



CITY COUNCIL MINUTES 17-019

5:00 p.m.

Wednesday, October 25, 2017

Council Chamber

Hamilton City Hall

71 Main Street West

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

**Absent with
regrets** Councillor L. Ferguson – Personal

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 Reverend Thomas Mertz, Pastor of Faith Lutheran Church, to provide the invocation.

APPROVAL OF THE AGENDA

The Clerk advised of the following changes to the agenda:

1. ADDED COMMUNICATIONS

- 5.10 Correspondence from the Honourable Minister Jeff Leal, Ministry of Agriculture, Food and Rural Affairs celebrating more than 150 years of farming, recognizing of complementary commemorative signs for Ontario farming families, farming communities and farm properties that have been continuously connect to agriculture production for more than 150 years.

Recommendation: Be received and referred to the Agriculture and Rural Affairs Advisory Committee.

- 5.11 Correspondence respecting the Proposed Commercial Mixed Use Zones: Implementing Urban Hamilton Official Plan Amendment and Zoning By-law Amendment (Wards 1 – 13 and 15):

- (a) Smart REIT re: 510-540 Centennial Parkway North, Stoney Creek
- (b) A. J. Clarke and Associates Ltd. re: MM Green Developments – 16-18 King Street West
- (c) A. J. Clarke and Associates Ltd. re: King Stuart Developments Inc. – 206 – 208 King Street West, Hamilton
- (d) A. J. Clarke and Associates Ltd. re: King Stuart Developments Inc. – 41 Stuart Street, Hamilton
- (e) A. J. Clarke and Associates Ltd. re: LJM Developments Inc., 2782 Barton Street East, Hamilton
- (f) A. J. Clarke and Associates Ltd. re: John Bruce Construction Limited – 2620 Binbrook Road East, Binbrook

Recommendation: Be received and referred to the consideration of Item 11 of Planning Committee Report 17-017.

2. ADDED NOTICES OF MOTION

- 8.1 Extension of the Existing PRESTO Fare System Operating Agreement
- 8.2 Amendment to Item 10 of the General Issues Committee Report 17-017
- 8.3 Garth Reservoir as a Winter Destination Location
- 8.4 Restoration of the Cross of Lorraine
- 8.5 Chedoke Elementary School Outdoor Classroom Funding
- 8.6 Amendment to Item 8 of the General Issues Committee Report 17-020

3. ADDED PRIVATE & CONFIDENTIAL MATTERS

- 10.1 Appeal to the Ontario Municipal Board (OMB) on the City of Hamilton's Refusal or Neglect to Adopt an Amendment to the Urban Hamilton Official Plan, City of Stoney Creek Zoning By-law No. 3692-92, and Revisions to Draft Plan of Subdivision 25T-201503, for Lands Located at 165 Upper Centennial Parkway (Stoney Creek) (Ward 9) (distributed under separate cover)

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 matters of litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board and advice that is subject to solicitor-client privilege, including communications necessary for that purpose.

- 10.2 Ontario Works Program Review (CES15011(c)) (City Wide) (*referred to Council by the Emergency & Community Services Committee October 23, 2017*) (distributed under separate cover)

Pursuant to Section 8.1, Sub-section(s) (b) and (d) of the City's Procedural By-law 14-300, and Section 239(2), Sub-section(s) (b) and (d) of the Ontario Municipal Act, 2001, as amended, as the subject matter pertains to personal matter(s) about an identifiable individual(s), including municipal or local board employees; and, labour relations or employee negotiations.

(Pearson/Conley)

That the agenda for the October 25, 2017 meeting of Council be approved, as amended.

CARRIED

DECLARATIONS OF INTEREST

Mayor Eisenberger declared an interest with respect to Item 7.1 as his family is investors in a federally licensed medical marijuana company.

CEREMONIAL ACTIVITIES

3.1 2017 Monarch Awards

The Monarch Awards recognize Hamilton gardens and gardeners for their contribution to a bio-diverse, sustainable environment. The Mayor recognized Amy Taylor from the Crown Point Neighbourhood for winning the 2017 Monarch Award. The following finalists for the Monarch Award were also recognized: Nadia Coakley (West Hamilton), Kelly Jamieson (Crown Point), Matthew Mills (Dundas) and Katie West (Dundas).

