



CITY COUNCIL MINUTES 17-011

5:00 p.m.

Wednesday, June 14, 2017

Council Chamber

Hamilton City Hall

71 Main Street West

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

**Absent with
Regrets:** Councillor R. Pasuta – Sick Leave
Councillor A. VanderBeek, City Business

Mayor Eisenberger called the meeting to order and called upon Anthony Elenbaas, Pastor at Immanuel Christian Reformed Church in the Rolston Neighbourhood, to provide the invocation.

APPROVAL OF THE AGENDA

The Clerk advised of the following changes to the agenda:

1. ADDED COMMUNICATIONS

- 5.11 Correspondence from Lakewood Beach Community Council requesting that Council consider providing Ward 10 residents with free passes (or substantially discounted rates) to Wild Waterworks in Confederation Beach Park due to the lack of a Splash Pad or an outdoor Pool in Ward 10. The following individuals have also forwarded emails noting their support:

- (a) Holly Van Der Marel & Nick Schlechta
- (b) James Gottfried
- (c) Tressa Maniaci
- (d) Marcie Rodger

Recommendation: Be received and referred to the General Manager of Community & Emergency Services Department for information and appropriate action.

2. ADDED NOTICES OF MOTION

- 8.1 Hamilton Pride 2017 – Special Occasion Permit Liquor Licence
- 8.2 Annual Labour Day Picnic – Special Occasion Permit Liquor Licence
- 8.3 Amendment to Item 9 of Planning Committee Report 16-014 respecting Applications for a Zoning By-law Amendment and for Approval of a Draft Plan of Subdivision known as “Springbrook Meadows West Extension”, for Lands Located at 296, 304, and 312 Springbrook Avenue (Ancaster) (PED16153) (Ward 12)
- 8.4 Funding to Mitigate 2017 Staffing and Ward 1 Engagement Requirements

1. ADDED PRIVATE AND CONFIDENTIAL

10.2 Stadium Litigation Update (no copy)

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 Ontario 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.

(Whitehead/Farr)

That the agenda for the June 14, 2017 meeting of Council be approved, as amended.

CARRIED

DECLARATIONS OF INTEREST

Councillors M. Pearson, S. Merulla and M. Green declared an interest with respect to Item 1 of Planning Committee Report 17-010 as they own rental properties.

APPROVAL OF MINUTES

4.1 May 24, 2017

(Partridge/Pearson)

That the Minutes of the May 24, 2017 meeting of Council be approved, as presented.

CARRIED

COMMUNICATIONS

(Collins/Merulla)

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

- 5.1 Correspondence from the Municipality of East Ferris respecting a resolution in support of the letter from Cheryl Gallant, Member of Parliament regarding the Trudeau Liberals removing the tax-exempt portion of remuneration paid to local officials from their 2017 Federal Deficit Budget.

Recommendation: Be received.

- 5.2 Correspondence from the Town of Amherstburg to the County of Essex respecting a request to review the current EMS services and provide funding necessary to improve the areas that are in need

Recommendation: Be received.

- 5.3 Correspondence from York Region respecting a resolution regarding Financial Sustainability and requesting that the City of Hamilton consider passing a resolution requesting similar revenue powers.

Recommendation: Be received ***and referred to the General Manager of Finance and Corporate Services for consideration with the upcoming report regarding revisions to the development charges and revenue tools.***

- 5.4 Correspondence from the Honourable Bill Mauro, Minister of Municipal Affairs and the Honourable Yasir Naqvi, Attorney General of Ontario respecting the Proposed *Building Better Communities and Conserving Watersheds Act*.

Recommendation: Be received.

- 5.5 Correspondence from Jason Travers, Director, Natural Resources Conservation Policy Branch, Ministry of Natural Resources and Forestry respecting notification of the Environmental Registry Posting regarding the Proposed Outcome of the *Conservation Authorities Act* Review.

Recommendation: Be received.

- 5.6 Correspondence from the United Counties of Leeds and Grenville respecting a resolution requesting that the Ministry of Transportation of Ontario look at measures to reduce speed and enforce these speed reductions on 400 series highways when severe storm conditions exist.

Recommendation: Be endorsed.

- 5.7 Correspondence from Nick DiFilippis, DiFilippis Design respecting the City of Hamilton Comprehensive By-law: Proposed Commercial and Mixed Use Zones (PED16100(b)) (Wards 1-13, and 15), site specific amendments to:.

- (a) 423 Barton Street and/or 319 Margaret Ave., Stoney Creek;
- (b) 2657 and 2665 Binbrook Rd. E., Brinbrook

Recommendation: Be received and referred to the consideration of Item (e)(iv) of the Planning Committee Report 17-010.

- 5.8 Correspondence from Filomina Tassi, MP, Hamilton West-Ancaster-Dundas suggesting that the City of Hamilton consider applying for the funding under the Cultural Spaces Fund for the Ancaster Arts Centre.

Recommendation: Be received and referred to the General Manager of Planning and Economic Development for information and ***to be included in the application for future projects.***

- 5.9 Correspondence from the Honourable Charles Sousa, Minister of Finance in response to the Mayor's letter to the Honourable Kathleen Wynne, Premier of Ontario respecting the future of lands in Hamilton, owned by Stelco (the operating name of U.S. Steel Canada Inc.).

Recommendation: Be received.

- 5.10 Correspondence from Robert Pineo, Niagara Escarpment Program Leader, Ministry of Natural Resources and Forestry respecting the approved Niagara Escarpment Plan 2017 and a number of approved site specific amendments.

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

- 5.11 Correspondence from Lakewood Beach Community Council requesting that Council consider providing Ward 10 residents with free passes (or substantially discounted rates) to Wild Waterworks in Confederation Beach Park due to the lack of a Splash Pad or an outdoor Pool in Ward 10. The following individuals have also forwarded emails noting their support:

- (a) Holly Van Der Marel & Nick Schlehta
- (b) James Gottfried
- (c) Tressa Maniaci
- (d) Marcie Rodger

Recommendation: Be received.

CARRIED

(Whitehead/Skelly)

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

CARRIED

PUBLIC WORKS REPORT 17-007

15. Bruce Park Spray Pad (Ward 7) (Item 9.3)**(Skelly/B. Johnson)**

That Item 15 of Public Works Report 17-007 be amended by adding the following subsection (d):

- (d) That staff be directed to investigate whether there is a more cost savings alternative for consultants and the designs for future splash pads.

