



CITY COUNCIL MINUTES 16-001

5:00 p.m.

Wednesday, January 20, 2016

Council Chamber

Hamilton City Hall

71 Main Street West

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

Mayor Eisenberger called the meeting to order and then called upon Majors Ken and Beverly Smith to provide the invocation.

APPROVAL OF THE AGENDA

The Clerk advised of the following changes to the agenda:

1. ADDED COMMUNICATIONS

- 5.15 Correspondence from Chelsea MacDonald respecting Social Housing and Homelessness.

Recommendation: Be received and referred to Item 6 of Emergency & Community Services Committee Report 16-001.

- 5.16 A petition containing 2743 signatures respecting support for ongoing funding for the Trusteeship Programs at Good Shepherd, Mission Services and Salvation Army. *(A copy of the petition is available for viewing in the Office of the City Clerk.)*

Recommendation: Be received and referred to Item 6 of Emergency & Community Services Committee Report 16-001.

2. ADDED COMMITTEE REPORT

- 6.6 General Issues Committee (Capital Budget) Report 16-002 – January 19, 2016

3. ADDED NOTICES OF MOTIONS

- 8.1 Notice of Intention to Designate 1 Jones Street, Stoney Creek
- 8.2 City of Hamilton’s Support to Host the 2017 Allan Cup

4. ADDED BY-LAWS

- 013 To Authorize the Temporary Borrowing of Monies to Meet Current Expenditures Pending Receipt of Current Revenues for 2016
- 014 To Authorize an Interim Tax Levy for 2016
- 015 To Authorize the Signing of an Agreement between the City of Hamilton and the Ministry of Transportation Related to Funding Provided Under the Dedicated Gas Tax Funds for Public Transportation Program

(VanderBeek/Pearson)

That the agenda for the January 20, 2016 meeting of Council be approved, as amended.

CARRIED

DECLARATIONS OF INTEREST

None.

CEREMONIAL ACTIVITIES

3.1 Urban Design and Architecture Awards (People’s Choice Award)

The Mayor presented the People’s Choice Award to representatives from Mohawk College, IBI Group, Perkins and Will, for the design and build of the David Braley Athletic and Recreation Centre at Mohawk College.

APPROVAL OF MINUTES

4.1 Minutes – December 9, 2015

(Ferguson/B. Johnson)

That the Minutes of the December 9, 2015 meeting of Council be approved, as presented.

CARRIED

4.2 Minutes – December 10, 2015

(Merulla/A. Johnson)

That the Minutes of the December 10, 2015 meeting of Council be approved, as presented.

CARRIED

COMMUNICATIONS

(Pearson/Conley)

That Council Communications 5.1 through 5.16 be approved, **as amended**, as follows:

- 5.1 Correspondence from the Honourable Bob Chiarelli, Minister of Energy, respecting information on the Energy Statute Law Amendment Act, 2015 (Bill 135), which would replace the current Integrated Power System Plan (IPSP) process with an enhanced Long-Term Energy Plan (LTEP) process, if passed.

Recommendation: Be received and referred to the General Manager of Planning & Economic Development.

- 5.2 Correspondence from the Honourable Michael Chan, Minister of Citizenship, Immigration and International Trade and the Honourable Dr. Eric Hoskins, Minister of Health and Long-Term Care, thanking the citizens of Hamilton for taking an active role in the preparations for the resettlement of Syrian refugees.

Recommendation: Be received.

- 5.3 Correspondence from David Oraziotti, M.P.P., Sault Ste. Marie, to Prime Minister Justin Trudeau, urging the Prime Minister and the affiliated ministries to immediately address steel dumping and the negative impact it is having on the Canadian steel industry.

Recommendation: Be received **and referred to the Steel Committee for discussion.**

- 5.4 Correspondence from Glenn De Caire, Chief of Police, Hamilton Police Service, requesting support to have the City of Hamilton pass legislation to honour their Fallen Police Officers by dedicating City bridges in their honour.