APPROVAL OF MINUTES

4.1 October 11, 2017

(A. Johnson/Farr)

That the Minutes of the October 11, 2017 meeting of Council be approved, as presented.

CARRIED

COMMUNICATIONS

(Green/Farr)

That Council Communications 5.1 through 5.11 be approved, ***as amended***, as follows:

- 5.1 Correspondence from Ian Hamilton, President and CEO, Hamilton Port Authority to the Hamilton Waterfront Trust respecting Hamilton Waterfront Trust ("HWT") Board of Trustees Motion.

Recommendation: Be received and referred to the Governance Review Sub-Committee.

- 5.2 Correspondence from Massimo Bergamini, President and CEO, National Airlines Council of Canada respecting airport privatization from Capital Regional District; City of Toronto and City of Montreal.

Recommendation: ***Be received.***

- 5.3 Correspondence from Ontario Good Roads Association (OGRA) respecting Call for Nominations for the OGRA Board of Directors, 2 to be elected for the South Central Zone.

Recommendation: ***Be received.***

For further disposition of this matter, please refer to Item 5.3(i).

- 5.4 Correspondence from Lynn Fawn, Deputy Clerk, County of Peterborough in support of the City of Hamilton's resolution respecting the Assessment Act Amendments – Providing a Property Tax Exemption to Non-Profit Long-Term Care Homes – Update.

Recommendation: Be received.

- 5.5 Correspondence from the Ministry of Agriculture, Food and Rural Affairs respecting nominations for the Rural Ontario Leaders Awards which recognize outstanding leaders that help make rural Ontario a great place to live, work and play (deadline – November 15, 2017).

Recommendation: Be received ***and referred to the Agriculture and Rural Affairs Advisory Committee.***

- 5.6 Correspondence from Karen Landry, CAO/Clerk, Township of Puslinch requesting support for the Town of Puslinch's Council resolution respecting the Provincial Growth Plan – Draft Natural Heritage System and Draft Prime Agricultural System.

Recommendation: Be received.

- 5.7 Correspondence respecting the 4 way stop control at the corner of Green Road and Frances Avenue:

- (a) Blaine Betzold
- (b) Pam Ross
- (c) Michelle Blanchette

Recommendation: Be received and referred to the consideration of Item 1 of Public Works Committee Report 17-012.

- 5.8 Correspondence respecting the Proposed Commercial Mixed Use Zones: Implementing Urban Hamilton Official Plan Amendment and Zoning By-law Amendment (Wards 1 – 13 and 15):

- (a) Frank Kloibhofer, A. J. Clarke and Associates Ltd.
- (b) Terri Johns, T. Johns Consulting Group
- (c) Scott Arbuckle, IBI Group

Recommendation: Be received and referred to the consideration of Item 11 of Planning Committee Report 17-017.

- 5.9 Correspondence from Evelyn Eichenbaun, Clerk, Haldimand County requesting support for the Haldimand County's Council resolution respecting Bus Service between Haldimand County and Hamilton.

Recommendation: Be endorsed.

- 5.10 Correspondence from the Honourable Minister Jeff Leal, Ministry of Agriculture, Food and Rural Affairs celebrating more than 150 years of farming, recognizing of complementary commemorative signs for Ontario farming families, farming communities and farm properties that have been continuously connect to agriculture production for more than 150 years.

Recommendation: Be received and referred to the Agriculture and Rural Affairs Advisory Committee.

