



CITY COUNCIL MINUTES 17-021

5:00 p.m.

Wednesday, November 22, 2017

Council Chamber

Hamilton City Hall

71 Main Street West

Present: Mayor F. Eisenberger, Deputy Mayor B. Johnson,
Councillors T. Whitehead, D. Skelly, T. Jackson, C. Collins, S. Merulla,
M. Green, J. Farr, A. Johnson, D. Conley, M. Pearson, L. Ferguson,
A. VanderBeek, R. Pasuta, J. Partridge

Mayor Eisenberger called the meeting to order and recognized that Council is meeting on the traditional territories of the Mississauga and Haudenosaunee nations, and within the lands protected by the “Dish with One Spoon” Wampum Agreement.

The Mayor called upon Rabbi Jordan Cohen of Temple Anshe Sholom to provide the invocation.

APPROVAL OF THE AGENDA

The Clerk advised of the following changes to the agenda:

1. COMMUNICATIONS - *AMENDED DISPOSITION*

- 5.3 Correspondence from the Honourable Bill Mauro, Minister of Municipal Affairs and the Honourable Kevin Flynn, Minister of Labour respecting Fair Workplaces, Better Jobs Act (Bill 148).

Recommendation: Be received and referred to the ***Executive Director of Human Resources and Organizational Development*** for information and appropriate action.

2. COMMUNICATIONS

- 5.7 Correspondence from the Ministry of Municipal Affairs seeking stakeholder and public input on the proposed changes to Ontario's Building Code by January 4 2018.

Recommendation: Be received and referred to the General Manager of Planning and Economic Development for information and appropriate action.

3. ADDED NOTICES OF MOTION

- 8.1 Review of Public Transit Fare Options
- 8.2 Waiving of City Facility Rental Fees for Kringle, Carols and Karaoke in the Park
- 8.3 Feasibility Study for Stairway Access to the Base of the Chedoke Falls

4. ADDED PRIVATE AND CONFIDENTIAL

10.2 Bell Municipal Access Agreement (LS14001(b)/PW14006(b)) (City Wide)

Pursuant to Section 8.1, Sub-sections (e) and (f) of the City's Procedural By-law 14-300, and Section 239(2), Sub-sections (e) and (f) of the Municipal Act, 2001, as amended, as the subject matter pertains to litigation or potential litigation, including matters before administrative tribunals, affecting the City and the receiving of advice that is subject to solicitor-client privilege, including communications necessary for that purpose.

(VanderBeek/Pasuta)

That the agenda for the November 22, 2017 meeting of Council be approved, as amended.

CARRIED

DECLARATIONS OF INTEREST

Councillor Ferguson declared an interest on Appendix A, page 17 to Item 5 of the General Issues Committee Report 17-024 respecting licensing fees for taxi cabs, as his family is involved in the taxi cab business.

CEREMONIAL ACTIVITIES

3.1 Fall Business Appreciation Awards (Wards 9-15)

Mayor Eisenberger recognized local businesses and expressed appreciation for their investment and commitment to the City of Hamilton.

The awards were presented to businesses in Wards 9-15. The winners for Wards 1-8 were presented earlier this year. A recognition award from the Mayor's office was also presented.

Ward 9:

Image Party Place and Juch-Tech Inc.

Ward 10:

Cino Auto Repair Inc. and Roma Bakery and Deli

Ward 11:

447 (City of Hamilton) Wing RCAFA and the Canadian Warplane Heritage Museum

Ward 12:

Ancaster Mill and Dodsworth and Brown Funeral Home (Ancaster Chapel)

Ward 13:

The Village Bakery and WPE Landscape Equipment

Ward 14:

Galer Equipment and Gowland Farms Ltd.

Ward 15:

Aldershot Greenhouses Ltd. and Dutchman's Gold Honey

Mayor's Office:

Kubes Steel Inc. and Pipeline Studios Hamilton

APPROVAL OF MINUTES

4.1 November 8, 2017

(Whitehead/Jackson)

That the Minutes of the November 8, 2017 meeting of Council be approved, as presented.

CARRIED

COMMUNICATIONS

(B. Johnson/Pearson)

That Council Communications 5.1 through 5.7 be approved, ***as amended***, as follows:

- 5.1 Correspondence from Dana Anderson, Partner, MHBC Planning Urban Design & Landscape Architecture respecting the City of Hamilton Proposed Commercial Zones (Amendment to By-law 05-200).

Recommendation: Be received.

- 5.2 Correspondence from Graham Flint, President, Gravel Watch Ontario respecting their concerns regarding Cornerstone Standards Council (CSC) Responsible Aggregate Standard and Certification System.

Recommendation: Be received and referred to the General Managers of Public Works; Planning and Economic Development and Corporate Services for information and appropriate action.

- 5.3 Correspondence from the Honourable Bill Mauro, Minister of Municipal Affairs and the Honourable Kevin Flynn, Minister of Labour respecting Fair Workplaces, Better Jobs Act (Bill 148).