Amendment CARRIED

The amended Item 15 to read as follows:

(Skelly/B. Johnson)

WHEREAS, the Bruce Park spray pad is shown as a project in the 2018 capital budget, with funding from the Ward 7 Area Rating Reserve account number 108057; and,

WHEREAS, in order to begin construction of the spray pad in 2018, it is necessary for staff to begin detailed design in the fall of 2017,

THEREFORE IT BE RESOLVED:

- (a) That Public Works staff be directed to proceed with the detailed design of the Bruce Park spray pad in 2017;
- (b) That funding for the design and construction in the amount of \$530,000 be approved from the Ward 7 Area Rating Reserve account number 108057;
- (c) That the operating impacts of \$5,500 for the Bruce Park spray pad be allocated to the 2018 parks operating base budget.

- (d) *That staff be directed to investigate whether there is a more cost savings alternative for consultants and the designs for future splash pads.*

Main Motion, as Amended, CARRIED**(j)(i) Mount Hope Spray Pad (Ward 11) (Added Item 10.4)****(B. Johnson/Partridge)**

That Information Item (j)(i) of the Public Works Committee Report 17-007, respecting the Notice of Motion regarding the Mount Hope Spray Pad, be lifted from the Information Section and added as Item 18 for discussion.

CARRIED

18. Mount Hope Spray Pad (Ward 11)

(B. Johnson/Partridge)

WHEREAS, the capital project Mount Hope Park Redevelopment 4401455600 was approved by Council in the 2016 capital budget, and;

WHEREAS, the capital project Mount Hope Hall Renovations 7101654611 was approved by Council in the 2016 capital budget, and;

WHEREAS, work is currently underway for Mount Hope Hall Renovations through C13-07-07, and the contractor, Caird-Hall Construction Inc. is mobilized on site, and;

WHEREAS, the contract C13-07-07 is a CCDC2 contract, thereby requiring the Mount Hope Hall Renovations project consultant, McCallum Sather Architects to carry IBI Group, which has been retained for design for the Mount Hope Park Redevelopment project, as a sub-consultant, and;

WHEREAS, adding the scope of spray pad construction to the existing contract removes constructor conflicts and allows the spray pad to be constructed sooner for community use,

THEREFORE BE IT RESOLVED:

- (a) That the single source procurement to Caird-Hall Construction Inc., pursuant to Procurement Policy #11 – non-competitive Procurements, for construction of the spray pad and creative play structure for the Council-approved capital project: Mount Hope Park Redevelopment 4401455600 be approved; and,
- (b) That the General Manager, Public Works Department be authorized to negotiate, enter into, and execute a Contract and any ancillary documents required to give effect thereto with CAIRD-HALL CONSTRUCTION INC., in a form satisfactory to the City Solicitor; and,
- (c) That the single source procurement to McCallum Sather Architects, pursuant to Procurement Policy #11 – non-competitive Procurements, for the design of the spray pad and creative play structure, to allow McCallum Sather Architects roster assignment to exceed \$150,000 so that IBI Group can be carried as a sub-consultant for the design work.

CARRIED

(Ferguson/Pearson)

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

CARRIED

SPECIAL GENERAL ISSUES COMMITTEE REPORT 17-012

(c)(ii), Joint Investment and Development Options for Stelco Lands (Item 7.1)**(Eisenberger/Merulla)**

That information Item (c)(ii) be lifted from the information section and added to Item 1 as subsections (d) and (e) to read as follows:

1. Joint Investment and Development Options for Stelco Lands (Item 7.1)

- (a) That staff of the Planning and Economic Development Department be directed to review and update planning policies, as required, with respect to the Stelco lands and their alignment with the City's vision for the lands;
- (b) That the Province of Ontario be requested to provide an interest free line of credit to LandCo for the redevelopment of the Stelco lands; and,
- (c) That the City of Hamilton endorse an exercise that would allow the stakeholders of the Stelco lands to review the redevelopment through a Master Plan process.
- (d) ***That staff be directed to engage the Federal Ministries of Innovation, Science and Economic Development; International Trade; and, Infrastructure and Communities, as well as the Provincial Ministries of Economic Development and Growth; Infrastructure; and, International Trade, to investigate joint investment and development options for the Stelco lands and report back to the General Issues Committee; and,***
- (e) ***That staff be directed to investigate options to secure private investor(s) to partner with the City of Hamilton in the joint development of the Stelco lands (public-private partnership) and report to the General Issues Committee.***

**Amendment CARRIED
Main Motion, as Amended, CARRIED**

(Eisenberger/Partridge)

That the Special General Issues Committee 17-012 be adopted, as amended, and the information section received.

CARRIED

PLANNING COMMITTEE REPORT 17-010

6. Various Zoning By-law Amendments as they relate to Commercial and Mixed Use Zones (Item 6.4)

(B. Johnson/Pearson)

That Items 6(c), (d) and (e) be removed and inserted under Item 11, the subsections be re-lettered accordingly and the title of Item 11 be amended to reflect the change:

(a) 651 and 655 Upper James Street

- (i) That staff be directed to amend the Urban Hamilton Official Plan by changing the designation of a portion of 651 and 655 Upper James Street from District Commercial to Mixed Use High Density to permit the future redevelopment of the subject lands known as Mountain Plaza, which includes a multi-storey residential building with retail at-grade; and,
- (ii) That staff be directed to amend Zoning By-law No. 05-200 by zoning a portion of lands located at 651 and 655 Upper James Street, identified on Map 1084 of Schedule "A" – Zoning Maps, as Mixed Use High Density (C4) Zone with a lot depth of approximately 157 meters along Fennel Avenue East, and approximately 70 meters in lot width along Upper James Street to permit the use of the subject lands for a proposed redevelopment, which includes a multi-storey residential building with a retail at-grade.