- 5.11 Correspondence respecting the Proposed Commercial Mixed Use Zones: Implementing Urban Hamilton Official Plan Amendment and Zoning By-law Amendment (Wards 1 – 13 and 15):

- (a) Smart REIT re: 510-540 Centennial Parkway North, Stoney Creek
- (b) A. J. Clarke and Associates Ltd. re: MM Green Developments – 16-18 King Street West
- (c) A. J. Clarke and Associates Ltd. re: King Stuart Developments Inc. – 206 – 208 King Street West, Hamilton
- (d) A. J. Clarke and Associates Ltd. re: King Stuart Developments Inc. – 41 Stuart Street, Hamilton
- (e) A. J. Clarke and Associates Ltd. re: LJM Developments Inc., 2782 Barton Street East, Hamilton
- (f) A. J. Clarke and Associates Ltd. re: John Bruce Construction Limited – 2620 Binbrook Road East, Binbrook

Recommendation: Be received and referred to the consideration of Item 11 of Planning Committee Report 17-017.

CARRIED

5.3(i) (Jackson/Merulla)

That Councillor Matthew Green be the City of Hamilton's candidate for nomination to the OGRA Board of Directors for the South Central Zone.

CARRIED

(Farr/Green)

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

CARRIED

PUBLIC WORKS COMMITTEE REPORT 17-012**(VanderBeek/B. Johnson)**

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

CARRIED**BOARD OF HEALTH REPORT 17-009****(Eisenberger/Merulla)**

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

CARRIED**PLANNING COMMITTEE REPORT 17-017****(Pearson/B. Johnson)**

That Item 11 of the Planning Committee Report 17-017, respecting Proposed Commercial and Mixed Use Zones: Implementing Urban Hamilton Official Plan Amendment and Zoning By-law Amendment (Wards 1 – 13 and 15) (PED16100(c)) be **amended** by adding the following new subsections and re-lettering the balance accordingly:

11. Proposed Commercial and Mixed Use Zones: Implementing Urban Hamilton Official Plan Amendment and Zoning By-law Amendment (Wards 1 – 13 and 15) (PED16100(c)) (Item 8.3)

- (e) That the Western Development Area Secondary plan Urban Hamilton Official Plan lands be amended by redesignating the lands between Nos. 165 to 193 and 173 Highway 8 (odd numbers only) Low Density 2b from to Mixed Use Medium Density.
- (f) That Special Exception 327 be modified to remove the lands located at Nos. 84-96 Lakeview (even numbers) from Maps 1100 and 1149 of Zoning By-law 05-200.
- (g) That the following special exceptions be included in the Zoning By-law 05-200 respecting the Commercial and Mixed Use Zones:
 - 1. That the Community Commercial (C3) Zone be modified to include the following variances for the property located at 2000 Garth Street:
 - (i) building setback from street line 4.7 m
 - (ii) Parking space size 2.6 m x 5.5 m
 - (iii) Barrier free parking 4.4 m x 5.5 m
 - (iv) Minimum width of a Ground floor façade 30%
 - (v) landscaped area in Parking lot: 2.8%
 - 2. That the District Commercial (C6) be modified to include the following variances for the property located at 1060 Wilson Street West, Ancaster:

- (i) Building at 1060 Wilson Street West (Wilson Street and Internal Access Road)
 - 1. building setback from the street line - Wilson Street West– 5.0 metres;
 - 2. Parking stall size 2.6 metres x 5.5 metres;
 - 3. Section 5.2.1a) shall not apply
 - (ii) Entire site:
 - 1. 385 parking spaces
 - 2. 8 barrier free sites
- 3. That the Community Commercial (C3) Zone be modified to include the following variances for the property located at 252-256 Victoria Avenue North and 290 Barton Street East:
 - (i) a minimum 2.0 metre landscaped strip and planting strip along Victoria Avenue North;
 - (ii) no landscaped area, planting strip or visual barrier required along the southerly and easterly lot lines;
 - (iii) parking stall size 2.6 metres x 5.5 metres; and,
 - (iv) Victoria Avenue North shall be the front line.
- 4. That the District Commercial (C6) Zone be modified to include the following variances for the property located at 970 Upper Wentworth Street:
 - (i) Building at the north-west corner of Upper Wentworth Street and King Fisher Drive:
 - 1. building setback from the street line - Upper Wentworth Street – maximum of 16.3 metres
 - 2. building setback from the street line King Fisher Drive – maximum of 13 metres
 - 3. Parking stall size 2.7metres x 6.0metres
 - 4. Section 5.2.1a) shall not apply
 - 5. the stacking lane for the Drive through Facility may be located within 16.5 m of King Fisher Drive.
 - (ii) Entire Site:
 - 1. 338 Parking spaces
- (h) That staff be directed to discuss the concerns raised by Bousfields in their letter of October 13, 2017 to determine if additional modifications to the Zoning By-law 05-200 can be included in the site specific exception for the Limeridge Mall site in advance of the passage of the Commercial and Mixed Use Zoning By-law Amendment.

