



CITY COUNCIL MINUTES 16-013

5:00 p.m.

Wednesday, June 22, 2016

Council Chamber

Hamilton City Hall

71 Main Street West

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

Mayor Eisenberger called upon Reverend Peter Wall, the Dean of Niagara and Rector of Christ's Church Cathedral, to provide the invocation.

APPROVAL OF THE AGENDA

The Clerk advised of the following changes to the agenda:

1. ADDED NOTICES OF MOTION

- 8.1 Live Streaming of The Tragically Hip's Final Show on August 20, 2016
- 8.2 Community Climate Change Action Plan Implementation Team
- 8.3 Hamilton Hornets Rugby Football Club – Post Game Hosting – Special Occasion Permit Liquor Licence
- 8.4 Bart Fest – Special Occasion Permit Liquor Licence
- 8.5 Request for Federal Funding for the Ancaster Performing Arts Centre
- 8.6 Picnic on the Thomas B. McQuesten High Level Bridge

2. ADDED BY-LAW

- 181 To Amend Zoning By-law No. 05-200, Respecting Lands Located at 1 Redfern Avenue in the former City of Hamilton, now in the City of Hamilton ZAC-15-026

(B. Johnson/Pearson)

That the agenda for the June 22, 2016 meeting of Council be approved, as amended.

CARRIED

DECLARATIONS OF INTEREST

Councillor B. Johnson declared a conflict with Item 2 on the Board of Health Report 16-006, The Health Effects of Sugary Drinks and Hydration, as her spouse works for Coca Cola.

Councillor B. Johnson declared a conflict with Item 8, respecting Live Streaming of The Tragically Hip's Final Show on August 20, 2016, as her son is employed by a potential bidder.

Councillor M. Green declared a conflict with Item 5.1 respecting Cutbacks to Behavioural Therapy for Children Affected by Autism Spectrum Disorder, as his spouse is an IBI and ABA Therapist.

CEREMONIAL ACTIVITES

3.1 Business Appreciation Awards

Mayor Eisenberger announced that this is the seventh time Council has recognized local businesses to express their appreciation for the businesses' investment and commitment to the City of Hamilton.

The awards were presented to businesses in Wards 1 through 8, with the remaining Wards being awarded in the Fall. The winners were:

Ward 1 – Bryan Prince Bookseller and Judy Marsales Real Estate Limited

Ward 2 – G.S. Dunn Limited and Black Forest Inn

Ward 3 – The JNE Group of Companies and Hamilton Indoor Go Karts

Ward 4 – Shipton's Heating & Cooling Ltd.

Ward 5 – Starsky Fine Foods and Merlo Electric Inc.

Ward 6 – Demik Construction and Donut Diner

Ward 7 – Bay King Chrysler and Jean's Flower Shop

Ward 8 – Courtyard by Marriott and La Spaghatt Pasta House

APPROVAL OF MINUTES

4.1 Minutes – May 30, 2016 - Special**(Pasuta/Partridge)**

That the Minutes of the May 30, 2016 Special meeting of Council be approved, as presented.

CARRIED

4.2 Minutes – June 8, 2016**(Whitehead/Skelly)**

That the Minutes of the June 8, 2016 meeting of Council be approved, as presented.

CARRIED

COMMUNICATIONS

(Farr/A. Johnson)

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

- 5.1 Correspondence from Shara Lavallee, Clerk, Township of Gillies requesting support for the Township of Gillies resolution respecting Cutbacks to Behavioural Therapy for Children Affected by Autism Spectrum Disorder.

Recommendation: ***Be endorsed.***

- 5.2 Correspondence from Shekar Chandrashekar responding to the General Manager of Corporate Services' response his questions respecting the Hamilton Police Services budget.

Recommendation: Be received.

- 5.3 Correspondence from Mary Ellen Greb, CAO, Township of South-West Oxford to Rural Ontario Municipal Association respecting the Township of South-West Oxford's resolution in opposition to the division of the ROMA and OGRA Conferences.

Recommendation: ***Be received.***

- 5.4 Correspondence from Scott Moffat, Councillor, Rideau-Goulbourn, City of Ottawa to Minister Bob Chiarelli, Ministry of Energy respecting the City of Ottawa's resolution regarding the renewable energy development process, specifically in regard to wind power projects.

