

**Authority:** Item 3, Public Works Committee  
Report 22-004 (PW22013)  
CM: March 30, 2022  
Ward: 7

**Bill No. 091**

**CITY OF HAMILTON**

**BY-LAW NO. 22-091**

**To Establish City of Hamilton Land  
Described as Block 6 on Plan 62M-998  
as Part of Genoa Drive**

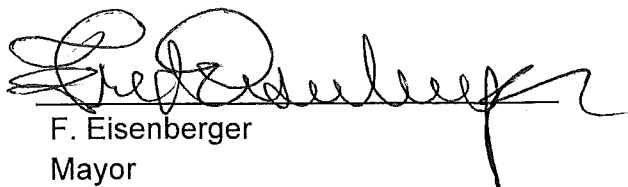
**WHEREAS** sections 8, 9 and 10 of the *Municipal Act, 2001*, as amended, authorize the City of Hamilton to pass by-laws necessary or desirable for municipal purposes, and in particular by-laws with respect to highways;

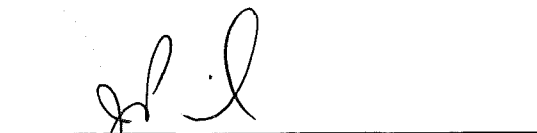
**AND WHEREAS** section 31(2) of the *Municipal Act, 2001*, as amended, provides that land may only become a highway by virtue of a by-law establishing the highway.

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

1. The land, owned by and located in the City of Hamilton, described as Block 6 on Plan 62M-998, is established as a public highway, forming part of Genoa Drive;
2. The General Manager of Public Works or their authorized agent is authorized to establish the said land as a public highway; and
3. This By-law comes into force on the date of its registration in the Land Registry Office (No. 62).

**PASSED** this 27<sup>th</sup> day of April, 2022.

  
F. Eisenberger  
Mayor

  
\_\_\_\_\_  
J. Pilon  
Acting City Clerk

**Authority:** Item 3, Emergency & Community  
Services Committee Report 22-006  
(HCS22025)  
Ward: City Wide  
**Bill No. 092**

## **CITY OF HAMILTON**

### **BY-LAW NO. 22-092**

**To Authorize the Execution of the Ontario Transfer Payment Agreement for the Canada-Ontario Community Housing Initiative and the Ontario Priorities Housing Initiative between the City of Hamilton and Her Majesty the Queen in right of Ontario as represented by the Minister of Municipal Affairs and Housing for the Province of Ontario to Receive Funding Under the Canada-Ontario Community Housing Initiative and the Ontario Priorities Housing Initiative**

**WHEREAS** the City is the Service Manager under the *Housing Services Act, 2011* and is authorized to operate and manage housing, including establishing, administering and funding programs for the provision of residential accommodation in its service area;

**AND WHEREAS** the Ministry of Municipal Affairs and Housing has allocated three years of funding to the City of Hamilton under the Canada-Ontario Community Housing Initiative to repair, regenerate and expand community housing, and to protect affordability support for tenants, and the Ontario Priorities Housing Initiative to address local priorities in the areas of housing supply and affordability, including affordable rental construction, community housing repair, rental assistance, tenant supports, and affordable homeownership, in its service area;

**AND WHEREAS** in May 2019, the Ministry of Municipal Affairs and Housing established the 10-year plan for the Canada-Ontario Community Housing Initiative and the Ontario Priorities Housing Initiative which outlined guidelines through 2028;

**AND WHEREAS** on August 23, 2021, the Ministry of Municipal Affairs and Housing outlines the 2022-2023 planning allocation of \$4,672,594 funding for Canada-Ontario Community Housing Initiative and \$3,390,400 funding for Ontario Priorities Housing Initiative;

**AND WHEREAS** the Minister has not yet released the implementing regulations for both programs;

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

1. Upon receipt of the implementing regulations, the General Manager of the Healthy and Safe Communities Department or their designate is authorized and directed to enter into and sign a Transfer Payment Agreement between the City of Hamilton and Her Majesty the Queen in right of Ontario as represented by the

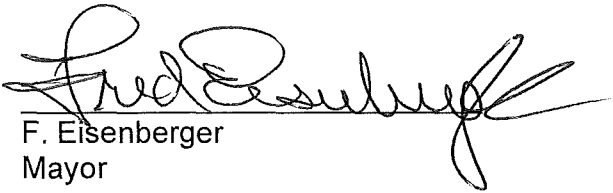
To Authorize the Execution of the Ontario Transfer Payment Agreement for the Canada-Ontario Community Housing Initiative and the Ontario Priorities Housing Initiative between the City of Hamilton and Her Majesty the Queen in right of Ontario as represented by the Minister of Municipal Affairs and Housing for the Province of Ontario to Receive Funding Under the Canada-Ontario Community Housing Initiative and the Ontario Priorities Housing Initiative

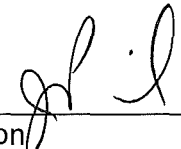
Page 2 of 2

Minister of Municipal Affairs and Housing for the Province of Ontario to receive funding under the Canada-Ontario Community Housing Initiative and the Ontario Priorities Housing Initiative;

2. This By-Law shall come into effect upon its passing.

**PASSED** this 27<sup>th</sup> day of April, 2022.

  
F. Eisenberger  
Mayor

  
\_\_\_\_\_  
J. Pilon  
Acting City Clerk

**Authority:** Item 2, Planning Committee  
Report: 22-005 (PED22062)  
CM: April 13, 2022  
Ward: 2

**Bill No. 094**

**CITY OF HAMILTON**

**BY-LAW NO. 22-094**

**To Adopt:**

**Official Plan Amendment No. 248  
to the City of Hamilton Official Plan**

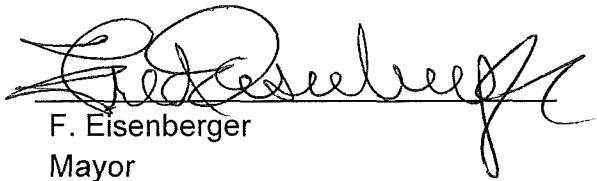
Respecting:

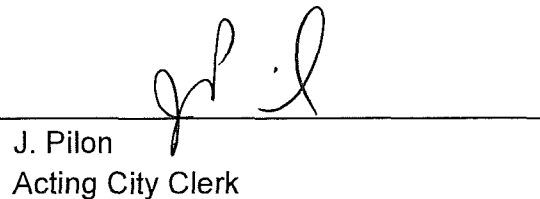
**222, 226 and 228 Barton Street East and 255, 257, 261, 263 and 265 Wellington  
Street North, Hamilton**

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

1. Amendment No. 248 to the City of Hamilton Official Plan consisting of Schedule "1", hereto annexed and forming part of this by-law, is hereby adopted.

**PASSED** this 27<sup>th</sup> day of April, 2022.

  
F. Eisenberger  
Mayor

  
J. Pilon  
Acting City Clerk

**Amendment No. 248**  
**to the**  
**City of Hamilton Official Plan**

The following text, together with Appendix "A", attached hereto, constitutes Official Plan Amendment No. 248 to the City of Hamilton Official Plan.

**1.0 Purpose and Effect:**

The purpose and effect of this Amendment is to amend the West Harbour (Setting Sail) Secondary Plan by changing the designation of a portion of the subject lands from "Low Density Residential" and "Local Commercial" to "Mixed Use" and by establishing a Special Policy Area to permit a seven storey mixed use apartment building with commercial uses on the ground floor, professional offices and professional medical offices on the second floor and residential dwelling units on the upper storeys.

**2.0 Location:**

The lands affected by this Amendment are known municipally as 222, 226 and 228 Barton Street East and 255, 257, 261, 263 and 265 Wellington Street North, in the former City of Hamilton.

**3.0 Basis:**

The basis for permitting this Amendment is as follows:

- The proposed development efficiently utilizes the existing infrastructure, positively contributes to the streetscape, and makes use of an underutilized parcel;
- The proposed development implements the vision of the West Harbour (Setting Sail) Secondary Plan in that it maintains Barton Street East as a primary retail street, while providing intensification at a form and scale that is compatible with the surrounding area;
- The Amendment is consistent with the Provincial Policy Statement, 2020 and conforms to the Growth Plan for the Greater Golden Horseshoe, 2019, as

amended.

#### **4.0 Changes:**

#### **4.1 Text Changes:**

4.1.1 That a new Policy be added to the City of Hamilton Official Plan as Policy No. A.6.3.3.1.17.3:

"A.6.3.3.1.17.3 The following shall apply to the lands known municipally as 222, 226 and 228 Barton Street East and 255, 257, 261, 263 and 265 Wellington Street North, designated Mixed Use and identified as Site Specific Policy Area – 13 on Schedule M-2: General Land Use of the West Harbour (Setting Sail) Secondary Plan:

- i) In addition to Policy A.6.3.3.1.17 i), an apartment building with ground-floor, street-related commercial uses and second floor commercial uses shall be permitted;
- ii) In addition to Policy A.6.3.3.1.17 ii) a professional medical office shall be permitted on the ground floor;
- iii) The range of commercial uses permitted on the second floor of the building shall include business, personal services, professional office, and professional medical offices; and,
- iv) Notwithstanding Policy A.6.3.3.1.17 iv), the maximum building height shall be 7 storeys."

#### **4.2 Map/Schedule Changes:**

4.2.1 That Schedule M-2: General Land Use Map, of the West Harbour (Setting Sail) Secondary Plan is amended by:

- a) Redesignating the lands at 255, 257, 261, 263 and 263 Wellington Street North from "Low Density Residential" to "Mixed Use";
- b) Redesignating the lands at part of 222 Barton Street East, 226 and 228 Barton Street East and 265 Wellington Street North from "Local

Commercial" to "Mixed Use"; and,

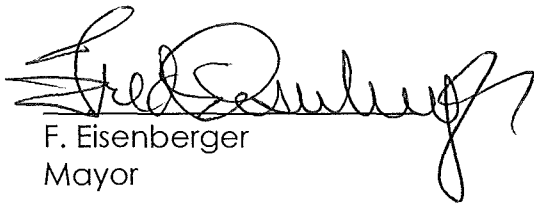
- c) identifying the subject lands as Special Policy Area – 13,  
as shown on Appendix "A" to this Amendment.

**5.0 Implementation:**

An implementing Zoning By-law Amendment will give effect to this Amendment.

This is Schedule "1" to By-law No. 22-094 passed on the 27<sup>th</sup> day of April, 2022.

**The  
City of Hamilton**



F. Eisenberger  
Mayor



J. Pilon  
Acting City Clerk

**Authority:** Item 2, Planning Committee  
Report 22-005 (PED22062)  
CM: April 13, 2022  
Ward: 2

**Bill No. 095**

## **CITY OF HAMILTON**

### **BY-LAW NO. 22-095**

**To Amend Zoning By-law No. 05-200, Respecting Lands Located at 222, 226 and 228 Barton Street East and 255, 257, 261, 263 and 265 Wellington Street North, Hamilton**

**WHEREAS** Council approved Item 2 of Report 22-005 of the Planning Committee, at its meeting held on April 13, 2022; and.