(b) 37-39 Cliff Avenue

- (i) That staff be directed to amend the Urban Hamilton Official Plan by changing the designation of 37-39 Cliff Avenue from Neighbourhoods to Mixed Use Medium Density to permit the expansion of an existing Social Services Establishment and accessory Medical Clinic and Multiple Dwelling Units, and to restrict certain commercial uses from the Mixed Use Medium Density designation, in conjunction with an existing facility located at 569 Concession Street;
- (ii) That staff be directed to amend Zoning By-law No. 05-200 by zoning the lands at 37-39 Cliff Avenue and 569 Concession Street, identified on Maps 1040 and 1086, (attached as Appendix "A"), as Mixed Use Medium Density - Pedestrian Focus (C5a) Zone, with a Special Exception to permit the use of the subject lands only for a Day Nursery; Dwelling Units in conjunction with a Commercial Use; Medical Clinic; Office; Personal Service; Social Services Establishment; and Studio.

~~(c) 1800 Upper James Street~~

- ~~(i) That staff be directed to amend the Urban Hamilton Official Plan for the lands located at 1800 Upper James Street, as shown on Appendix "A" attached hereto, on the following basis:~~

- ~~(1) That Schedules “B” and “B-4” be amended to revise the core area and the wetland features, in accordance with the 2016 mapping and limits study conducted by MNR as shown as Parcel B;~~
- ~~(2) That Schedule “E-1” be amended by redesignating Parcel “A” from “Open Space” to “Arterial Commercial”; and,~~
- ~~(3) That Schedule “E-1” be amended by redesignating Parcels “C” and “C-1” from “Open Space” to “Neighbourhoods”;~~
- ~~(ii) That staff be directed to amend Zoning By-law No. 05-200 for the lands located at No. 1800 Upper James Street, as shown on Appendix “A” attached hereto, on the following basis:~~
 - ~~(1) That Parcel “A” be zoned Arterial Commercial (C7) zone; and,~~
 - ~~(2) That Parcel “B” be zoned Conservation/Hazard Land (P5) zones; and,~~
- ~~(iii) That staff be directed to amend Zoning By-law No. 464 to rezone Parcels “C” and “C-1”, as shown on Appendix “A” attached hereto, from Airport Related Commercial “C5-054” Zone to Deferred Development “DD” Zone, for future residential purposes.~~

~~(d) 2400 Highway 56~~

~~That staff incorporate the necessary zoning by-law changes in accordance with the submission by Armstrong Pet and Garden Centre for the lands located at 2400 Highway 56 in regards to the proposed requirement of a 4.0 metre set back from the road.~~

~~(e) 360 – 410 Lewis Road and 2411 Upper James~~

~~That staff incorporate the necessary zoning by-law changes, as outlined below, in accordance with the submission by UrbanSolutions for the lands located at:~~

- ~~(i) 360 – 410 Lewis Road - the addition of the following permitted uses:~~
 - ~~• Commercial Recreation;~~
 - ~~• Commercial Entertainment;~~
 - ~~• Commercial School;~~
 - ~~• Financial Establishment;~~
 - ~~• Medical Clinic;~~
 - ~~• Outdoor Commercial Patio;~~
 - ~~• Place of Worship;~~

- ~~• Science and Technology Establishment;~~
- ~~• Studio; and,~~
- ~~• Veterinary Service.~~

~~(ii) 2411 Upper James – the addition of the following permitted use:~~

- ~~• Motor Vehicle Sales and Service Establishments~~

11. Existing and Non-Conforming Commercial Uses for properties located on:

(a) Barton Street East from Centennial Parkway North to the Red Hill Valley Parkway, and Nash Road North from Barton Street North to Bancroft Street (Ward 5) (Added Item 10.3)

- (a) That staff be directed to recognize commercial uses (i.e. retail and commercial recreation) on properties along Barton Street East from Centennial Parkway North to the Red Hill Valley Parkway, and Nash Road North from Barton Street North to Bancroft Street, in accordance with Section F.1.12.8 of the Urban Hamilton Official Plan;
- (b) That staff be directed to inventory the existing commercial uses on the properties along Barton Street East from Centennial Parkway North to the Red Hill Valley Parkway, and Nash Road North from Barton Street North to Bancroft Street and modify the Zones under Hamilton Zoning By-law 05-200 as appropriate.

(b) 1800 Upper James Street

- (i) ***That staff be directed to amend the Urban Hamilton Official Plan for the lands located at 1800 Upper James Street, as shown on Appendix “A” attached hereto, on the following basis:***
 - (1) ***That Schedules “B” and “B-4” be amended to revise the core area and the wetland features, in accordance with the 2016 mapping and limits study conducted by MNR as shown as Parcel B;***
 - (2) ***That Schedule “E-1” be amended by redesignating Parcel “A” from “Open Space” to “Arterial Commercial”;*** and,
 - (3) ***That Schedule “E-1” be amended by redesignating Parcels “C” and “C-1” from “Open Space” to “Neighbourhoods”;***
- (ii) ***That staff be directed to amend Zoning By-law No. 05-200 for the lands located at No. 1800 Upper James Street, as shown on Appendix “A” attached hereto, on the following basis:***

- (1) That Parcel "A" be zoned Arterial Commercial (C7) zone; and,*
- (2) That Parcel "B" be zoned Conservation/Hazard Land (P5) zones; and,*
- (iii) That staff be directed to amend Zoning By-law No. 464 to rezone Parcels "C" and "C-1", as shown on Appendix "A" attached hereto, from Airport Related Commercial "C5-054" Zone to Deferred Development "DD" Zone, for future residential purposes.*

(c) 2400 Highway 56

That staff incorporate the necessary zoning by-law changes in accordance with the submission by Armstrong Pet and Garden Centre for the lands located at 2400 Highway 56 in regards to the proposed requirement of a 4.0 metre set back from the road.