- (i) That Special Exception 570 be modified to remove the lands located at No. 2620 Binbrook Road from Map 1935 of Zoning By-law 05-200.
- (j) That the public submissions received regarding this matter supported the approval of the City Initiative with amendments.

Amendment CARRIED

(Pearson/Jackson)

That Item 11 of the Planning Committee Report 17-017, respecting Proposed Commercial and Mixed Use Zones: Implementing Urban Hamilton Official Plan Amendment and Zoning By-law Amendment (Wards 1 – 13 and 15) (PED16100(c)) be ***amended*** by adding the following new subsection and re-lettering the balance accordingly:

11. Proposed Commercial and Mixed Use Zones: Implementing Urban Hamilton Official Plan Amendment and Zoning By-law Amendment (Wards 1 – 13 and 15) (PED16100(c)) (Item 8.3)

- (j) That the following special exceptions be included in the Zoning By-law 05-200 respecting the Commercial and Mixed Use Zones:
 - 1. Within the lands zoned Community Commercial (C3) Zone, identified on Map 1241 of Schedule “A” – Zoning Maps and described as 675 Mohawk Road East, the following special provisions shall apply:
 - (i) That Section 4.25.(c)(ii) shall not apply.
 - (ii) That Section 10.3.3(i)(vi) shall not apply.
 - 2. Within the lands zoned District Commercial (C6) Zone, identified on Map 1187 of Schedule “A” – Zoning Maps and described as 601 Upper Gage Avenue and 952 Fennell Avenue East, the following special provision shall apply:
 - (i) Notwithstanding Section 4.12 (f)(ii), expansions to buildings legally existing at the date of the passing of the by-law may be permitted provided the total expansion of the gross floor area of all the buildings on the site does not exceed 2,973 square metres.
 - 3. Within the lands zoned District Commercial (C6) Zone, identified on Map 1447 of Schedule “A” – Zoning Maps and described as 505 Rymal Road East, the following special provision shall apply:
 - (i) Notwithstanding Section 4.12 (f)(ii), expansions to buildings legally existing at the date of the passing of the by-law may be permitted provided the total expansion of the gross floor area of all the buildings on the site does not exceed 4,180 square metres.
- (k) That the public submissions received regarding this matter supported the approval of the City Initiative with amendments.

Amendment CARRIED

Main Motion as amended CARRIED

(Pearson/Pasuta)

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

CARRIED

GENERAL ISSUES COMMITTEE REPORT 17-021

12. Hamilton-Wentworth District School Board Property at 77 Gage Avenue North, Hamilton (PED17148(b)) (Ward 3) (Item 12.2)

(Eisenberger/Merulla)

That Item 12 of the General Issues Committee Report 17-021, respecting Report PED17148(b) – Hamilton-Wentworth District School Board Property at 77 Gage Avenue North, Hamilton, be **amended** as follows to reflect the correct funding source:

- (a) That the Real Estate Section of the Planning and Economic Development Department be authorized and directed to present a bona-fide offer to purchase the surplus property located at 77 Gage Avenue North, Legally Described as Part of Lot 7, Concession 2, in the Geographic Township of Barton, in the City of Hamilton, Designated as Parts 2 and 3 on Plan 62R-20511, subject to an Easement as in Registered Instrument WE1075055; and further identified as PART of the PIN 17215-0123 (LT) and being 0.735 ha (1.817 acres) in size, more or less, as shown on Appendix “A” attached to Report PED17148(b) to the Hamilton-Wentworth District School Board (HWDSB), on terms and conditions acceptable to the General Manager of Planning and Economic Development;
- (b) That the budget and funding for the property acquisition consisting of the market value of the land, including all real estate and legal fees, cost of conducting due diligence, operating cost, contingency and other related costs, as detailed in Table 2 of Appendix “B” to Report PED17148(b) **as amended by adding the words “(To be funded from the Ward 3 Capital Reserve Account #108053)” to the Total Capital Costs; and, “(To be referred to the 2018 Operating Budget Process)” to the Year 1 operating cost**, be approved;
- (c) That the entirety of Report PED17148(b) remain confidential until the completion of the acquisition transaction, and that Appendix “B” **as amended above** attached to Report PED17148(b) not be released as a public document;
- (d) That the Mayor and Clerk be authorized to execute all necessary documents in a form satisfactory to the City Solicitor.

Amendment CARRIED

Main Motion as amended CARRIED

(Eisenberger/Partridge)

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

CARRIED

**HAMILTON RENEWABLE POWER INC. SHAREHOLDER
ANNUAL GENERAL MEETING 17-001**

(Eisenberger/Jackson)

That the FIRST Report of the Hamilton Renewable Power Inc. Shareholder be adopted, as presented, and the information section received.

CARRIED

**SOLE VOTING MEMBER OF THE HAMILTON FARMERS' MARKET
ANNUAL GENERAL MEETING 17-002**

(Eisenberger/B. Johnson)

That the SECOND Report of the Sole Voting Member of the Hamilton Farmers' Market Annual General Meeting be adopted, as presented, and the information section received.

CARRIED

AUDIT, FINANCE AND ADMINISTRATION COMMITTEE REPORT 17-014

(Skelly/Whitehead)

That the FOURTEENTH Report of the Audit, Finance and Administration Committee be adopted, as presented, and the information section received.

CARRIED

EMERGENCY AND COMMUNITY SERVICES COMMITTEE REPORT 17-011

(A. Johnson/Farr)

That the ELEVENTH Report of the Emergency and Community Services Committee be adopted, as presented, and the information section received.

CARRIED

(Farr/Green)

That the Committee of the Whole Rise and Report.

CARRIED

MOTIONS

Mayor Eisenberger relinquished the Chair to Deputy Mayor Green as he previously declared an interest in Item 7.1.

7.1 Lifting of the Motion Respecting the Meeting with the Owners and Operators of the Marijuana Dispensaries, Tabled at the October 11, 2017 Council

(Farr/Merulla)

That the motion respecting the Meeting with the Owners and Operators of the Marijuana Dispensaries, tabled at the October 11, 2017 Council meeting which reads as follows be LIFTED from the table:

Meeting with the Owners and Operators of the Marijuana Dispensaries

That the appropriate City of Hamilton staff currently assembling/discussing and potentially building policy around marijuana that may inform Council in the future, be requested to meet with owners and operators of the marijuana dispensaries to share information and discuss roles, functions and issues and solutions respecting the current and future climate in the marijuana industry.

CARRIED**(Farr/Merulla)**

That the appropriate City of Hamilton staff currently assembling/discussing and potentially building policy around marijuana that may inform Council in the future, be requested to meet with owners and operators of the marijuana dispensaries to share information and discuss roles, functions and issues and solutions respecting the current and future climate in the marijuana industry.

CARRIED

Mayor Eisenberger assumed the Chair.

7.2 Timber Timbre with Boyhood – Special Occasion Permit Liquor Licence**(Farr/Merulla)**

WHEREAS, Hamilton City Council has received Notice (attached hereto as Appendix "A") from Tim Potocic on behalf of Supercrawl, that they wish to obtain approval for a Special Occasion Permit Liquor Licence to sell alcohol on November 10, 2017 between the hours of 7:30 p.m. and 1:00 a.m. at Collective Arts Brewing, 207 Burlington Street East, Hamilton, Ontario during Timber Timbre with Boyhood 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 Timber Timbre with Boyhood, being held in the City of Hamilton, Ontario on November 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:
 - (i) Supercrawl c/o Tim Potocic, Hamilton, Ontario.