Recommendation: *Be received and referred to the Facility Naming Sub-Committee for discussion, in consultation with the Hamilton Police Association.*

- 5.5 Correspondence from James Ridge, City Manager, City of Burlington, respecting Approval of discussions regarding Acquisition of Lasalle Park.

Recommendation: Be received and ***referred to the City Manager's Office and authorized to enter into discussions with the City of Burlington respecting all options for La Salle Park and report back to the General Issues Committee.***

- 5.6 Correspondence from the Honourable Bill Mauro, Minister of Natural Resources and Forestry respecting the *Conservation Authorities Act* Review.

Recommendation: Be received.

- 5.7 Correspondence from Janice Brain, West Mountain Baseball Association, respecting the renaming of William McCullough Park (formerly Brown's Park) to the Gene Bartolozzi Memorial Park and a petition containing 124 signatures. *(A copy of the petition is available for viewing in the Office of the City Clerk)*

Recommendation: Be received and referred to the Facility Naming Sub-Committee.

- 5.8 Correspondence from John Bolognone, City Clerk, City of Kingston, requesting support for Kingston City Council's resolution regarding the Basic Income Guarantee.

Recommendation: Be received ***and referred to the General Manager of Emergency & Community Services and report back to Emergency and Community Services Committee.***

- 5.9 Correspondence from John Lieou, Assistant Deputy Minister of Transportation and Jim Whitestone, Assistant Deputy Minister of Environment and Climate Change, respecting a New Grant Program to Support Inter-city and In-city Electric Vehicle Charging Infrastructure.

Recommendation: Be received ***and referred to the General Manager of Planning & Economic Development and report back to the Planning Committee on April 5, 2016.***

- 5.10 Correspondence from the Honourable Steven Del Duca, Minister of Transportation, respecting Hamilton City Council's resolution to support the installation of cell phone data and texting blockers on all new vehicles.

Recommendation: Be received.

- 5.11 Correspondence from the Honourable Marc Garneau, Minister of Transport, respecting Hamilton City Council's resolution to support the installation of cell phone data and texting blockers on all new vehicles.

Recommendation: Be received.

- 5.12 Correspondence from the Township of Killaloe, Hagarty and Richards, respecting a resolution requesting that the Ministry of Health and Long-Term Care reinstate incentives for physicians to practice in rural areas of Ontario.

Recommendation: Be received.

- 5.13 Correspondence from Brock Carlton, Chief Executive Officer, Federation of Canadian Municipalities (FCM), respecting a payment from FCM to the City of Hamilton in the amount of \$10,885.99 for the first contribution in regards to the Green Municipal Fund Grant Agreement for the Hamilton Community Climate Change Action Plan.

Recommendation: Be received.

- 5.14 Correspondence from Lakewood Beach Community Council respecting the Planning Committee Structure.

Recommendation: Be received.

- 5.15 Correspondence from Chelsea MacDonald respecting Social Housing and Homelessness

Recommendation: Be received and referred to Item 6 of Emergency & Community Services Committee Report 16-001

- 5.16 A petition containing 2743 signatures respecting support for ongoing funding for the Trusteeship Programs at Good Shepherd, Mission Services and Salvation Army. *(A copy of the petition is available for viewing in the Office of the City Clerk.)*

Recommendation: Be received and referred to Item 6 of Emergency & Community Services Committee Report 16-001.

CARRIED

(Whitehead/Jackson)

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

CARRIED

BOARD OF HEALTH REPORT 16-001

(Eisenberger/Partridge)

That Item 1 of the Board of Health Report 16-001 *be amended* by adding a new sub-section **(a)**; renumbering the remaining sub-sections and adding the word **“Board”** in sub-section (c) as follows:

1. **Ministry of Health and Long-Term Care Discussion Paper, “Patients First: A Proposal to Strengthen Patient-Centered Health Care in Ontario” (Added Item 7.1)**
 - (a) *That the Medical Officer of Health seek clarification on the proposed formalization of relations between the Medical Officer of Health and Health Integration Network;*
 - (b) That the Mayor and Council Representative for the Association of Municipalities of Ontario work with the Association of Municipalities of Ontario to present any municipal concerns respecting the proposed change in governance and provincial funding;
 - (c) That the Mayor meet with the Chair of the Local Health Integration Network **Board** to discuss the proposed changes in governance and funding;
 - (d) That members of the Board of Health participate in a survey and workshops to educate themselves further on the province’s proposals and related issues, and identify areas for feedback; and
 - (e) That based on the survey and workshops, the Medical Officer of Health develop a draft submission from the Board of Health to the Province for consideration at the February 18, 2016 Board of Health meeting.