(d) 360 – 410 Lewis Road and 2411 Upper James

hat staff incorporate the necessary zoning by-law changes, as outlined below, in accordance with the submission by UrbanSolutions for the lands located at:

- (i) 360 – 410 Lewis Road - the addition of the following permitted uses:*
 - Commercial Recreation;*
 - Commercial Entertainment;*
 - Commercial School;*
 - Financial Establishment;*
 - Medical Clinic;*
 - Outdoor Commercial Patio;*
 - Place of Worship;*
 - Science and Technology Establishment;*
 - Studio; and,*
 - Veterinary Service.*
- (ii) 2411 Upper James - the addition of the following permitted use:*
 - Motor Vehicle Sales and Service Establishments*

Amendment CARRIED
Main Motion, as Amended, CARRIED

12. 288 Glover OMB Appeals (OPA and Rezoning) (LS17016/PED16084(a)) (Ward 11) (Item 12.2)

(Pearson/B. Johnson)

That the recommendation of Item 12 of Planning Committee Report 17-010 respecting Glover OMB Appeals (OPA and Rezoning) (LS17016/PED16084(a)) be deleted in its entirety and the following be inserted therein:

- ~~(a) That Report LS17016/PED16084(a) respecting 288 Glover OMB Appeals (OPA and Rezoning) remain private and confidential;~~
- ~~(b) That the recommendations of Report LS17016/PED16084(a) respecting 288 Glover OMB Appeals (OPA and Rezoning) be approved and remain private and confidential until the approval of Council.~~
- (a) That City of Hamilton staff be directed to settle Branthaven Homes Fruitland Inc.'s appeal of its Urban Hamilton Official Plan Amendment ("UHOPA") Application No. UHOPA-16-03 in accordance with the amendments and modifications to the Urban Hamilton Official Plan, contained in Appendix "B" to Report LS17016/PED16084(a), with such amendments to the draft UHOPA as the Director of Planning and the City Solicitor deem necessary in order to implement the settlement and which are consistent with the contents and intent of Report LS17016/PED16084(a);
- (b) That City of Hamilton staff be directed to settle Branthaven Homes Fruitland Inc.'s appeal of its Zoning By-law Amendment Application No. ZAC-16-012 in accordance with the amendments and modifications to the Zoning By-law No. 3692-92 consistent with the draft Zoning By-law Amendment attached, as Appendix "C" to Report LS17016/PED16084(a) and which are consistent with and permit the development contained in the Concept Plan attached as Appendix "D" to Report LS17016/PED16084(a) with such amendments to the draft Zoning By-law as the Director of Planning and Chief Planner and the City Solicitor deem necessary in order to implement the settlement and which are consistent with the contents and intent of Report LS17016/PED16084(a);
- (c) That the City Solicitor or his/her designate be authorized to support a settlement of Branthaven Home Fruitland Inc.'s appeals of UHOPA-16-03 and ZAC-16-012 before the Ontario Municipal Board consistent with the content of this Report and to continue discussions with Branthaven Homes Fruitland Inc. for the purpose of finalizing the Zoning By-law Amendment, attached as Appendix "C" to Report LS17016/PED16084(a), provided that any revisions are consistent with the Concept Plan, attached as Appendix "D" to Report LS17016/PED16084(a);
- (d) That the City Solicitor or his/her designate be authorized to execute Minutes of Settlement substantially in accordance with the recommendations of Report LS17016/PED16084(a), and that said Minutes of Settlement include a requirement that any development of 288 Glover Road by Branthaven Homes

Fruitland Inc. be in accordance with the Concept Plan, attached as Appendix "D" to Report LS17016/PED16084(a);

- (e) That, if Branthaven Home Fruitland Inc.'s appeals of UHOPA-16-03 and ZAC-16-012 are not resolved in accordance with Recommendations (a) to (d) in Report LS17016/PED16084(a), staff be directed to oppose Branthaven's appeals and retain such consultants as necessary with the amount required to retain any such external consultants be funded through the Tax Stabilization Reserve; and,
- (f) That Report LS17016/PED16084(a) remain confidential but that Appendices "B" and "C", be made public in the event Recommendations (a) and (b) to the report are adopted.

CARRIED

(Pearson/Conley)

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

CARRIED

GENERAL ISSUES COMMITTEE REPORT 17-013

(Eisenberger/Partridge)

That the THIRTEENTH Report of the General Issues Committee be adopted, as presented, and the information section received.

CARRIED

HAMILTON UTILITIES CORPORATION SHAREHOLDERS' ANNUAL GENERAL MEETING REPORT 17-011
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(Eisenberger/Partridge)

That the ELEVENTH Report of the Hamilton Utilities Corporation Shareholders, Annual General Meeting be adopted, as presented, and the information section received.

CARRIED

AUDIT, FINANCE AND ADMINISTRATION COMMITTEE REPORT 17-009
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- 14. Governance Review Sub-Committee Report 17-002, from the May 30, 2017 Meeting (Item 8.5)**

(Whitehead/Jackson)

That subsection (c) of Item 14, which reads as follows, be referred back to the Governance Review Sub-Committee so that additional options can be considered:

(c) Civic Rings for Members of City Council (CL17004) (City Wide) (Item 8.2)

That a Policy for Civic Rings to Outgoing/Retiring/Deceased Members of Hamilton City Council, as attached by Appendix “L” to Report 17-009 be approved.

CARRIED

Councillors M. Green, D. Skelly, A. Johnson and B. Johnson indicated that they wished to be recorded as OPPOSED to the referral.

(Skelly/Whitehead)

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

CARRIED

EMERGENCY & COMMUNITY SERVICES COMMITTEE REPORT 17-006

(A. Johnson/Farr)

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

CARRIED

(Whitehead/Skelly)

That the Committee of the Whole Rise and Report.

CARRIED

MOTIONS

7.1 Barton Beer Fest 2017– Special Occasion Permit Liquor Licence

(Green/Merulla)

WHEREAS, Hamilton City Council has received Notice (attached hereto as Appendix “A”) from Raynu Khaneja on behalf of Urban Fields Inc. that they wish to obtain approval for a Special Occasion Permit Liquor Licence to sell alcohol on June 24, 2017 between the hours of 11:00 a.m. and 5:00 p.m. at Woodlands Park, 501 Barton Street East, Hamilton, Ontario during Barton Beer Fest 2017 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 the Barton Beer Fest 2017, being held in the City of Hamilton, Ontario on June 24, 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) Urban Fields Inc. c/o Raynu Khaneja, Toronto, Ontario.

CARRIED

7.2 Dragon Boat RACES - Special Occasion Permit Liquor Licence

(Farr/Green)

WHEREAS, Hamilton City Council has received Notice (attached hereto as Appendix "A") from Leonard Rolfe on behalf of Hamilton Kinsmen Club that they wish to obtain approval for a Special Occasion Permit Liquor Licence to sell alcohol on July 8, 2017 between the hours of Noon and 8:00 p.m. at Bay Front Park, 200 Harbour Front Drive, Hamilton, Ontario during the Dragon Boat Races 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 the Dragon Boat Races, being held in the City of Hamilton, Ontario on July 8, 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) Hamilton Kinsmen Club c/o Leonard Rolfe, Hamilton, Ontario.

