

**Authority:** Item 18, Committee of the Whole  
Report 03-015 (FCS03097  
CM: May 28.2003

**Bill No, 092**

CITY OF HAMILTON

BY-LAW NO. 05-092

TO AMEND CITY OF HAMILTON BY-LAW 04-092  
(A BYLAW TO AUTHORIZE THE SUBMISSION OF AN APPLICATION TO THE ONTARIO MUNICIPAL ECONOMIC INFRASTRUCTURE FINANCING AUTHORITY ("OMEIFA), AMENDED TO THE ONTARIO STRATEGIC INFRASTRUCTURE FINANCING AUTHORITY ("OSIFA), FOR FINANCING CERTAIN ONGOING CAPITAL WORKS OF THE CITY OF HAMILTON (THE "MUNICIPALITY"); TO AUTHORIZE TEMPORARY BORROWING FROM OSIFA TO MEET EXPENDITURES IN CONNECTION WITH SUCH WORKS; AND TO AUTHORIZE LONG TERM BORROWING FOR SUCH WORKS THROUGH THE ISSUE OF DEBENTURES TO OSIFA)

WHEREAS the Council of the City of Hamilton enacted By-law No. 04-092 to authorize temporary and long term borrowing from OMEIFA (amended to OSIFA) for financing of capital works set out in Schedule A to by-law 04-092 through the issue of debentures to OSIFA,

AND WHEREAS a Financing Agreement between the City of Hamilton and OSIFA effective April 30, 2004 has been fully executed, whereby OSIFA agrees to make financing available to the City of Hamilton up to a maximum aggregate principle amount of \$100,000,000 (One Hundred Million Dollars),

AND WHEREAS actual project expenditures for certain completed capital projects are less than the estimated expenditures as set out in Column (3) of Schedule A to by-law 04-092, resulting in the loan amount from OSIFA not being maximized,

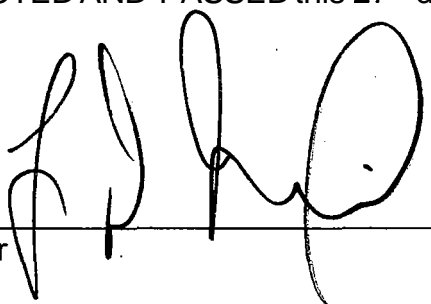
AND WHEREAS OSIFA has agreed to the revised loan amounts as set out in Column 5 of the revised Schedule A attached hereto,

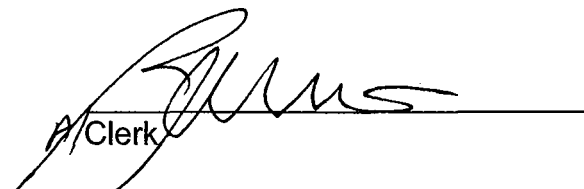
NOW THEREFORE the Council of the City of Hamilton hereby enacts as follows:

1. That the Schedule A attached hereto replace Schedule A to by-law 04-092.

2. Despite section 3, that the Mayor and/or the Treasurer are hereby authorized, pending the substantial completion of a Project or as otherwise agreed with OSIFA, to make temporary borrowings pursuant to section 405 of the Act in order to meet Post 2002 Expenditures, on the terms and conditions provided in the Financing Agreement and on such other terms and conditions as such authorized officials may agree, and to sign such evidence of indebtedness as OSIFA may require (a "Note"); and the Treasurer is authorized to sign such certifications as OSIFA may require in connection with such borrowings in respect of each Project; provided that the amount of borrowings allocated to any Project does not exceed the Authorized Expenditure for such Project and does not exceed the loan amount set out in column (5) of Schedule "A" in respect of such Project.
3. Despite section 4, subject to the terms and conditions of the Financing Agreement and such other terms and conditions as OSIFA may otherwise require, the Mayor and the Treasurer are hereby authorized to enter into long term borrowing in respect of the Projects and to issue debentures to OSIFA on the terms and conditions provided in the Financing Agreement and on such other terms and conditions as such authorized officials may agree ("Debentures"); provided that the principal amount of such Debentures issued in respect of a Project does not exceed the Authorized Expenditure for such Project and does not exceed the loan amount set out in column (5) of Schedule "A" in respect of such Project.
4. In all other respects, By-law No. 04-092 is confirmed without change.
5. This By-law takes effect on the day of passing.

ENACTED AND PASSED this 27<sup>th</sup> day of April, 2005.