CARRIED

(Eisenberger/Partridge)

That the FIRST Report of the Board of Health be adopted, as amended, and the information section received.

CARRIED

PLANNING COMMITTEE REPORT 16-001

(Pasuta/Ferguson)

That Subsection (a) of Item 9 of the Planning Committee Report 16-001 respecting By-law to Regulate Unauthorized Parking on Boulevards, Side Yards and Front Yards *be amended* by inserting the following words after the words “City Solicitor”:

“be amended to exclude the following areas:

- (i) Those properties that are zoned rural or agricultural outside of the Urban Area or Rural Settlement Areas;
- (ii) All farms, wherever they are located, and;”

The amended Item 9 to read as follows:

- (a) That the By-law to Regulate Unauthorized Parking on Boulevards, Side Yards and Front Yards, attached as Appendix “A” to Report PED13042(a), which has been prepared in a form satisfactory to the City Solicitor **be amended to exclude the following areas:**
 - (i) **Those properties that are zoned rural or agricultural outside of the Urban Area or Rural Settlement Areas;**
 - (ii) **All farms, wherever they are located, and;**be enacted;
- (b) That the By-law to Amend the Administrative Penalty By-law No. 15-138, attached as Appendix “B” to Report PED13042(a), which adds administrative penalties for infractions under the By-law To Regulate Unauthorized Parking on Boulevards, Side Yards and Front Yards and has been prepared in a form satisfactory to the City Solicitor, be enacted.

(A. Johnson/Farr)

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

CARRIED

GENERAL ISSUES COMMITTEE REPORT 16-001

(Eisenberger/Pasuta)

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

CARRIED

AUDIT, FINANCE & ADMINISTRATION REPORT 16-001
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(A. Johnson/Farr)

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

CARRIED

EMERGENCY AND COMMUNITY SERVICES REPORT 16-001

(Green/Merulla)

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

CARRIED

(Eisenberger/VanderBeek)

That Section 5.6(2) of the City's Procedural By-law 14-300, which provides that a minimum of 48 hours shall pass before a Standing Committee Report is presented to Council, be waived in order to consider the General Issues Committee (Capital Budget) Report 16-002, dated Tuesday, January 19, 2016.

CARRIED

GENERAL ISSUES (CAPITAL BUDGET) COMMITTEE REPORT 16-002

(Eisenberger/Partridge)

That the SECOND Report of the General Issues (Capital Budget) Committee be adopted, as presented, and the information section received.

CARRIED

(Whitehead/Jackson)

That the Committee of the Whole Rise and Report.

CARRIED

MOTIONS

7.1 Notice of Intention to Designate 1 Jones Street, Stoney Creek

(Pearson/Partridge)

WHEREAS, City Council has included 1 Jones Street, Stoney Creek in the Register of Property of Cultural Heritage Value or Interest as a non-designated property;

WHEREAS, Subsection 29 (1) of the *Ontario Heritage Act* enables the Council of a municipality to designate by by-law property that is of cultural heritage value or interest if such property satisfies the prescribed criteria in Ontario Regulation 9/06;

WHEREAS, Subsection 33 (1) and Subsection 34 (1) of the *Ontario Heritage Act* provide for a process to manage alterations to property and demolition or removal of buildings or structures designated under the *Ontario Heritage Act*; and

WHEREAS the property located at 1 Jones Street, Stoney Creek, meets the criteria specified in Ontario Regulation 9/06 including, but not limited to:

- The property's design value as a representative example of the Georgian architectural style.
- The property's historical associations with the Jones' Family, a prominent early settler family in Stoney Creek.