CARRIED

7.3 Extension of the Existing PRESTO Fare System Operating Agreement

(VanderBeek/B. Johnson)

WHEREAS the negotiations for a New Operating Agreement for the future management of the PRESTO fare system continue to occur but further time is required to conclude those negotiations and present the proposed New Operating Agreement to Council.

THEREFORE BE IT RESOLVED:

- (a) That the existing PRESTO Fare System Operating Agreement be further extended on the same terms and conditions from October 27, 2017 to such further date(s) as are required in the opinion of the City Manager or delegate, but in any event to no later than the day before which the New Operating Agreement comes into effect;
- (b) That the City Manager or delegate be authorized and directed, on behalf of the City of Hamilton, to continue to negotiate and execute a definitive 10 year New Operating Agreement based on the Agreement in Principle outlined in the executive summary of Report PW17033, in a form acceptable to Council, the City Solicitor and the General Manager of Corporate Services.

CARRIED

7.4 Amendment to Item 10 of the General Issues Committee Report 17-017

(Farr/A. Johnson)

That sub-section (d)(iv) to Item 10 of the General Issues Committee Report 17-017, respecting Report CES17029 - Hamilton-Wentworth District School Board (HWDSB) Land – 60 Caledon Avenue (Mountain Secondary School), Hamilton, which was approved by Council on August 14, 2017, be amended by deleting the number “**6731541504**” and replacing it with the number “**6731641602**” to read as follows:

10. School Board Properties Sub-Committee Report 17-001, July 18, 2017 (Item 8.8)

- (d) **Hamilton-Wentworth District School Board (HWDSB) Land – 60 Caledon Avenue (Mountain Secondary School), Hamilton (CES17029) (Ward 8) (Item 12.2) (Distributed under separate cover as Private & Confidential Appendix “D”)**
 - (i) That staff be authorized and directed to complete due diligence work in preparation for the potential acquisition of the Hamilton-Wentworth District School Board (HWDSB) lands located at 60 Caledon Avenue, legally described as LT 14, Registrar's Compiled Plan 1469; PT LT 13, Registrar's Compiled Plan 1469, Part 7, 62R6761; City of Hamilton, forming all of PIN 16968-0367, as shown on Appendix “A” of Report CES17029;

- (ii) That staff be authorized and directed to investigate the feasibility of options for the potential development of the site identified in Recommendation (a) to Report CES17029, for mixed income housing with an affordable component;
- (iii) That staff be authorized and directed to advise the HWDSB that subject to due diligence, the City of Hamilton has an interest in acquiring the subject property at 60 Caledon Avenue, with the exception of the landlocked strip of land along the west side of the site (as shown on Appendix "B" attached to Report CES17029);
- (iv) That all costs related to the due diligence and feasibility investigation be authorized and funded from Capital Account Project ID No. ~~6731541504~~ **6731641602**;
- (v) That staff be directed to report on an acquisition and funding strategy following Phase 2 disposition circulation from the Hamilton-Wentworth District School Board (HWDSB); and
- (vi) That Report CES17029 respecting Hamilton-Wentworth District School Board (HWDSB) Land – 60 Caledon Avenue (Mountain Secondary School), Hamilton, and its appendices, remain confidential.

CARRIED

7.5 Amendment to Item 8 of the General Issues Committee Report 17-020

(A. Johnson/Farr)

That Item 8 of the General Issues Committee Report 17-020, respecting Ward 1 2017 Area Rating Expenditures, which was approved by Council on October 11, 2017, be amended to add the following clause in order to do all things necessary to give effect to the said action or to obtain approvals where required:

- (b) That the Mayor and City Clerk be authorized and directed to execute any required agreement(s) with such term and conditions in a form satisfactory to the City Solicitor.