Recommendation: ***Be received.***

- 5.5 Correspondence from Assistant Deputy Minister Tim Hadwen, Ministry of Health and Long-Term Care advising the City of Hamilton that the funding for the 23 community paramedicine projects will be extended for an additional 12 months, from April 1, 2016 to March 31, 2017.

Recommendation: Be received.

- 5.6 Correspondence from Minister Yasir Naqvi, Ministry of Community Safety and Correctional Services in response to the City of Hamilton's position respecting a proposed governance model for the Hamilton Police Services Board.

Recommendation: Be received.

- 5.7 Correspondence from Alex Nuttall, M.P. Barrie – Springwater – Oro-Medonte, Official Opposition Critic of Federal Development for Southern Ontario respecting the launch of the second intake of the Canada 150 Community Infrastructure Program in Federal Development for Southern Ontario.

Recommendation: **Be received.**

- 5.8 Correspondence from Minister Ted McMeekin, Ministry of Municipal Affairs and Housing in response to the City of Hamilton's 10-year Housing and Homelessness Action Plan.

Recommendation: Be received.

- 5.9 Correspondence from Susie Braithwaite, Executive Director, International Village BIA in support of the on-street patio pilot project.

Recommendation: Be received and referred to the consideration of Item 8 of the General Issues Committee Report 16-016.

- 5.10 Correspondence from Marc Schutten, President, Granitepark Inc. respecting the proposed pool fence enclosure within a fence enclosed yard.

Recommendation: Be received and referred to the consideration of Item 4 of the General Issues Committee Report 16-016.

- 5.11 Correspondence from Brock Carlton, Chief Executive Officer, Federation of Canadian Municipalities informing the City of Hamilton of a payment in the amount of \$10,341.36, which represents the second and final contribution to the Green Municipal Fund Grant Agreement – Hamilton Community Climate Change Action Plan.

Recommendation: Be received.

CARRIED

(A. Johnson/Green)

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

CARRIED

PUBLIC WORKS COMMITTEE REPORT 16-011

(Whitehead/Skelly)

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

CARRIED

BOARD OF HEALTH COMMITTEE REPORT 16-006
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(Eisenberger/Partridge)

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

CARRIED

PLANNING COMMITTEE REPORT 16-012

9. Illegal Businesses in Agricultural Areas in Ward 1 (Item 9.3)

(B. Johnson/Pearson)

That subsection (a) of Item 9 of Planning Committee Report 16-012 respecting Illegal Businesses in Agricultural Areas in Ward 11 be amended by removing the words “proactively enforce illegal businesses” and inserting the words “address the list of complaints regarding alleged illegal businesses”, to read as follows:

- (a) That staff be directed to undertake an 18 month pilot program, including hiring a temporary Zoning Enforcement Officer to **address the list of complaints regarding alleged illegal businesses** in the agricultural areas of Ward 11.

AMENDMENT CARRIED

MAIN MOTION, AS AMENDED, CARRIED

Councillors Pasuta and Partridge wished to be recorded as OPPOSED to the amendment.

Councillors Ferguson, Partridge, Pasuta and Whitehead wished to be recorded as OPPOSED to the main motion, **as amended**.

(B. Johnson/Pearson)

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

CARRIED

GENERAL ISSUES COMMITTEE REPORT 16-016

5. Auchmar Estate Operations Plan (PED12193(a)) (Ward 8) (Item 8.1)**(Merulla/Collins)**

That sub-section (d) Item 5 of the General Issues Committee Report 16-016, be amended by adding the words "**not-for-profit**", after the words "...any interested", to read as follows;

That Item 5 of the General Issues Committee Report 16-016, be further amended by adding new sub-sections (e) and (f) and renumbering the balance accordingly, to read as follows:

- (a) That the Auchmar Estate Operations Plan, attached as Appendix "A" to Report 16-016, be received;
- (b) That Tourism and Culture Division staff be directed to continue with stabilization work obligated under the terms of the Heritage Conservation Easement administered by the Ontario Heritage Trust and to maintain the heritage resource in a stable condition with annual Capital Block funding;
- (c) That the Auchmar Estate and grounds remain in Public Ownership of the City of Hamilton;
- (d) That City staff in the Real Estate Section and the Planning & Economic Development Department be authorized and directed to explore a long-term lease or operating and management agreement, which is to include that capital repairs and maintenance be the financial responsibility of the lessee or the manager/operator, with any interested **not-for-profit** private parties; such as the Royal Hamilton Light Infantry XIIIth Regiment Auchmar Trust or other not-for-profit organizations, and report back to the General Issues Committee on the progress toward that end in six months;
- (e) ***That any long-term lease or operating and management agreement and use provide for reasonable public access to the buildings and grounds;***
- (f) ***That Ontario Heritage Trust be consulted on any proposed use to confirm the use's alignment with the provisions in the Heritage Conservation Easement;***
- (g) That, in the event no lessee or management and operations interest, can be secured after a period of one year, Planning & Economic Development Department staff be directed to report to the General Issues Committee with a work plan for the adaptive reuse of the Auchmar Estate.

AMENDMENT CARRIED

(Whitehead/Skelly)

That subsection (d) of the motion be amended to replace the wording “with any interested not-for-profit parties; such as” and insert the wording ***“the interested not-for-profit party, the”***.

DEFEATED**MAIN MOTION, AS AMENDED, CARRIED**

Councillor Ferguson wished to be recorded as OPPOSED to the main motion, ***as amended***.

Councillor Farr relinquished the Chair to Mayor Eisenberger to introduce his Motion.

8. On-Street Patio Pilot Program (PED16119) (Wards 1, 2, 3, 4, 6, 7, 9, 12, 13 and 15) (Item 8.6)

(Farr/Whitehead)

That sub-section (a)(iii) to Item 8 of the General Issues Committee Report 16-016 be deleted in its entirety and replaced with the following in lieu thereof:

- (a) That an On-Street Patio Pilot Program be approved to operate from July 1, 2016 to October 31, 2016 in accordance with the criteria and guidelines identified in Appendix “D”, ***as amended***, to Report 16-016; and limited to the following locations:
 - (i) A maximum of two per Business Improvement Area (BIA);
 - (ii) A maximum of two for the Kenilworth Merchant Association (from Main Street East to Barton Street East); and,
 - ~~(iii) A maximum of two for the James Street North Merchant Association (from York Boulevard to Murray Street);~~
 - (iii) A maximum of two for the portion of the James Street North Merchant Association on James Street North, from Rebecca Street to Murray Street.***

AMENDMENT CARRIED**MAIN MOTION, AS AMENDED, CARRIED**

19. Canada 150 Community Infrastructure Program Intake Two (FCS15049(a)) (City Wide) (Item 8.12)

(Jackson/Skelly)

That, the resolutions respecting Report FCS15049(a), the Canada 150 Community Infrastructure Program Intake Two, which read as follows, be added as Item 19 to that Report for Council’s consideration:

- (a) That the Projects, as listed in Appendix “A” of Report FCS15049(a), be approved for consideration under the Canada 150 Community Infrastructure Program;
- (b) That the Projects, as listed in Appendix “A” of Report FCS15049(a), be submitted for the requested funding amount of \$4.85 M, in accordance with the terms and conditions associated with the Canada 150 Community Infrastructure Program;
- (c) That the Mayor and Clerk be authorized to execute all necessary documentation, including Contribution Agreements for funding under the Canada 150 Community Infrastructure Program, in a form satisfactory to the City Solicitor;
- (d) That the City Solicitor be authorized and directed to prepare all necessary by-laws, for Council approval, in order to implement recommendations (a) through (b) of report FCS15049(a); and,
- (e) That copies of Report FCS15049(a), respecting Canada 150 Community Infrastructure Program Intake Two, be forwarded to local Members of Parliament.

CARRIED

(Eisenberger/Partridge)

That the SIXTEENTH Report of the General Issues Committee be adopted, **as amended**, and the information section received.

CARRIED

AUDIT, FINANCE & ADMINISTRATION COMMITTEE REPORT 16-010
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(Skelly/B. Johnson)

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

CARRIED

(A. Johnson/Green)

That the Committee of the Whole Rise and Report.

CARRIED

MOTIONS

7.1 Establishing Beach Crawls

(Merulla/Collins)

WHEREAS the perception of Hamilton’s beaches are not in line with the fact that east Hamilton’s Lake Ontario beaches are safe to access for swimming and recreational use; and

WHEREAS a communications plan to mitigate the inaccurate perception would help to encourage people to access east Hamilton's Lake Ontario beaches and Waterfront.