THEREFORE BE IT RESOLVED:

- (a) That the Statement of Cultural Heritage Value or Interest and Description of Heritage Attributes for 1 Jones Street, Stoney Creek, attached as Appendix "A" be approved by Council;
- (b) That the Notice of Intention to Designate 1 Jones Street, Stoney Creek attached as Appendix "B", be approved by Council;
- (c) That the Notice of Intention to Designate 1 Jones Street, Stoney Creek be forwarded to the Hamilton Municipal Heritage Committee for its consideration; and,
- (d) That, provided the Hamilton Municipal Heritage Committee approves the Notice of Intention to Designate 1 Jones Street, Stoney Creek, the City Solicitor be directed to take appropriate action to serve Notice of Intention to Designate 1 Jones Street, Stoney Creek, under Part IV of the *Ontario Heritage Act* on the owner of the property and on the Ontario Heritage Trust, and to publish the Notice of Intention to Designate in a newspaper having general circulation in the municipality.

CARRIED

7.2 City of Hamilton's Support to Host the 2017 Allan Cup

(VanderBeek/Jackson)

WHEREAS, the City of Hamilton has a long history of supporting Senior Men's AAA hockey;

WHEREAS, the Dundas Real McCoy's Hockey Club successfully hosted the 2014 Allan Cup- Canadian Men's Senior AAA Hockey Championship; and

WHEREAS, the Dundas Real McCoy's and the Hamilton Steelhawks' Senior Men's AAA Hockey Clubs wish to submit a joint proposal to Hockey Canada to host the 2017 Allan Cup – Canadian Men's Senior AAA Hockey Championship.

THEREFORE BE IT RESOLVED:

- (a) That the City of Hamilton support the Joint Submission of the Dundas Real McCoy's and the Hamilton Steelhawks' Senior Men's AAA Hockey Clubs to host the 2017 Allan Cup; and,

- (b) That staff be directed to provide all necessary permits and documentation to support the submission to host the 2017 Allan Cup.

CARRIED

7.3 City of Hamilton’s Support to the City of Flint, Michigan regarding its Water Crisis

(Green/Jackson)

WHEREAS, the City of Hamilton has a long history of friendship and amateur sports exchange through the annual CANUSA Games with the City of Flint, Michigan;

WHEREAS, the City of Hamilton has an official sister city relationship with the City of Flint, Michigan, as defined by our Mundialization process; and,

WHEREAS, the City of Flint, Michigan has experienced a serious water contamination crisis.

THEREFORE BE IT RESOLVED:

That the Mayor correspond by sending a letter of support on behalf of the City of Hamilton to the City of Flint, Michigan, recognizing all residents impacted by the water crisis as well as the organizing committee of CANUSA Games.

CARRIED

NOTICES OF MOTION

Councillor Pearson introduced the following Notice of Motion:

8.1 Notice of Intention to Designate 1 Jones Street, Stoney Creek

WHEREAS, City Council has included 1 Jones Street, Stoney Creek in the Register of Property of Cultural Heritage Value or Interest as a non-designated property;

WHEREAS, Subsection 29 (1) of the *Ontario Heritage Act* enables the Council of a municipality to designate by by-law property that is of cultural heritage value or interest if such property satisfies the prescribed criteria in Ontario Regulation 9/06;

WHEREAS, Subsection 33 (1) and Subsection 34 (1) of the *Ontario Heritage Act* provide for a process to manage alterations to property and demolition or removal of buildings or structures designated under the *Ontario Heritage Act*; and

WHEREAS the property located at 1 Jones Street, Stoney Creek, meets the criteria specified in Ontario Regulation 9/06 including, but not limited to:

- The property's design value as a representative example of the Georgian architectural style.
- The property's historical associations with the Jones' Family, a prominent early settler family in Stoney Creek.