The amended Item 8 to read as follows:

8. Ward 1 2017 Area Rating Expenditures (Item 10.1)

- (a) That the following projects, to be funded through the Ward 1 2017 Area Rating budget, be approved:

	WARD 1 PROJECT	EXPENDITURE
(i)	Exterior Heritage Façade Restoration at Westdale Theatre	\$220,000
(ii)	Repair Sidewalks Throughout Ward 1	\$100,000
(iii)	Recreation Centre on Former Prince Philip School Property	\$200,000
(iv)	Install Water-Bottle Refilling Stations	\$100,000
(v)	Upgrade Playground at City Housing Complex	\$80,000
(vi)	Traffic Calming in Kirkendall	\$60,000
(vii)	Westdale Library Improvements	\$100,000
(viii)	Improve Parks in Kirkendall South	\$220,000
(ix)	Enhancements to the Victoria Park Pool	\$100,000
(x)	Upgrade School Crosswalk at Earl Kitchener School	\$40,000
(xi)	Improve and Beautify Dundurn Park	\$160,000
(xii)	Upgrade School Crosswalks at Cootes Paradise School	\$40,000
(xiii)	Improve Lighting in Victoria Park	\$80,000

- (b) That the Mayor and City Clerk be authorized and directed to execute any required agreement(s) with such term and conditions in a form satisfactory to the City Solicitor.

CARRIED

NOTICES OF MOTION

8.1 Extension of the Existing PRESTO Fare System Operating Agreement

Councillor VanderBeek introduced a Notice of Motion respecting the Extension of the Existing PRESTO Fare System Operating Agreement.

(VanderBeek/Pasuta)

That the rules of order be waived in order to allow the introduction of a motion respecting the Extension of the Existing PRESTO Fare System Operating Agreement.

CARRIED

For disposition of this matter refer to Item 7.3.

8.2 Amendment to Item 10 of the General Issues Committee Report 17-017

Councillor Farr introduced a Notice of Motion respecting an Amendment to Item 10 of the General Issues Committee Report 17-017.

(Farr/A. Johnson)

That the rules of order be waived in order to allow the introduction of a motion respecting an Amendment to Item 10 of the General Issues Committee Report 17-017.

CARRIED

For disposition of this matter refer to Item 7.4.

8.3 Garth Reservoir as a Winter Destination Location

Councillor Whitehead introduced the following Notice of Motion:

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 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:

That staff be directed to bring back a concept plan funded through Ward 8 Area Rating that would also include the cost and scope of work to facilitate the Garth Reservoir being a winter destination location.

8.4 Restoration of the Cross of Lorraine

Councillor Whitehead introduced the following Notice of Motion:

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.

8.5 Chedoke Elementary School Outdoor Classroom Funding

Councillor Whitehead introduced the following Notice of Motion:

WHEREAS, there is a growing trend in Canada where Schools are building dedicated infrastructure to encourage outdoor learning;

WHEREAS, technology is changing the way children learn, making it all the more important to encourage them to become more acquainted with nature;

WHEREAS, Chedoke Elementary School has launched their plans for the development of their outdoor classroom;

WHEREAS, this learning space will also be available for use to the neighbouring community; and,

WHEREAS, this type of amenity space in a neighbourhood provides a number of different kinds of uses that a neighbourhood could take advantage of and further the strength and cohesion of the neighbourhood;

THEREFORE BE IT RESOLVED:

- (a) That \$50,000, to be funded through area rating (Wards 1 through 8), which will be matched by the Hamilton-Wentworth District School Board, be provided to Chedoke Elementary School for the development of their outdoor classroom.
- (b) That the Mayor and City Clerk be authorized and directed to execute any required agreement(s) with such term and conditions in a form satisfactory to the City Solicitor.

8.6 Amendment to Item 8 of the General Issues Committee Report 17-020

Councillor A. Johnson introduced a Notice of Motion respecting an Amendment to Item 8 of the General Issues Committee Report 17-020.

(A. Johnson/Farr)

That the rules of order be waived in order to allow the introduction of a motion respecting an Amendment to Item 8 of the General Issues Committee Report 17-020.