CARRIED

7.3 Construction of a Washroom Facility at Turner Park – Single Source Procurement Request

(Skelly/Jackson)

WHEREAS, at its meeting of March 8, 2017, Council approved Item 5 of the General Issues Committee Report 17-005, respecting Report FCS15049(b) - Canada 150 Community Infrastructure Program Intake Two Approved Project Financing, which included capital project 7101754705 – the addition of a washroom facility at Turner Park;

WHEREAS, similar washroom construction work is currently underway at Trentholme, Bobby Kerr and William Schwanger Parks through contract C13-55-16; and, the contractor, Bestco Construction Ltd., is currently mobilized on the Hamilton Mountain with crews and identical material orders;

WHEREAS, the addition of a washroom facility at Turner Park is a Canada 150 federally funded project with tight timelines and a completion deadline of March 2018; and,

WHEREAS, adding the Turner Park washroom facility construction to the existing contract allows the Canada 150 federal funding deadline to be met;

THEREFORE BE IT RESOLVED:

- (a) That, pursuant to the City's Procurement Policy By-law (Policy #11 - Non-competitive Procurements), a single source procurement for the Canada 150 funded Turner Park washroom facility project at 344 Rymal Road East, Hamilton, to be awarded to the general contractor already mobilized on the Hamilton Mountain for washroom construction, Bestco Construction Ltd., as a contract extension to C13-55-16; and
- (b) That the General Manager, of the Public Works Department, be authorized to negotiate, enter into, and execute a contract and any ancillary documents required to give effect to the use of Bestco Construction Ltd. as the contractor for the construction of the washroom facility at Turner Park, in a form satisfactory to the City Solicitor.

(Partridge/Green)

That the following subsection (c) be added:

- (c) ***That any upset costs to the project be covered by the Ward 7 area rating account.***

Amendment Defeated

Motion as Presented CARRIED

7.4 Amendment to the Motion Approved by Council on May 24, 2017 Respecting Community Grants for Ward 9

(Conley/Pearson)

WHEREAS, the official reserve name should have been noted as the Stoney Creek Compensation Royalties (Terrapure Landfill) Reserve 117036 in the May 24, 2017 motion respecting Community Grants for Ward 9.

THEREFORE BE IT RESOLVED:

That the motion approved by Council on May 24, 2017 respecting Community Grants for Ward 9, be ***amended*** as follows:

THEREFORE BE IT RESOLVED:

- (a) That the funding for the following programs and initiatives, to be financed from the ***Stoney Creek Compensation Royalties (Terrapure Landfill) Reserve 117036***, be approved:
 - (i) That \$134,662 be provided to Tourism and Culture Division to provide support for restoration of the Battlefield Park barn to original form;
 - (ii) That \$13,750 be provided to the Parks & Cemeteries of the Environmental Services Division to provide support for the Augustus Jones fountain repair;
 - (iii) That \$100,000 be provided to the Parks & Cemeteries of the Environmental Services Division to provide support for the design of a skateboard park at Valley Park;
 - (iv) That \$95,000 be provided to the Parks & Cemeteries of the Environmental Services Division to provide support for installation of a play structure at Felkers Park with \$16,300 annual operating costs be added to the operating base;
 - (v) That \$5,000 be provided to Kingsview Church to support upper Stoney Creek for their Canada 150 celebration fireworks display to be put on at the Kingsview Church;
 - (vi) That \$2,698 be provided to the Stoney Creek BIA to provide support for their Canada 150 celebration bus service; and
 - (vii) That \$15,000 be used to hire a local, Canadian known artist to provide a painting of a historic blacksmith shop at the corner of Mud Street & the Red Hill Valley Parkway to be installed in the restored Battlefield Park barn.

CARRIED

7.5 Francofest – Special Occasion Permit Liquor Licence

(Green/Merulla)

WHEREAS, Hamilton City Council has received Notice (attached hereto as Appendix “A”) from Lisa Breton on behalf of Centre Francais that they wish to obtain approval for a Special Occasion Permit Liquor Licence to sell alcohol on June 23, 2017 between the hours of 5:00 p.m. and 11:00 p.m. and on June 24, 2017 between the hours of Noon and 11:00 p.m. at Gage Park, 1000 Main Street East, Hamilton, Ontario during the FrancoFest 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 the FrancoFest, being held in the City of Hamilton, Ontario on June 23 and 24, 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) Centre Francais c/o Lisa Breton, Hamilton, Ontario.

CARRIED

7.6(a) Application for Approval of a Draft Plan of Condominium (Common Element), for Lands known as 120 John Fredrick Drive (Ancaster) (PED17018) (Ward 12) (Item 8.1) (TABLED at Council, May 24, 2017)

(Ferguson/Green)

That Item 5 of the Planning Committee Report 17-009 respecting Report PED17018 – Application for Approval of a Draft Plan of Condominium (Common Element), for Lands known as 120 John Fredrick Drive (Ancaster), which was TABLED at the May 24, 2017 Council meeting, and which reads as follows, be LIFTED from the table:

- (a) That approval be given to Redline Revised Draft Plan of Condominium Application 25CDM-201608, by WEBB Planning Consultants Inc., on behalf of Losani Homes (1998) Limited, owner, to establish a Draft Plan of Condominium (Common Element) to create a condominium road, sidewalks, landscaped areas, 19 visitor parking spaces, centralized mailboxes and exclusive use common element areas, on lands located at 120 John Fredrick Drive (Ancaster), as shown on Appendix “A” to Report PED17018, subject to the following conditions:
 - (i) That the approval for Draft Plan of Condominium (Common Element) Application 25CDM-201608 applies to the plan prepared by A.T. McLaren Limited, certified by S. D. McLaren, and dated September 16, 2016, consisting of a condominium road, sidewalks, landscaped areas, 19 visitor parking spaces, centralized mailboxes, an exclusive use common element area identified as E-11 to E-26 and common element – restricted access (limits to be fenced) identified as E-27 and E-28, in favour of 52 semi-detached dwelling units, attached as Appendix “B” to Report PED17018; and,
 - (ii) That the following Condition 16 be added to the Recommended Conditions of Draft Plan of Condominium Approval, outlined in Appendix “C” to Report PED17018, respecting Application for Approval of a Draft Plan of Condominium (Common Element), for Lands known as 120 John Fredrick Drive (Ancaster), and the balance be renumbered accordingly:

16. That the owner install the landscape features in accordance with the "Fencing and Columns Layout Plan and Details Plan" (L - 1 and L - 2), dated April 12, 2017, by Adesso Design Inc, which includes fencing and signage, and shall also include entrance gates to the satisfaction of the Director of Planning and Chief Planner,
- (iii) That the conditions of Draft Plan of Condominium Approval 25CDM-201608, attached as Appendix "A" to Report 17-009, be approved, as amended;
- (b) That there were no submissions received regarding this matter.