Recommendation: Be received and referred to the Executive Director of Human Resources and Organizational Development for information and appropriate action.

- 5.4 Correspondence from Town of Tillsonburg requesting support for the Town of Tillsonburg's Council resolution calling upon the Government of Ontario, and all political parties, to formally grant municipalities the authority to approve landfill projects in or adjacent to their communities, prior to June 2018.

Recommendation: Be received ***and endorsed***.

- 5.5 Correspondence from John Bolognone, City Clerk, City of Kingston requesting support for the City of Kingston's Council resolution encouraging the provincial government through the responsible Ministers to work together to make Naloxone Kits easily available in all communities, and that the Province enact legislation and regulations as needed to limit the liability on non-paramedic responders when administering the drug to treat an overdose.

Recommendation: Be received ***and referred to the next meeting of the Board of Health for discussion***.

- 5.6 Correspondence from Joshua Weresch respecting the recent sales pitch that has been made for Amazon's head-quarters.

Recommendation: Be received.

- 5.7 Correspondence from the Ministry of Municipal Affairs seeking stakeholder and public input on the proposed changes to Ontario's Building Code by January 4 2018.

Recommendation: Be received and referred to the General Manager of Planning and Economic Development for information and appropriate action.

CARRIED

(Green/Farr)

That Council move into Committee of the Whole for consideration of the Committee Reports.

CARRIED

PUBLIC WORKS COMMITTEE REPORT 17-013

(Merulla/Farr)

That Item 6 of the Public Works Committee Report 17-013 respecting the Graffiti Management Strategy (PW17078/PED17198) be **amended** by adding sub-sections (g) and (h) to read as follows:

6. Graffiti Management Strategy (PW17078/PED17198) (City Wide) (Item 8.3)

- (a) That the Graffiti Management Strategy and associated timelines outlined in this report be approved;
- (b) That staff provide updates on the progress of the Graffiti Management Strategy and its various components as part of the Clean and Green Strategy annual reporting;
- (c) That Municipal Law Enforcement (MLE) be approved to hire two (2) Municipal Law Enforcement Officers (Co-op students) for a 2 year pilot project;
- (d) That annual costs associated with hiring of two (2) Municipal Law Enforcement Officers (Co-op students) and operating costs of one (1) vehicle, approximately \$114,100, be funded through the Tax Stabilization Reserve #110046;
- (e) That the one-time capital cost associated with the purchase of one (1) vehicle to support the new Municipal Law Enforcement Officers (Co-op students), approximately \$26,400, be funded through Tax Stabilization Reserve #110046;
- (f) That the internal Graffiti Working Group, led by Policy & Programs staff, develop and undertake a graffiti enforcement strategy with victim assistance program;
- (g) ***That the pursuit of additional Closed-Circuit Television Cameras (CCTV) be included as part of the Graffiti Management Strategy with a report back, accompanied by a presentation, to the Public Works Committee outlining the costs of expanding the camera program; and,***
- (h) ***That the appropriate staff also report back on the cost of a counter social media campaign that encourages citizens to participate in assisting police in catching vandals and receiving a cash reward as well as the cost of a one-time City-wide graffiti clean-up.***

Main Motion as Amended CARRIED

(Ferguson/VanderBeek)

That sub-sections (d), (f) and (g) of Item 7 of the Public Works Committee Report 17-013, respecting the Gypsy Moth Infestation Control Program (PW17088) be **amended** to read as follows:

7. Gypsy Moth Infestation Control Program (PW17088) (City Wide) (Item 8.4)

- (d) That the anticipated cost of *the Gypsy Moth Infestation Control Program* of \$1,950,000 in 2018 and \$550,000 in 2019 be ~~referred to the 2018 capital budget process~~ funded through the Tax Stabilization Reserve;
- (f) That the costs associated with the follow up survey (*as identified in sub-section (d)*) be included in the total anticipated ~~capital~~ costs identified for the Gypsy Moth Infestation Control Program ~~detail sheet to be submitted through the 2018 capital budget process and be funded from the Tax Stabilization Reserve~~;
- (g) That correspondence be sent to the Minister of Natural Resources and Forestry, requesting financial assistance from the province in dealing with Gypsy Moth infestations, and that any received funds will be used to offset the ~~capital impacts costs~~ identified through this program.

Main Motion as Amended CARRIED

(VanderBeek/Ferguson)

That Item 10 of the Public Works Committee Report 17-013, respecting the Dundas Driving Park – East Rock Garden Program (Irrigation) be **amended** by adding the words “*and/or the Knowles Bequest*” to read as follows:

10. Dundas Driving Park – East Rock Garden Project (Irrigation) (Added Item 10.1)

WHEREAS, the Dundas Driving Park has an historic rock garden on the west side of the park which, for many years, was in disrepair;

WHEREAS, in 2015 a group of local volunteers agreed to take responsibility for the rejuvenation and continued maintenance of this local landmark;

WHEREAS, as a result, the garden is once again the object of great beauty that it once was;

WHEREAS, this same group of volunteers have agreed to rejuvenate and maintain a second old rock garden on the east side of the Dundas Driving Park;

WHEREAS, there is no existing irrigation in the rock garden on the east side of the park and without it the garden cannot be rejuvenated and maintained successfully;

THEREFORE BE IT RESOLVED:

That up to \$5,500 for the installation of irrigation in the rock garden on the east side of the Dundas Driving Park, to be funded from the Ward 13 Cell Tower Revenues in Specific Revenues Project (Account #3301609613) **and/or the Knowles Bequest**, be approved.