**AND WHEREAS** this By-law conforms to the City of Hamilton Official Plan, upon the adoption of the City of Hamilton Official Plan Amendment No. 248;

**NOW THEREFORE** Council amends Zoning By-law No. 05-200 as follows:

1. That Map 911 of Schedule "A" – Zoning Maps of Zoning By-law No. 05-200 is amended by adding the lands as Mixed Use Medium Density – Pedestrian Focus (C5a, 774, H124) Zone for the lands identified in the Location Map attached as Schedule "A" to this By-law;
2. That Schedule "C" – Special Exceptions is amended by adding the following new Special Exception:
  - "774. Within the lands zoned Mixed Use Medium Density - Pedestrian Focus (C5a, 774, H124) Zone, identified on Map 911 of Schedule "A" – Zoning and described as 222, 226 and 228 Barton Street East and 255, 257, 261, 263 and 265 Wellington Street North, the following special provisions shall apply:
    - a) Notwithstanding Section 5.6 c) iv) as it relates to Office and Medical Clinic the following minimum parking requirements shall apply:
      - i) Office 1 space per 27 square metres of gross floor area in excess of 450 square metres, which accommodates such use.
      - ii) Medical Clinic 1 space per 27 square metres of gross floor area which accommodates such use.
    - b) Notwithstanding Section 10.5a.3 a), d) ii); and, h) ix) and x) the following regulations shall apply:



- |      |   |  |
|------|---|--|
| i)   | Maximum Building<br>Setback from a Street<br>Line | 3.7 metres   |
| ii)  | Building Height                                   | Maximum 25.0 metres.   |
| iii) | Built form for New<br>Development                 | A) A minimum of 50% of the area of<br>the ground floor façade facing the<br>street shall be composed of doors<br>and windows.<br><br>B) The first storey shall have a<br>maximum height of 5.6 metres. |
| iv)  | Maximum Gross Floor<br>Area for Medical<br>Clinic | 505 square metres.   |

3. That Schedule "D" – Holding Provisions is amended by adding the following new provision:

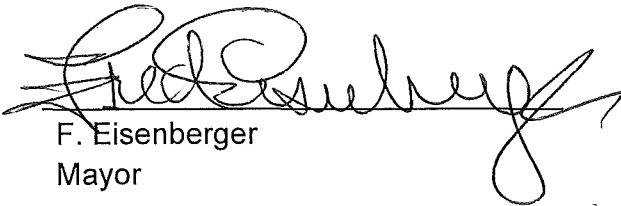
124. Notwithstanding Section 10.5a of this By-law, on those lands zoned Mixed Use Medium Density (C5a, 774, H124) Zone, identified on Map 911 of Schedule "A" – Zoning and described as 222, 226 and 228 Barton Street East and 255, 257, 261, 263 and 265 Wellington Street North, no development shall be permitted until such time as:

- i) The Owner submit and receive completion of a signed Record of Site Condition (RSC) being submitted to the City of Hamilton and the Ministry of the Environment, Conversation and Parks (MECP) or enters into a conditional building permit agreement with respect to completing a Record of Site Conditions. This RSC must be to the satisfaction of the Director of Planning and Chief Planner, including a notice of acknowledgement of the RSC by the MECP, and submission of the City of Hamilton's current RSC administration fee;
- ii) The Owner agrees in a signed Site Plan Agreement to implement all required noise mitigation measures identified in Acoustical Study dated November 22, 2019 by RWDI and updated July 23, 2021, through the Site Plan Control Application, to the satisfaction of the Director of Planning and Chief Planner; and,
- iii) The Owner agrees in a signed Site Plan Agreement, to provide notice to any subsequent owner, as well as any prospective purchasers or tenants that the dwellings are located in a Class 4 Area, and to agree to register this notice and any / all warning clauses on title, and include

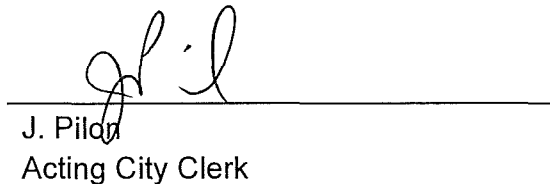
them in any purchase and sale and in any lease or rental agreement, to the satisfaction of the Director of Planning and Chief Planner.

4. That no building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the Mixed Use Medium Density – Pedestrian Focus (C5a, 774, H124) Zone, subject to the special provisions referred to in Section 2 of this By-law; and,
5. That the clerk is hereby authorized and directed to proceed with the giving of notice of the passing of the By-law in accordance with the *Planning Act*.

**PASSED** this 27<sup>th</sup> day of April, 2022.



F. Eisenberger  
Mayor



J. Pildor  
Acting City Clerk

ZAC-20-013  
UHOPA-20-08



This is Schedule "A" to By-law No. 22-095  
 Passed the 27<sup>th</sup> day of April, 2022


*[Signature]*  
 Mayor  
 Clerk


**Schedule "A"**

**Map forming Part of  
 By-law No. 22-095**

**to Amend By-law No. 6593**

**Subject Property**  
 222, 226 and 228 Barton Street East and  
 255, 257, 261, 263 and 265 Wellington Street North  
 (Ward 2)

 Change in zoning from "JJ/S-378" (Restricted Light Industrial) District, "H" and "H/S-1259" (Community Shopping and Commercial, Etc.) District, and "D" (Urban Protected Residential - One and Two Family Dwellings, Etc.) District under Zoning By-law No. 6593 to the Mixed Use - Medium Density (C5a, 774, H124) Zone under Zoning By-law No. 05-200

|  |  |   |
|--|--|---|
| Scale:<br>N.T.S                              | File Name/Number:<br>ZAC-20-013/UHOPA-20-008 |  |
| Date:<br>February 14, 2022                   | Planner/Technician:<br>JA/NB                 |   |
| PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT |  |   |

**Authority:** Item 3, Public Works Committee  
Report 22-004 (PW22013)  
CM: March 30, 2022  
Ward: 11

**Bill No. 096**

**CITY OF HAMILTON**

**BY-LAW NO. 22-096**

**To Establish City of Hamilton Land  
Described as Part of Lot 15, Concession 1 in the Geographic Township of  
Glanford, designated as Part 2 on Plan 62R-13179  
as Part of Glover Road**

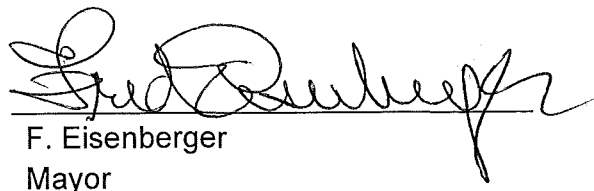
**WHEREAS** sections 8, 9 and 10 of the *Municipal Act, 2001* authorize the City of Hamilton to pass by-laws necessary or desirable for municipal purposes, and in particular by-laws with respect to highways; and


**WHEREAS** section 31(2) of the *Municipal Act, 2001* provides that land may only become a highway by virtue of a by-law establishing the highway.

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

1. The land, owned by and located in the City of Hamilton, described as Part of Lot 15, Concession 1 in the Geographic Township of Glanford, in the City of Hamilton, designated as Part 2 on Plan 62R-13179, is established as a public highway, forming part of Glover Road.
2. The General Manager of Public Works or their authorized agent is authorized to establish the said land as a public highway.
3. This By-law comes into force on the date of its registration in the Land Registry Office (No. 62).

**PASSED** this 27<sup>th</sup> day of April, 2022.

  
F. Eisenberger  
Mayor

  
J. Pilon  
Acting City Clerk

**Authority:** Item 3, Public Works Committee  
Report 22-004 (PW22013)  
CM: March 30, 2022  
Ward: 11

**Bill No. 097**

**CITY OF HAMILTON**

**BY-LAW NO. 22-097**

**To Establish City of Hamilton Land  
Described as Part of Lot 48 on Registered Plan 1470, designated as Parts 2 and 3  
on Plan 62R-17992 and Part 8 on Plan 62R-18201  
as Part of Nebo Road**

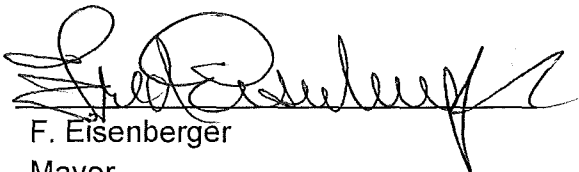
**WHEREAS** sections 8, 9 and 10 of the *Municipal Act, 2001* authorize the City of Hamilton to pass by-laws necessary or desirable for municipal purposes, and in particular by-laws with respect to highways; and

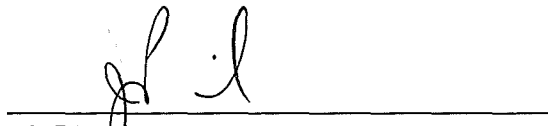
**WHEREAS** section 31(2) of the *Municipal Act, 2001* provides that land may only become a highway by virtue of a by-law establishing the highway.

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

1. The land, owned by and located in the City of Hamilton, described as Part of Lot 48 on Registered Plan 1470, designated as Parts 2 and 3 on Plan 62R-17992 and Part 8 on Plan 62R-18201, is established as a public highway, forming part of Nebo Road;
2. The General Manager of Public Works or their authorized agent is authorized to establish the said land as a public highway; and
3. This By-law comes into force on the date of its registration in the Land Registry Office (No. 62).

**PASSED** this 27<sup>th</sup> day of April, 2022.

  
F. Eisenberger  
Mayor

  
J. Pilon  
Acting City Clerk

**Authority:** Item 3, Public Works Committee  
Report 22-004 (PW22013)  
CM: March 30, 2022  
Ward: 11

**Bill No. 098**

**CITY OF HAMILTON**

**BY-LAW NO. 22-098**

**To Establish City of Hamilton Land  
Described as Part of Lot 48 on Registered Plan 1470, designated as Part 1 on Plan  
62R-17992, Part 2 on Plan 62R-18349 and Part 3 on Plan 62R-18446  
as Part of Dickenson Road**

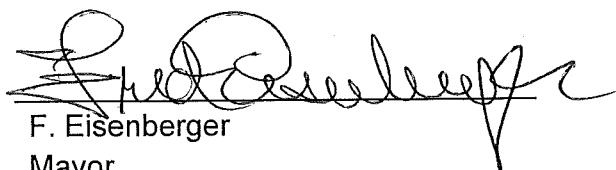
**WHEREAS** sections 8, 9 and 10 of the *Municipal Act, 2001* authorize the City of Hamilton to pass by-laws necessary or desirable for municipal purposes, and in particular by-laws with respect to highways; and

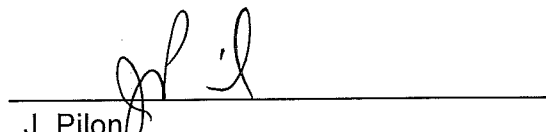
**WHEREAS** section 31(2) of the *Municipal Act, 2001* provides that land may only become a highway by virtue of a by-law establishing the highway.

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

1. The land, owned by and located in the City of Hamilton, described as Part of Lot 48 on Registered Plan 1470, designated as Part 1 on Plan 62R-17992, Part 2 on Plan 62R-18349 and Part 3 on Plan 62R-18446, is established as a public highway, forming part of Dickenson Road;
2. The General Manager of Public Works or their authorized agent is authorized to establish the said land as a public highway; and
3. This By-law comes into force on the date of its registration in the Land Registry Office (No. 62).

