals</strong></td>
<td>AAA</td>
<td>30%</td>
<td>10%</td>
</tr>
<tr>
<td><strong>Securities of a Corporation(3)</strong></td>
<td>n/a</td>
<td>n/a</td>
<td></td>
</tr>
<tr>
<td><strong>Shares of a Corporation(4)</strong></td>
<td>n/a</td>
<td>n/a</td>
<td></td>
</tr>
<tr>
<td><strong>Forward Rate Agreements</strong></td>
<td>n/a</td>
<td>25%</td>
<td>(5)</td>
</tr>
</tbody>
</table>

(1) – Exposure % limitations to be applied to the par value of the total portfolio.
(2) – Includes Provincial Guarantees.
(3) – Securities of a corporation received as a non-charitable gift. Must sell within ninety (90) days.
(4) – Shares of a corporation received if the corporation has a debt payable to municipality, under court order the corporation has received creditor protection, and in lieu of debt is authorized by the court order and in the opinion of the Treasurer of the municipality the debt would be uncollectible by the City.
(5) – FRA with Schedule III Bank limited to 25% of entire FRA portfolio.
Appendix B - Municipal Act, 2001, Ontario Regulation 438/97 (Eligible Investments and Related Financial Agreements)

ONTARIO REGULATION 438/97 (formerly under Municipal Act)

ELIGIBLE INVESTMENTS AND RELATED FINANCIAL AGREEMENTS

Last amendment: O. Reg. 373/11

1. A municipality does not have the power to invest under section 418 of the Act in a security other than a security prescribed under this Regulation. O. Reg. 438/97, s. 1; O. Reg. 399/02, s. 1.

2. The following are prescribed, for the purposes of subsection 418 (1) of the Act, as securities that a municipality may invest in:
   1. Bonds, debentures, promissory notes or other evidence of indebtedness issued or guaranteed by,
      i. Canada or a province or territory of Canada,
      ii. an agency of Canada or a province or territory of Canada,
      iii. a country other than Canada,
      iv. a municipality in Canada including the municipality making the investment,
      iv.1 the Ontario Strategic Infrastructure Financing Authority,
      v. a school board or similar entity in Canada,
      v.1 a university in Ontario that is authorized to engage in an activity described in section 3 of the Post-secondary Education Choice and Excellence Act, 2000,
      v.2 the board of governors of a college established under the Ontario Colleges of Applied Arts and Technology Act, 2002,
      vi. a local board as defined in the Municipal Affairs Act (but not including a school board or a municipality) or a conservation authority established under the Conservation Authorities Act,
      vi.1 a board of a public hospital within the meaning of the Public Hospitals Act,
      vi.2 a non-profit housing corporation incorporated under section 13 of the Housing Development Act,
      vi.3 a local housing corporation as defined in section 24 of the Housing Services Act, 2011, or
      vii. the Municipal Finance Authority of British Columbia.
   2. Bonds, debentures, promissory notes or other evidence of indebtedness of a corporation if,
i. the bond, debenture or other evidence of indebtedness is secured by the assignment, to a trustee, as defined in the Trustee Act, of payments that Canada or a province or territory of Canada has agreed to make or is required to make under a federal, provincial or territorial statute, and

ii. the payments referred to in subparagraph i are sufficient to meet the amounts payable under the bond, debenture or other evidence of indebtedness, including the amounts payable at maturity.

3. Deposit receipts, deposit notes, certificates of deposit or investment, acceptances or similar instruments the terms of which provide that the principal and interest shall be fully repaid no later than two years after the day the investment was made, if the receipt, note, certificate or instrument was issued, guaranteed or endorsed by,

i. a bank listed in Schedule I, II or III to the Bank Act (Canada),

ii. a loan corporation or trust corporation registered under the Loan and Trust Corporations Act, or

iii. a credit union or league to which the Credit Unions and Caisses Populaires Act, 1994 applies.

3.1 Deposit receipts, deposit notes, certificates of deposit or investment, acceptances or similar instruments the terms of which provide that the principal and interest shall be fully repaid more than two years after the day the investment was made, if the receipt, note, certificate or instrument was issued, guaranteed or endorsed by,

i. a bank listed in Schedule I, II or III to the Bank Act (Canada),

ii. a loan corporation or trust corporation registered under the Loan and Trust Corporations Act,

iii. a credit union or league to which the Credit Unions and Caisses Populaires Act, 1994 applies.

4. Bonds, debentures, promissory notes or other evidence of indebtedness issued or guaranteed by an institution listed in paragraph 3.

5. Short term securities, the terms of which provide that the principal and interest shall be fully repaid no later than three days after the day the investment was made, that are issued by,

i. a university in Ontario that is authorized to engage in an activity described in section 3 of the Post-secondary Education Choice and Excellence Act, 2000,

ii. the board of governors of a college established under the Ontario Colleges of Applied Arts and Technology Act, 2002, or

iii. a board of a public hospital within the meaning of the Public Hospitals Act.

6. Bonds, debentures, promissory notes, other evidence of indebtedness or other securities issued or guaranteed by the International Bank for Reconstruction and Development.
6.1. Bonds, debentures, promissory notes or other evidence of indebtedness issued or guaranteed by a supranational financial institution or a supranational governmental organization, other than the International Bank for Reconstruction and Development.

7. Asset-backed securities, as defined in subsection 50 (1) of Regulation 733 of the Revised Regulations of Ontario, 1990 made under the Loan and Trust Corporations Act.

7.1 Bonds, debentures, promissory notes or other evidence of indebtedness issued by a corporation that is incorporated under the laws of Canada or a province of Canada, the terms of which provide that the principal and interest shall be fully repaid more than five years after the date on which the municipality makes the investment.

7.2 Bonds, debentures, promissory notes or other evidence of indebtedness issued by a corporation that is incorporated under the laws of Canada or a province of Canada, the terms of which provide that the principal and interest shall be fully repaid more than one year and no later than five years after the date on which the municipality makes the investment.

8. Negotiable promissory notes or commercial paper, other than asset-backed securities, maturing one year or less from the date of issue, if that note or commercial paper has been issued by a corporation that is incorporated under the laws of Canada or a province of Canada.

8.1 Shares issued by a corporation that is incorporated under the laws of Canada or a province of Canada.


10. Bonds, debentures, promissory notes or other evidence of indebtedness of a corporation if the municipality first acquires the bond, debenture, promissory note or other evidence of indebtedness as a gift in a will and the gift is not made for a charitable purpose.

11. Securities of a corporation, other than those described in paragraph 10, if the municipality first acquires the securities as a gift in a will and the gift is not made for a charitable purpose.

12. Shares of a corporation if,
   i. the corporation has a debt payable to the municipality,
   ii. under a court order, the corporation has received protection from its creditors,
   iii. the acquisition of the shares in lieu of the debt is authorized by the court order, and
   iv. the treasurer of the municipality is of the opinion that the debt will be uncollectable by the municipality unless the debt is converted to shares under the court order. O. Reg. 438/97, s. 2; O. Reg. 265/02, s. 1; O. Reg. 399/02, s. 2; O. Reg. 655/05, s. 2; O. Reg. 607/06, s. 1; O. Reg. 39/07, s. 1; O. Reg. 373/11, s. 1.
2.1 A security is prescribed for the purposes of subsection 418 (1) of the Act as a security that a municipality may invest in if,

(a) the municipality invested in the security before January 12, 2009; and

(b) the terms of the municipality’s continued investment in the security have been changed pursuant to the Plan Implementation Order of the Ontario Superior Court of Justice dated January 12, 2009 (Court file number 08-CL-7440) and titled “In the matter of the Companies’ Creditors Arrangement Act, R.S.C. 1985, c. C-36 as amended and in the matter of a plan of compromise and arrangement involving Metcalfe & Mansfield Alternative Investments II Corp. et al”. O. Reg. 292/09, s. 1.

3. (1) A municipality shall not invest in a security under subparagraph 1 iii, v.1, v.2, vi.1, vi.2 or vi.3 or paragraph 3.1 or 4 of section 2 unless the bond, debenture, promissory note or evidence of indebtedness is rated,

(a) Revoked: O. Reg. 265/02, s. 2 (1).