Main Motion as Amended CARRIED

(VanderBeek/Ferguson)

That the THIRTEENTH Report of the Public Works Committee be adopted, as amended, and the information section received.

CARRIED

BOARD OF HEALTH REPORT 17-010

(Eisenberger/Partridge)

That the TENTH Report of the Board of Health be adopted, as presented, and the information section received.

CARRIED

PLANNING COMMITTEE REPORT 17-019

(Partridge/Jackson)

That Item 4 of Planning Committee Report 17-019 respecting Application to Amend the City of Hamilton Zoning By-law No. 6593 and City of Hamilton Zoning By-law No. 05-200 for Lands Located at 952 – 954 Concession Street, (Hamilton) (Ward 6) (PED17193) be **amended** by added the following subsections (b) and (c) and renumbering the remaining sub-section:

4. Application to Amend the City of Hamilton Zoning By-law No. 6593 and City of Hamilton Zoning By-law No. 05-200 for Lands Located at 952 – 954 Concession Street, (Hamilton) (Ward 6) (PED17193) (Item 6.1)

- (a) That Amended Zoning By-law Amendment Application ZAR-17-010, by Sammani 786 Inc., Owner, for a change in zoning from the “G-3” (Public Parking Lots) District (Block 1), and from the “G-4/S-1214a” (Designed Neighbourhood Shopping Area) District, Modified (Block 2), to the “G-4/S-1214b” (Designed Neighbourhood Shopping Area) District, Modified, in City of Hamilton Zoning By-law No. 6593, to permit a mixed use building containing an Animal Hospital (veterinary clinic) on the ground floor of the existing building, and three (3) residential dwelling units within a proposed second storey addition, on the lands located at 952 – 954 Concession Street, Hamilton, as shown on Appendix “A” to Report PED17193, be DENIED for the following reasons:
 - (i) That proposal would result in over intensification of the subject lands;
 - (ii) The proposal is not compatible with the existing residential neighbourhood;
 - (ii) The proposal will exasperate the existing parking situation which is problematic due to overflow from Juravinski Hospital,
- (b) ***That Legal staff be instructed to oppose the appeal of Application to Amend the City of Hamilton Zoning By-law No. 6593 and City of Hamilton Zoning By-law No. 05-200 for Lands Located at 952 – 954 Concession Street, (Hamilton) to the Ontario Municipal Board (OMB) and to retain***

outside expert witnesses for that purpose and charge the costs to the Tax Stabilization Reserve 110046;

- (c) *That the (OMB) be advised that the reasons for Council's opposition include but are not limited to:*
- (i) *That proposal would result in over intensification of the subject lands;*
 - (ii) *The proposal is not compatible with the existing residential neighbourhood;*
 - (iii) *The proposal will exasperate the existing parking situation which is problematic due to overflow from Juravinski Hospital,*
- (d) That the public submissions received regarding this matter supported the denial of the application.

Main Motion as Amended CARRIED

(Partridge/Pearson)

That the NINETEENTH Report of the Planning Committee be adopted, as amended, and the information section received.

CARRIED

GENERAL ISSUES COMMITTEE REPORT 17-024

(Pasuta/VanderBeek)

That Item 5 of the General Issues Committee Report 17-024, respecting 2018 Tax Supported User Fees Communities be **amended** to read as follows:

5. 2018 Tax Supported User Fees Communities (FCS17092) (City Wide) (Item 8.3)

- (a) That page 32 of Appendix "B" to Item 5 of the General Issues Committee Report 17-024, respecting the 2018 Tax Supported User Fees, specifically the line regarding the Migrant Farm Worker Housing Fee, be amended by deleting the dollar amount of "\$132.74" shown under the heading of "2018 Proposed Fee" and replacing it with the dollar amount of **"\$122.12"**; and, by deleting the number "41.5%" under the heading of "% Change in Fee" and replacing it with the number **"30.2%"**, to read as follows:

Service or Activity Provided or Use of City Property	2017 Approved Fee	2018 Proposed Fee	HST Y/N)	% Change in Fee	Basis for Fee Increase
Migrant Farm Worker Housing	\$93.81	\$132.74	Y	41.5%	Fee increase over guideline to cover extra administrative costs incurred, rounded to the

					nearest dollar after HST applied.
Migrant Farm Worker Housing	\$93.81	\$122.12	Y	30.2%	Fee increase over guideline to cover extra administrative costs incurred, rounded to the nearest dollar after HST applied.