**PASSED** this 27<sup>th</sup> day of April, 2022.

  
F. Eisenberger  
Mayor

  
J. Pilon  
Acting City Clerk

**Authority:** Item 9, Planning Committee  
Report 22-006 (PED22090)  
CM: April 27, 2022  
Ward: 8

**Bill No. 099**

## **CITY OF HAMILTON**

### **BY-LAW NO. 22-099**

#### **To Amend Zoning By-law No. 6593, Respecting Lands Located at 866 West 5<sup>th</sup> Street, Hamilton**

**WHEREAS** the *City of Hamilton Act, 1999*, Statutes of Ontario, 1999 Chap. 14, Schedule C. did incorporate, as of January 1, 2001, the municipality “City of Hamilton”;

**AND WHEREAS** the City of Hamilton is the successor to certain area municipalities, including the former municipality known as the “The Corporation of the City of Hamilton” and is the successor to the former regional municipality, namely, “The Regional Municipality of Hamilton-Wentworth”;

**AND WHEREAS** the *City of Hamilton Act, 1999* provides that the Zoning By-laws and Official Plans of the former area municipalities and the Official Plan of the former regional municipality continue in full force in the City of Hamilton until subsequently amended or repealed by the Council of the City of Hamilton;

**AND WHEREAS** the Council of The Corporation of the City of Hamilton passed Zoning By-law No. 6593 (Hamilton) on the 25th day of July 1950, which by-law was approved by the Ontario Municipal Board by Order dated the 7th day of December 1951 (File No. P.F.C. 3821);

**AND WHEREAS** the Council of the City of Hamilton, in adopting Item 9 of Report 22-006 of the Planning Committee, at its meeting held on the 27<sup>th</sup> day of April 2022, recommended that Zoning By-law No. 6593 (Hamilton), be amended as hereinafter provided; and,

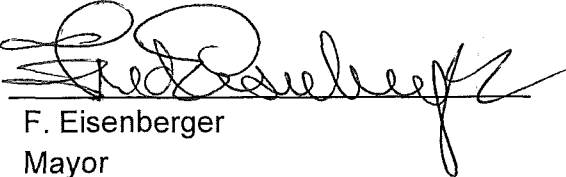
**AND WHEREAS** this By-law is in conformity with the Urban Hamilton Official Plan;

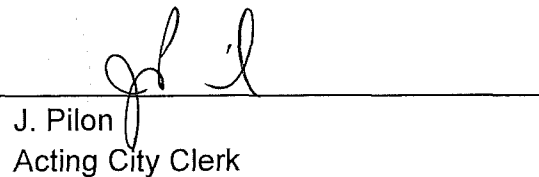
**NOW THEREFORE** the Council of the City of Hamilton enacts as follows:

1. That Sheet Nos. W9b and W17c of the District Maps appended to and forming part of Zoning By-law No. 6593 (Hamilton), are amended by changing the zoning from “AA” (Agricultural) District (Block 1) and the “C” (Urban Protected Residential etc.) District (Block 2) to the “RT-30/S-1818” (Street – Townhouse) District, Modified, on the lands the extent and boundaries of which are shown on a plan hereto annexed as Schedule “A”;
2. That the “RT-30” (Street - Townhouse) District provisions, as contained in Section Ten F of Zoning By-law No. 6593, applicable to the subject lands, be modified to include the following special requirements:

- a) That notwithstanding Subsection 10F(4) (a), (b), and (c), (5) (b), and (6) (i), the following provisions shall apply for Street Townhouse Dwellings:
    - i. A front yard depth of not less than 3 metres to a building face and 6 metres to a garage, except 1.15 metres to an unenclosed porch and 0.15 metres to a daylight triangle;
    - ii. A rear yard depth of not less than 6 metres;
    - iii. A side yard abutting a wall that is not a party wall, along each side lot line of a width of not less than 1.5 metres for a Street Townhouse Dwelling, not exceeding two storeys in height, except 0.15 metres to a daylight triangle;
    - iv. A distance between buildings not exceeding two storeys in height, of not less than 3.0 metres; and,
    - v. A lot area of not less than 165.0 square metres for each Street Townhouse Dwelling.
  - b) Subsection 18 (3)(vi)(d) shall not apply.
  - c) Subsection 18A, Table 6 shall not apply.
3. That no building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the "RT-30/S-1818" (Street – Townhouse) District, Modified provisions; and,
  4. That the Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this By-law in accordance with the *Planning Act*.

**PASSED** this 27<sup>th</sup> day of April, 2022.

  
F. Eisenberger  
Mayor

  
J. Pilon  
Acting City Clerk





This is Schedule "A" to By-law No. 22-099  
 Passed the 27<sup>th</sup> day of April, 2022

*[Signature]*  
 Mayor  
*[Signature]*  
 Clerk


## Schedule "A"


Map forming Part of  
 By-law No. 22-099

to Amend By-law No. 6593

### Subject Property

866 West 5th Street

 Block 1 - Change in Zoning from the "AA" (Agricultural) District to the "RT-30/S-1818" (Street Townhouse) District, Modified

 Block 2 - Change in Zoning from the "C" (Urban Protected Residential Etc.) District, to the "RT-30/S-1818" (Street Townhouse) District, Modified

|  |                                 |
|--|---------------------------------|
| Scale:<br>N.T.S.                             | File Name/Number:<br>ZAC-21-036 |
| Date:<br>March 11, 2022                      | Planner/Technician:<br>JVIAL    |
| PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT |                                 |



**Authority:** Item 8, Planning Committee  
Report 22-006 (PED22083)  
CM: April 27, 2022  
Ward: 14

**Bill No. 100**

## **CITY OF HAMILTON**

### **BY-LAW NO. 22-100**

#### **To Amend Zoning By-law No. 6593, Respecting Lands Located at 525 Rymal Road West, Hamilton**

**WHEREAS** the *City of Hamilton Act, 1999*, Statutes of Ontario, 1999 Chap. 14, Schedule C. did incorporate, as of January 1, 2001, the municipality “City of Hamilton”;

**AND WHEREAS** the City of Hamilton is the successor to certain area municipalities, including the former municipality known as the “The Corporation of the City of Hamilton” and is the successor to the former regional municipality, namely, “The Regional Municipality of Hamilton-Wentworth”;

**AND WHEREAS** the *City of Hamilton Act, 1999* provides that the Zoning By-laws and Official Plans of the former area municipalities and the Official Plan of the former regional municipality continue in full force in the City of Hamilton until subsequently amended or repealed by the Council of the City of Hamilton;

**AND WHEREAS** the Council of The Corporation of the City of Hamilton passed Zoning By-law No. 6593 (Hamilton) on the 25th day of July 1950, which by-law was approved by the Ontario Municipal Board by Order dated the 7th day of December 1951 (File No. P.F.C. 3821);

**AND WHEREAS** the Council of the City of Hamilton, in adopting Item 8 of Report 22-006 of the Planning Committee, at its meeting held on the 27<sup>th</sup> day of April 2022, recommended that Zoning By-law No. 6593 (Hamilton), be amended as hereinafter provided; and,

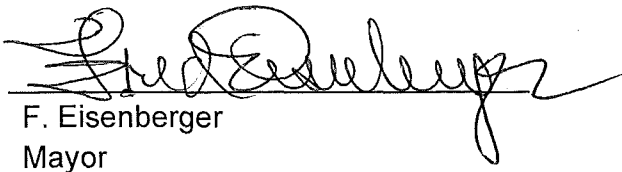
**AND WHEREAS** this By-law is in conformity with the Urban Hamilton Official Plan;

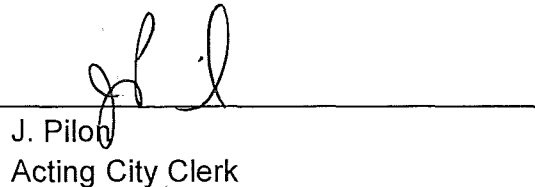
**NOW THEREFORE** the Council of the City of Hamilton enacts as follows:

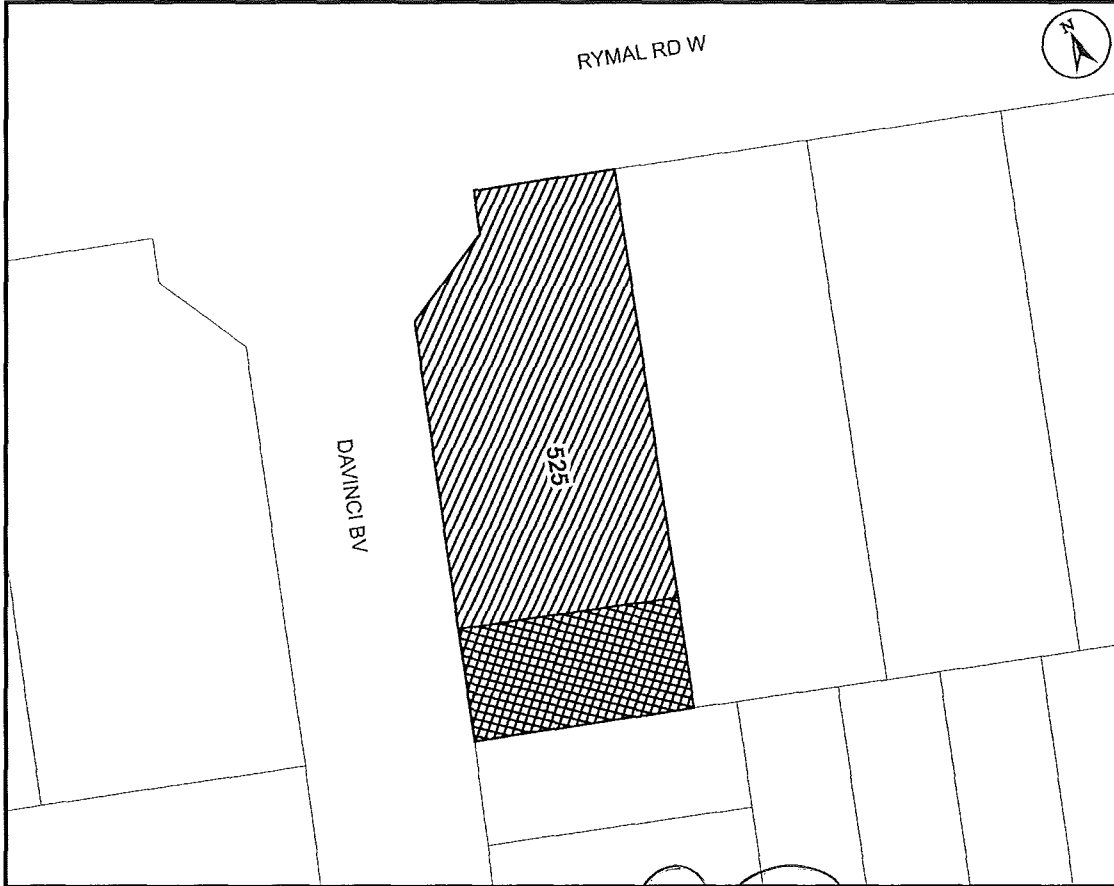
1. That Sheet No. W27e of the District Maps appended to and forming part of Zoning By-law No. 6593 (Hamilton), is amended by changing the zoning from “AA” (Agricultural) District to “RT-30/S-1817” (Street – Townhouse) District, Modified, (Block 1) and “C/S-1817” (Urban Protected Residential, etc.) District, Modified, (Block 2) on the lands the extent and boundaries of which are shown on a plan hereto annexed as Schedule “A”;
2. That the “RT-30” (Street Townhouse) District provisions, as contained in Section Ten F of Zoning By-law No. 6593, applicable to the subject lands, be modified to include the following special requirements:

- a) That notwithstanding Subsection 10F. (4)(c) the following provisions shall apply for Street Townhouse Dwellings:
    - i. A side yard abutting a wall that is not a party wall, along each side lot line of a width of not less than 1.2 metres not exceeding two storeys in height; and,
    - ii. A side yard abutting a wall that is not a party wall, along a side lot line of a width of not less than 3 metres not exceeding two storeys in height on a Corner Lot;
  - b) That notwithstanding Subsection 10 F. (6)(i), a lot area of not less than 160.0 square metres for each Street Townhouse Dwelling; and,
  - c) That in addition to the provisions of Subsection 10F. (4)(c), a side yard width of not less than 1.5 metres abutting the hypotenuse of a daylight triangle for a Street Townhouse Dwelling, not exceeding two storeys in height;
3. That the “C” (Urban Protected Residential, etc.) District provisions, as contained in Section Nine of Zoning By-law No. 6593, applicable to the subject lands, be modified to include the following special requirements:
- a) Notwithstanding Subsection 9(4), every lot or tract of land shall have a width of at least 12.0 metres and an area of at least 358 square metres within the district;
4. That no building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the site-specific “C/S-1817” (Urban Protected Residential, etc.) District and the site-specific “RT-30/S-1817” (Street – Townhouse) District provisions; and,
5. That the Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this By-law in accordance with the *Planning Act*.