(b) by Dominion Bond Rating Service Limited as “AA(low)” or higher;

(b.1) by Fitch Ratings as “AA-” or higher;

(c) by Moody’s Investors Services Inc. as “Aa3” or higher; or

(d) by Standard and Poor’s as “AA-” or higher. O. Reg. 438/97, s. 3 (1); O. Reg. 265/02, s. 2 (1); O. Reg. 399/02, s. 3 (1); O. Reg. 655/05, s. 3 (1, 2); O. Reg. 607/06, s. 2; O. Reg. 39/07, s. 2.

(2) Revoked: O. Reg. 655/05, s. 3 (3).

(2.1) A municipality shall not invest in a security under paragraph 6.1 of section 2 unless the security is rated,

(a) by Dominion Bond Rating Service Limited as “AAA”;

(b) by Fitch Ratings as “AAA”;

(c) by Moody’s Investors Services Inc. as “Aaa”; or

(d) by Standard and Poor’s as “AAA”. O. Reg. 655/05, s. 3 (4).

(3) A municipality shall not invest in an asset-backed security under paragraph 7 of section 2 that matures more than one year from the date of issue unless the security is rated,

(a) by Dominion Bond Rating Service Limited as “AAA”;

(a.1) by Fitch Ratings as “AAA”;

(b) by Moody’s Investors Services Inc. as “Aaa”; or

(c) by Standard and Poor’s as “AAA”. O. Reg. 265/02, s. 2 (2); O. Reg. 399/02, s. 3 (2); O. Reg. 655/05, s. 3 (5).

(4) A municipality shall not invest in an asset-backed security under paragraph 7 of section 2 that matures one year or less from the date of issue unless the security is rated,

(a) by Dominion Bond Rating Service Limited as “R-1(high)”;

(a.1) by Fitch Ratings as “F1+”; or

(b) by Moody’s Investors Services Inc. as “Prime-1”; or
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(c) by Standard and Poor’s as “A-1+”. O. Reg. 265/02, s. 2 (2); O. Reg. 399/02, s. 3 (3); O. Reg. 655/05, s. 3 (6).

(4.1) A municipality shall not invest in a security under paragraph 7.1 of section 2 unless the security is rated,

(a) by Dominion Bond Rating Service Limited as “AA(low)” or higher;
(b) by Fitch Ratings as “AA-” or higher;
(c) by Moody’s Investors Services Inc. as “Aa3” or higher; or
(d) by Standard and Poor’s as “AA-” or higher. O. Reg. 292/09, s. 2 (1).

(4.2) A municipality shall not invest in a security under paragraph 7.2 of section 2 unless the security is rated,

(a) by Dominion Bond Rating Service Limited as “A” or higher;
(b) by Fitch Ratings as “A” or higher;
(c) by Moody’s Investors Services Inc. as “A2”; or
(d) by Standard and Poor’s as “A”. O. Reg. 292/09, s. 2 (1).

(5) A municipality shall not invest in a security under paragraph 8 of section 2 unless the promissory note or commercial paper is rated,

(a) by Dominion Bond Rating Service Limited as “R-1(mid)” or higher;
(a.1) by Fitch Ratings as “F1+”;
(b) by Moody’s Investors Services Inc. as “Prime-1”; or
(c) by Standard and Poor’s as “A-1+”. O. Reg. 265/02, s. 2 (2); O. Reg. 399/02, s. 3 (4); O. Reg. 655/05, s. 3 (8).

(6) If an investment made under subparagraph 1 iii, v.1, v.2, vi.1, vi.2 or vi.3 of section 2 or paragraph 3.1, 4, 6.1, 7, 7.1, 7.2 or 8 of section 2 falls below the standard required by this section, the municipality shall sell the investment within 180 days after the day the investment falls below the standard. O. Reg. 292/09, s. 2 (2).

(6.1) Subsection (6) does not apply with respect to an investment made by a municipality under paragraph 7 of section 2 on a day before the day this subsection comes into force. O. Reg. 292/09, s. 2 (3).

(7) A municipality shall not invest in a security under paragraph 9 of section 2 unless, at the time the investment is made and as long as it continues, the investment ranks, at a minimum, concurrently and equally in respect of payment of principal and interest with all unsecured debt of the corporation. O. Reg. 265/02, s. 2 (2).

(8) A municipality shall not invest in a security under paragraph 9 of section 2 unless, at the time the investment is made, the total amount of the municipality’s investment in debt of any corporation incorporated under section 142 of the Electricity Act, 1998 that would result after the proposed investment is made does not exceed the total amount of investment in debt, including any interest accrued on such debt, of the municipality in such a corporation that existed on the day before the day the proposed investment is to be made. O. Reg. 265/02, s. 2 (2).
(9) Any investment made under paragraph 9 of section 2, including any refinancing, renewal or replacement thereof, may not be held for longer than a total of 10 years from the date such investment is made. O. Reg. 265/02, s. 2 (2).

(10) Subsections (7), (8) and (9) do not prevent a municipality from holding or disposing of a security described in paragraph 9 of section 2 issued by a corporation incorporated under section 142 of the *Electricity Act, 1998*, if the municipality acquired the security through a transfer by-law or otherwise under that Act. O. Reg. 655/05, s. 3 (9).

(11) A municipality shall sell an investment described in paragraph 10 or 11 of section 2 within 90 days after ownership of the investment vests in the municipality. O. Reg. 655/05, s. 3 (9).

(12) Revoked: O. Reg. 292/09, s. 2 (4).

4. (1) A municipality shall not invest more then 25 per cent of the total amount in all sinking and retirement funds in respect of debentures of the municipality, as estimated by its treasurer on the date of the investment, in short-term debt issued or guaranteed by the municipality. O. Reg. 438/97, s. 4 (1).

(2) In this section,

“short-term debt” means any debt, the terms of which provide that the principal and interest of the debt shall be fully repaid no later than 364 days after the debt is incurred. O. Reg. 438/97, s. 4 (2).

4.1 (1) A municipality shall not invest in a security under paragraph 7 of section 2 or in a promissory note or commercial paper under paragraph 8 of section 2 unless, on the date that the investment is made,

(a) the municipality itself is rated, or all of the municipality’s long-term debt obligations are rated,

(i) by Dominion Bond Rating Service Limited as “AA(low)” or higher,

(i.1) by Fitch Ratings as “AA-“ or higher,

(ii) by Moody’s Investors Services Inc. as “Aa3” or higher, or

(iii) by Standard and Poor’s as “AA–” or higher; or

(b) the municipality has entered into an agreement with the Local Authority Services Limited and the CHUMS Financing Corporation to act together as the municipality’s agent for the investment in that security, promissory note or commercial paper. O. Reg. 265/02, s. 3; O. Reg. 399/02, s. 4; O. Reg. 655/05, s. 4 (1, 2).

(1.1) A municipality shall not invest in a security under paragraph 7.1 or 8.1 of section 2 unless, on the date the investment is made, the municipality has entered into an agreement with the Local Authority Services Limited and the CHUMS Financing corporation to act together as the municipality's agent for the investment in the security. O. Reg. 655/05, s. 4 (3).

(1.2) Subsection (1.1) does not apply to investments in securities by the City of Ottawa if all of the following requirements are satisfied:

1. Only the proceeds of the sale by the City of its securities in a corporation incorporated under section 142 of the *Electricity Act, 1998* are used to make the investments.
2. The investments are made in a professionally-managed fund.

3. The terms of the investments provide that,
   i. where the investment is in debt instruments, the principal must be repaid no earlier than seven years after the date on which the City makes the investment, and
   ii. where the investment is in shares, an amount equal to the principal amount of the investment cannot be withdrawn from the fund for at least seven years after the date on which the City makes the investment.

4. The City establishes and uses a separate reserve fund for the investments.

5. Subject to paragraph 6, the money in the reserve fund, including any returns on the investments or proceeds from their disposition, are used to pay capital costs of the City and for no other purpose.

6. The City may borrow money from the reserve fund but must repay it plus interest. O. Reg. 655/05, s. 4 (3).

(2) The investment made under clause (1) (b) or described in subsection (1.1), as the case may be, must be made in the One Investment Program of the Local Authority Services Limited and the CHUMS Financing Corporation with,

(a) another municipality;

(b) a public hospital;

(c) a university in Ontario that is authorized to engage in an activity described in section 3 of the Post-secondary Education Choice and Excellence Act, 2000;

(d) the board of governors of a college established under the Ontario Colleges of Applied Arts and Technology Act, 2002;

(d.1) a foundation established by a college mentioned in clause (d) whose purposes include receiving and maintaining a fund or funds for the benefit of the college;

(e) a school board; or

(f) any agent of an institution listed in clauses (a) to (d.1). O. Reg. 265/02, s. 3; O. Reg. 655/05, s. 4 (4); O. Reg. 607/06, s. 3; O. Reg. 292/09, s. 3; O. Reg. 52/11, s. 1.