- (b) That sub-sections (a) and (b) to Item 5 of the General Issues Committee Report 17-024, respecting the 2018 Tax Supported User Fees, be amended by adding the word “**further**”, to read as follows:
- (a) That the 2018 User Fees contained in Appendix “B” to Report 17-024 “2018 Tax Supported User Fees”, as **further** amended, be approved and implemented; and,
- (b) That the City Solicitor and Corporate Counsel be authorized and directed to prepare all necessary by-laws, for Council approval, for the purposes of establishing the user fees contained within Appendix “B” to Report 17-024, as **further** amended.

Main Motion as Amended CARRIED

(Eisenberger/Whitehead)

That Item 11 of the General Issues Committee Report 17-024, respecting the appointment of the General Manager of the Healthy and Safe Communities Department, be amended by deleting sub-section (c) in its entirety and replacing it with the following in lieu thereof:

11. Appointment of the General Manager, Healthy and Safe Communities (CM17018) (City Wide) (Item 12.5)

- ~~(a) That Council approve the appointment of Paul Johnson into the role of General Manager, Healthy & Safe Communities, effective January 1st, 2018; and~~
- (a) That the appointment of Paul Johnson into the role of General Manager, Healthy & Safe Communities Department, effective January 1, 2018, be approved; and,

Main Motion as Amended CARRIED

(Eisenberger/Pearson)

That the TWENTY-FOURTH Report of the General Issues Committee be adopted, as amended, and the information section received.

CARRIED

(Green/Farr)

That the Committee of the Whole Rise and Report.

CARRIED

MOTIONS

7.1 Citizen Appointment to the LGBTQ Advisory Committee

(Green/Farr)

That Autumn Getty be appointed to the Lesbian, Gay, Bisexual, Transgender and Queer (LGBTQ) Advisory Committee for the balance of the 2014-2018 term of Council or until successors are appointed by Council.

CARRIED

7.2 Operating Costs for Snow for Two-Way Traffic on Queen Street from Aberdeen Avenue to Main Street

(Whitehead/Skelly)

That the motion respecting the Operating Costs for Snow for Two-Way Traffic on Queen Street from Aberdeen Avenue to Main Street be tabled.

CARRIED

7.3 Amendment to the Motion Respecting Garth Reservoir and/or William Connell Park as a Winter Destination Location(s)

(Whitehead/Skelly)

That the motion respecting Garth Reservoir and/or William Connell Park as a Winter Destination Location(s) which was approved by Council on November 8, 2017, be **amended** by deleting the reference to Account Numbers "3301709800 and 3301809800" and replacing them with "**Area Rating Reserve Account 108058**" to read as follows:

WHEREAS the Garth reservoir has already been designated as a toboggan hill;

WHEREAS staff have already been working in earnest with the city councillor to establish the Garth reservoir as a winter destination;

WHEREAS winter activities are limited for families across the city;

WHEREAS William Connell Park is adjacent to the Garth Reservoir and may afford opportunities for winter destination activities as well;

WHEREAS tobogganing hill design is a specialty within landscape architecture profession and Baker Turner Inc. is an Ontario firm that has experience in the design and construction of tobogganing and winter recreation facilities;

WHEREAS the city has already established the healthy kids community initiative to encourage healthy habits in our youth; and,

WHEREAS the reservoir is well attended in the winter months;

THEREFORE BE IT RESOLVED:

- (a) That staff be directed to bring back a concept plan funded through Ward 8 Area Rating to an upset limit of \$200,000 **from Area Rating Reserve Account 108058** (~~\$100,000 for 2017 from Account 3301709800 and \$100,000 from Account 3301809800 for 2018~~) that would evaluate the capital and operating costs and scope of work for the options for the creation of a winter destination at either the Garth Reservoir or William Connell Park or a combination thereof; and
- (b) That the single source procurement to Baker Turner Inc., pursuant to Procurement Policy #11 – non-competitive procurements, for the design and analysis of the options for creating a winter destination in Ward 8, funded by **Area Rating Reserve Account 108058** ~~Area Rating Account 3301709800~~, be approved.

CARRIED

7.4 WIP Art Exhibit – Special Occasion Permit Liquor Licence

(Green/Farr)

WHEREAS, Hamilton City Council has received Notice (attached hereto as Appendix “A”) from Helen Campbell who wishes to obtain approval for a Special Occasion Permit Liquor Licence to sell alcohol on December 1, 2017 between the hours of 6:00 p.m. and 9:00 p.m. at The Cotton Factory, 270 Sherman Avenue N., Hamilton, Ontario during the WIP Art Exhibit taking place in Hamilton, Ontario;

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

WHEREAS, the City of Hamilton does not have an objection to the Liquor Licence Serving Time Extension for the following establishment;

THEREFORE BE IT RESOLVED:

- (a) That the City of Hamilton hereby deems WIP Art Exhibit, being held in the City of Hamilton, Ontario on December 1, 2017, as municipally significant; and,
- (b) That the following applicant be provided a copy of this resolution for inclusion with their application to the Alcohol and Gaming Commission of Ontario:
 - (i) Helen Campbell, Waterdown, Ontario.