**PASSED** this 27<sup>th</sup> day of April, 2022.

  
F. Eisenberger  
Mayor

  
J. Pilon  
Acting City Clerk





This is Schedule "A" to By-law No. 22-100  
 Passed the 27<sup>th</sup> day of April, 2022


*[Signature]*  
 Mayor  
 -----  
*[Signature]*  
 Clerk

**Schedule "A"**  
**Map forming Part of**  
**By-law No. 22- 100**  
**to Amend By-law No. 6593**

**Subject Property**  
 525 Rymal Road West

 Block 1 - Change in zoning from the "AA" (Agricultural) District to the "RT-30/S-1817" (Street - Townhouse) District, Modified

 Block 2 - Change in zoning from the "AA" (Agricultural) District to the "C/S-1817" (Urban Protected Residential, etc.) District, Modified

|  |  |   |
|--|--|---|
| Scale:<br>N.T.S                              | File Name/Number:<br>ZAC-20-044 & 25T-202010 |  |
| Date:<br>March 7, 2022                       | Planner/Technician:<br>JV/VS                 |   |
| PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT |  | Hamilton  |

**Authority:** Item 11, Planning Committee  
Report 22-006 (PED22093)  
CM: April 27, 2022  
Ward: City Wide  
**Bill No. 101**

**CITY OF HAMILTON  
BY-LAW NO. 22-101**

**A By-law to Repeal and Replace By-Law Nos. 09-208 and 13-185, being the  
Demolition Control Area By-Law**

**WHEREAS** section 33 of the *Planning Act*, R.S.O. 1990, c. P.13, provides that Council may, by by-law, designate any area within the City as a demolition control area when a property standards by-law under section 15.1 of the *Building Code Act*, 1992, S.O. 1992, c. 23, is in force and applies to the area within the municipality;

**AND WHEREAS** Property Standards By-law No. 10-221, as amended, prescribes standards of maintenance and occupancy for properties and is in force in the City;

**AND WHEREAS** no person shall demolish the whole or any part of any residential property in a demolition control area designated by Council pursuant to section 33 of the *Planning Act*, R.S.O. 1990, c. P .13, unless the person has been issued a demolition permit by Council;

**AND WHEREAS** under subsections 33(3) and 33(6) of the *Planning Act*, R.S.O. 1990, c. P .13, Council is the decision-maker with respect to consenting to the demolition of a residential property in an area of demolition control;

**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 a body, subject to the restrictions set in sections 23.1 to 23.5, inclusive, of the *Municipal Act*, 2001;

**AND WHEREAS** Council wishes to: maintain the integrity of residential neighbourhoods; prevent the premature loss of dwelling units and the creation of vacant land; retain existing dwelling units until new uses have been considered; and, prevent the premature loss of municipal assessment;

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

1. In this By-Law:

**"Chief Building Official"** means the City's Chief Building Official and includes their designate;

**"City"** means the geographical area of the City of Hamilton or the municipal corporation as the context requires;

**"Council"** means the City's Council;

**"Demolition Control Approval"** means approval to demolish Residential Property pursuant to this By-Law;

**"Dwelling Unit"** means any property that is used or designed for use as a domestic establishment in which one or more persons may sleep and prepare and serve meals;

**"Ontario Heritage Act"** means the *Ontario Heritage Act*, R.S.O. 1990, c. O.18;

**"Planning Act"** means the *Planning Act*, R.S.O. 1990, c. P. 13;

**"Residential Property"** means a building that contains one or more dwelling units, but does not include subordinate or accessory buildings the use of which is incidental to the use of the main building.

### **Demolition Control Area**

2. All of the lands within the boundaries of the City are designated as a demolition control area.
3. No person shall demolish or otherwise remove the whole or any portion of a Residential Property in the demolition control area unless the person has been issued Demolition Control Approval by the City.
4. This By-Law does not apply when:
  - (a) the demolition of a part of the Residential Property does not reduce the number of Dwelling Units;
  - (b) the Residential Property is owned by the City and the demolition is required for the implementation of a City capital works project previously approved by Council, except if the Residential Property is designated under the *Ontario Heritage Act* or subject to an agreement, covenant, or easement for the conservation, protection or preservation of property of cultural heritage value or interest;

- (c) the Residential Property is a mobile home;
  - (d) the owner of the Residential Property has entered into a demolition agreement with City;
  - (e) the Residential Property is exempted under any federal or provincial statute or regulation;
  - (f) the Residential Property has been found to be unsafe under section 15.9 of the *Building Code Act*, 1992 and an order to demolish has been issued under that section without any option to repair; or,
  - (g) an order has been issued under section 15.2 of the *Building Code Act*, 1992 that the Residential Property be demolished without any option to repair.
5. Every applicant seeking Demolition Control Approval shall submit a completed demolition application to the City in the form and with such content as required by the Chief Building Official in their sole discretion. Incomplete applications shall not be accepted by the City and shall not constitute an application for Demolition Control Approval for the purposes of section 33 of the *Planning Act* or this Demolition Control Area By-law.

#### **Delegation of Authority**

6. Council delegates to the Chief Building Official its authority to issue Demolition Control Approval pursuant to subsections 33(3) and 33(6) of the *Planning Act* for applications to demolish Residential Property where:
- (a) the erection of a new building is proposed on the site of the Residential Property to be demolished and where the following standard conditions apply:
    - i. that the applicant seeking Demolition Control Approval has applied for and received a building permit for a replacement building on the property;
    - ii. that the said building permit specifies that if the replacement building is not erected within two years of the demolition of the existing building on the property, the City be paid the sum of \$20,000 for each Dwelling Unit contained in the Residential Property which sum:

1. the City Clerk is authorized to enter on the collector's roll and collect in like manner as municipal taxes; and
    2. is a lien or charge on the property until paid; and;
  - iii. that the applicant seeking Demolition Control Approval has registered on title to the property notice of conditions (i) and (ii) in a form satisfactory to the Chief Building Official and the City Solicitor.
  - (b) Final Site Plan Control approval has been granted for redevelopment of the Residential Property to be demolished;
  - (c) Draft Plan of Subdivision approval has been granted for redevelopment of the Residential Property to be demolished, for which the Subdivision Agreement has been registered and the preliminary grading and servicing conditions have been satisfied;
  - (d) demolition of the Residential Property is a condition of an approved Consent to Sever and all other conditions of the approved Consent to Sever have been met; or,
  - (e) the Residential Property has been severely damaged by a fire or natural disaster and the demolition has been recommended by a Professional Engineer licensed to practice in Ontario.
7. The delegation of authority set out in this Demolition Control Area By-Law does not include the authority to:
- (a) refuse to issue Demolition Control Approval, and where the Chief Building Official would refuse to issue Demolition Control Approval, they shall so advise Council which retains all power with respect to issuing or refusing to issue Demolition Control Approval;
  - (b) attach conditions to Demolition Control Approval with which an owner of Residential Property is not in agreement and where this is the case, the Chief Building Official shall so advise Council which retains all power with respect to issuing or refusing to issue Demolition Control Approval; or,
  - (c) issue or refuse to issue Demolition Control Approval for a Residential Property that is:
    - (i) designated pursuant to Part IV or V of the *Ontario Heritage Act*; or,



- (ii) subject to an agreement, covenant, or easement for the conservation, protection or preservation of property of cultural heritage value or interest.
8. The Chief Building Official is authorized to undertake all acts necessary to carry out the delegated power under this Demolition Control Area By-Law, including the authority to sign any required documents.

#### **Administration and Enforcement**

9. Nothing in this By-Law shall exempt any person from complying with the requirement of any other applicable by-law, or from obtaining any licence, permission, permit, authority or approval required by this or any other by-law of the City or by any other law in force at the time.
10. Every person who demolishes a Residential Property or any portion thereof, without obtaining Demolition Control Approval under this By-law is guilty of an offence under section 33(16) of the *Planning Act* and is liable to a penalty or penalties as set out in section 33(16) of that Act.

#### **Title, Repeal and Effective Date**

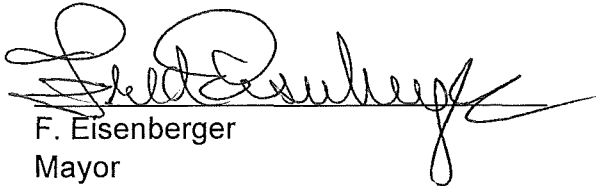
11. This By-Law may be cited as the "Demolition Control Area By-Law".
12. By-Law No. 09-208 and amending By-Law No. 13-185 are repealed as of the day on which this By-Law comes into force.
13. This By-Law comes into force on the date of its passing.
14. In the event of a conflict between any provision of this By-Law and the *Planning Act*, the *Planning Act* prevails.
15. If a court of competent jurisdiction declares any provision, or any part of a provision, of the By-Law to be invalid, or to be of not force and effect, it is Council's intention in enacting this By-Law, that each and every other provision of this By-Law be applied and enforced in accordance with its terms to the extent possible according to law.

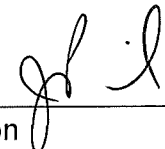
#### **Transition**

16. The repeal of By-Laws 09-208 and 13-185 does not:
- (a) affect the previous operation of those By-Laws;

- (b) affect a right, privilege, obligation or liability that came into existence under those By-Laws;
  - (c) affect an offence committed under those By-Laws, or any penalty, forfeiture or punishment incurred in connection with the offence; or,
  - (d) affect an investigation, proceeding or remedy in respect of a right, privilege, obligation or liability described in section 16(b), or a penalty, forfeiture or punishment described in section 16(c).
17. An investigation, proceeding or remedy described in section 16(d) may be commenced, continued and enforced as if By-Laws 09-208 and 13-185 had not been repealed or revoked.
18. A penalty, forfeiture or punishment described in section 16(c) may be imposed as if By-Laws 09-208 and 13-185 had not been repealed or revoked.