Mayor 

Clerk 

**CITY OF HAMILTON**  
**SCHEDULE "A"**  
**to By-Law No. 05-092**

(1) <u>By-Law Number</u>	(2) <u>Description of Capital Work</u>	(3) <u>Estimated Expenditure</u> \$	(4) <u>Original Loan Amount</u> \$	(5) <u>Revised Loan Amount</u> \$
<b><u>Bridges</u></b>				
03-060	Sydenham Rd Bridge (#3003) N of King	2,200,000	2,200,000	2,200,000
<b>Sub-Total Bridges</b>		<b>2,200,000</b>	<b>2,200,000</b>	<b>2,200,000</b>
<b><u>Roads</u></b>				
02-143	Upp James - Linc to Stone. & Stone. - Up James to W5th (SMA)	2,300,000	450,000	429,366
02-143	Sydenham Road Repairs	1,000,000	1,000,000	261,778
03-060	Jullian Avenue - Melvin to Dunsmore	560,000	560,000	360,722
03-060	Middletown Rd - Fourth Conc. W to Fifth Conc. W	460,000	460,000	371,020
03-060	Terrace Drive - Mohawk to South Bend	320,000	320,000	158,118
03-060	Bettina Avenue - Hixon to end	310,000	310,000	152,984
03-060	Upper Kenilworth - Mohawk to Limeridge	1,000,000	1,000,000	702,082
03-060	East 25th, Halam, and MacLennan	930,000	930,000	650,929
03-060	Stanley Park Phase 1	900,000	900,000	524,775
03-060	Grenadier, Wise, Bamett, Marvin & Camille	860,000	860,000	524,076
03-060	Parklands, Connor, Dundonald, Erin, & Nelligan	800,000	800,000	369,328
03-060	Dickenson Road - Highway 6 to Glancaster	700,000	700,000	243,626
03-060	Fifth Concession W. - Sheffield to Lynden	670,000	670,000	303,515
03-060	Ottawa Street - Main to King	650,000	650,000	265,797
03-060	Grimsby, MacLaren, & Admiral	520,000	520,000	520,000
03-060	RR97 - Middletown to Hwy #6 & Middletown - RR97 to end	500,000	500,000	336,176
03-060	Chippewa Road E - Nebo to Miles	480,000	480,000	444,763
03-060	Binbrook Road - Woodburn to Hendershot	450,000	450,000	400,494
03-060	Kirk - Fletcher to Trinity Church	390,000	390,000	103,590
03-060	Green Mountain Road - Eighth Road (E) to Tenth Road (W)	370,000	370,000	131,765
03-060	Cooper Road - Safari to Eighth Concession W.	330,000	330,000	156,222
03-060	Chippewa Road E - Nebo to Tinsdale	320,000	320,000	296,509
03-060	Middletown Rd - Eighth Conc. W to Safari Road	310,000	310,000	212,892
03-060	Chippewa Road E - Miles to Ferris	310,000	310,000	287,243
03-060	Lennon Road - Highway 97 to Concession 10	300,000	300,000	219,567
03-060	Homestead Drive - Highway 6 to Airport	270,000	270,000	168,000
03-060	Kingfisher - Upper Wentworth to Limeridge	250,000	250,000	176,723
03-060	Beeforth Road - Concession 5 E to Concession 6 E	250,000	250,000	185,279
03-060	Green Mountain Road - Fifth to Sixth	220,000	220,000	64,918
03-060	Kitty Murray Lane - Hwy 53 to 1,036m n/o Hwy 53	1,070,000	334,000	0
03-060	King St - Potruff to Nash	300,000	300,000	0
03-060	Rymal - Up James to West 5th (SMA)	300,000	300,000	0
02-143	Scenic - Lyle to West 31st	228,000	228,000	168,887
02-143	Dofasco Ingot Truck Route	700,000	269,000	269,000
02-143	Sherman - King to Cannon	110,000	110,000	110,000
02-143	Upper Sherman - Jasmine to Limeridge	500,000	500,000	352,481
02-143	Gage - Barton to Beach	235,000	235,000	235,000

**CITY OF HAMILTON**  
**SCHEDULE "A"**  
**to By-Law No. 05-092**

(1)	(2)	(3)	(4)	(5)
<u>Bv-Law Number</u>	<u>Description of Capital Work</u>	<u>Estimated Expenditure</u>	<u>Original Loan Amount</u>	<u>Revised Loan Amount</u>
		\$	\$	\$
02-143	Wellington - Cannon to Barton	670,000	670,000	670,000
02-143	Guise - Bay to Catharine	1,000,000	1,000,000	933,077
02-143	East 43rd, Eleventh Ave, Lupin Ave	920,000	920,000	758,466
02-143	East 11th, East 12th, Mountville Avenue	925,000	925,000	742,239
02-143	Federal - Deerhurst to Millen	930,000	930,000	795,221
02-143	Hunt & Sunset, Baker & Lochearne	580,000	580,000	410,898
02-143	Walter - Britannia to Roxborough, Dunsmore - Walter to Adeline	575,000	575,000	551,894
02-143	Mahoney, Adeline, Guelph St, Goggin	570,000	570,000	567,560
02-143	Byng Street Urbanization	50,000	50,000	50,000
03-060	Red Hill Valley Project	70,317,000	18,074,000	70,316,984
	<b>Sub-total Roads</b>	<b>96,710,000</b>	<b>41,450,000</b>	<b>85,953,964</b>
	<b><u>Waste Management</u></b>			
02-143 & 03-060	Assess & Rehabilitation - Former West Hamilton Landfill	344,000	99,000	
03-060	Erosion Control and Leachate Management - Rennie/Brampton	4,500,000	4,500,000	
02-143 & 03-060	Glanbrook Landfill Alternative Daily Cover Application Equipment	230,000	80,000	
03-060	Kenora Transfer Station Renovations	419,000	200,000	
02-143 & 03-060	Glanbrook Landfill Roadway Construction	203,000	150,000	
02-143 & 03-060	Glanbrook Landfill Weigh Scale	400,000	200,000	
03-060	Dundas Transfer Station Weigh Scale	150,000	150,000	
03-060	Glanbrook Landfill Building Addition	150,000	150,000	
02-143	Glanbrook-Leachate Improvement	6,179,000	4,596,000	4,596,000
02-143	Former Brampton Landfill Site Rehab	11,300,000	5,378,000	5,378,000
02-143	Former Rennie St. Landfil Site Rehab	12,500,000	1,950,000	1,872,036
	<b>Sub-Total Waste Management</b>	<b>36,375,000</b>	<b>17,453,000</b>	<b>11,846,036</b>
	<b>Total Storm Sewer Projects</b>	<b>1,000,000</b>	<b>678,000</b>	
	<b>Total Water Projects</b>	<b>17,610,000</b>	<b>17,016,000</b>	
	<b>Total Wastewater Projects</b>	<b>47,704,000</b>	<b>21,203,000</b>	
	<b>TOTAL</b>	<b>201,599,000</b>	<b>100,000,000</b>	<b>100,000,000</b>