CARRIED

Mayor Eisenberger relinquished the chair to Deputy Mayor B. Johnson in order to introduce the following motion.

7.5 Fibre Optic Capability within the City Corridor along the Proposed LRT Transit Line

(Eisenberger/Whitehead)

WHEREAS, the Mayor's Intelligent Community Task Force at their September 12, 2017 meeting, approved the direction below,

THEREFORE BE IT RESOLVED:

- (a) That Public Works staff work with Internet Service Providers and HCE Telecom to facilitate the use of fibre optic technology within the City corridor along the proposed Light Rail Transit line; and
- (b) That staff report back to a future Special GIC-LRT Committee meeting with a report that includes cost forecasts and funding opportunities for the project.

CARRIED

Mayor Eisenberger assumed Chair.

7.6 Victoria Hall Christmas Market – Special Occasion Permit Liquor Licence

(VanderBeek/Ferguson)

WHEREAS, Hamilton City Council has received Notice (attached hereto as Appendix "A") from Kathryn Fairfield on behalf of Terraware who wishes to obtain approval for a Special Occasion Permit Liquor Licence to sell alcohol on December 7, 2017 between the hours of Noon and 9:00 p.m.; December 8, 2017 between the hours of Noon and 9:00 p.m.; December 9, 2017 between the hours of Noon and 6:00 p.m. and December 10, 2017 between the hours of Noon and 6:00 p.m. at Victoria Hall, 11 Cross Street, Dundas, Ontario during the Victoria Hall Christmas Market taking place in Hamilton, Ontario;

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

WHEREAS, the City of Hamilton does not have an objection to the Liquor Licence Serving Time Extension for the following establishment;

THEREFORE BE IT RESOLVED:

- (a) That the City of Hamilton hereby deems Victoria Hall Christmas Market, being held in the City of Hamilton, Ontario on December 7, 8, 9 and 10, 2017, as municipally significant; and,
- (b) That the following applicant be provided a copy of this resolution for inclusion with their application to the Alcohol and Gaming Commission of Ontario:
 - (ii) Terraware c/o Kathryn Fairfield, Dundas, Ontario.

CARRIED

7.7 Delegation of Authority to Hear Complaints respecting the Payment of Development Charges

(Skelly/Jackson)

WHEREAS, the City of Hamilton has received formal complaint with respect to payment of a Special Area Charge (Development Charges), pursuant to Section 20 of the *Development Charges Act*;

WHEREAS, the City of Hamilton has 60 days from the date of the complaint, which was submitted on October 31, 2017, to hear the matter;

WHEREAS, the City of Hamilton historically has heard complaints respecting Development Charge by-laws before the Audit, Finance & Administration Committee; and,

WHEREAS, the Audit, Finance & Administration Committee does not currently have delegated authority to hear complaints respecting the payment of Special Area Charges (Development Charges), pursuant to Section 23.5 the *Ontario Municipal Act*;

THEREFORE BE IT RESOLVED:

That Council delegates its authority to hold a hearing into a complaint respecting Special Area Charges (Development Charges) to the Audit, Finance & Administration Committee.

CARRIED

7.8 Lifting of the Motion respecting the Restoration of the Cross of Lorraine

(Whitehead/Pearson)

That the motion respecting the Restoration of the Cross of Lorraine, which was tabled at the November 8, 2017 Council meeting and reads and follows be LIFTED from the table:

WHEREAS the Cross of Lorraine is a historical symbol for Hamilton's involvement in the fight against Tuberculosis;

WHEREAS the Cross of Lorraine is a reflection of our compassion and care as a city for those who were afflicted with Tuberculosis; and

WHEREAS the Cross of Lorraine is a reminder for the many Inuit and soldier patients that were cared for at this location.

THEREFORE BE IT RESOLVED:

That staff be directed to develop a plan to determine the costing and scope of work needed to restore the Cross of Lorraine to its former glory.

CARRIED

(Whitehead/Pearson)

That the motion respecting the Restoration of the Cross of Lorraine be **amended** to read as follows:

WHEREAS the Cross of Lorraine is a historical symbol for Hamilton's involvement in the fight against Tuberculosis;

WHEREAS the Cross of Lorraine is a reflection of our compassion and care as a city for those who were afflicted with Tuberculosis;

WHEREAS the Cross of Lorraine is a reminder for the many Inuit and soldier patients that were cared for at this location.