5. A municipality shall not invest in a security issued or guaranteed by a school board or similar entity unless,

(a) the money raised by issuing the security is to be used for school purposes; and

(b) Revoked: O. Reg. 248/01, s. 1.

O. Reg. 438/97, s. 5; O. Reg. 248/01, s. 1.

6. (1) A municipality shall not invest in a security that is expressed or payable in any currency other than Canadian dollars. O. Reg. 438/97, s. 6 (1).

(2) Subsection (1) does not prevent a municipality from continuing an investment, made before this Regulation comes into force, that is expressed and payable in the currency of the United States of America or the United Kingdom. O. Reg. 438/97, s. 6 (2).
7. (1) Before a municipality invests in a security prescribed under this Regulation, the council of the municipality shall, if it has not already done so, adopt a statement of the municipality's investment policies and goals. O. Reg. 438/97, s. 7.

(2) In preparing the statement of the municipality's investment policies and goals under subsection (1), the council of the municipality shall consider,

(a) the municipality's risk tolerance and the preservation of its capital;

(b) the municipality's need for a diversified portfolio of investments; and

(c) obtaining legal advice and financial advice with respect to the proposed investments. O. Reg. 265/02, s. 4.

(3) Revoked: O. Reg. 655/05, s. 5.

(4) In preparing the statement of the municipality's investment policies and goals under subsection (1) for investments made under paragraph 9 of section 2, the council of the municipality shall consider its plans for the investment and how the proposed investment would affect the interest of municipal taxpayers. O. Reg. 265/02, s. 4.

8. (1) If a municipality has an investment in a security prescribed under this Regulation, the council of the municipality shall require the treasurer of the municipality to prepare and provide to the council, each year or more frequently as specified by the council, an investment report. O. Reg. 438/97, s. 8 (1).

(2) The investment report referred to in subsection (1) shall contain,

(a) a statement about the performance of the portfolio of investments of the municipality during the period covered by the report;

(b) a description of the estimated proportion of the total investments of a municipality that are invested in its own long-term and short-term securities to the total investment of the municipality and a description of the change, if any, in that estimated proportion since the previous year's report;

(c) a statement by the treasurer as to whether or not, in his or her opinion, all investments are consistent with the investment policies and goals adopted by the municipality;

(d) a record of the date of each transaction in or disposal of its own securities, including a statement of the purchase and sale price of each security; and

(e) such other information that the council may require or that, in the opinion of the treasurer, should be included. O. Reg. 438/97, s. 8 (2); O. Reg. 655/05, s. 6.

(2.1) The investment report referred to in subsection (1) shall contain a statement by the treasurer as to whether any of the following investments fall below the standard required for that investment during the period covered by the report:

1. An investment described in subparagraph 1 iii, v.1, v.2, vi.1, vi.2 or vi.3 of section 2.

2. An investment described in paragraph 3.1, 4, 6.1, 7, 7.1, 7.2 or 8 of section 2.

3. An investment described in subsection 9 (1). O. Reg. 292/09, s. 4.

(3) Upon disposition of any investment made under paragraph 9 of section 2, the council of the municipality shall require the treasurer of the municipality to prepare and
provide to the council a report detailing the proposed use of funds realized in the disposition. O. Reg. 265/02, s. 5.

8.1 If an investment made by the municipality is, in the treasurer’s opinion, not consistent with the investment policies and goals adopted by the municipality, the treasurer shall report the inconsistency to the council of the municipality within 30 days after becoming aware of it. O. Reg. 655/05, s. 7.

9. (1) Despite this Regulation, an investment by a municipality in bonds, debentures or other indebtedness of a corporation made before March 6, 1997 may be continued if the bond, debenture or other indebtedness is rated,

(a) Revoked: O. Reg. 265/02, s. 6.
(b) by Dominion Bond Rating Service Limited as “AA(low)” or higher;
(b.1) by Fitch Ratings as “AA-” or higher;
(c) by Moody’s Investors Services Inc. as “Aa3” or higher; or
(d) by Standard and Poor’s as “AA-” or higher. O. Reg. 438/97, s. 9 (1); O. Reg. 265/02, s. 6; O. Reg. 399/02, s. 5; O. Reg. 655/05, s. 8.

(1.1) Despite subsection 3 (4.1), an investment in a security under paragraph 7.1 of section 2 made on a day before the day this subsection comes into force may be continued if the security is rated,

(a) by Dominion Bond Rating Service Limited as “A” or higher;
(b) by Fitch Ratings as “A” or higher;
(c) by Moody’s Investors Services Inc. as “A2”; or
(d) by Standard and Poor’s as “A”. O. Reg. 292/09, s. 5 (1).

(2) If the rating of an investment continued under subsection (1) or (1.1) falls below the standard required by that subsection, the municipality shall sell the investment within 180 days after the day the investment falls below the standard. O. Reg. 438/97, s. 9 (2); O. Reg. 292/09, s. 5 (2).

FORWARD RATE AGREEMENTS

10. (1) A municipality that enters into an agreement to make an investment on a future date in a security prescribed by section 2 may enter one or more forward rate agreements with a bank listed in Schedule I, II or III to the Bank Act (Canada) in order to minimize the cost or risk associated with the investment because of fluctuations in interest rates. O. Reg. 655/05, s. 9.

(2) A forward rate agreement shall provide for the following matters:

1. Specifying a forward amount, which is the principal amount of the investment or that portion of the principal amount to which the agreement relates.

2. Specifying a settlement day, which is a specified future date.

3. Specifying a forward rate of interest, which is a notional rate of interest applicable on the settlement day.

4. Specifying a reference rate of interest, which is the market rate of interest payable on a specified future date on an acceptance issued by a bank listed in Schedule I, II or III to the Bank Act (Canada).
5. Requiring a settlement payment to be payable on the settlement day if the forward rate and the reference rate of interest are different. O. Reg. 655/05, s. 9.

(3) A municipality shall not enter a forward rate agreement if the forward amount described in paragraph 1 of subsection (2) for the investment whose cost or risk the agreement is intended to minimize, when added to all forward amounts under other forward rate agreements, if any, relating to the same investment, would exceed the total amount of the principal of the investment. O. Reg. 655/05, s. 9.

(4) A municipality shall not enter a forward rate agreement unless the settlement day under the agreement is within 12 months of the day on which the agreement is executed. O. Reg. 655/05, s. 9.

(5) A municipality shall not enter a forward rate agreement if the settlement payment described in paragraph 5 of subsection (2) exceeds the difference between the amount of interest that would be payable on the forward amount calculated at the forward rate of interest for the period for which the investment was made and the amount that would be payable calculated at the reference rate of interest. O. Reg. 655/05, s. 9.

(6) A municipality shall not enter a forward rate agreement except with a bank listed in Schedule I, II or III to the Bank Act (Canada) and only if the bank’s long-term debt obligations on the day the agreement is entered are rated,

(a) by Dominion Bond Rating Service Limited as “A(high)” or higher;

(b) by Fitch Ratings as “A+” or higher;

(c) by Moody’s Investors Service Inc. as “A1” or higher; or

(d) by Standard and Poor’s as “A” or higher. O. Reg. 655/05, s. 9.

11. (1) Before a municipality passes a by-law authorizing a forward rate agreement, the council of the municipality shall adopt a statement of policies and goals relating to the use of forward rate agreements. O. Reg. 655/05, s. 9.

(2) The council of the municipality shall consider the following matters when preparing the statement of policies and goals:

1. The types of investments for which forward rate agreements are appropriate.

2. The fixed costs and estimated costs to the municipality resulting from the use of such agreements.

3. A detailed estimate of the expected results of using such agreements.

4. The financial and other risks to the municipality that would exist with, and without, the use of such agreements.

5. Risk control measures relating to such agreements, such as,

   i. credit exposure limits based on credit ratings and on the degree of regulatory oversight and the regulatory capital of the other party to the agreement,

   ii. standard agreements, and

   iii. ongoing monitoring with respect to the agreements. O. Reg. 655/05, s. 9.
12. (1) If a municipality has any subsisting forward rate agreements in a fiscal year, the treasurer of the municipality shall prepare and present to the municipal council once in that fiscal year, or more frequently if the council so desires, a detailed report on all of those agreements. O. Reg. 655/05, s. 9.