**PASSED** this 27<sup>th</sup> day of April, 2022.

  
F. Eisenberger  
Mayor

  
\_\_\_\_\_  
J. Pilon  
Acting City Clerk

**Authority:** Item 12, Planning Committee  
Report 22-006 (PED22105)  
CM: April 27, 2022  
Ward: City Wide  
**Bill No. 102**

**CITY OF HAMILTON**  
**BY-LAW NO. 22-102**

**To Amend By-law No. 07-170, Being a By-law to Licence and Regulate Various  
Businesses**

**WHEREAS** Council enacted By-law 07-170, Being a By-law to Licence and Regulate Various Businesses;

**AND WHEREAS** Council for the City of Hamilton recognizes the importance of providing opportunities for the taxi industry to maintain operational efficiency due to fuel pricing inflation by increasing the Taxi Meter Rate under By-law 07-170

**AND WHEREAS;** this By-law amends By-law No. 07-170.

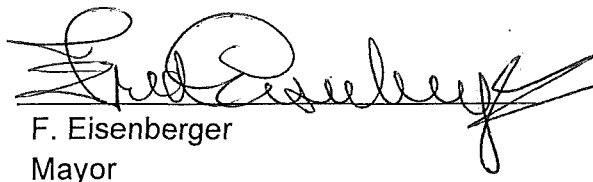
**NOW THEREFORE** the Council of the City of Hamilton enacts as follows:

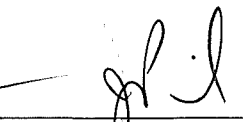
1. The amendments in this By-law include any necessary indexing, grammatical, numbering and lettering changes.

Appendix 1, Schedule 25 of By-law No. 07-170 is hereby amended by deleting the amount of "\$3.90" in the first listed item and replacing it with "\$4.90"

2. That in all other respects, By-law No. 07-170 is confirmed.
3. That the provisions of this By-law shall take full force and effect on its day of passing.

**PASSED** this 27<sup>th</sup> day of April, 2022.

  
F. Eisenberger  
Mayor

  
J. Pilon  
Acting City Clerk

**Authority:** Item 4, Public Works Committee  
Report 22-006 (PW19029(a))  
CM: April 27, 2022  
Ward: City Wide  
**Bill No. 103**

## **CITY OF HAMILTON**

### **BY-LAW NO. 22-103**

#### **To Amend By-law No. 14-090 (Sewer Use By-law) to provide for the regulation of Construction Dewatering and to make other Minor Amendments**

**WHEREAS** sections 8 and 10 of the *Municipal Act, 2001* authorize the City of Hamilton to pass by-laws necessary or desirable for municipal purposes, and in particular paragraphs 5, 6, 7, 8 and 10 of subsection 10(2) authorize by-laws respecting: the economic, social and environmental well-being of the City; the health, safety and well-being of Persons; services and things that the municipality is authorized to provide under subsection 10(1); the protection of Persons and property; and structures, including fences and signs;

**AND WHEREAS** it is desirable to regulate the Discharge of all Matter into the City of Hamilton's Storm Sewer, Sanitary Sewer and Combined Sewer systems;

**AND WHEREAS** section 425 of the *Municipal Act, 2001* authorizes the City of Hamilton to pass by-laws providing that a Person who contravenes a by-law of the City of Hamilton passed under that Act is guilty of an offence;

**AND WHEREAS** section 87 of the *Municipal Act, 2001* authorizes the City of Hamilton to enter on land, at reasonable times, to inspect the Discharge of any Matter into the City's Sewage system or into any other Sewage system the contents of which ultimately empty into the City's Sewage system and authorizes the City to conduct tests and take samples for this purpose;

**AND WHEREAS** the *Municipal Act, 2001* further authorizes the City of Hamilton, amongst other things, to delegate its authority, to impose fees or charges, to provide for inspections, and to make orders to discontinue activity or to do work;

**AND WHEREAS** the City of Hamilton wishes to make amendments to By-law 14-090 to provide for the regulation of Construction Dewatering and to make other minor technical amendments thereto,

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

1. Section 1.1 of By-law 14-090 is amended by adding thereto the following new definitions, which definitions shall be inserted into the By-law in alphabetical order:

**“Construction”** includes land development, renovation, repair, maintenance and demolition activities.

**“Construction Dewatering”** means the removal of water through any means from Premises to facilitate Construction, including but not limited to one or more of the following:

- (a) Taking water from a well or otherwise extracting Groundwater;
- (b) Draining water from a permanent or temporary pond or other surface water body, whether natural or man-made;
- (c) The permanent or temporary alteration of a natural or pre-existing drainage pattern; and,
- (d) Releasing water previously stored in a tank, tanker truck, vessel, or other means of water storage,

where the water so removed is Discharged directly or indirectly into Sewer Works, and such Discharge is not related to a Groundwater Remediation Unit or Site.

2. Section 1.1 of By-law 14-090 is amended by deleting the definition of “Building Code” and substituting the following therefor:

**“Building Code”** means the Building Code enacted as a regulation under the *Building Code Act, 1992*.

3. Section 1.1 of By-law 14-090 is amended by deleting the definition of “Composite Sample” and substituting the following therefor:

**“Composite Sample”** means a sample of Sewage, Groundwater or Stormwater which is composed of a series of Grab Samples taken at intervals during the sampling period and manually or automatically combined.

4. Section 1.1 of By-law 14-090 is amended by deleting the definition of “Connection or Drain” and substituting the following therefor:

**“Connection”** means that part of any pipe or hose or those parts of a system of pipes or hoses that Discharge Sewage, Groundwater, or Stormwater directly or indirectly to Sewer Works”

**“Drain”** means that part of any pipe or hose, or those parts of a system of pipes or hoses that conduct Sewage, Groundwater, or Stormwater to a Connection.

5. Section 1.1 of By-law 14-090 is amended by deleting the definition of “Grab Sample” and substituting the following therefor:

“**Grab Sample**” means an aliquot of Sewage, Groundwater, or Stormwater sampled at one particular place and time.

6. Section 1.1 of By-law 14-090 is amended by deleting the definition of “hauled sewage” and substituting the following therefor:

“**Hauled Sewage**” means “hauled sewage” as that term is defined in R.R.O. 1990, Reg 347 as amended, and also means any one or more of the following when hauled or otherwise transported by a Carrier:

- (a) waste removed from a cesspool, a septic tank, a privy vault or privy pit a chemical toilet, a portable toilet, a Sewage holding tank or other container for human excretion;
- (b) any Sewage originating from a Sewage System as described in Part 8 of the Building Code;
- (c) Domestic Sewage;
- (d) Industrial Sewage;
- (e) Sewage Sludge;
- (f) leachate from a waste disposal site; and,
- (g) water originating from Construction Dewatering.

7. Section 4.2 of By-law 14-090 is amended by deleting section 4.2 and substituting the following therefor:

4.2 No Person shall, directly or indirectly, Discharge or permit the Discharge of Matter into a Sewer Works or into a Connection to a Sewer Works which has two or more separate liquid layers.

8. Section 4.5 of By-law 14-090 is amended by adding the following subsection (d) thereto:

- (d) water originating from Construction Dewatering, except where:
  - (i) the Discharge complies with a valid Sewer Discharge Permit; and;
  - (ii) all fees required under the Sewer Discharge Permit are paid.

9. Section 4.7 of By-law 14-090 is amended to read as follows:

4.7 No Person shall, directly or indirectly, Discharge or permit the Discharge of Matter into a Storm Sewer or into a Connection to a Storm Sewer where the Discharge:

- (a) contains Sewage;
- (b) contains Contact Cooling Water;
- (c) contains Oil and Grease (Mineral/Synthetic) which causes a visible film, sheen or discolouration on the water's surface;
- (d) contains any raw material, intermediate product, finished product, by-product or waste product of an Industrial process;
- (e) contains paint or organic solvent;
- (f) contains liquid or solid Matter generated by carpet or furniture cleaning that is collected in a holding tank;
- (g) exceeds of any one or more of the limits for any one or more of the parameters in Schedule C;
- (h) contains Blowdown Water; or,
- (i) contains water originating from Construction Dewatering.

10. Section 4.8 of By-law 14-090 is amended to read as follows:

4.8 Despite subsection 4.7(g), 4.7(h) and 4.7(i) a Person may Discharge or permit the Discharge of Matter into a Storm Sewer or into a Connection to a Storm Sewer where the Discharge:

- (a) exceeds of any one or more of the limits for any one or more of the parameters in Schedule C, where:
  - (i) the Discharge is in accordance with a valid environmental compliance approval, order, or an approval, licence or permit issued pursuant to the *Environmental Protection Act* or *Ontario Water Resources Act* which expressly allows the Discharge;
  - (ii) a copy of the environmental compliance approval, order or an approval, licence or permit referred to in subsection 4.8(a)(i) has been provided to the General Manager;
  - (iii) the Discharge complies with a valid Sewer Discharge Permit; and
  - (iv) all fees required under the Sewer Discharge Permit are paid;
- (b) contains Blowdown Water, where:
  - (i) the Discharge is in accordance with a valid environmental compliance approval, order or an approval, licence or permit issued pursuant to the *Environmental Protection Act* or *Ontario Water Resources Act* which expressly allows the Discharge;

- (ii) a copy of the environmental compliance approval, order or an approval, licence or permit referred to in subsection 4.8(b)(i) has been provided to the General Manager;
    - (iii) the Discharge complies with a valid Sewer Discharge Permit; and
    - (iv) all fees required under the Sewer Discharge Permit are paid; or,
  - (c) contains water originating from Construction Dewatering activities, where:
    - (i) the Discharge complies with a valid Sewer Discharge Permit; and
    - (ii) all fees required under the Sewer Discharge Permit are paid.
11. Section 11.4 of By-law 14-090 is amended by adding thereto the following subsection (g):
- (g) Construction Dewatering
12. Section 11.21 (b) of By-law 14-090 is amended by adding the following subsection (iv) thereto:
- (iv) Construction Dewatering Discharge, the quantity of the Discharge shall be determined by a device that measures the Discharge flow that contains water originating from a source other than the City's potable water supply.
13. Section 11 of By-law 14-090 is amended by the addition of the following section 11.24:
- 11.24 A Sewer Discharge Permit for Construction Dewatering Discharges referred to in subsection 11.4(g) authorizes Discharge water originating from Construction Dewatering:
- (a) in respect of treatable parameters in excess of any of the following limits permitted under Schedule B:
    - (i) cBiochemical Oxygen Demand;
    - (ii) total suspended solids;
    - (iii) total phosphorus;
    - (iv) total kjeldahl nitrogen;
    - (v) Oil and Grease (Animal/Vegetable);
  - (b) which contains water that has originated from a source other than the City's Potable Water supply;
  - (c) that exceeds the limits for any one or more of the parameters contained in Schedule B in accordance with a Compliance Program; or,



(d) that exceeds the limits for Chloride in excess of 1500 milligrams/litre but less than 4000 milligrams/litre, subject to a sampling and reporting program to be outlined in the Permit.

14. Section 11 of By-law 14-090 is amended by the addition of the following section 11.25:

11.25 A Person who has applied for a Sewer Discharge Permit for Construction Dewatering shall install and maintain, at their expense, a device acceptable to the General Manager that measures the Discharge flow of Construction Dewatering water.