WHEREAS Councillor Whitehead has met with City staff, connected with Inuit Tuberculosis survivors and Hamilton Sanatorium researchers;

WHEREAS Councillor Whitehead intends to continue this dialogue working with staff, the Veterans Committee and Aboriginal Advisory Committee;

WHEREAS it was clear through the preliminary discussions with the groups Councillor Whitehead has connected with to date is that the Cross of Lorraine should be lit as a reminder that the fight against Tuberculosis is always with us; and

WHEREAS through these discussions regarding the Cross of Lorraine an opportunity prevailed to examine how we can provide a commemorative symbol, public art piece or plaquing that can facilitate the rich history of the Hamilton Sanatorium through a variety of lenses;

THEREFORE BE IT RESOLVED:

- (a) That staff be directed to develop a plan to determine the costing and scope of work needed to restore the Cross of Lorraine to its former glory; and
- (b) ***That the Cross of Lorraine be lit, while discussions are ongoing with the Inuit and Veteran communities, in order to honour the experiences of these two groups.***

CARRIED

7.9 Review of Public Transit Fare Options

(Merulla/Collins)

WHEREAS, people living on low income require affordable transportation to access work and community opportunities; and, affordable fares, in conjunction with increased transit accessibility, demonstrate effectiveness as a poverty reduction strategy;

WHEREAS, relevant published accounts continue to cite poorly integrated residential and employment location patterns and poor public transportation service

as critical obstacles to improving the economic and social conditions of low-income persons;

WHEREAS, public transit plays an important role in quality of life by facilitating access to factors that contribute to health;

WHEREAS, transit is critical to accessing food, employment, education, health services, and social and recreational activities; and, also enables connections with family, friends and other supports that can help reduce social isolation;

WHEREAS, the City of Hamilton currently offers an accessible transit monthly pass to applicants who are eligible; and,

WHEREAS, the available evidence shows that offering a wider range of discounted pass options may have a greater impact in terms of poverty reduction (such as discounted weekly passes and day / weekend passes for low income individuals or families);

THEREFORE BE IT RESOLVED:

That staff be directed to report back to the Public Works Committee with respect to the feasibility of public transit fare options, taking the following into consideration and outlining the cost per household for any options provided:

- (a) An application system for discounted transit passes that reduces stigma for users such as the model used in Victoria, B.C.; whereby, community agencies can purchase transit passes at a price of two-for-one. Those agencies are then able to give passes to people with low incomes for specific purposes. Distribution of the passes is at the discretion of the community agencies;
- (b) Continue to invest in strategies to increase access to transit in rural areas by building on existing programs such as Trans-cab;
- (c) Fare-geared-to-income criteria: Gearing the cost of transit to riders' ability to pay, especially for residents in the lowest income brackets, is widely recommended as an option to improve transit equity. Considerations for this approach will need to include: determining who qualifies and establishing a separate payment system;
- (d) The implementation of a range of options to make transportation more affordable. For example: different types of passes (weekly, day, and/or weekend) for low income individuals or families in addition to existing monthly Affordable Transit Passes, savings from bulk purchasing of passes, open-ended transfers (instead of the existing 2-hour transfers), community bus programs, and shared rides;
- (e) Explore the feasibility of offering fare-free transit or reduced fares to all residents. This approach should build in evaluation as the evidence-base is outdated; and,
- (f) The elimination of area rating.

Mayor Eisenberger relinquished the chair to Deputy Mayor B. Johnson in order to introduce the following motion.

(Eisenberger/Whitehead)

That sub-sections (a) through (e) of the motion respecting a Review of Public Transit Fare Options, which reads as follows, be referred to staff for a report to the Public Works Committee with an analysis of the workload required for the completion of a report:

WHEREAS, people living on low income require affordable transportation to access work and community opportunities; and, affordable fares, in conjunction with increased transit accessibility, demonstrate effectiveness as a poverty reduction strategy;

WHEREAS, relevant published accounts continue to cite poorly integrated residential and employment location patterns and poor public transportation service as critical obstacles to improving the economic and social conditions of low-income persons;

WHEREAS, public transit plays an important role in quality of life by facilitating access to factors that contribute to health;

WHEREAS, transit is critical to accessing food, employment, education, health services, and social and recreational activities; and, also enables connections with family, friends and other supports that can help reduce social isolation;

WHEREAS, the City of Hamilton currently offers an accessible transit monthly pass to applicants who are eligible; and,

WHEREAS, the available evidence shows that offering a wider range of discounted pass options may have a greater impact in terms of poverty reduction (such as discounted weekly passes and day/weekend passes for low income individuals or families);

THEREFORE BE IT RESOLVED:

That staff be directed to report back to the Public Works Committee with respect to the feasibility of public transit fare options, taking the following into consideration and outlining the cost per household for any options provided:

- (a) An application system for discounted transit passes that reduces stigma for users such as the model used in Victoria, B.C.; whereby, community agencies can purchase transit passes at a price of two-for-one. Those agencies are then able to give passes to people with low incomes for specific purposes. Distribution of the passes is at the discretion of the community agencies;
- (b) Continue to invest in strategies to increase access to transit in rural areas by building on existing programs such as Trans-cab;

- (c) Fare-geared-to-income criteria: Gearing the cost of transit to riders' ability to pay, especially for residents in the lowest income brackets, is widely recommended as an option to improve transit equity. Considerations for this approach will need to include: determining who qualifies and establishing a separate payment system;
- (d) The implementation of a range of options to make transportation more affordable. For example: different types of passes (weekly, day, and/or weekend) for low income individuals or families in addition to existing monthly Affordable Transit Passes, savings from bulk purchasing of passes, open-ended transfers (instead of the existing 2-hour transfers), community bus programs, and shared rides;
- (e) Explore the feasibility of offering fare-free transit or reduced fares to all residents. This approach should build in evaluation as the evidence-base is outdated.