(2) The report must contain the following information and documents:

1. A statement about the status of the forward rate agreements during the period of the report, including a comparison of the expected and actual results of using the agreements.

2. A statement by the treasurer indicating whether, in his or her opinion, all of the forward rate agreements entered during the period of the report are consistent with the municipality’s statement of policies and goals relating to the use of forward rate agreements.

3. Such other information as the council may require.

4. Such other information as the treasurer considers appropriate to include in the report. O. Reg. 655/05, s. 9.
Appendix C - **Trustee Act (Investment Provisions)**

R.S.O. 1990, c. T.23

Definitions

1. In this Act,

   “assign” means the execution and performance by a person of every necessary or suitable deed or act for assigning, surrendering, or otherwise transferring land of which such person is possessed, either for the whole estate of the person so possessed or for any less estate, and “assignment” has a corresponding meaning; ("céder", “cession”)

   “contingent right” as applied to land includes a contingent and executory interest, and a possibility coupled with an interest, whether the object of the gift or limitation of such interest or possibility is or is not ascertained, and also a right of entry whether immediate or future, vested or contingent; ("droit éventuel")

   “convey” applied to a person means the execution and delivery by such person of every necessary or suitable assurance for conveying or disposing to another land whereof such person is seized, or wherein the person is entitled to a contingent right, either for the whole estate or for any less estate, together with the performance of all formalities required by law to the validity of such conveyance, and “conveyance” has a corresponding meaning; (“transporter”, “transport”)

   “devisee” includes the heir of a devisee, and the devisee of an heir, and any person who may claim right by devolution of title of a similar description; ("légataire immobilier")

   “instrument” includes a deed, a will and a written document and an Act of the Legislature, but not a judgment or order of a court; ("acte")

   “land” includes messuages, and all other hereditaments, whether corporeal or incorporeal, chattels and other personal property transmissible to heirs, money to be laid out in the purchase of land, and any share of the same hereditaments and properties, or any of them, and any estate of inheritance, or estate for any life or lives, or other estate transmissible to heirs, and any possibility, right or title of entry or action, and any other interest capable of being inherited, whether the same estates, possibilities, rights, titles and interests, or any of them, are in possession, reversion, remainder or contingency; ("bien-fonds")

   “mortgage” is applicable to every estate, interest or property, in land or personal estate, that is merely a security for money, and “mortgagee” has a corresponding meaning and includes every person deriving title under the original mortgagee; ("hypothèque", “créancier hypothécaire”)
“personal estate” includes leasehold estates and other chattels real, and also money, shares of government and other funds, securities for money (not being real estate), debts, choses in action, rights, credits, goods, and all other property, except real estate, which by law devolves upon the executor or administrator, and any share or interest therein; (“biens meubles”)

“personal representative” means an executor, an administrator, and an administrator with the will annexed; (“représentant successoral”)

“possessed” is applicable to any vested estate less than a life estate, legal or equitable, in possession or in expectancy, in any land; (“possession”)

“securities” includes stocks, funds and shares; (“valeurs mobilières”)

“seized” is applicable to any vested interest for life, or of a greater description, and extends to estates, legal and equitable, in possession, or in futurity, in any land; (“saisi”)

“stock” includes fully paid-up shares, and any fund, annuity, or security transferable in books kept by any incorporated bank, company or society, or by instrument of transfer, either alone or accompanied by other formalities, and any share or interest therein; (“action”)

“transfer”, in relation to stock, includes the performance and execution of every deed, power of attorney, act or thing, on the part of the transferor to effect and complete the title in the transferee; (“transfert”)

“trust” does not mean the duties incident to an estate conveyed by way of mortgage but, with this exception, includes implied and constructive trusts and cases where the trustee has some beneficial estate or interest in the subject of the trust, and extends to and includes the duties incident to the office of personal representative of a deceased person, and “trustee” has a corresponding meaning and includes a trustee however appointed and several joint trustees; (“fiducie”, “fiduciaire”)

“will” includes,
(a) a testament,
(b) a codicil,
(c) an appointment by will or by writing in the nature of a will in exercise of a power, and
(d) any other testamentary disposition. (“testament”) R.S.O. 1990, c. T.23, s. 1; 2006, c. 19, Sched. B, s. 23.

INVESTMENTS
Investments authorized by other Acts or regulations
26. If a provision of another Act or the regulations under another Act authorizes money or other property to be invested in property in which a trustee is authorized to invest and the provision came into force before section 16 of Schedule B of the Red Tape Reduction Act, 1998, the provision shall be deemed to authorize investment in the property in which a trustee could invest immediately before the coming into force of section 16 of Schedule B of the Red Tape Reduction Act, 1998. 1998, c. 18, Sched. B, s. 16 (1).
Investment standards

27. (1) In investing trust property, a trustee must exercise the care, skill, diligence and judgment that a prudent investor would exercise in making investments. 1998, c. 18, Sched. B, s.16 (1).

Authorized investments

(2) A trustee may invest trust property in any form of property in which a prudent investor might invest. 1998, c. 18, Sched. B, s. 16 (1).

Mutual, pooled and segregated funds

(3) Any rule of law that prohibits a trustee from delegating powers or duties does not prevent the trustee from investing in mutual funds, pooled funds or segregated funds under variable insurance contracts, and sections 27.1 and 27.2 do not apply to the purchase of such funds. 2001, c. 9, Sched. B, s. 13 (2).

Common trust funds

(4) If trust property is held by co-trustees and one of the co-trustees is a trust corporation as defined in the Loan and Trust Corporations Act, any rule of law that prohibits a trustee from delegating powers or duties does not prevent the co-trustees from investing in a common trust fund, as defined in that Act, that is maintained by the trust corporation and sections 27.1 and 27.2 do not apply. 1998, c. 18, Sched. B, s. 16 (1); 2001, c. 9, Sched. B, s. 13 (3).

Criteria

(5) A trustee must consider the following criteria in planning the investment of trust property, in addition to any others that are relevant to the circumstances:

1. General economic conditions.
2. The possible effect of inflation or deflation.
3. The expected tax consequences of investment decisions or strategies.
4. The role that each investment or course of action plays within the overall trust portfolio.
5. The expected total return from income and the appreciation of capital.
6. Needs for liquidity, regularity of income and preservation or appreciation of capital.
7. An asset’s special relationship or special value, if any, to the purposes of the trust or to one or more of the beneficiaries. 1998, c. 18, Sched. B, s. 16 (1).

Diversification

(6) A trustee must diversify the investment of trust property to an extent that is appropriate to,

(a) the requirements of the trust; and
(b) general economic and investment market conditions. 1998, c. 18, Sched. B, s. 16 (1).

Investment advice

(7) A trustee may obtain advice in relation to the investment of trust property. 1998, c. 18, Sched. B, s. 16 (1).
Reliance on advice

(8) It is not a breach of trust for a trustee to rely on advice obtained under subsection (7) if a prudent investor would rely on the advice under comparable circumstances. 1998, c. 18, Sched. B, s. 16 (1).

Terms of trust

(9) This section and section 27.1 do not authorize or require a trustee to act in a manner that is inconsistent with the terms of the trust. 2001, c. 9, Sched. B, s. 13 (4).

Same

(10) For the purposes of subsection (9), the constating documents of a corporation that is deemed to be a trustee under subsection 1 (2) of the Charities Accounting Act form part of the terms of the trust. 2001, c. 9, Sched. B, s. 13 (4).

Trustee may delegate functions to agent

27.1 (1) Subject to subsections (2) to (5), a trustee may authorize an agent to exercise any of the trustee’s functions relating to investment of trust property to the same extent that a prudent investor, acting in accordance with ordinary investment practice, would authorize an agent to exercise any investment function. 2001, c. 9, Sched. B, s. 13 (5).

Investment plan or strategy

(2) A trustee may not authorize an agent to exercise functions on the trustee’s behalf unless the trustee has prepared a written plan or strategy that,
(a) complies with section 28; and
(b) is intended to ensure that the functions will be exercised in the best interests of the beneficiaries of the trust. 2001, c. 9, Sched. B, s. 13 (5).

Agreement

(3) A trustee may not authorize an agent to exercise functions on the trustee’s behalf unless a written agreement between the trustee and the agent is in effect and includes,
(a) a requirement that the agent comply with the plan or strategy in place from time to time; and
(b) a requirement that the agent report to the trustee at regular stated intervals. 2001, c. 9, Sched. B, s. 13 (5).