THEREFORE BE IT RESOLVED:

That staff be directed to establish Beach Crawls throughout the summer months to encourage residents and non residents to access and enjoy the City of Hamilton's Beaches in conjunction with the arts community and food truck industry.

CARRIED

7.2 Live Streaming of The Tragically Hip's Final Show on August 20, 2016

(Green/Farr)

WHEREAS The Tragically Hip are perhaps the most Canadian Band of all time;

WHEREAS front man Gord Downie is considered the voice of a generation;

WHEREAS it has been announced that their final Man Machine Poem National concert night on August 20th is to be broadcast to the public on CBC television; and

WHEREAS ticket scalping has made attending these concerts difficult for the local fans.

THEREFORE BE IT RESOLVED

That staff urgently explore the feasibility of purchasing public broadcast rights to live stream The Tragically Hip's final show on August 20th at Gage Park or another suitable City owned location; and

That staff report back to the General Issues Committee on a cost recovery strategy for the lowest possible ticket price for the general public.

CARRIED

Councillor Skelly wished to be recorded as OPPOSED to the motion.

7.3 Community Climate Change Action Plan Implementation Team

(Eisenberger/Partridge)

WHEREAS, the Government of Canada's intent is to protect communities and grow our economy by making significant new investments in green infrastructure and clean technologies as well as to endow a \$2 billion Low Carbon Economy Trust to fund projects that reduce carbon that will "support projects in clean energy that can be commercialized, scaled up, and exported";

WHEREAS, the Province of Ontario has a Five-Year Climate Change Strategy and has introduced legislation, which aims to formalize a cap-and-trade system and invest those funds into green projects to reduce the amount of greenhouse gas pollution;

WHEREAS, the Province of Ontario has already announced in 2015, the Green Investment Fund that commits \$325 million to projects that will fight climate change;

WHEREAS, the City of Hamilton has developed a Community Climate Change Action Plan, which directs priority actions that will mitigate greenhouse gases, adapt to the risks associated with climate change and will help make Hamilton a resilient and prosperous community in the face of climate change;

WHEREAS, taking action on climate change will be beneficial to the Hamilton Harbour / Burlington Bay area and will complement the work on greenhouse gas reduction by the City of Burlington;

WHEREAS, in order to successfully implement the Community Climate Change Action Plan, a formalized governance structure is necessary; and,

WHEREAS The City of Hamilton already has an internationally recognized participatory governance structure known as the Bay Area Restoration Council (BARC) and the Bay Area Implementation Team (BAIT);

THEREFORE BE IT RESOLVED:

- (a) That staff be directed to develop a governance model similar to the Bay Area Restoration Council and the Bay Area Implementation Team, in collaboration with staff from the Federal and Provincial offices of the Ministries of Environment and Climate Change, and report back to the Board of Health;
- (b) That the Mayor correspond with The Honourable Catherine McKenna, Minister of Environment and Climate Change, and The Honourable Glen Murray, Minister of the Environment and Climate Change, to request that the Federal and Provincial Ministries assist the City of Hamilton with the establishment of City of Hamilton's Community Climate Change Action Plan Implementation Team in identifying the appropriate Federal and Provincial government staff, private sector and community representatives to provide expert advice and financial resources toward the action on climate change, within the funding guidelines for the Low Carbon Economy Trust; and, the Five-Year Climate Change Strategy;
- (c) That upon the formation of the governance structure for the Community Climate Change Action Plan Implementation Team, the City of Hamilton seek a partnership with the City of Burlington to coordinate efforts, with respect to the implementation of the Plan; and,

- (d) That staff be directed to report to the Board of Health annually, ***or sooner, if needed,*** respecting the progress of the Community Climate Change Action Plan.