CARRIED

7.6(b) Application for Approval of a Draft Plan of Condominium (Common Element), for Lands known as 120 John Fredrick Drive (Ancaster) (PED17018) (Ward 12) (Item 8.1) (TABLED at Council, May 24, 2017)

(Ferguson/Green)

That Item 5 of the Planning Committee Report 17-009 respecting Report PED17018 – Application for Approval of a Draft Plan of Condominium (Common Element), for Lands known as 120 John Fredrick Drive (Ancaster), be amended by:

- (a) Deleting Subsection (a)(ii) in its entirety and re-lettering the balance;
- (b) Deleting Subsection (a)(iii) in its entirety and inserting the following wording therein: ***That the conditions of Draft Plan of Condominium Approval 25CDM-201608 attached as Appendix "C" to Report PED17018, be endorsed by City Council;***
- (c) Deleting Subsection (b) in its entirety and inserting the following wording therein: ***That the submissions received regarding this matter affected the decision by supporting the granting of the application, without amendments.***

The amended Item 5 to read as follows:

- (a) That approval be given to Redline Revised Draft Plan of Condominium Application 25CDM-201608, by WEBB Planning Consultants Inc., on behalf of Losani Homes (1998) Limited, owner, to establish a Draft Plan of Condominium (Common Element) to create a condominium road, sidewalks, landscaped areas, 19 visitor parking spaces, centralized mailboxes and exclusive use common element areas, on lands located at 120 John Fredrick Drive (Ancaster), as shown on Appendix "A" to Report PED17018, subject to the following conditions:
 - (i) That the approval for Draft Plan of Condominium (Common Element) Application 25CDM-201608 applies to the plan prepared by A.T. McLaren Limited, certified by S. D. McLaren, and dated September 16, 2016, consisting of a condominium road, sidewalks, landscaped areas,

19 visitor parking spaces, centralized mailboxes, an exclusive use common element area identified as E-11 to E-26 and common element – restricted access (limits to be fenced) identified as E-27 and E-28, in favour of 52 semi-detached dwelling units, attached as Appendix “B” to Report PED17018; and,

~~(ii) That the following Condition 16 be added to the Recommended Conditions of Draft Plan of Condominium Approval, outlined in Appendix “C” to Report PED17018, respecting Application for Approval of a Draft Plan of Condominium (Common Element), for Lands known as 120 John Fredrick Drive (Ancaster), and the balance be renumbered accordingly:~~

~~16. That the owner install the landscape features in accordance with the “Fencing and Columns Layout Plan and Details Plan” (L - 1 and L - 2), dated April 12, 2017, by Adesso Design Inc, which includes fencing and signage, and shall also include entrance gates to the satisfaction of the Director of Planning and Chief Planner,~~

~~(iii)(ii) That the conditions of Draft Plan of Condominium Approval 25CDM-201608, attached as **Appendix “C” to Report PED17018, be endorsed by City Council;**~~

(b) *That the submissions received regarding this matter affected the decision by supporting the granting of the application, without amendments.*

CARRIED

7.7 2017 NSA Canada Men’s and Women’s World Series– Special Occasion Permit Liquor Licence

(Skelly/Jackson)

WHEREAS, Hamilton City Council has received Notice (attached hereto as Appendix “A”) from Darlene Bowman on behalf of NSA Canada that they wish to obtain approval for a Special Occasion Permit Liquor Licence to sell alcohol on August 4, 2017 between the hours of 11:00 a.m. and Midnight; August 5, 2017 between the hours of 11:00 a.m. and Midnight; August 6, 2017 between the hours of 11:00 a.m. and Midnight and August 7, 2017 between the hours of 11:00 a.m. and 7:00 p.m. at Turner Park, 344 Rymal Road East, Hamilton, Ontario during the 2017 NSA Canada Men’s and Women’s World Series 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 the NSA Canada Men's and Women's World Series, being held in the City of Hamilton, Ontario on August 4, 5, 6 and 7, 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) NSA Canada c/o Darlene Bowman, Hamilton, Ontario.

CARRIED

7.8 2017 NSA Canada Provincials – Co-Ed – Special Occasion Permit Liquor Licence

(Skelly/Jackson)

WHEREAS, Hamilton City Council has received Notice (attached hereto as Appendix "A") from Darlene Bowman on behalf of NSA Canada that they wish to obtain approval for a Special Occasion Permit Liquor Licence to sell alcohol on August 4, 2017 between the hours of 11:00 a.m. and Midnight; August 5, 2017 between the hours of 11:00 a.m. and Midnight; August 6, 2017 between the hours of 11:00 a.m. and Midnight and August 7, 2017 between the hours of 11:00 a.m. and 7:00 p.m. at Turner Park, 344 Rymal Road East, Hamilton, Ontario during the 2017 NSA Canada Men's and Women's World Series 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 the NSA Canada Men's and Women's World Series, being held in the City of Hamilton, Ontario on August 4, 5, 6 and 7, 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) NSA Canada c/o Darlene Bowman, Hamilton, Ontario.

CARRIED

7.9 2017 NSA Canada Ontario Provincials – Men's and Women's – Special Occasion Permit Liquor Licence

(Skelly/Jackson)

WHEREAS, Hamilton City Council has received Notice (attached hereto as Appendix “A”) from Darlene Bowman on behalf of NSA Canada that they wish to obtain approval for a Special Occasion Permit Liquor Licence to sell alcohol on September 29, 2017 between the hours of 11:00 a.m. and Midnight; September 30, 2017 between the hours of 11:00 a.m. and Midnight and October 1, 2017 between the hours of 11:00 a.m. and 7:00 p.m. at Turner Park, 344 Rymal Road East, Hamilton, Ontario during the 2017 NSA Canada Ontario Provincials – Men’s and Women’s 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 the NSA Canada Ontario Provincials –Men’s and Women’s, being held in the City of Hamilton, Ontario on September 29, 30 and October 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) NSA Canada c/o Darlene Bowman, Hamilton, Ontario.