Trustee’s duty

(4) A trustee is required to exercise prudence in selecting an agent, in establishing the terms of the agent’s authority and in monitoring the agent’s performance to ensure compliance with those terms. 2001, c. 9, Sched. B, s. 13 (5).

Same

(5) For the purpose of subsection (4),
(a) prudence in selecting an agent includes compliance with any regulation made under section 30; and
(b) prudence in monitoring an agent’s performance includes,
(i) reviewing the agent’s reports.
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(ii) regularly reviewing the agreement between the trustee and the agent and how it is being put into effect, including considering whether the plan or strategy of investment should be revised or replaced, replacing the plan or strategy if the trustee considers it appropriate to do so, and assessing whether the plan or strategy is being complied with,

(iii) considering whether directions should be provided to the agent or whether the agent’s appointment should be revoked, and

(iv) providing directions to the agent or revoking the appointment if the trustee considers it appropriate to do so. 2001, c. 9, Sched. B, s. 13 (5).

Duty of agent

27.2 (1) An agent who is authorized to exercise a trustee’s functions relating to investment of trust property has a duty to do so,

(a) with the standard of care expected of a person carrying on the business of investing the money of others;
(b) in accordance with the agreement between the trustee and the agent; and
(c) in accordance with the plan or strategy of investment. 2001, c. 9, Sched. B, s. 13 (5).

No further delegation

(2) An agent who is authorized to exercise a trustee’s functions relating to investment of trust property shall not delegate that authority to another person. 2001, c. 9, Sched. B, s. 13 (5).

Proceeding against agent

(3) If an agent is authorized to exercise a trustee’s functions relating to investment of trust property and the trust suffers a loss because of the agent’s breach of the duty owed under subsection (1) or (2), a proceeding against the agent may be commenced by,

(a) the trustee; or
(b) a beneficiary, if the trustee does not commence a proceeding within a reasonable time after acquiring knowledge of the breach. 2001, c. 9, Sched. B, s. 13 (5).

Protection from liability

28. A trustee is not liable for a loss to the trust arising from the investment of trust property if the conduct of the trustee that led to the loss conformed to a plan or strategy for the investment of the trust property, comprising reasonable assessments of risk and return, that a prudent investor could adopt under comparable circumstances. 1998, c. 18, Sched. B, s. 16 (1).

Assessment of damages

29. If a trustee is liable for a loss to the trust arising from the investment of trust property, a court assessing the damages payable by the trustee may take into account the overall performance of the investments. 1998, c. 18, Sched. B, s. 16 (1).
Regulations, agents

30. The Attorney General may make regulations governing or restricting the classes of persons or the qualifications of persons who are eligible to be agents under section 27.1 and establishing conditions for eligibility. 2001, c. 9, Sched. B, s. 13 (6).

Application, ss. 27-30

31. Sections 27 to 30 apply to a trust whether it is created before or after the date section 13 of Schedule B to the Government Efficiency Act, 2001 comes into force. 2001, c. 9, Sched. B, s. 13 (6).

32. Repealed: 1998, c. 18, Sched. B, s. 16 (1).


34. Repealed: 1998, c. 18, Sched. B, s. 16 (1).
Appendix D - CFA Institute Code of Ethics and Standards of Professional Conduct

PREAMBLE
The CFA Institute Code of Ethics and Standards of Professional Conduct (Code and Standards) are fundamental to the values of CFA Institute and essential to achieving its mission to lead the investment profession globally by setting high standards of education, integrity, and professional excellence. High ethical standards are critical to maintaining the public's trust in financial markets and in the investment profession. Since their creation in the 1960s, the Code and Standards have promoted the integrity of CFA Institute members and served as a model for measuring the ethics of investment professionals globally, regardless of job function, cultural differences, or local laws and regulations. All CFA Institute members (including holders of the Chartered Financial Analyst® (CFA®) designation) and CFA candidates must abide by the Code and Standards and are encouraged to notify their employer of this responsibility. Violations may result in disciplinary sanctions by CFA Institute. Sanctions can include revocation of membership, candidacy in the CFA Program, and the right to use the CFA designation.

THE CODE OF ETHICS
Members of CFA Institute (including Chartered Financial Analyst® [CFA®] charterholders) and candidates for the CFA designation (“Members and Candidates”) must:

STANDARDS OF PROFESSIONAL CONDUCT
• Act with integrity, competence, diligence, respect, and in an ethical manner with the public, clients, prospective clients, employers, employees, colleagues in the investment profession, and other participants in the global capital markets.
• Place the integrity of the investment profession and the interests of clients above their own personal interests.
• Use reasonable care and exercise independent professional judgment when conducting investment analysis, making investment recommendations, taking investment actions, and engaging in other professional activities.
• Practice and encourage others to practice in a professional and ethical manner that will reflect credit on themselves and the profession.
• Promote the integrity of, and uphold the rules governing, capital markets.
• Maintain and improve their professional competence and strive to maintain and improve the competence of other investment professionals.

I. PROFESSIONALISM
A. Knowledge of the Law. Members and Candidates must understand and comply with all applicable laws, rules, and regulations (including the CFA Institute Code of Ethics and Standards of Professional Conduct) of any government, regulatory organization, licensing agency, or professional association governing their professional activities. In the event of conflict, Members and Candidates must comply with the more strict law, rule, or regulation. Members and Candidates must not knowingly participate or assist in and must dissociate from any violation of such laws, rules, or regulations.

B. Independence and Objectivity. Members and Candidates must use reasonable care and judgment to achieve and maintain independence and objectivity in their professional activities. Members and Candidates must not offer, solicit, or accept any gift,
benefit, compensation, or consideration that reasonably could be expected to compromise their own or another’s independence and objectivity.

C. Misrepresentation. Members and Candidates must not knowingly make any misrepresentations relating to investment analysis, recommendations, actions, or other professional activities.

D. Misconduct. Members and Candidates must not engage in any professional conduct involving dishonesty, fraud, or deceit or commit any act that reflects adversely on their professional reputation, integrity, or competence.

II. INTEGRITY OF CAPITAL MARKETS
A. Material Nonpublic Information. Members and Candidates who possess material nonpublic information that could affect the value of an investment must not act or cause others to act on the information.

B. Market Manipulation. Members and Candidates must not engage in practices that distort prices or artificially inflate trading volume with the intent to mislead market participants.

III. DUTIES TO CLIENTS
A. Loyalty, Prudence, and Care. Members and Candidates have a duty of loyalty to their clients and must act with reasonable care and exercise prudent judgment. Members and Candidates must act for the benefit of their clients and place their clients’ interests before their employer’s or their own interests. In relationships with clients, Members and Candidates must determine applicable fiduciary duty and must comply with such duty to persons and interests to whom it is owed.

B. Fair Dealing. Members and Candidates must deal fairly and objectively with all clients when providing investment analysis, making investment recommendations, taking investment action, or engaging in other professional activities.

C. Suitability.
1. When Members and Candidates are in an advisory relationship with a client, they must:
   a. Make a reasonable inquiry into a client’s or prospective clients’ investment experience, risk and return objectives, and financial constraints prior to making any investment recommendation or taking investment action and must reassess and update this information regularly.
   b. Determine that an investment is suitable to the client’s financial situation and consistent with the client’s written objectives, mandates, and constraints before making an investment recommendation or taking investment action.
   c. Judge the suitability of investments in the context of the client’s total portfolio.
2. When Members and Candidates are responsible for managing a portfolio to a specific mandate, strategy, or style, they must only make investment recommendations or take investment actions that are consistent with the stated objectives and constraints of the portfolio.

D. Performance Presentation. When communicating investment performance information, Members or Candidates must make reasonable efforts to ensure that it is fair, accurate, and complete.
E. Preservation of Confidentiality. Members and Candidates must keep information about current, former, and prospective clients confidential unless:
1. The information concerns illegal activities on the part of the client or prospective client.
2. Disclosure is required by law.
3. The client or prospective client permits disclosure of the information.

IV. DUTIES TO EMPLOYERS
A. Loyalty. In matters related to their employment, Members and Candidates must act for the benefit of their employer and not deprive their employer of the advantage of their skills and abilities, divulge confidential information, or otherwise cause harm to their employer.

B. Additional Compensation Arrangements. Members and Candidates must not accept gifts, benefits, compensation, or consideration that competes with, or might reasonably be expected to create a conflict of interest with, their employer’s interest unless they obtain written consent from all parties involved.