CARRIED

For disposition of this matter refer to 7.5

STATEMENT BY MEMBERS

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

PRIVATE AND CONFIDENTIAL**(Farr/A. Johnson)**

That Council move into Closed Session at 7:46 p.m. to discuss Item 10.1 respecting an Appeal to the Ontario Municipal Board (OMB) on the City of Hamilton's Refusal or Neglect to Adopt an Amendment to the Urban Hamilton Official Plan, City of Stoney Creek Zoning By-law No. 3692-92, and Revisions to Draft Plan of Subdivision 25T-201503, for Lands Located at 165 Upper Centennial Parkway (Stoney Creek) (Ward 9) and Item 10.2 respecting the Ontario Works Program Review (CES15011(c)) (City Wide), pursuant to Section 239(3)(b) of the Ontario Municipal Act, 2001, Section 8.1, Sub-sections (b), (c), (e) and (f) of the City's Procedural By-law 14-300, and Section 239(2), Sub-sections (b), (c), (e) and (f) of the Ontario Municipal Act, 2001, as amended, as the subject matter pertains to personal matter(s) about an identifiable individual(s), including municipal or local board employees; labour relations or employee negotiations; 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.

CARRIED

Council reconvened in Open Session at 8:03 p.m.

10.1 Appeal to the Ontario Municipal Board (OMB) on the City of Hamilton's Refusal or Neglect to Adopt an Amendment to the Urban Hamilton Official Plan, City of Stoney Creek Zoning By-law No. 3692-92, and Revisions to Draft Plan of Subdivision 25T-201503, for Lands Located at 165 Upper Centennial Parkway (Stoney Creek) (Ward 9)

Direction was provided to staff in Closed Session and there was nothing to report in Open Session.

10.2 Ontario Works Program Review (CES15011(c)) (City Wide) (referred to Council by the Emergency & Community Services Committee October 23, 2017)

Direction was provided to staff in Closed Session.

(Pearson/Conley)

(a) That Council approve the funding in the amount of \$212,502 annually, funded 100% by the Provincial Community Homelessness and Prevention Initiative (CHPI) to support 2 (two) FTEs within Housing Services; and,

(b) That the contents of Report CES15011(c) remain confidential.

CARRIED

BY-LAWS

(Green/Farr)

That Bills No. 17-214 to No. 17-222 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.

- | | |
|------------|---|
| 214 | To Amend By-law No. 01-215, Being a By-law to Regulate Traffic
Schedule 5 (Stop Control)
Ward: 2, 6, 7, 10, 13 |
| 215 | To Amend By-law No. 01-218, as amended, Being a By-law to Regulate On-Street
Parking
Schedule 6 (Time Limit Parking)
Schedule 8 (No Parking Zones)
Schedule 12 (Permit Parking Zones)
Schedule 15 (Commercial Vehicle Loading Zones)
Ward: 2, 3, 6, 7, 12 |
| 216 | To Amend By-law No. 07-170, a By-law to License and Regulate Various
Businesses
Ward: 2 |
| 217 | To Adopt Official Plan Amendment No. 84 to the Urban Hamilton Official Plan,
Respecting 820 Rymal Road East
Ward: 6 |
| 218 | To Amend Zoning By-law No. 6593 (Hamilton), Respecting Lands Located at 820
Rymal Road East (Hamilton)
Ward: 6
ZAR-15-063/OPA-17-013 |
| 219 | To Amend Zoning By-law No. 05-200, Respecting Lands Located at 15 Queen
Street South (Hamilton)
Ward: 2
ZAC-17-004 |
| 220 | To Amend Zoning By-law No. 05-200 Respecting Creative Industries in the
Industrial and Institutional Zones
Ward: 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13 |
| 221 | To Amend Zoning By-law No. 87-57 Respecting Lands Located at 245 Appleby
Road (Ancaster)
ZAR-17-045
Ward: 12 |
| 222 | To Confirm the Proceedings of City Council |

CARRIED

(Jackson/Skelly)

That, there being no further business, City Council be adjourned at 8:05 p.m.

CARRIED

Respectfully submitted,

Mayor F. Eisenberger

Rose Caterini
City Clerk