15. Section 11 of By-law 14-090 is amended by the addition of the following section 11.26:

11.26 A Person who has applied for a Sewer Discharge Permit for Construction Dewatering Discharge shall have already complied with and shall continue to meet the requirements of subsection 11.12, if applicable to the proposed Discharge.

16. Schedule "B" to By-law 14-090 is deleted and the attached Schedule "B" is substituted therefor.

17. Schedule C" to Bylaw 14-090 is deleted and the attached Schedule C" is substituted therefor.

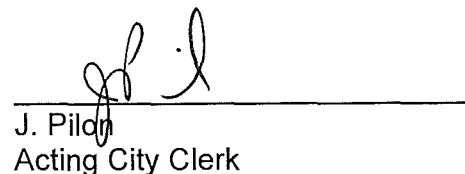
18. Schedule "D" to By-law 14-090 is deleted ad the attached Schedule "D" is substituted therefor.

19. This By-law shall come into effect of the date of passage.

**PASSED** this 27<sup>th</sup> day of April, 2022



F. Eisenberger  
Mayor



J. Pilon  
Acting City Clerk

## SCHEDULE B

### LIMITS FOR SANITARY SEWER AND COMBINED SEWER DISCHARGE

| Parameter *                        | Limit (milligrams/litre) |
|------------------------------------|--------------------------|
| cBiochemical Oxygen Demand (cBOD)  | 300                      |
| Total Suspended Solids (TSS)       | 350                      |
| Total Phosphorus                   | 10                       |
| Total Kjeldahl Nitrogen (TKN)      | 100                      |
| Oil and Grease (Animal/Vegetable)  | 150                      |
| Oil and Grease (Mineral/Synthetic) | 15                       |
| Phenolic Compounds                 | 1                        |
| Chlorides                          | 1500                     |
| Sulphates                          | 1500                     |
| Sulphide (as H <sub>2</sub> S)     | 1.0                      |
| Aluminum (total)                   | 50                       |
| Iron (total)                       | 50                       |
| Fluorides                          | 10                       |
| Antimony (total)                   | 5                        |
| Bismuth (total)                    | 5                        |
| Chromium (total)                   | 5                        |
| Cobalt (total)                     | 5                        |
| Manganese (total)                  | 5                        |
| Silver (total)                     | 5                        |
| Tin (total)                        | 5                        |
| Titanium (total)                   | 5                        |
| Vanadium                           | 5                        |
| Zinc (total)                       | 2                        |

|                             |                                 |
|-----------------------------|---------------------------------|
| Cyanide (total)             | 2                               |
| Copper (total)              | 2                               |
| Lead (total)                | 2                               |
| Nickel (total)              | 2                               |
| Arsenic (total)             | 1                               |
| Molybdenum (total)          | 1                               |
| Selenium (total)            | 1                               |
| Cadmium (total)             | 0.7                             |
| Mercury (total)             | 0.01                            |
| Aldrin/Dieldrin**           | 0.0002                          |
| Benzene                     | 0.01                            |
| Bis(2-ethylhexyl)phthalate  | 0.28                            |
| <b>Parameter (cont'd)</b>   | <b>Limit (milligrams/litre)</b> |
| Chlordane**                 | 0.1                             |
| Chloroform                  | 0.04                            |
| DDT**                       | 0.0001                          |
| 1,2-Dichlorobenzene         | 0.05                            |
| 1,4-Dichlorobenzene         | 0.08                            |
| 3,3-Dichlorobenzidine**     | 0.002                           |
| cis-1,2-Dichloroethylene    | 4                               |
| trans-1,3-Dichloropropylene | 0.14                            |
| Di-n-butyl phthalate        | 0.08                            |
| Ethylbenzene                | 0.16                            |
| Hexachlorobenzene           | 0.0001                          |
| Hexachlorocyclohexane**     | 0.1                             |
| Methylene Chloride          | 2                               |
| Mirex**                     | 0.1                             |
| PCBs                        | 0.001                           |
| Pentachlorophenol           | 0.005                           |

|                           |                    |
|---------------------------|--------------------|
| 1,1,2,2-Tetrachloroethane | 1.4                |
| Tetrachloroethylene       | 1                  |
| Toluene                   | 0.016              |
| Total Xylenes             | 1.4                |
| Total PAHs                | 0.005              |
| Trichloroethylene         | 0.4                |
| <b>Parameter*</b>         | Limit (specified)  |
| <b>pH</b>                 | > 6.0 to < 11.0 pH |
| <b>Temperature</b>        | 60°C               |

\* as defined by a Reference Method of an Accredited Laboratory

\*\*for the purposes of section 4.3, parameters as marked are Pesticides

## SCHEDULE C

### LIMITS FOR STORM SEWER DISCHARGE

| Parameter*                        | Limit (milligrams/litre)                      |
|-----------------------------------|---|
| Total Suspended Solids (TSS)      | 15  |
| Oil and Grease (Animal/Vegetable) | 10  |
| Zinc (total)                      | 0.5   |
| Chromium (total)                  | 0.08  |
| Lead (total)                      | 0.12  |
| Nickel (total)                    | 0.08  |
| Copper (total)                    | 0.05  |
| Cadmium (total)                   | 0.008   |
| Phenolic Compounds                | 0.02  |
| Phosphorus (total)                | 0.4   |
| <b>Parameter*</b>                 | <b>Limit (specified)</b>                      |
| pH                                | > 6.0 to < 11.0 pH                            |
| Temperature                       | 60°C  |
| <i>E. coli</i>                    | 2400 most probable number per 100 milliliters |

\* as defined by a Reference Method of an Accredited Laboratory

## **SCHEDULE D**

### **CITY LOCATIONS FOR DISCHARGE OF HAULED SEWAGE**

**The following are Hauled Sewage Receiving Facilities:**

- 1. Woodward Avenue Wastewater Treatment Plant**  
700 Woodward Avenue, Hamilton, Ontario
  
- 2. Mountain Transfer Station**  
Kilbride Road Hamilton, Ontario
  
- 3. Eastport Drive Wastewater Pumping Station**  
Eastport Drive and Pier 25 Gateway S, Hamilton, Ontario

**Authority:** Item 5, Public Works Committee  
Report 21-018 (PW21070)  
CM: December 15, 2021  
Ward: City Wide

**Bill No. 104**

**CITY OF HAMILTON  
BY-LAW NO. 22-104**

**A By-Law to Authorize a Franchise Agreement Between  
City of Hamilton and Enbridge Gas Inc.**

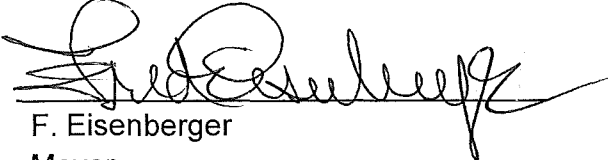
**WHEREAS** the Council of the City of Hamilton deems it expedient to enter into the attached franchise agreement (the "Franchise Agreement") with Enbridge Gas Inc.;

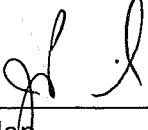
**AND WHEREAS** the Ontario Energy Board by its Order issued pursuant to the *Municipal Franchises Act* on the 31<sup>st</sup> day of March, 2022 has approved the terms and conditions upon which and the period for which the franchise provided in the Franchise Agreement is proposed to be granted, and has declared and directed that the assent of the municipal electors in respect of this By-Law is not necessary:

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

1. That the Franchise Agreement between the City of Hamilton and Enbridge Gas Inc. attached hereto and forming part of this by-law, is hereby authorized and the franchise provided for therein is hereby granted.
2. That the Mayor and City Clerk be and they are hereby authorized and instructed on behalf of the City of Hamilton to enter into and execute under its corporate seal and deliver the Franchise Agreement, which is hereby incorporated into and forming part of this By-Law.
3. That the following by-law be hereby repealed:
  - By-law #07-090 for the City of Hamilton, passed in Council on March 28, 2007.
4. That this by-law is subject to, and shall come into force and take effect as of the later of: final passing thereof; and the approval of the Franchise Agreement by Ontario Energy Board.

**PASSED** this 27<sup>th</sup> day of April, 2022.

  
F. Eisenberger  
Mayor

  
\_\_\_\_\_  
J. Pilon  
Acting City Clerk

## **2000 Model Franchise Agreement**

THIS AGREEMENT effective this            day of            , 2022

BETWEEN:

### **CITY OF HAMILTON**

hereinafter called the "Corporation"

- and -

### **ENBRIDGE GAS INC.**

hereinafter called the "Gas Company"

WHEREAS the Gas Company desires to distribute, store and transmit gas in the Municipality upon the terms and conditions of this Agreement;

AND WHEREAS by by-law passed by the Council of the Corporation (the "By-law"), the duly authorized officers have been authorized and directed to execute this Agreement on behalf of the Corporation;

THEREFORE the Corporation and the Gas Company agree as follows:

### **Part I - Definitions**

#### **1. In this Agreement**

- (a) "decommissioned" and "decommissions" when used in connection with parts of the gas system, mean any parts of the gas system taken out of active use and purged in accordance with the applicable CSA standards and in no way affects the use of the term 'abandoned' pipeline for the purposes of the *Assessment Act*;
- (b) "Engineer/Road Superintendent" means the most senior individual employed by the Corporation with responsibilities for highways within the Municipality or the person designated by such senior employee or such other person as may from time to time be designated by the Council of the Corporation;



- (c) "gas" means natural gas, manufactured gas, synthetic natural gas, liquefied petroleum gas or propane-air gas, or a mixture of any of them, but does not include a liquefied petroleum gas that is distributed by means other than a pipeline;
- (d) "gas system" means such mains, plants, pipes, conduits, services, valves, regulators, curb boxes, stations, drips or such other equipment as the Gas Company may require or deem desirable for the distribution, storage and transmission of gas in or through the Municipality;
- (e) "highway" means all common and public highways and shall include any bridge, viaduct or structure forming part of a highway, and any public square, road allowance or walkway and shall include not only the travelled portion of such highway, but also ditches, driveways, sidewalks, and sodded areas forming part of the road allowance now or at any time during the term hereof under the jurisdiction of the Corporation;
- (f) "Model Franchise Agreement" means the form of agreement which the Ontario Energy Board uses as a standard when considering applications under the *Municipal Franchises Act*. The Model Franchise Agreement may be changed from time to time by the Ontario Energy Board;
- (g) "Municipality" means the territorial limits of the Corporation on the date when this Agreement takes effect, and any territory which may thereafter be brought within the jurisdiction of the Corporation;
- (h) "Plan" means the plan described in Paragraph 5 of this Agreement required to be filed by the Gas Company with the Engineer/Road Superintendent prior to commencement of work on the gas system; and
- (i) whenever the singular, masculine or feminine is used in this Agreement, it shall be considered as if the plural, feminine or masculine has been used where the context of the Agreement so requires.

## **Part II - Rights Granted**

### **2. To provide gas service**

The consent of the Corporation is hereby given and granted to the Gas Company to distribute, store and transmit gas in and through the Municipality to the Corporation and to the inhabitants of the Municipality.

### **3. To Use Highways**

Subject to the terms and conditions of this Agreement the consent of the Corporation is hereby given and granted to the Gas Company to enter upon all highways now or at any time hereafter under the jurisdiction of the Corporation and to lay, construct, maintain, replace, remove, operate and repair a gas system for the distribution, storage and transmission of gas in and through the Municipality.