C. Responsibilities of Supervisors. Members and Candidates must make reasonable efforts to detect and prevent violations of applicable laws, rules, regulations, and the Code and Standards by anyone subject to their supervision or authority.

V. INVESTMENT ANALYSIS, RECOMMENDATIONS, AND ACTION
A. Diligence and Reasonable Basis. Members and Candidates must:
1. Exercise diligence, independence, and thoroughness in analyzing investments, making investment recommendations, and taking investment actions.
2. Have a reasonable and adequate basis, supported by appropriate research and investigation, for any investment analysis, recommendation, or action.

B. Communication with Clients and Prospective Clients.
Members and Candidates must:
1. Disclose to clients and prospective clients the basic format and general principles of the investment processes used to analyze investments, select securities, and construct portfolios and must promptly disclose any changes that might materially affect those processes.
2. Use reasonable judgment in identifying which factors are important to their investment analysis, recommendations, or actions and include those factors in communications with clients and prospective clients.
3. Distinguish between fact and opinion in the presentation of investment analysis and recommendations.

C. Record Retention. Members and Candidates must develop and maintain appropriate records to support their investment analysis, recommendations, actions, and other investment-related communications with clients and prospective clients.

VI. CONFLICTS OF INTEREST
A. Disclosure of Conflicts. Members and Candidates must make full and fair disclosure of all matters that could reasonably be expected to impair their independence and objectivity or interfere with respective duties to their clients, prospective clients, and employer. Members and Candidates must ensure that such disclosures are prominent, are delivered in plain language, and communicate the relevant information effectively.
B. Priority of Transactions. Investment transactions for clients and employers must have priority over investment transactions in which a Member or Candidate is the beneficial owner.

C. Referral Fees. Members and Candidates must disclose to their employer, clients, and prospective clients, as appropriate, any compensation, consideration, or benefit received from, or paid to, others for the recommendation of products or services.

VII. RESPONSIBILITIES AS A CFA INSTITUTE MEMBER OR CFA CANDIDATE

A. Conduct as Members and Candidates in the CFA Program.
Members and Candidates must not engage in any conduct that compromises the reputation or integrity of CFA Institute or the CFA designation or the integrity, validity, or security of the CFA examinations.

B. Reference to CFA Institute, the CFA designation, and the CFA Program.
When referring to CFA Institute, CFA Institute membership, the CFA designation, or candidacy in the CFA Program, Members and Candidates must not misrepresent or exaggerate the meaning or implications of membership in CFA Institute, holding the CFA designation, or candidacy in the CFA Program.
### OBSERVATIONS OF EXISTING SYSTEM

1. **Power of Attorney (POA) for Property**
   Residents may have appointed a POA for Property who is legally authorized to make decisions regarding the resident’s finances and receive financial information.

   Residents have the option to maintain a Personal Trust Account (PTA) administered by the home. This acts as a bank account to withdraw funds or charge for optional services authorized on the Purchases of Services Agreement. A review of ten residents’ PTAs at each Lodge identified:
   - Three PTA statements sent to and two Purchases of Services Agreements signed by a POA for Property without legal documentation supporting the appointment of the individual.
   - One Purchases of Services Agreement signed by and sent to an individual other than the POA for Property on record.

### RECOMMENDATION FOR STRENGTHENING SYSTEM

- That legal documentation supporting the appointment of the POA for Property be required on admission and signing of the Purchase of Services Agreement.

### MANAGEMENT ACTION PLAN

- Disagreed. Not all residents have assigned a POA for Property on Admission. Residents may request that family members or friends be responsible for ensuring that their finances are managed when they are no longer able. These family members and friends are privy to the transactions through the Personal Trust Accounts and deposit funds into the residents’ accounts, as required. The family member or friend cannot withdraw any funds without the POA for Property.

On admission, residents capable of making decisions regarding their finances, but who do not have a Power of Attorney for Property, will now be requested to sign a form stating that they give permission to the person of their choice for access to their financial information.
## COMMUNITY AND EMERGENCY SERVICES
HOMES FOR THE AGED – ACCOMMODATION FEES AND TRUST FUNDS
DECEMBER 2013