CARRIED

Councillors A. Johnson, Farr, Green, Merulla and Collins requested to be recorded as being OPPOSED to this motion.

Mayor Eisenberger assumed Chair.

7.10 Waiving of City Facility Rental Fees for Kringle, Carols and Karaoke in the Park

(Whitehead/Farr)

That all City facility rental fees for Kringle, Carols and Karaoke in the Park taking place on December 8, 9, 15 & 16, 2017, in Gore Park, be waived.

CARRIED

7.11 Lifting of Item 5 of the Planning Committee Report 17-014, Tabled at the September 13, 2017 Council meeting (Item 10.1)

(B. Johnson/Pearson)

That Item 5 of Planning Committee Report 17-014, tabled at the September 13, 2017 Council meeting respecting Urban Hamilton Official Plan Amendment and Zoning By-law Amendment for Lands Located at 3100-3140 Regional Road 56 and Block 131 of the Elizabeth Gardens Phase 3 Plan of Subdivision (62M-1062), Glanbrook which reads as follows be LIFTED from the table and WITHDRAWN:

5. Urban Hamilton Official Plan Amendment and Zoning By-law Amendment for Lands Located at 3100-3140 Regional Road 56 and Block 131 of the Elizabeth Gardens Phase 3 Plan of Subdivision (62M-1062), Glanbrook (PED17140) (Ward 11) (Item 6.5)

- (a) That Amended Urban Hamilton Official Plan Amendment Application UHOPA-16-019 by Losani Homes (1998) Ltd. (Owner), for a site specific amendment to permit an increase in height to allow for a partial fourth storey within the Binbrook Village Secondary Plan, for lands located at 3100-3140 Regional Road 56 and Block 131 of Registered Plan of

Subdivision 62M-1062, Glanbrook, as shown on Appendix "A" to Report PED17140, be DENIED on the following basis:

- (i) That proposal does not comply with the Binbrook Secondary Plan regarding height,
 - (ii) The proposal does not comply with the Urban Hamilton Official Plan regarding height;
 - (iii) The application is not consistent with the character, both existing and planned for Binbrook and therefore cannot be supported.
- (b) That Amended Zoning By-law Amendment Application ZAC-16-054, by Losani Homes (1998) Ltd. (Owner), for a change in zoning from the Existing Residential "ER" Zone, the Restricted Agricultural "A2" Zone, and the General Commercial "C3" Zone to the General Commercial "H-C3-304" Zone, Modified, with a Holding, for lands located at 3100-3140 Regional Road 56 and Block 131 of Registered Plan of Subdivision 62M-1062, Glanbrook, as shown in Appendix "A" to Report PED17140, be DENIED on the following basis:
- (i) That proposal does not comply with the Binbrook Secondary Plan regarding height,
 - (ii) The proposal does not comply with the Urban Hamilton Official Plan regarding height;
 - (iii) The application is not consistent with the character, both existing and planned for Binbrook and therefore cannot be supported.

CARRIED

7.12 Bell Municipal Access Agreement (LS14002(b))/PW14006(b)) (Item 10.2)

(Pasuta/VanderBeek)

- (a) That the legal costs incurred for carrying out the necessary steps on behalf of the City of Hamilton with respect to the Bell Municipal Access Agreement matter be funded from Account Number 55785-560210;
- (b) That Report LS14001b/PW14006b remain confidential.

CARRIED

NOTICES OF MOTION

8.1 Review of Public Transit Fare Options

Councillor Merulla introduced a Notice of Motion respecting a Review of Transit Fare Options.

(Merulla/Collins)

That the Rules of Order be waived to allow for the introduction of a Motion respecting a Review of Transit Fare Options.

CARRIED

For disposition of this matter, please refer to Item 7.9.

8.2 Waiving of City Facility Rental Fees for Kringle, Carols and Karaoke in the Park

Councillor Whitehead introduced a Notice of Motion respecting the Waiving of City Facility Rental Fees for Kringle, Carols and Karaoke in the Park.

(Whitehead/Skelly)

That the Rules of Order be waived to allow for the introduction of a Motion respecting the Waiving of City Facility Rental Fees for Kringle, Carols and Karaoke in the Park.

CARRIED

For disposition of this matter, please refer to Item 7.10.

8.3 Feasibility Study for Stairway access to the Base of the Chedoke Falls

Councillor Whitehead introduced a Notice of Motion respecting the Feasibility Study for Stairway access to the Base of the Chedoke Falls.

WHEREAS there is a high level of activity at Chedoke Falls; and

WHEREAS there has been property damage, trespassing onto private property, erosion and a number of rescues at Chedoke Falls.