MOTION, AS AMENDED, CARRIED

7.4 Hamilton Hornets Rugby Football Club – Post Game Hosting – Special Occasion Permit Liquor Licence

(Jackson/Skelly)

WHEREAS, Hamilton City Council has received Notice (attached hereto as Appendix “A”) from Mr. Tom Edwards on behalf of the Hamilton Hornets Rugby Football Club, that they wish to obtain approval for a Special Occasion Permit Liquor Licence to sell alcohol on June 30, 2016 between the hours of 6:00 p.m. and 10:00 p.m. and September 1, 2016 between the hours of 6:00 p.m. and 10:00 p.m. at the Mohawk Sports Complex located at 1100 Mohawk Road East a.k.a. 685 Upper Kenilworth St., Hamilton, Ontario, during the Hamilton Hornets Rugby Football Club – Post Game Hosting 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 Hamilton Hornets Rugby Football Club – Post Game Hosting, being held in the City of Hamilton, Ontario on June 30, 2016 and September 1, 2016, 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 Hornets Rugby Football Club c/o Tom Edwards, Ancaster, Ontario.

CARRIED

7.5 Bart Fest – Special Occasion Permit Liquor Licence

(Green/Farr)

WHEREAS, Hamilton City Council has received Notice (attached hereto as Appendix “A”) from Mr. Steven Arruda on behalf of the UrbanFields Inc., that they wish to obtain approval for a Special Occasion Permit Liquor Licence to sell alcohol on June 25, 2016 between the hours of 11:00 a.m. and 5:00 p.m. at the 352 Barton Street East, Hamilton, Ontario, during the Bart Fest 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 Bart Fest Club being held in the City of Hamilton, Ontario on June 25, 2016, 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) UrbanFields Inc. c/o Steve Arruda, Hamilton, Ontario.

CARRIED

7.6 Request for Federal Funding for the Ancaster Performing Arts Centre

(Ferguson/Merulla)

WHEREAS, there is a City objective to build the Ancaster Performing Arts Centre at the former Memorial School facility that was purchased by the City of Hamilton in 2014;

WHEREAS, conceptual drawings for the Centre were completed and approved in 2015;

WHEREAS, the City of Hamilton approved \$1.2 million in the 2016 budget for detail design for the Arts Centre; and,

WHEREAS, the Canada 150 Community Infrastructure Program Intake Two program does not permit this type of project in the applications;

THEREFORE BE IT RESOLVED:

- (a) That the Mayor correspond with The Honourable Bill Morneau PC MP, Minister of Finance, to request the Federal government support the Ancaster Performing Arts Centre in the amount of 25% of the capital cost of 12 million dollars (or 3 million dollars); and,
- (b) That copies of the resolution, respecting the City of Hamilton's request to the Federal Government to support the Ancaster Performing Arts Centre, be copied to Filomena Tassi, Liberal MP for Hamilton West—Ancaster—Dundas (Ontario); and, David Sweet, Conservative MP for Flamborough—Glanbrook (Ontario).

The motion above CARRIED on the following Standing Recorded Vote:

Yeas:	Jackson, Merulla, Farr, A. Johnson, Pearson, Ferguson, VanderBeek, Pasuta
Total:	8
Nays:	Eisenberger, Whitehead, Skelly, Collins, Green, Conley, B. Johnson
Total:	7
Absent:	Partridge
Total:	1

7.7 Picnic on the Thomas B. McQuesten High Level Bridge

(A. Johnson/Farr)

WHEREAS, in 2013 the idea of hosting a picnic on the Thomas B. McQuesten High Level Bridge was first raised by Hamilton Industrialist Patrick Birmingham;

WHEREAS, the picturesque views from the Bridge include the harbour and its resident swans, the Hamilton skyline and Cootes Paradise; and,

WHEREAS, there has been interest in permitting the Bridge to be closed for an evening in order to provide residents with the opportunity to enjoy the view and a picnic, while taking in the unique architectural features of the 1932 crafted bridge, which has a municipal heritage designation under Part 4 of the *Ontario Heritage Act* and has an Ontario Heritage Conservation Easement administered by the Ontario Heritage Trust;

THEREFORE BE IT RESOLVED:

That Planning and Economic Development Department staff, in consultation with Public Works Department staff, be directed to review the feasibility of the community hosting a picnic on Thomas B. McQuesten High Level Bridge and report back to General Issues Committee.

CARRIED

NOTICE OF MOTION

Councillor Green introduced the following Notice of Motion:

8.1 Live Streaming of The Tragically Hip's Final Show on August 20, 2016

WHEREAS The Tragically Hip are perhaps the most Canadian Band of all time;

WHEREAS front man Gord Downie is considered the voice of a generation;

WHEREAS it has been announced that their final Man Machine Poem National concert night on August 20th is to be broadcast to the public on CBC television; and

WHEREAS ticket scalping has made attending these concerts difficult for the local fans.