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| 1. | Power of Attorney (POA) for Property (Cont’d)  
- PTA statements sent to the residents’ billing contacts who, on occasion, differ from the POAs for Property.  
Without adequate legal documentation supporting the individuals’ appointment as POA for Property, residents’ confidential financial information may be released to or decisions on behalf of residents made by unauthorized parties.  
Further, family or friends may make deposits into residents’ PTAs. They are provided receipts showing the trust account balances. This results in residents’ confidential financial information being released to unauthorized parties. | That all PTA statements be addressed only to the resident or POA for Property. | Disagreed. The PTA statements are addressed to the billing contacts who may not be the POAs for Property. The billing contact is the person that the resident has chosen to manage his/her finances. The billing contact needs to know what transactions have occurred every quarter and is requested to deposit funds into the PTA for those expenses agreed to on the Purchase of Services Agreement. |
| | | That resident account balances be blacked out on deposit receipts provided to individuals other than the resident or POA for Property. | Partially disagreed. For the same reasons as noted above, the regular person depositing funds who is either a family member or friend and who does not hold a POA for Property should see the balance to ensure there are sufficient funds for ongoing charges. However, on admission, residents capable of making decisions regarding their finances, but who do not have a Power of Attorney for Property, will be requested to sign a form stating that they give permission to the person of their choice for access to their financial information. Other individuals simply depositing funds for the resident (e.g. as gifts) will not be provided with the trust account balance on the receipt. |
## COMMUNITY AND EMERGENCY SERVICES
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<td>2.</td>
<td>Authorized Services &lt;br&gt;On admission, the Admissions Counsellor enters into Point Click Care (PCC) the authorized optional services allowed to be charged to a resident’s PTA from the authorization provided by the signed Purchase of Services Agreement. One resident at Macassa Lodge and three residents at Wentworth Lodge were identified with services authorized / not authorized in PCC that differed from their signed Agreement. In fact, two residents in the sample tested at Wentworth Lodge had charges to their PTA for services that were not authorized on their signed Agreement. &lt;br&gt;For certain services, a listing of authorized residents is provided to the service provider, using information from PCC. The Business Office Clerk also checks the PCC when service providers request confirmation of resident authorization for services. If this information is not accurate, it can result in unauthorized services being charged to resident accounts.</td>
<td>That the Business Office Clerk sign off on the verification of authorizations on the Purchase of Services Agreement against entries in Point Click Care to confirm the accuracy of information entered by the Admissions Counsellor.</td>
<td>Agreed. The Business Office Clerk will verify (initial) the services indicated on the Purchase of Services Agreement against the services entered into PCC. To be implemented by February 2014.</td>
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<td>3.</td>
<td>Sequential Ordering</td>
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<td>Deposits and withdrawals made to/from a resident’s PTA are supported by a signed slip or batch. The slips and batches are automatically pre-numbered by Point Click Care, the system used to track PTA balances and transactions.</td>
<td>That the month end review of slips and batches include checking their sequential ordering. Spot checks should be performed to ensure sequences recorded agree to supporting documentation.</td>
<td>Agreed. The month-end review will include the checking of the sequential ordering of slips and batches and will ensure that they match supporting documentation. To be implemented by February 2014.</td>
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<td>The Business Office Clerk records the sequences on the daily reconciliations. During the month of July, one slip and nine deposit batches at Macassa and two deposit batches at Wentworth were omitted from the recorded sequence listing. However, they were attached as supporting documentation. There was no evidence of review to ensure slips and batches were accounted for in sequential order.</td>
<td>That the sequential ordering of withdrawal batches be recorded on the daily reconciliation.</td>
<td>Agreed. The sequential ordering of withdrawal batches will be recorded on the daily reconciliation. Has been implemented in January 2014.</td>
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<td>In addition, the sequential ordering of withdrawal batches is not consistently recorded or reviewed. These batches are not signed off as evidence of management review for items paid from cash.</td>
<td>That management signoff on withdrawal batches for items paid by cash as evidence of review.</td>
<td>Agreed. The Business Office Supervisor will sign off on withdrawal batches for items paid by cash. Has been implemented in January 2014.</td>
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<td>When the sequence of transactions is not reviewed, the risk of fraudulent transactions being posted through PCC to cover misappropriated resident funds increases.</td>
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<td>4.</td>
<td><strong>Cash Box Maximums</strong>&lt;br&gt;Funds are available for residents requesting withdrawals from their PTAs through the use of a cash box at each Lodge. The Cash Box Maximum policy states that no more than $2,000 and $1,500 are to be kept in the cash tray at Macassa and Wentworth Lodges respectively. Cash tray balances exceeded the maximum at Macassa Lodge for 13 days during the test month of July 2013.&lt;br&gt;Excess cash available to clerks increases the risk of misappropriation, lapping or theft of funds.</td>
<td>That the Business Office Supervisor transfer funds exceeding the cash box maximums (as per policy) into the safe.</td>
<td>Agreed. A new practice was introduced in late 2013 whereby the Business Office Clerks email their final closing cash balances daily to the Business Office Supervisor to ensure that the cash boxes do not exceed the maximum as per policy. On occasion, the cash box may exceed the amount if there is, for example, a shopping trip planned for the next day for residents and additional cash may be required. Has been implemented in October 2013.</td>
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<td>5.</td>
<td><strong>Security - Personal Trust Deposits</strong>&lt;br&gt;Residents or families may place cash or cheques for deposit in the residents’ PTAs through the mail slot of the Business Office outside regular business hours. These amounts land on the desk inside the Business Office. Management and maintenance and housekeeping staff all have access to this area outside regular business hours. In addition, at Wentworth, all clerks with a key can access the office after hours.&lt;br&gt;When access is not restricted, the potential for unauthorized entry and misappropriation of cash and cheques is increased.</td>
<td>That a locked drop box be used to collect deposits outside regular business hours.</td>
<td>Agreed. The purchase/installation of locked boxes at both locations is currently being investigated. To be completed by March 2014.</td>
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<td>6</td>
<td>Safeguarding of Cheques&lt;br&gt;Accommodation cheques, whether received at Macassa or Wentworth Lodge, are endorsed when the payment is processed (approximately weekly). Even though the cheques are kept locked up, the potential for loss, theft or misappropriation is increased when cheques are not endorsed when received. &lt;br&gt;Accommodation payments for both Lodges are processed by the Financial Assistant (FA) at Macassa Lodge. Cheque payments for accommodation invoices may be mailed or dropped at the Lodge. When payments are received at Wentworth Lodge, they are not logged and are subsequently placed in interoffice mail to be delivered to the Financial Assistant at Macassa Lodge for processing. &lt;br&gt;When cheques received are not logged and handled by multiple parties, in addition to not being endorsed as noted above, the risk of misappropriation or loss is increased. Additional time may be spent trying to track misplaced cheques.</td>
<td>That accommodation cheques are restrictively endorsed immediately upon receipt. &lt;br&gt;That a log of all accommodation cheques received at Wentworth Lodge be kept by the Business Office Clerk. The date the cheques are sent through interoffice mail should also be noted.</td>
<td>Agreed. Cheques are now endorsed upon receipt. Has been implemented in January 2014. &lt;br&gt;Agreed. The Business Office Clerk at Wentworth Lodge will email the FA1 at Macassa a copy of the log when the Business Office at Wentworth is sending the cheques in the interoffice mail to the FA1 to process so that she is informed that the cheques are being sent. The FA1 will use the log as a double check to ensure that she has received all the cheques sent. To be implemented in March 2014.</td>
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<td>7.</td>
<td>Segregation of Duties - Administration</td>
<td>That accommodation payments and deposits be prepared and reviewed by another staff (independent of the FA) in the absence of the BOS.</td>
<td>Agreed. In the absence of the BOS, another member of the Management Team will sign off on accommodation payments and deposits. To be implemented in February 2014.</td>
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<td>The Business Office Supervisor (BOS) reviews the cheque receipts for accommodation payments (as recorded by the Financial Assistant (FA)), prepares the deposit and takes it to the bank. When the BOS is away, the FA prepares and makes the deposit. The FA also prepares invoices, posts payments in Point Click Care and records journal entries in the PeopleSoft accounts. This does not provide adequate segregation of duties as the FA would bill, collect, record and deposit accommodation funds when she fills in for the BOS.</td>
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<td>A part-time clerk performs monthly reviews of residents' PTAs which include reviewing daily and monthly reconciliations and backup. On occasion, the same part-time clerk fills in for the Business Office Clerk and receives / distributes cash to residents and prepares daily reconciliations. As a result, the part-time clerk could review his/her own reconciliations and transactions at the end of the month. When there is no independent review of daily reconciliations, the clerk has the opportunity to change documentation, conceal shortages and misappropriate funds.</td>
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<td>RECOMMENDATION FOR STRENGTHENING SYSTEM</td>
<td>MANAGEMENT ACTION PLAN</td>
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<td>9.</td>
<td>Updated Accommodation Agreements</td>
<td>That the BOS review the Monthly Census Report for internal transfers to ensure new agreements are requested for all changes.</td>
<td>Agreed. The Business Office Supervisor will review the Monthly Census Report and the PCC Action Summary report to ensure new Accommodation Agreements are completed, as required. To be implemented in February 2014.</td>
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</table>

When residents internally transfer from one accommodation type to another (e.g. basic to semi private), the Business Office Supervisor will run a report in PCC of internal transfers and prepare and send an updated accommodation agreement to be signed by the resident or the POA for Property. If a resident does not physically change rooms but the room he/she resides in changes types, it does not show on the PCC report and the BOS will not be alerted to send an updated agreement. One instance was noted of this occurring in the sample testing.

Updated agreements are required as evidence of the accommodation type and rate agreed to by the resident or his/her representative.
ADDENDUM

The following items were noted during the course of the audit. Although they do not present internal control deficiencies, they are indicated in this Addendum so management is aware of the issues and can address them appropriately.

Bad Debt Reimbursement

1. The Local Health Integration Network (LHIN) will reimburse one half (50%) of eligible bad debt expenses. Bad debts are to be reported on the annual return prepared by the long term care Home. Bad debts were reported for reimbursement on the 2011 annual return - $10,536 at Macassa and $71,194 at Wentworth (there were no write offs during 2012 and 2013 has not yet been completed). The 2011 reimbursement was denied by the Ministry in 2013 as the original charges were not billed for the 2011 year (but were approved by Council for write off in 2011).

It is recommended:
That the Business Administrator obtain clarification on the timing of filing bad debts for reimbursement to ensure criteria are met on future submissions.

Management Response:
Agreed. Ministry procedure regarding write-offs was ambiguous and further clarification regarding the timing of filing of bad debts for reimbursement has been obtained. A cost benefit analysis will be undertaken for 2012 returns to determine if amendments are required. Current City practices regarding the reporting of bad debts now reflect Ministry guidelines.

It is recommended:
That the Business Administrator follow up with the Ministry of Health and Long-Term Care to determine if previous annual returns can be amended and bad debts submitted for reimbursement.

Management Response:
Agreed. Amounts reported on the 2011 annual returns were historical prior year amounts and could not be settled with the Ministry of Health and Long Term Care for 50% reimbursement. Years prior to 2012 cannot be amended.
Present: Councillor, J. Farr, Chair
Councillor S. Merulla, Vice-Chair
Councillors S. Duvall, T. Jackson, B. McHattie, R. Morrow, and T. Whitehead

Also present: Councillor C. Collins

Absent with Regrets: Councillor J. Partridge, personal

THE EMERGENCY AND COMMUNITY SERVICES COMMITTEE PRESENTS REPORT 14-002 AND RESPECTFULLY RECOMMENDS:

1. Letter of Resignation from the Food and Shelter Advisory Committee submitted by Thayra Marting (Item 5.1)

That the Letter of Resignation from the Food and Shelter Advisory Committee submitted by Thayra Marting be received.

2. Social Housing Reserve Fund - McGivney Community Homes Inc. (CES14018) (City Wide) (Item 5.3)

That Report CES14018 respecting Social Housing Reserve Fund - McGivney Community Homes Inc. be received.

3. Social Housing Reserve Funds for Waterdown Rotary Garden Court Inc. (CES14019) (Ward 15) (Item 5.4)

That the General Manager of the Community and Emergency Services Department be authorized and directed to fund Waterdown Rotary Garden Court Inc. at 30 John Street, Waterdown up to a total of $150,000 for emergency capital repairs from the Social Housing Reserve Fund (#112248).