THEREFORE BE IT RESOLVED:

- (a) That the Statement of Cultural Heritage Value or Interest and Description of Heritage Attributes for 1 Jones Street, Stoney Creek, attached as Appendix "A" be approved by Council;
- (b) That the Notice of Intention to Designate 1 Jones Street, Stoney Creek attached as Appendix "B", be approved by Council;
- (c) That the Notice of Intention to Designate 1 Jones Street, Stoney Creek be forwarded to the Hamilton Municipal Heritage Committee for its consideration; and,
- (d) That, provided the Hamilton Municipal Heritage Committee approves the Notice of Intention to Designate 1 Jones Street, Stoney Creek, the City Solicitor be directed to take appropriate action to serve Notice of Intention to Designate 1 Jones Street, Stoney Creek, under Part IV of the *Ontario Heritage Act* on the owner of the property and on the Ontario Heritage Trust, and to publish the Notice of Intention to Designate in a newspaper having general circulation in the municipality.

(Pearson/Partridge)

That the Rules of Order be waived to allow for the introduction of a motion respecting a Notice of Intention to Designate 1 Jones Street, Stoney Creek.

CARRIED

For disposition of this matter, refer to Item 7.1

Councillor VanderBeek introduced the following Notice of Motion:

8.2 City of Hamilton's Support to Host the 2017 Allan Cup

WHEREAS, the City of Hamilton has a long history of supporting Senior Men's AAA hockey;

WHEREAS, the Dundas Real McCoy's Hockey Club successfully hosted the 2014 Allan Cup- Canadian Men's Senior AAA Hockey Championship; and

WHEREAS, the Dundas Real McCoy's and the Hamilton Steelhawks' Senior Men's AAA Hockey Clubs wish to submit a joint proposal to Hockey Canada to host the 2017 Allan Cup – Canadian Men's Senior AAA Hockey Championship.

THEREFORE BE IT RESOLVED:

- (a) That the City of Hamilton support the Joint Submission of the Dundas Real McCoy's and the Hamilton Steelhawks' Senior Men's AAA Hockey Clubs to host the 2017 Allan Cup; and,
- (b) That staff be directed to provide all necessary permits and documentation to support the submission to host the 2017 Allan Cup.

(VanderBeek/Ferguson)

That the Rules of Order be waived to allow for the introduction of a motion respecting the City of Hamilton's Support to Host the 2017 Allan Cup.

CARRIED

For disposition of this matter, refer to Item 7.2

Councillor Green introduced the following Notice of Motion:

8.3 City of Hamilton's Support to the City of Flint, Michigan regarding its Water Crisis

WHEREAS, the City of Hamilton has a long history of friendship and amateur sports exchange through the annual CANUSA Games with the City of Flint, Michigan;

WHEREAS, the City of Hamilton has an official sister city relationship with the City of Flint, Michigan, as defined by our Mundialization process; and,

WHEREAS, the City of Flint, Michigan has experienced a serious water contamination crisis.

THEREFORE BE IT RESOLVED:

That the Mayor correspond by sending a letter of support on behalf of the City of Hamilton to the City of Flint, Michigan, recognizing all residents impacted by the water crisis as well as the organizing committee of CANUSA Games.

(Green/Farr)

That the Rules of Order be waived to allow for the introduction of a motion respecting the City of Hamilton's Support to the City of Flint, Michigan regarding its Water Crisis.

CARRIED

For disposition of this matter, refer to Item 7.3

STATEMENT BY MEMBERS

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

BY-LAWS

(Pearson/B. Johnson)

That the Bill list be amended by inserting Bill No. 013, Bill No. 014, Bill No. 015, amending Bill No. 009 as per the amendments to Item 9 in Planning Report 16-001, and renumbering the remainder, to read as follows:

Bill No.