THEREFORE BE IT RESOLVED

That staff urgently explore the feasibility of purchasing public broadcast rights to live stream The Tragically Hip's final show on August 20th at Gage Park or another suitable City owned location; and

That staff report back to the General Issues Committee on a cost recovery strategy for the lowest possible ticket price for the general public.

(Green/Farr)

That the Rules of Order be waived to allow for the introduction of a motion respecting Live Streaming of The Tragically Hip's Final Show on August 20, 2016.

CARRIED

For disposition of this matter, refer to Item 7.2.

Mayor Eisenberger relinquished the Chair to Deputy Mayor Farr to introduce his Notice of Motion.

Mayor Eisenberger introduced the following Notice of Motion:

8.2 Community Climate Change Action Plan Implementation Team

WHEREAS, the Government of Canada's intent is to protect communities and grow our economy by making significant new investments in green infrastructure and clean technologies as well as to endow a \$2 billion Low Carbon Economy Trust to fund projects that reduce carbon that will "support projects in clean energy that can be commercialized, scaled up, and exported";

WHEREAS, the Province of Ontario has a Five-Year Climate Change Strategy and has introduced legislation, which aims to formalize a cap-and-trade system and invest those funds into green projects to reduce the amount of greenhouse gas pollution;

WHEREAS, the Province of Ontario has already announced in 2015, the Green Investment Fund that commits \$325 million to projects that will fight climate change;

WHEREAS, the City of Hamilton has developed a Community Climate Change Action Plan, which directs priority actions that will mitigate greenhouse gases, adapt to the risks associated with climate change and will help make Hamilton a resilient and prosperous community in the face of climate change;

WHEREAS, taking action on climate change will be beneficial to the Hamilton Harbour / Burlington Bay area and will complement the work on greenhouse gas reduction by the City of Burlington;

WHEREAS, in order to successfully implement the Community Climate Change Action Plan, a formalized governance structure is necessary; and,

WHEREAS The City of Hamilton already has an internationally recognized participatory governance structure known as the Bay Area Restoration Council (BARC) and the Bay Area Implementation Team (BAIT);

THEREFORE BE IT RESOLVED:

- (a) That staff be directed to develop a governance model similar to the Bay Area Restoration Council and the Bay Area Implementation Team, in collaboration with staff from the Federal and Provincial offices of the Ministries of Environment and Climate Change, and report back to the Board of Health;
- (b) That the Mayor correspond with The Honourable Catherine McKenna, Minister of Environment and Climate Change, and The Honourable Glen Murray, Minister of the Environment and Climate Change, to request that the Federal and Provincial Ministries assist the City of Hamilton with the establishment of City of Hamilton's Community Climate Change Action Plan Implementation Team in identifying the appropriate Federal and Provincial government staff, private sector and community representatives to provide expert advice and financial resources toward the action on climate change, within the funding guidelines for the Low Carbon Economy Trust; and, the Five-Year Climate Change Strategy;
- (c) That upon the formation of the governance structure for the Community Climate Change Action Plan Implementation Team, the City of Hamilton seek a partnership with the City of Burlington to coordinate efforts, with respect to the implementation of the Plan; and,
- (d) That staff be directed to report to the Board of Health annually, respecting the progress of the Community Climate Change Action Plan.

(Eisenberger/Partridge)

That the Rules of Order be waived to allow for the introduction of a motion respecting Community Climate Change Action Plan Implementation Team.

CARRIED

For disposition of this matter, refer to Item 7.3.

Councillor Jackson presented the following Notice of Motion:

8.3 Hamilton Hornets Rugby Football Club – Post Game Hosting – Special Occasion Permit Liquor Licence

WHEREAS, Hamilton City Council has received Notice (attached hereto as Appendix “A”) from Mr. Tom Edwards on behalf of the Hamilton Hornets Rugby Football Club, that they wish to obtain approval for a Special Occasion Permit Liquor Licence to sell alcohol on June 30, 2016 between the hours of 6:00 p.m. and 10:00 p.m. and September 1, 2016 between the hours of 6:00 p.m. and 10:00 p.m. at the Mohawk Sports Complex located at 1100 Mohawk Road East a.k.a. 685 Upper Kenilworth St., Hamilton, Ontario, during the Hamilton Hornets Rugby Football Club – Post Game Hosting 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 Hamilton Hornets Rugby Football Club – Post Game Hosting, being held in the City of Hamilton, Ontario on June 30, 2016 and September 1, 2016, 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 Hornets Rugby Football Club c/o Tom Edwards, Ancaster, Ontario.