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4. **2014 Provincial Child Care Funding Allocation for the City of Hamilton (CES14007) (City Wide) (Item 5.5)**

   (a) That the City of Hamilton accept the additional 2014 Child Care base funding in the amount of $2,802,537 (100% Provincial) from the Ministry of Education;

   (b) That the General Manager of the Community and Emergency Services Department be authorized to execute the 2014 Child Care Service Agreement with the Ministry of Education in a form satisfactory to the City Solicitor.

5. **Older Adult Plan (CES14012) (City Wide) (Item 5.6)**

   That Report CES14012 respecting Older Adult Plan be received.

6. **Renewal of Funding from Citizenship and Immigration Canada for the Immigration Strategy (CS10043(d)) (City Wide) (Item 5.7)**

   (a) That the City of Hamilton accept $493,636 from Citizenship and Immigration Canada for the purpose of supporting the Hamilton Immigration Partnership Council and the continued implementation of the Immigration Strategy over the next two fiscal years from April 1, 2014 to March 31, 2016;

   (b) That the General Manager of Community and Emergency Services be authorized to execute the renewed Contribution Agreement between the City of Hamilton and Citizenship and Immigration Canada, subject to any amendments approved by the General Manager of Community and Emergency Services and in a form satisfactory to the City Solicitor.


   That Report CES14011 respecting Resident Petition of St. Thomas More Secondary School Artificial Turf Surface be received.

8. **Expenditures from Social Housing Reserve Fund (Account #112248) (CS13004(a)) (Wards 2,3,4,6,7,12 & 15) (Item 8.1)**

   (a) That the General Manager of the Community and Emergency Services Department or her designate, be authorized and directed to enter into a
funding agreement, in a form satisfactory to the City Solicitor, with the Sons of Italy (Hamilton) Housing Corporation for a total of $590,000, ($500,000 in 2013 capital funding and $90,000 from the Social Housing Reserve Fund (#112248)) for repairs and renovations to six properties at 31 & 44 Steven Street, 38 East Avenue North, 2 & 40 Madison Avenue, and 32 Ashley Street;

(b) That the General Manager of the Community and Emergency Services Department or her designate, be authorized and directed to enter into a funding agreement, in a form satisfactory to the City Solicitor, with the Hamilton East Kiwanis Non-Profit Homes Inc. for a total of $73,950, for repairs and renovations to one property at 30 Kensington Avenue North from the Social Housing Reserve Fund (#112248);

(c) That the General Manager of the Community and Emergency Services Department or her designate, be authorized and directed to enter into a funding agreement, in a form satisfactory to the City Solicitor, with CityHousing Hamilton for a total of $847,400 for repairs and renovations to 12 properties at 740 Brittania Avenue, 85 Bellingham Drive, 37 Bernard Street, 893 Fennell Avenue East, 19, 26 & 30 Sumach Street, 20 Eaton Place, 20 Armstrong Avenue, 19 Thorley Street, and 5 & 7 Seeley Avenue, from the Social Housing Reserve Fund (#112248).

9. Capital Projects' Status Report as of December 31, 2013 (CS13036(b)) (City Wide) (Item 8.2)

That Report CS13036(b) respecting Capital Projects' Status Report as of December 31, 2013, be received.

10. Recreation Concessions at City Operated Facilities (CES14014) (City Wide) (Item 8.3)

(a) That staff consult with volunteer user groups in City operated arenas to determine the level of interest in participating in a pilot project for the operation of City arena concessions;

(b) That staff undertake a pilot project from September 2014 to March 2015 at a maximum of six City-operated arena concessions to test the feasibility of transferring the operation of arena concessions to volunteer organizations and associations;

(c) That the Director of Recreation be authorized to select the pilot location sites after consulting with the volunteer user groups;

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(d) That a Request for Proposal (RFP) be issued to select the volunteer user groups that will operate the concessions in the selected pilot sites.

FOR THE INFORMATION OF COUNCIL:

(a) CHANGES TO THE AGENDA (Item 1)
The Committee Clerk advised there were no changes to the agenda.

The agenda was approved as presented.

(b) DECLARATIONS OF INTEREST (Item 2)
There were none declared.

(c) APPROVAL OF MINUTES OF PREVIOUS MEETING (Item 3)
The Minutes of the February 10, 2014 meeting were approved as presented.

(d) DELEGATION REQUESTS (Item 4)

The delegation request from Matt Jelly respecting proposal of a series of reforms to the City of Hamilton's Zero Tolerance Policy for Violence in Recreational Properties & Facilities was approved.

(e) CONSENT ITEMS (Item 5.1)
The following Advisory Committee Minutes were received:

(i) Senior Advisory Committee Minutes, November 1, 2013.

(ii) Senior Advisory Committee Minutes, December 6, 2013.

(iii) Hamilton Youth Advisory Committee Minutes, February 19, 2013

(iv) Hamilton Youth Advisory Committee Minutes, March 19, 2013

(v) Hamilton Youth Advisory Committee Minutes, April 16, 2013
(vi) Hamilton Youth Advisory Committee Minutes, May 21, 2013
(vii) Hamilton Youth Advisory Committee Minutes, June 18, 2013
(viii) Hamilton Youth Advisory Committee Minutes, September 17, 2013
(ix) Hamilton Youth Advisory Committee Minutes, October 15, 2013
(x) Hamilton Youth Advisory Committee Minutes, November 19, 2013
(xi) Hamilton Youth Advisory Committee Minutes, December 17, 2013
(xii) Hamilton Veterans Committee Minutes, November 12, 2013
(xiii) Hamilton Veterans Committee Minutes, December 10, 2013
(xiv) Hamilton Veterans Committee Minutes, January 14, 2014

(f) DISCUSSION ITEMS (Item 8)

(i) Recreation Concessions at City Operated Facilities (CES14014) (City Wide) (Item 8.3)

Committee approved the staff report respecting Recreation Concessions at City Operated Facilities including subsection (e) as follows:

(e) That staff report back to the Emergency and Community Services Committee upon completion of the pilot project with an evaluation of the pilot and recommendation(s) for future management and operations of City-operated arena concessions.

(g) NOTICES OF MOTION (Item 10)

Councillor Merulla presented the following Notice of Motion:

Re: First Urban Fitness Trail

Whereas, the City of Hamilton has a significant parcel of land dormant in the McQuesten Neighbourhood; and

Whereas, the McQuesten Neighbourhood is in the process of developing the first urban farm which conforms to better Public Health, Community Services and Neighbourhood Strategies to be the best place in Canada to raise a child,

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promote innovation, engage citizens and provide diverse economic opportunities; and

Whereas, the obesity issue as it pertains to Public Health is of concern;

Therefore be it resolved:

That staff be directed to undertake an assessment to develop the first urban fitness trail in that parcel of land that would connect to the Redhill Valley Trail, the Bruce Trail and the Hamilton-Brantford Rail Trail thereby providing an expansion on the City’s existing trail system which is second to none.

(h) GENERAL INFORMATION (Item 11)

(i) Outstanding Business List

On a motion, Committee approved the following changes to the Outstanding Business list:

(1) The due dates of the following Items were amended as indicated:

Item "B"- Report back annually re: CPR training for members of the community and the frequency of CPR performance.
New Due Date: September 8, 2014

Item "D" - (a) Report back re: Food4Kids Program
Item "D" - (b) Report back re: Universal School Nutrition Program.
New Due Date: June 9, 2014

Item "G" - Staff to undertake feasibility study of constructing and operating indoor recreation facilities at the Mohawk 4 Ice Centre and report back.
New Due Date: June 9, 2014

Item "H" (a) - Report back re: wage status of part-time staff in comparison to the Hamilton Living Wage
Item "H" (b) - Report back re: how to use purchasing policy to promote community social and economic well being.
New Due Date: September 8, 2014

Item "L" (a) - Fire Chief to report re: letter regarding transportation of Hazardous materials by Rail through Dundas, Ontario
New Due Date: September 8, 2014
(2) The following items were removed from the outstanding business list:

Item "F" (a) - Report back re: proposal for a not-for-profit group to operate an identified City facility
Item "F" (b) - Report back re: transferring the operation of concession stands in City facilities to volunteer organizations.

Item "J" - petition from residents of the St. Thomas More Precinct re: rental of sports fields to outside groups.

(i) ADJOURNMENT (Item 13)

There being no further business, the Emergency & Community Services Committee meeting adjourned at 2:17 p.m.

Respectfully submitted,

Councillor J. Farr, Chair
Emergency & Community Services Committee

Ida Bedioui
Legislative Co-ordinator
Office of the City Clerk