- 001** To Incorporate City Land Designated as Block BX on Plan 62M-102 into Ann Street
- 002** To Incorporate City Land Designated as Block AX on Plan 62M-102 into Lorraine Avenue
- 003** To Incorporate City Land Designated as Part of Lot 10 on Plan No. 1431 into Walnut Street
- 004** To Incorporate City Land Designated as Parts 1, 2, 3, 4, 5, 6, 7, 9, 14, 15, 16, 17, 18, 19 20, 21, 22 & 23 on Plan 62R-17987 into Dartnall Road
- 005** Respecting Removal of Part Lot Control, Block 131, Registered Plan of Subdivision No. 62M-1182, "Penny Lane Estates – Phase 2", 36 Waterbridge Street
PLC-15-038E
- 006** Respecting Removal of Part Lot Control, Block 89, Registered Plan No. 62M-1164
PLC-15-024
- 007** To Amend Zoning By-law No. 90-145-Z (Flamborough), Respecting Lands Located at 497 and 533 Millgrove Side Road (Flamborough)
ZAH-15-047
- 008** To Amend Zoning By-law No. 05-200, Respecting Lands Located at 497 and 533 Millgrove Side Road (Flamborough)
ZAH-15-047
- 009** To Regulate Unauthorized Parking on Boulevards, Side Yards and Front Yards, as amended
- 010** To Amend By-law No. 15-138, Being a By-law to Establish a System of Administrative Penalties
- 011** 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 12 (No Stopping Zones)

- 012 To Repeal By-law No. 10-209 of the City of Hamilton, being a By-law to Regulate the Hamilton Farmers' Market
- 013 To Authorize the Temporary Borrowing of Monies to Meet Current Expenditures Pending Receipt of Current Revenues for 2016
- 014 To Authorize an Interim Tax Levy for 2016
- 015 To Authorize the Signing of an Agreement between the City of Hamilton and the Ministry of Transportation Related to Funding Provided Under the Dedicated Gas Tax Funds for Public Transportation Program
- 016 To Confirm the Proceedings of City Council

CARRIED

(Pearson/B. Johnson)

That Bills No. 16-001 to No. 16-016, as amended, be passed, and that the Corporate Seal be affixed thereto, and that the By-laws be renumbered and signed by the Mayor and the City Clerk to read as follows:

Bill No.

- 001 To Incorporate City Land Designated as Block BX on Plan 62M-102 into Ann Street
- 002 To Incorporate City Land Designated as Block AX on Plan 62M-102 into Lorraine Avenue
- 003 To Incorporate City Land Designated as Part of Lot 10 on Plan No. 1431 into Walnut Street
- 004 To Incorporate City Land Designated as Parts 1, 2, 3, 4, 5, 6, 7, 9, 14, 15, 16, 17, 18, 19 20, 21, 22 & 23 on Plan 62R-17987 into Dartnall Road
- 005 Respecting Removal of Part Lot Control, Block 131, Registered Plan of Subdivision No. 62M-1182, "Penny Lane Estates – Phase 2", 36 Waterbridge Street
PLC-15-038E
- 006 Respecting Removal of Part Lot Control, Block 89, Registered Plan No. 62M-1164
PLC-15-024
- 007 To Amend Zoning By-law No. 90-145-Z (Flamborough), Respecting Lands Located at 497 and 533 Millgrove Side Road (Flamborough)
ZAH-15-047
- 008 To Amend Zoning By-law No. 05-200, Respecting Lands Located at 497 and 533 Millgrove Side Road (Flamborough)
ZAH-15-047
- 009 To Regulate Unauthorized Parking on Boulevards, Side Yards and Front Yards, *as amended*
- 010 To Amend By-law No. 15-138, Being a By-law to Establish a System of Administrative Penalties

- 011** 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 12 (No Stopping Zones)
- 012** To Repeal By-law No. 10-209 of the City of Hamilton, being a By-law to Regulate the Hamilton Farmers' Market
- 013** To Authorize the Temporary Borrowing of Monies to Meet Current Expenditures Pending Receipt of Current Revenues for 2016
- 014** To Authorize an Interim Tax Levy for 2016
- 015** To Authorize the Signing of an Agreement between the City of Hamilton and the Ministry of Transportation Related to Funding Provided Under the Dedicated Gas Tax Funds for Public Transportation Program
- 016** To Confirm the Proceedings of City Council

CARRIED

(Partridge/Pearson)

That, there being no further business, the City Council meeting be adjourned at 7:04 p.m.

CARRIED

Respectfully submitted,

Mayor Fred Eisenberger

Janet Pilon
Acting City Clerk