(Jackson/Whitehead)

That the Rules of Order be waived to allow for the introduction of a motion respecting Hamilton Hornets Rugby Football Club – Post Game Hosting – Special Occasion Permit Liquor Licence.

CARRIED

For disposition of this matter, refer to Item 7.4.

Councillor Green introduced the following Notice of Motion:

8.4 Bart Fest – Special Occasion Permit Liquor Licence

WHEREAS, Hamilton City Council has received Notice (attached hereto as Appendix “A”) from Mr. Steven Arruda on behalf of the UrbanFields Inc., that they wish to obtain approval for a Special Occasion Permit Liquor Licence to sell

alcohol on June 25, 2016 between the hours of 11:00 a.m. and 5:00 p.m. at the 352 Barton Street East, Hamilton, Ontario, during the Bart Fest 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 Bart Fest Club being held in the City of Hamilton, Ontario on June 25, 2016, 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) UrbanFields Inc. c/o Steve Arruda, Hamilton, Ontario.

(Green/Farr)

That the Rules of Order be waived to allow for the introduction of a motion respecting Bart Fest – Special Occasion Permit Liquor Licence.

CARRIED

For disposition of this matter, refer to Item 7.5.

Councillor Ferguson introduced the following Notice of Motion:

8.5 Request for Federal Funding for the Ancaster Performing Arts Centre

WHEREAS, there is a City objective to build the Ancaster Performing Arts Centre at the former Memorial School facility that was purchased by the City of Hamilton in 2014;

WHEREAS, conceptual drawings for the Centre were completed and approved in 2015;

WHEREAS, the City of Hamilton approved \$1.2 million in the 2016 budget for detail design for the Arts Centre; and,

WHEREAS, the Canada 150 Community Infrastructure Program Intake Two program does not permit this type of project in the applications;

THEREFORE BE IT RESOLVED:

- (a) That the Mayor correspond with The Honourable Bill Morneau PC MP, Minister of Finance, to request the Federal government support the Ancaster Performing Arts Centre in the amount of 25% of the capital cost of 12 million dollars (or 3 million dollars); and,
- (b) That copies of the resolution, respecting the City of Hamilton's request to the Federal Government to support the Ancaster Performing Arts Centre, be copied to Filomena Tassi, Liberal MP for Hamilton West—Ancaster—Dundas (Ontario); and, David Sweet, Conservative MP for Flamborough—Glanbrook (Ontario).

(Ferguson/Merulla)

That the Rules of Order be waived to allow for the introduction of a motion respecting Request for Federal Funding for the Ancaster Performing Arts Centre.

CARRIED

For disposition of this matter, refer to Item 7.6.

Councillor A. Johnson presented the following Notice of Motion:

8.6 Picnic on the Thomas B. McQuesten High Level Bridge

WHEREAS, in 2013 the idea of hosting a picnic on the Thomas B. McQuesten High Level Bridge was first raised by Hamilton Industrialist Patrick Birmingham;

WHEREAS, the picturesque views from the Bridge include the harbour and its resident swans, the Hamilton skyline and Cootes Paradise; and,

WHEREAS, there has been interest in permitting the Bridge to be closed for an evening in order to provide residents with the opportunity to enjoy the view and a picnic, while taking in the unique architectural features of the 1932 crafted bridge, which has a municipal heritage designation under Part 4 of the *Ontario Heritage Act* and has an Ontario Heritage Conservation Easement administered by the Ontario Heritage Trust;

THEREFORE BE IT RESOLVED:

That Planning and Economic Development Department staff, in consultation with Public Works Department staff, be directed to review the feasibility of the community hosting a picnic on Thomas B. McQuesten High Level Bridge and report back to General Issues Committee.

(A. Johnson/Farr)

That the Rules of Order be waived to allow for the introduction of a motion respecting Picnic on the Thomas B. McQuesten High Level Bridge.

CARRIED

For disposition of this matter, refer to Item 7.7.