CARRIED

7.10 Speed Limit Reduction on Evans Road, Waterdown (Ward 15)

(Partridge/Merulla)

- (a) That staff be directed to take the required steps to reduce the speed limit on Evans Road to 40 km/h between Parkside Drive and Dundas Street; and,
- (b) That funding for signage for the speed limit reduction, as outlined above, be funded from the Red Light Camera Reserve Account # 55916-461011 at an upwards cost of \$2,000; and,
- (c) That the by-law required to enact the speed limit reduction on Evans Road, be prepared.

CARRIED

7.11 Bayfront Industrial Area Strategy and FCM Green Municipal Fund Grant Agreement (Wards 3, 4 and 5))

(Collins/Merulla)

WHEREAS, City Council in 2014 authorized the preparation of a Bayfront Industrial Area Strategy as a comprehensive action plan to address land use, infrastructure, public realm, business development, environmental and brownfield issues in the Bayfront Employment area;

WHEREAS, on April 27, 2016 City Council authorized staff to submit an application for funding from the Federation of Canadian Municipalities (FCM) Green Municipal Fund under the Community Brownfield Action Plan category to assist in the development of the Strategy;

WHEREAS, the City of Hamilton has received communication from FCM that the application for funding from FCM has been approved for a grant in the amount of \$175,000.00 for the preparation of the Bayfront Strategy;

WHEREAS, FCM requires that the City enter into a standard Grant Agreement Plan (the "Agreement") for the provision of a grant from its Green Municipal Fund; and

WHEREAS Planning staff have reviewed the Agreement and are satisfied with its terms and conditions.

THEREFORE BE IT RESOLVED:

- (a) That the City of Hamilton enter into the standard Grant Agreement Plan (the "Agreement") for the provision of a grant from the Federation of Canadian Municipalities (FCM) Green Municipal Fund; and
- (b) That the Mayor and Clerk be authorized and directed to execute the Agreement together with any ancillary documentation, in a form satisfactory to the City Solicitor.

CARRIED

7.12 Hamilton Pride 2017 – Special Occasion Permit Liquor Licence

(Farr/A. Johnson)

WHEREAS, Hamilton City Council has received Notice (attached hereto as Appendix "A") from Marlon Picken on behalf of Hamilton Pride 2017 that they wish to obtain approval for a Special Occasion Permit Liquor Licence to sell alcohol on June 17, 2017 between the hours of 1:00 p.m. and 6:00 p.m. at Corktown Park, 175 Ferguson Avenue North, Hamilton, Ontario during Hamilton Pride 2017 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 Hamilton Pride 2017, being held in the City of Hamilton, Ontario on June 17, 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) Hamilton Pride 2017 c/o Marlon Picken, Hamilton, Ontario.

CARRIED

7.13 Annual Labour Day Picnic – Special Occasion Permit Liquor Licence

(Farr/Green)

WHEREAS, Hamilton City Council has received Notice (attached hereto as Appendix “A”) from Tom Atterton on behalf of Hamilton and District Labour Council that they wish to obtain approval for a Special Occasion Permit Liquor Licence to sell alcohol on September 4, 2017 between the hours of 11:00 a.m. and 3:00 p.m. at Bayfront Park, 200 Harbour Front Dr., Hamilton, Ontario during the Annual Labour Day Picnic 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 Annual Labour Day Picnic, being held in the City of Hamilton, Ontario on September 4, 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) Hamilton and District Labour Council c/o Tom Atterton, Hamilton, Ontario.

CARRIED

7.14 Applications for a Zoning By-law Amendment and for Approval of a Draft Plan of Subdivision known as “Springbrook Meadows West Extension”, for Lands Located at 296, 304, and 312 Springbrook Avenue (Ancaster) (Ward 12)

(Ferguson/Partridge)

WHEREAS the developments known as Dussin Estates, Springbrook Meadows West and Fields of Springbrook have frontage and/or road access to Springbrook Road;

WHEREAS as the conditions of Draft Plan approval required the Developer to pay in full or in part for the reconstructed of Springbrook Road including the sidewalks;

WHEREAS residents on the West side of Springbrook have indicated that they do not want sidewalks; and

WHEREAS the grading and reconstruction would necessitate the removal of a number of mature trees;

THEREFORE BE IT RESOLVED:

That Council direct staff to:

- (a) delay the installation of sidewalks on the west side of Springbrook Drive;
- (b) take cash in lieu for the sidewalk installation and tree removal; and
- (c) monitor the situation to ensure safe pedestrian movement.

CARRIED

NOTICES OF MOTION

Councillor Farr introduced the following Notice of Motion:

8.1 Hamilton Pride 2017 – Special Occasion Permit Liquor Licence

(Farr/A. Johnson)

That the Rules of Order be waived to allow for the introduction of a Motion respecting Hamilton Pride 2017 – Special Occasion Permit Liquor Licence.

CARRIED

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

Councillor Farr introduced the following Notice of Motion:

8.2 Annual Labour Day Picnic – Special Occasion Permit Liquor Licence

(Farr/Green)

That the Rules of Order be waived to allow for the introduction of a motion respecting Annual Labour Day Picnic – Special Occasion Permit Liquor Licence.

CARRIED

For disposition of this matter, please refer to Item 7.13.

Councillor Ferguson introduced the following Notice of Motion:

8.3 Applications for a Zoning By-law Amendment and for Approval of a Draft Plan of Subdivision known as “Springbrook Meadows West Extension”, for Lands Located at 296, 304, and 312 Springbrook Avenue (Ancaster) (Ward 12)

(Ferguson/Partridge)

That the Rules of Order be waived to allow for the introduction of a motion respecting Applications for a Zoning By-law Amendment and for Approval of a Draft Plan of Subdivision known as “Springbrook Meadows West Extension”, for Lands Located at 296, 304, and 312 Springbrook Avenue (Ancaster) (Ward 12).

CARRIED

For disposition of this matter, please refer to Item 7.14.