### **4. Duration of Agreement and Renewal Procedures**

- (a) If the Corporation has not previously received gas distribution services, the rights hereby given and granted shall be for a term of 20 years from the date of final passing of the By-law.  
  
or
- (b) If the Corporation has previously received gas distribution services, the rights hereby given and granted shall be for a term of 20 years from the date of final passing of the By-law provided that, if during the 20 year term of this Agreement, the Model Franchise Agreement is changed, then on the 7<sup>th</sup> anniversary and on the 14<sup>th</sup> anniversary of the date of the passing of the By-law, this Agreement shall be deemed to be amended to incorporate any changes in the Model Franchise Agreement in effect on such anniversary dates. Such deemed amendments shall not apply to alter the 20 year term.
- (c) At any time within two years prior to the expiration of this Agreement, either party may give notice to the other that it desires to enter into negotiations for a renewed franchise upon such terms and conditions as may be agreed upon. Until such renewal has been settled, the terms and conditions of this Agreement shall continue, notwithstanding the expiration of this Agreement. This shall not preclude either party from applying to the Ontario Energy Board for a renewal of the Agreement pursuant to section 10 of the *Municipal Franchises Act*.

### Part III – Conditions

#### 5. Approval of Construction

- (a) The Gas Company shall not undertake any excavation, opening or work which will disturb or interfere with the surface of the travelled portion of any highway unless a permit therefor has first been obtained from the Engineer/Road Superintendent and all work done by the Gas Company shall be to his satisfaction.
- (b) Prior to the commencement of work on the gas system, or any extensions or changes to it (except service laterals which do not interfere with municipal works in the highway), the Gas Company shall file with the Engineer/Road Superintendent a Plan, satisfactory to the Engineer/Road Superintendent, drawn to scale and of sufficient detail considering the complexity of the specific locations involved, showing the highways in which it proposes to lay its gas system and the particular parts thereof it proposes to occupy.
- (c) The Plan filed by the Gas Company shall include geodetic information for a particular location:
  - (i) where circumstances are complex, in order to facilitate known projects, including projects which are reasonably anticipated by the Engineer/Road Superintendent, or
  - (ii) when requested, where the Corporation has geodetic information for its own services and all others at the same location.
- (d) The Engineer/Road Superintendent may require sections of the gas system to be laid at greater depth than required by the latest CSA standard for gas pipeline systems to facilitate known projects or to correct known highway deficiencies.
- (e) Prior to the commencement of work on the gas system, the Engineer/Road Superintendent must approve the location of the work as shown on the Plan filed by the Gas Company, the timing of the work and any terms and conditions relating to the installation of the work.
- (f) In addition to the requirements of this Agreement, if the Gas Company proposes to affix any part of the gas system to a bridge, viaduct or other structure, if the Engineer/Road Superintendent approves this proposal, he may require the Gas Company to comply with special conditions or to enter into a separate agreement as a condition of the approval of this part of the construction of the gas system.

- (g) Where the gas system may affect a municipal drain, the Gas Company shall also file a copy of the Plan with the Corporation's Drainage Superintendent for purposes of the *Drainage Act*, or such other person designated by the Corporation as responsible for the drain.
- (h) The Gas Company shall not deviate from the approved location for any part of the gas system unless the prior approval of the Engineer/Road Superintendent to do so is received.
- (i) The Engineer/Road Superintendent's approval, where required throughout this Paragraph, shall not be unreasonably withheld.
- (j) The approval of the Engineer/Road Superintendent is not a representation or warranty as to the state of repair of the highway or the suitability of the highway for the gas system.

**6. As Built Drawings**

The Gas Company shall, within six months of completing the installation of any part of the gas system, provide two copies of "as built" drawings to the Engineer/Road Superintendent. These drawings must be sufficient to accurately establish the location, depth (measurement between the top of the gas system and the ground surface at the time of installation) and distance of the gas system. The "as built" drawings shall be of the same quality as the Plan and, if the approved pre-construction plan included elevations that were geodetically referenced, the "as built" drawings shall similarly include elevations that are geodetically referenced. Upon the request of the Engineer/Road Superintendent, the Gas Company shall provide one copy of the drawings in an electronic format and one copy as a hard copy drawing.

**7. Emergencies**

In the event of an emergency involving the gas system, the Gas Company shall proceed with the work required to deal with the emergency, and in any instance where prior approval of the Engineer/Road Superintendent is normally required for the work, the Gas Company shall use its best efforts to immediately notify the Engineer/Road Superintendent of the location and nature of the emergency and the work being done and, if it deems appropriate, notify the police force, fire or other emergency services having jurisdiction. The Gas Company shall provide the Engineer/Road Superintendent with at least one 24 hour emergency contact for the Gas Company and shall ensure the contacts are current.

**8. Restoration**

The Gas Company shall well and sufficiently restore, to the reasonable satisfaction of the Engineer/Road Superintendent, all highways, municipal works or improvements which it may excavate or interfere with in the course of laying, constructing, repairing or removing its gas system, and shall make good any settling or subsidence thereafter caused by such excavation or interference. If the Gas Company fails at any time to do any work required by this Paragraph within a reasonable period of time, the Corporation may do or cause such work to be done and the Gas Company shall, on demand, pay the Corporation's reasonably incurred costs, as certified by the Engineer/Road Superintendent.

**9. Indemnification**

The Gas Company shall, at all times, indemnify and save harmless the Corporation from and against all claims, including costs related thereto, for all damages or injuries including death to any person or persons and for damage to any property, arising out of the Gas Company operating, constructing, and maintaining its gas system in the Municipality, or utilizing its gas system for the carriage of gas owned by others. Provided that the Gas Company shall not be required to indemnify or save harmless the Corporation from and against claims, including costs related thereto, which it may incur by reason of damages or injuries including death to any person or persons and for damage to any property, resulting from the negligence or wrongful act of the Corporation, its servants, agents or employees.

**10. Insurance**

- (a) The Gas Company shall maintain Comprehensive General Liability Insurance in sufficient amount and description as shall protect the Gas Company and the Corporation from claims for which the Gas Company is obliged to indemnify the Corporation under Paragraph 9. The insurance policy shall identify the Corporation as an additional named insured, but only with respect to the operation of the named insured (the Gas Company). The insurance policy shall not lapse or be cancelled without sixty (60) days' prior written notice to the Corporation by the Gas Company.
- (b) The issuance of an insurance policy as provided in this Paragraph shall not be construed as relieving the Gas Company of liability not covered by such insurance or in excess of the policy limits of such insurance.
- (c) Upon request by the Corporation, the Gas Company shall confirm that premiums for such insurance have been paid and that such insurance is in full force and effect.

## 11. **Alternative Easement**

The Corporation agrees, in the event of the proposed sale or closing of any highway or any part of a highway where there is a gas line in existence, to give the Gas Company reasonable notice of such proposed sale or closing and, if it is feasible, to provide the Gas Company with easements over that part of the highway proposed to be sold or closed sufficient to allow the Gas Company to preserve any part of the gas system in its then existing location. In the event that such easements cannot be provided, the Corporation and the Gas Company shall share the cost of relocating or altering the gas system to facilitate continuity of gas service, as provided for in Paragraph 12 of this Agreement.

## 12. **Pipeline Relocation**

- (a) If in the course of constructing, reconstructing, changing, altering or improving any highway or any municipal works, the Corporation deems that it is necessary to take up, remove or change the location of any part of the gas system, the Gas Company shall, upon notice to do so, remove and/or relocate within a reasonable period of time such part of the gas system to a location approved by the Engineer/Road Superintendent.
- (b) Where any part of the gas system relocated in accordance with this Paragraph is located on a bridge, viaduct or structure, the Gas Company shall alter or relocate that part of the gas system at its sole expense.
- (c) Where any part of the gas system relocated in accordance with this Paragraph is located other than on a bridge, viaduct or structure, the costs of relocation shall be shared between the Corporation and the Gas Company on the basis of the total relocation costs, excluding the value of any upgrading of the gas system, and deducting any contribution paid to the Gas Company by others in respect to such relocation; and for these purposes, the total relocation costs shall be the aggregate of the following:
  - (i) the amount paid to Gas Company employees up to and including field supervisors for the hours worked on the project plus the current cost of fringe benefits for these employees,
  - (ii) the amount paid for rental equipment while in use on the project and an amount, charged at the unit rate, for Gas Company equipment while in use on the project,
  - (iii) the amount paid by the Gas Company to contractors for work related to the project,

- (iv) the cost to the Gas Company for materials used in connection with the project, and
  - (v) a reasonable amount for project engineering and project administrative costs which shall be 22.5% of the aggregate of the amounts determined in items (i), (ii), (iii) and (iv) above.
- (d) The total relocation costs as calculated above shall be paid 35% by the Corporation and 65% by the Gas Company, except where the part of the gas system required to be moved is located in an unassumed road or in an unopened road allowance and the Corporation has not approved its location, in which case the Gas Company shall pay 100% of the relocation costs.

#### **Part IV - Procedural And Other Matters**

##### **13. Municipal By-laws of General Application**

The Agreement is subject to the provisions of all regulating statutes and all municipal by-laws of general application, except by-laws which have the effect of amending this Agreement.

##### **14. Giving Notice**

Notices may be delivered to, sent by facsimile or mailed by prepaid registered post to the Gas Company at its head office or to the authorized officers of the Corporation at its municipal offices, as the case may be.

##### **15. Disposition of Gas System**

- (a) If the Gas Company decommissions part of its gas system affixed to a bridge, viaduct or structure, the Gas Company shall, at its sole expense, remove the part of its gas system affixed to the bridge, viaduct or structure.
- (b) If the Gas Company decommissions any other part of its gas system, it shall have the right, but is not required, to remove that part of its gas system. It may exercise its right to remove the decommissioned parts of its gas system by giving notice of its intention to do so by filing a Plan as required by Paragraph 5 of this Agreement for approval by the Engineer/Road Superintendent. If the Gas Company does not remove the part of the gas system it has decommissioned and the Corporation requires the removal of all or any part of the decommissioned gas system for the purpose of altering or improving a highway or in order to facilitate the construction of utility or other works in any highway, the Corporation

may remove and dispose of so much of the decommissioned gas system as the Corporation may require for such purposes and neither party shall have recourse against the other for any loss, cost, expense or damage occasioned thereby. If the Gas Company has not removed the part of the gas system it has decommissioned and the Corporation requires the removal of all or any part of the decommissioned gas system for the purpose of altering or improving a highway or in order to facilitate the construction of utility or other works in a highway, the Gas Company may elect to relocate the decommissioned gas system and in that event Paragraph 12 applies to the cost of relocation.

#### **16. Use of Decommissioned Gas System**

- (a) The Gas Company shall provide promptly to the Corporation, to the extent such information is known:
  - (i) the names and addresses of all third parties who use decommissioned parts of the gas system for purposes other than the transmission or distribution of gas; and
  - (ii) the location of all proposed and existing decommissioned parts of the gas system used for purposes other than the transmission or distribution of gas.
- (b) The Gas Company may allow a third party to use a decommissioned part of the gas system for purposes other than the transmission or distribution of gas and may charge a fee for that third party use, provided
  - (i) the third party has entered into a municipal access agreement with the Corporation; and
  - (ii) the Gas Company does not charge a fee for the third party's right of access to the highways.
- (c) Decommissioned parts of the gas system used for purposes other than the transmission or distribution of gas are not subject to the provisions of this Agreement. For decommissioned parts of the gas system used for purposes other than the transmission and distribution of gas, issues such as relocation costs will be governed by the relevant municipal access agreement.