THEREFORE BE IT RESOLVED:

That staff be directed to conduct a feasibility study on providing a stairway access to the base of the Chedoke Falls.

STATEMENT BY MEMBERS

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

PRIVATE AND CONFIDENTIAL

- 10.1 Appeal of Urban Hamilton Official Plan Amendment application UHOPA-16-019 and Zoning By-law Amendment application ZAC-16-054 to the Ontario Municipal Board (OMB) for Lack of Decision for Lands Located at 3100-3140 Regional Road No. 56 and Block 131 of Registered Plan of Subdivision 62M-1062 (Glanbrook) and Sign Variance Appeal SV-17-001 for the property known as 430 McNeilly Road, Stoney Creek**

Direction was provided to staff in Closed Session.

For further disposition of this matter, refer to Item 7.11.

CARRIED

10.2 Bell Municipal Access Agreement (LS14002(b))/PW14006(b))

Direction was provided to staff in Closed Session.

For further disposition of this matter, refer to Item 7.12.

CARRIED

BY-LAWS

(B. Johnson/Conley)

That Bills No. 17-244 to No. 17-2258 be passed and that the Corporate Seal be affixed thereto, and that the By-laws be signed by the Mayor and the City Clerk to read as follows:

Bill No.

- | | |
|------------|---|
| 244 | To Amend By-law No. 01-215, Being a By-law to Regulate Traffic
Schedule 2 (Speed Limits)
Schedule 3 (Flashing School Zones)
Ward: 7, 8, 13, 15 |
| 245 | To Amend By-law No. 01-215, Being a By-law to Regulate Traffic
Schedule 4 (Yield Sign Locations)
Schedule 5 (Stop Control)
Ward: 1, 2, 8, 9, 11, 15 |
| 246 | To Establish City of Hamilton Land Described as Part 2 on Plan 62R-20372 as Part
of Secinaro Avenue
Ward: 12 |
| 247 | To Establish City of Hamilton Land Described as Block 325 on Plan 62M-1158 as
Part of Curran Road
Ward: 12 |
| 248 | To Permanently Close and Sell a Portion of Curran Road being Blocks 315 and
316 on Plan 62M-1158, designated as Parts 10 to 17, inclusive, on Plan 62R-
20605, City of Hamilton
Ward: 12 |
| 249 | To Establish City of Hamilton Land Described as Block 324 on Plan 62M-1158 as
Part of Woodhouse Street
Ward: 12 |
| 250 | To Permanently Close a Portion of Woodhouse Street, being Block 313 and 314
on Plan 62M-1158, designated as Parts 1 to 9, inclusive, on Plan 62R-20605, City
of Hamilton, and, To Sell a Portion of Woodhouse Street, being Part of Block 313
on Plan 62M-1158, designated as Parts 2 to 4, inclusive, on Plan 62R-20605 and
All of Block 314 on Plan 62M-1158, designated as Parts 5 to 9, inclusive, on Plan
62R-20605, City of Hamilton
Ward: 12 |

- 251** To Amend By-law No. 07-170, a By-law to License and Regulate Various Businesses
Ward: City Wide
- 252** Respecting Removal of Part Lot Control, Part of Lot 32, Registered Plan No. 280
PLC-17-021
Ward: 1
- 253** Respecting Removal of Part Lot Control, Part of Block 112, Registered Plan of Subdivision No. 62M-1050, municipally known as 1890 Rymal Road East, Glanbrook
PLC-17-028
Ward: 11
- 254** To Amend Zoning By-law No. 05-200, Respecting Lands Located at 357 Wilson Street East, Ancaster
CI-17-005
Ward: 12
- 255** To Amend Zoning By-law No. 05-200 Respecting a Pilot Project for Entertainment on Outdoor Commercial Patios located along Upper James Street between Stone Church Road and Rymal Road, and lands generally located in Downtown Dundas
Ward: 7, 8, 13
- 256** To Adopt Official Plan Amendment No. 14 to the Rural Hamilton Official Plan Respecting 582, 626, 632, 634, and 638 Brock Road, 790, 798, 822, 826 and 832 Concession 4 West, and 520, 526, 532, 536, 540, 542, 546, 550, 554, 559, 564, 565, 568, 580 and 588 Moxley Road (Flamborough)
Ward: 14
- 257** A By-law to amend Zoning By-law 05-200 to Permit the Expansion of the Adjacent Mineral Aggregate Operation on Lands located at 582, 626, 632, 634 and 638 Brock Road, 790, 798, 822, 826 and 832 Concession 4 West, and 520, 526, 532, 536, 540, 542, 546, 550, 554, 559, 564, 565, 568, 580 and 588 Moxley Road (Flamborough)
ZAC-13-051
Ward: 14
- 258** To Confirm the Proceedings of City Council

CARRIED

(Pearson/Merulla)

That, there being no further business, City Council be adjourned at 9:26 p.m.

CARRIED

Respectfully submitted,

Mayor F. Eisenberger

Rose Caterini
City Clerk