Councillor A. Johnson withdrew the following Notice of Motion and requested it be placed on the Audit, Finance and Administration Committee agenda:

8.4 Funding to Mitigate 2017 Staffing and Ward 1 Engagement Requirements

STATEMENT BY MEMBERS

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

PRIVATE AND CONFIDENTIAL

(Pearson/Merulla)

That Council move into Closed Session at 7:15 p.m. to discuss Acquisition of Property – Lister Annex (PW17042/PED17095) and Stadium Litigation Update, pursuant to Section 8.1, Sub-sections (c), (e) and (f) of the City's Procedural By-law 14-300, and Section 239(2), Sub-section (c), (e) and (f) of the *Ontario Municipal Act*, 2001, as amended, as the subject matter pertains to a proposed or pending acquisition of land for City purposes and 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 7:40 p.m.

10.1 Acquisition of Property – Lister Annex (PW17042/PED17095) (City Wide)

(Farr/Pearson)

- (a) That the acquisition of land and proposed building to be constructed on the land located on King William Street, referred to as the proposed Lister Annex, Hamilton, Ontario as shown on Appendix “A” attached to Report (PW17042/PED17095), be approved;
- (b) That staff be authorized and directed to negotiate and enter into an Agreement of Purchase and Sale with the Owners of the property located on King William Street, referred to as the proposed Lister Annex, Hamilton, Ontario as shown on Appendix “A” attached to Report (PW17042/PED17095), pursuant to the terms and conditions outlined in the attached Appendix “B” to Report (PW17042)/(PED17095), and such other terms and conditions satisfactory to both the General Manager, Planning and Economic Development and the General Manager, Public Works;
- (c) That the budget and funding for this project, as per the financial details outlined in Appendix “C” attached to Report (PW17042/PED17095), be approved;
- (d) That, subject to a successful acquisition and ensuring adherence to the City’s Procurement Policy By-law, the City Manager be authorized and directed to engage the services of required vendors to design, construct and install furniture, fixtures and equipment (total one-time costs) with an upset limit, in accordance with the budget identified in Appendix “C” to Report (PW17042/PED17095), be approved;
- (e) That the City Solicitor be authorized and directed to complete the transaction on behalf of the City, including paying any necessary expenses, amending the closing, due diligence and other dates, and amending and waiving terms and conditions on such terms as she considers reasonable;
- (f) That the Mayor and Clerk be authorized and directed to execute all necessary documents to implement Recommendations (a) to (e) in a form satisfactory to the City Solicitor;
- (g) That the Report (PW17042/PED17095) and its Appendices remain confidential and not be released as a public document until completion of the real estate transaction.

CARRIED

10.2 Stadium Litigation Update (no copy)

A verbal update was provided to Council in Closed Session with nothing to report in Open Session.

BY-LAWS

(Jackson/Farr)

That Bills No. 17-106 to No. 17-121 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.

- | | |
|------------|--|
| 106 | To Amend By-law No. 01-215, Being a By-law to Regulate Traffic
Schedule 5 - Stop Control
Ward: 2, 3, 4, 7, 8 and 11 |
| 107 | To Amend By-law No. 01-215, Being a By-law to Regulate Traffic
Schedule 2 - Speed Limits
Schedule 9 - No Right Turn on Red
Schedule 10 - No Left Turns
Schedule 13 - Designated Traffic Lanes
Schedule 18 - Bicycle Lanes
Ward: 1, 2, 11, 12, 13, 15 |
| 108 | To Amend By-law No. 01-215, Being a By-law to Regulate Traffic
Schedule 2 - Speed Limits
Ward: 15 |
| 109 | To Amend By-law No. 01-218, as amended, Being a By-law to Regulate On-Street Parking
Schedule 8 - No Parking Zones
Schedule 9 - Alternate Side Parking
Schedule 12 - Permit Parking Zones
Schedule 13 - No Stopping Zones
Ward: 1, 3, 4, 6, 8, 11, 15 |
| 110 | To Incorporate City Land Designated as Parts 1, 2, 3 and 4 on Plan 62R-20565 into Centennial Parkway South and Part 6 on Plan 62R-20565 into King Street East
Ward: 9 |
| 111 | To Amend Zoning By-law No. 464 (Glanbrook), Respecting Lands located at 2110 Rymal Road East
ZAH-17-032
Ward: 11 |
| 112 | To Amend Zoning By-law No. 05-200, Respecting Lands Located at 50 Albright Road, Owned by Ridgecrest Estates Inc.
ZAC-15-046
25T-201508
25CDM-201515
Ward: 5 |
| 113 | To Amend Zoning By-law No. 05-200, Respecting Lands Located at 389 Rymal Road East in the City of Hamilton
ZAC-16-074
Ward: 7 |

- 114** To Amend Zoning By-law No. 6593 (Hamilton), Respecting Lands Located at 1405 Upper Ottawa Street, Hamilton
ZAC-16-047
Ward: 6
- 115** To Amend Zoning By-law No. 05-200, Respecting Lands Located at 1439 and 1447 Upper Ottawa Street, Hamilton
ZAC-16-047
Ward: 6
- 116** To Amend By-law No. 07-170, a By-law to License and Regulate Various Businesses
Schedule 6 - Food Service Vehicles
Ward: City Wide
- 117** To Designate Land Located at 2042 Jerseyville Road West, Ancaster, City of Hamilton as Property of Cultural Heritage Value
Ward: 12
- 118** To Designate Land Located at 140 Locke Street South, City of Hamilton as Property of Cultural Heritage Value
Ward: 1
- 119** To Designate Land Located at 21 Stone Church Road West, City of Hamilton as Property of Cultural Heritage Value
Ward: 8
- 120** To Authorize the Execution of the Public Transit Infrastructure Fund Phase One (Ontario) Transfer Payment Agreement between the City of Hamilton and Her Majesty the Queen in right of Ontario as represented by the Minister of Transportation for the Province of Ontario to Receive Funding under the Public Transit Infrastructure Fund
Ward: City Wide
- 121** To Confirm the Proceedings of City Council

CARRIED

(Farr/Pearson)

That, there being no further business, City Council be adjourned at 7:43 p.m.

CARRIED

Respectfully submitted,

Mayor Fred Eisenberger

Rose Caterini
City Clerk