#### **17. Franchise Handbook**

The Parties acknowledge that operating decisions sometimes require a greater level of detail than that which is appropriately included in this Agreement. The Parties agree to look for guidance on such matters to the Franchise Handbook prepared by the Association of Municipalities of Ontario and the gas utility companies, as may be amended from time to time.



**18. Other Conditions**

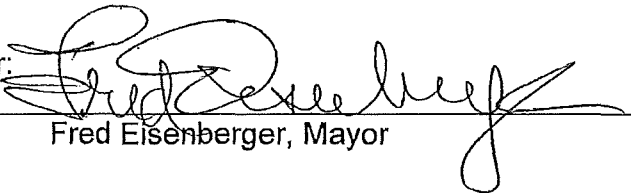
Notwithstanding the cost sharing arrangements described in Paragraph 12, if any part of the gas system altered or relocated in accordance with Paragraph 12 was constructed or installed prior to January 1, 1981, the Gas Company shall alter or relocate, at its sole expense, such part of the gas system at the point specified, to a location satisfactory to the Engineer/Road Superintendent.


**19. Agreement Binding Parties**

This Agreement shall extend to, benefit and bind the parties thereto, their successors and assigns, respectively.

IN WITNESS WHEREOF the parties have executed this Agreement effective from the date written above.

**CITY OF HAMILTON**

Per:   
Fred Eisenberger, Mayor

Per:   
Andrea Holland, City Clerk  
Lisa Barros,

**ENBRIDGE GAS INC.**

Per: \_\_\_\_\_  
Mark Kitchen, Director  
Regulatory Affairs

Per: \_\_\_\_\_  
Murray Costello, Director,  
Southeast Region Operations

|  |                         |
|--|-------------------------|
| OFFICE OF THE CLERK<br>APPROVED BY COUNCIL |                         |
| DATE                                       | December 15, 2021       |
| AUTHORITY                                  | PW 21-018, Item 5       |
| INTL                                       | CW YEAR FILE 2022-15688 |

**Authority:** Item 2, Public Works Committee  
Report 18-009 (PW18048)  
CM: June 27, 2018  
Ward: 12

**Bill No. 105**

**CITY OF HAMILTON**

**BY-LAW NO. 22-105**

**To Repeal By-law No. 21-205 of the City of Hamilton, a By-law to Permanently Close a Portion of a Road Allowance Abutting 357 Wilson Street East, Ancaster, established by Registered Plan 347, in the City of Hamilton, designated as Parts 2, 3, 4 and 5 on Reference Plan 62R-19878 and Parts 1, 2 and 3 on Reference Plan 62R-20864, being Part of PIN 17446-1077 (LT) and Part of PIN 17446-1082 (LT), City of Hamilton**

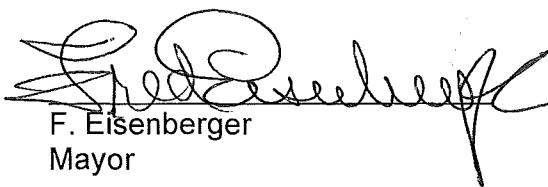
**WHEREAS** Council of the City of Hamilton enacted a by-law to permanently close a Portion of a Road Allowance Abutting 357 Wilson Street East, Ancaster, being By-law No. 21-205;

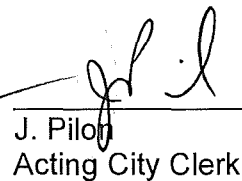
**AND WHEREAS** Council of the City of Hamilton wishes to repeal By-law No. 21-2051;

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

1. By-law No. 21-205 of the City of Hamilton is repealed.
2. This By-law comes into force on the day it is passed.

**PASSED** this 27<sup>th</sup> day of April, 2022.

  
F. Eisenberger  
Mayor

  
J. Pilon  
Acting City Clerk

**Authority:** Item 2, Public Works Committee  
Report 18-009 (PW18048)  
CM: June 27, 2018  
Ward: 12

**Bill No. 105**

## **CITY OF HAMILTON**

### **BY-LAW NO. 22-105**

**To Repeal By-law No. 21-205 of the City of Hamilton, a By-law to Permanently Close a Portion of a Road Allowance Abutting 357 Wilson Street East, Ancaster, established by Registered Plan 347, in the City of Hamilton, designated as Parts 2, 3, 4 and 5 on Reference Plan 62R-19878 and Parts 1, 2 and 3 on Reference Plan 62R-20864, being Part of PIN 17446-1077 (LT) and Part of PIN 17446-1082 (LT), City of Hamilton**

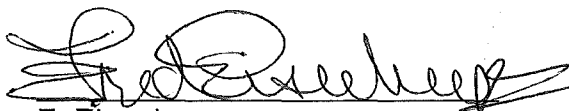
**WHEREAS** Council of the City of Hamilton enacted a by-law to permanently close a Portion of a Road Allowance Abutting 357 Wilson Street East, Ancaster, being By-law No. 21-205;

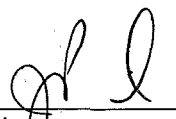
**AND WHEREAS** Council of the City of Hamilton wishes to repeal By-law No. 21-2051;

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

1. By-law No. 21-205 of the City of Hamilton is repealed.
2. This By-law comes into force on the day it is passed.

**PASSED** this 27<sup>th</sup> day of April, 2022.

  
F. Eisenberger  
Mayor

  
J. Pilon  
Acting City Clerk

**Authority:** Item 2, Public Works Committee  
Report 18-009 (PW18048)  
CM: June 27, 2018  
Ward: 12  
**Bill No. 106**

## **CITY OF HAMILTON**

### **BY-LAW NO. 22-106**

**Being a By-law to Permanently Close a Portion of a Road Allowance Abutting 357 Wilson Street East, Ancaster, established by Registered Plan 347, in the City of Hamilton, designated as Parts 2, 3, 4 and 5 on Reference Plan 62R-19878 and Parts 1, 2 and 3 on Reference Plan 62R-20864, being Part of PIN 17446-1077 (LT), Part of PIN 17446-1079 (LT), and Part of PIN 17446-1085 (LT), City of Hamilton**

**WHEREAS** Sections 8, 9 and 10 of the *Municipal Act, 2001* authorize the City of Hamilton to pass by-laws necessary or desirable for municipal purposes, and in particular by-laws with respect to highways; and

**WHEREAS** Section 34(1) of the *Municipal Act, 2001* provides that a by-law permanently closing a highway does not take effect until a certified copy of the by-law is registered in the proper land registry office; and

**WHEREAS** highways to be closed by by-law are declared to be surplus to the needs of the City of Hamilton under the Sale of Land Policy By-law;

**AND WHEREAS** the Council of the City of Hamilton on June 27, 2018, in adopting Item 2 of Public Works Committee Report 18-009, authorized the City to permanently close and sell a portion of Road Allowance Abutting 357 Wilson Street East, Ancaster, established by Registered Plan 347, in the City of Hamilton, designated as Parts 2, 3, 4 and 5 on Reference Plan 62R-19878 and Parts 1, 2 and 3 on Reference Plan 62R-20864, being Part of PIN 17446-1077 (LT), Part of PIN 17446-1079 (LT), and Part of PIN 17446-1085 (LT), City of Hamilton;

**AND WHEREAS** notice of the City's intention to pass this By-law has been published pursuant to the *Municipal Act, 2001*, S.O. 2001, c.25 as amended.

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

1. That portion of road allowance, set out as:

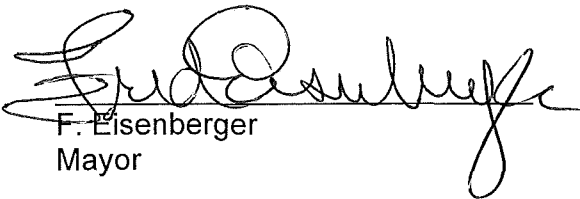
Being a By-law to Permanently Close a Portion of a Road Allowance Abutting 357 Wilson Street East, Ancaster, established by Registered Plan 347, in the City of Hamilton, designated as Parts 2, 3, 4 and 5 on Reference Plan 62R-19878 and Parts 1, 2 and 3 on Reference Plan 62R-20864, being Part of PIN 17446-1077 (LT), Part of PIN 17446-1079 (LT), and Part of PIN 17446-1085 (LT), City of Hamilton

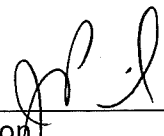
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Part of Queen Street, Registered Plan 347, Part of Reserve, Registered Plan 347, designated as Parts 2, 3, 4 and 5 on Plan 62R-19878 and Parts 1, 2 and 3 on Plan 62R-20864, City of Hamilton is hereby permanently closed.

2. That the soil and freehold of Parts 2, 3, 4 and 5 on Plan 62R-19878 and Parts 1, 2 and 3 on Plan 62R-20864, hereby permanently closed.
3. That this by-law shall come into force and effect on the date of its registration in the Land Registry Office for the Land Titles Division of Wentworth (No. 62).

**PASSED** on this 27<sup>th</sup> day of April, 2022.

  
F. Eisenberger  
Mayor

  
\_\_\_\_\_  
J. Pilon  
Acting City Clerk

**CITY OF HAMILTON**

**BY-LAW NO. 22-107**

To Confirm the Proceedings of City Council at its meeting held on April 27, 2022.

**THE COUNCIL OF THE  
CITY OF HAMILTON  
ENACTS AS FOLLOWS:**

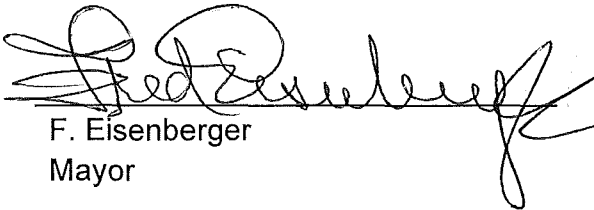
1. The Action of City Council at its meeting held on the 27<sup>th</sup> day of April 2022, in respect of each recommendation contained in

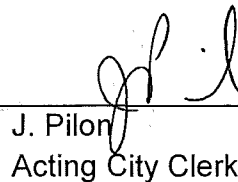
General Issues Committee Report 22-008 – April 20, 2022,  
Audit, Finance & Administration Committee Report 22-009 – April 21, 2022,  
Emergency & Community Services Committee Report 22-006 – April 21, 2022,  
Public Works Committee Report 22-006 – April 22, 2022,  
and  
Planning Committee Report 22-006 – April 25, 2022

considered by City of Hamilton Council at the said meeting, and in respect of each motion, resolution and other action passed and taken by the City Council at its said meeting is hereby adopted, ratified and confirmed.

2. The Mayor of the City of Hamilton and the proper officials of the City of Hamilton are hereby authorized and directed to do all things necessary to give effect to the said action or to obtain approvals where required, and except where otherwise provided, the Mayor and the City Clerk are hereby directed to execute all documents necessary in that behalf, and the City Clerk is hereby authorized and directed to affix the Corporate Seal of the Corporation to all such documents.

**PASSED** this 27<sup>th</sup> day of April, 2022.

  
F. Eisenberger  
Mayor

  
J. Pilon  
Acting City Clerk