STATEMENT BY MEMBERS

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

(B.Johnson/Ferguson)

That Council moved into Closed Session 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.

CARRIED

PRIVATE & CONFIDENTIAL

**10.1 Biosolids Management Project – Procurement Phase
(PW11098(d)/FCS11112(d)) (City Wide)**

(Farr/Ferguson)

That the presentation respecting Biosolids Management Project – Procurement Phase, be received.

CARRIED

(Farr/Ferguson)

- (a) That the direction provided to staff in Closed Session, respecting Report (PW11098(d)/FCS11112(d)) - Biosolids Management Project – Procurement Phase, be approved;
- (b) That the General Manager of Public Works be directed to present the results of the Request for Proposals, respecting the Biosolids Management Project C11-03-16, to the General Issues Committee, prior to any award; and,
- (c) That Report PW11098(d)/FCS11112(d) and its Appendix “A”, respecting the Biosolids Management Project – Procurement Phase, remain confidential.

CARRIED

(B. Johnson/Skelly)

That Council reconvene in open session.

CARRIED

BY-LAWS

(Farr/Green)

That the Bill List be amended by adding the following Bill and renumbering the balance:

- 181 To Amend Zoning By-law No. 05-200, Respecting Lands Located at 1 Redfern Avenue in the former City of Hamilton, now in the City of Hamilton ZAC-15-026

CARRIED

(Farr/A. Johnson)

That Bills No. 16-171 to No. 16-186 be passed, and that the Corporate Seal be affixed thereto, and that the By-laws be numbered and signed by the Mayor and the City Clerk to read as follows:

Bill No.

- 171** To Amend By-law No. 01-215 Being a By-law to Regulate Traffic Schedule 2 (Speed Limits)
- 172** To Amend By-law No. 01-215 Being a By-law to Regulate Traffic Schedule 2 (Speed Limits)
Schedule 13 (Designated Traffic Lanes)
- 173** To Amend By-law No. 01-215 Being a By-law to Regulate Traffic Schedule 2 (Speed Limits)
- 174** To Amend By-law No. 01-215 Being a By-law to Regulate Traffic Schedule 5 (Stop Control)
- 175** 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 13 (No Stopping Zones)
- 176** Being a By-law to Permanently Close a Portion of the Road Allowance between Green Mountain Road and Smith Road, Stoney Creek, established by Lots 6 and 7, Concession 5, now City of Hamilton, designated at Part 1 on Plan 62R-20207
- 177** To Incorporate City Land Designated as Parts 1 and 2 on Plan 62R-20325 into Highland Road West
- 178** Respecting Removal of Part Lot Control, Blocks 5 to 13, Registered Plan of Subdivision No. 62M-1226, "Ancaster Glen Phase 2" municipally known as 33-43, 45, 47, 49, 51, 53, 55, 57, 59-77 Dodman Crescent; and 61, 63, 65, 67 and 69 John Frederick Drive
PLC-16-009
- 179** To Adopt Official Plan Amendment No. 56 to the Urban Hamilton Official Plan Respecting 1 Redfern Avenue (Hamilton)

- 180** To Amend Zoning By-law No. 6593 (Hamilton) Respecting Lands located at 1 Redfern Avenue (Hamilton)
ZAC-15-026
- 181** To Amend Zoning By-law No. 05-200, Respecting Lands Located at 1 Redfern Avenue in the former City of Hamilton, now in the City of Hamilton
ZAC-15-026
- 182** To Amend Zoning By-law No. 3692-92 Respecting Lands Located at 512 Highland Road West (Stoney Creek)
ZAH-16-003
- 183** To Amend By-law No. 06-147, Being a By-law to Authorize the City to Enter into Extension Agreements
- 184** Being a By-law to Regulate Enclosures for Privately-Owned Outdoor Pools, Repealing and Replacing By-law No. 03-125
- 185** To Amend Zoning By-law No. 87-57 (Ancaster) Respecting Lands located at 388, 390, 410, 442, 452, 464 and 476 Springbrook Avenue (Ancaster)
ZAC-12-062R
- 186** To Confirm the Proceedings of City Council

CARRIED

(A. Johnson/Farr)

That, there being no further business, the City Council meeting be adjourned at 10:45 p.m.

CARRIED

Respectfully submitted,

Mayor Fred Eisenberger

Rose Caterini
City Clerk