



## **CITY COUNCIL MINUTES 17-010**

5:00 p.m.

Wednesday, May 24, 2017

Council Chamber

Hamilton City Hall

71 Main Street West

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

**Absent with  
Regrets:** Councillor L. Ferguson – Personal  
Councillor R. Pasuta – Sick Leave

Mayor Eisenberger called the meeting to order and called upon Naveed Iqbal, a Missionary of the Ahmadiyya Muslim Community, to provide the invocation.

<b>APPROVAL OF THE AGENDA</b>
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The Clerk advised of the following changes to the agenda:

### **1. ADDED COMMUNICATIONS**

- 5.10 Correspondence from Sergio Manchia, Urbancore Developments Inc., respecting Development Charge Credit, Request for Extension for 440 Victoria Avenue North, Hamilton, Hamilton Central Business Park (formerly the Freeman Industrial Park) 25T-201208, DCR Holdings Inc. c/o Urbancore Developments Inc.

Recommendation: Be received and referred to the General Manager, Finance and Corporate Services for a report to the Audit, Finance & Administration Committee.

5.11 Correspondence respecting the Application for Approval of a Draft Plan of Condominium (Common Element), for Lands known as 120 John Fredrick Drive (Ancaster) (PED17018) (Ward 12):

- (a) Hugo and Piera De Grandis
- (b) Doug Pappel and Marilyn Williams
- (c) Coreen Corning
- (d) Anthony and Sandra D'Alesio
- (e) Michael Giftopoulos
- (f) Paul Babiak
- (g) Michele Moore, Vice President, Shabri Properties Limited
- (h) Mark Norman
- (i) Tino Goritsas
- (j) Matt and Alex Thomassian
- (k) Tara Bolstad
- (l) Wendy Lo
- (m) Felix Gelman and Tatjana Shumakova
- (n) Wendy and Ed Beitel
- (o) Ryan Lee
- (p) Ed and Wendy Beitel
- (q) Lisa Xuan
- (r) Sean Veaudry
- (s) Iola Ayankoya
- (t) Wendy Lo
- (u) Evgueni & Jane Trogan
- (v) Suzanne Mammel, Executive Officer and Policy Director, Hamilton-Halton Home Builders' Association
- (w) Justyna Nalezny
- (x) Hany M. D. Ibrahim
- (y) Kit Ward

Recommendation: Be received and referred to the consideration of Item 5 of the Planning Committee Report 17-009.

5.12 Correspondence from Pitman Patterson, Borden Ladner Gervais respecting Zoning By-law Amendment and Draft Plan of Subdivision, Piers 6, 7 & 8, City File Nos: ZAC 16 034/25T 201605 (the "application") Parrish & Heimbecker, Pier 10.

Recommendation: Be received and referred to the consideration of Item 4 of the Planning Committee Report 17-009.

## 2. ADDED NOTICES OF MOTION

8.1 Reconsideration of sub-section (e) to Item 4 of the General Issues Committee Report 16-023, respecting Report FCS16083 – Public Transit Infrastructure Fund (PTIF) and Clean Water and Wastewater Fund (CWWF) Grant Programs

- 8.2 Community Grants for Ward 9
- 8.3 Rockton Lions Annual Fish Fry – Special Occasion Permit Liquor Licence

**3. ADDED BY-LAWS**

- 103 To Adopt Municipal Options for Tax Capping Ward: City Wide

**(Conley/Pearson)**

That the agenda for the May 24, 2017 meeting of Council be approved, as amended.

**CARRIED**

**DECLARATIONS OF INTEREST**

Councillor S. Merulla declared an interest to Information Item (e)(ii), of the Emergency & Community Services Committee Report 17-005, respecting the Housing and Homelessness Advisory Committee Minutes, dated March 7, 2017, as he is a landlord.

**APPROVAL OF MINUTES**

**4.1 May 10, 2017**

**(A. Johnson/Jackson)**

That the Minutes of the May 10, 2017 meeting of Council be approved, as presented.

**CARRIED**

**COMMUNICATIONS**

**(Whitehead/Skelly)**

That Council Communications 5.1 through 5.12 be approved, **as amended**, as follows:

- 5.1 Correspondence from the Township of Essa to the Right Honourable Justin Trudeau, Office of the Prime Minister respecting a resolution pursuing the recognition of a “New Driver” sign.

Recommendation: Be received.

- 5.2 A petition to enact a landlord licensing system for large apartment buildings in Hamilton containing 225 signatures. *(A copy of the petition is available for viewing in the Office of the City Clerk)*

Recommendation: Be received and referred to the Rental Housing Sub-Committee.

- 5.3 Correspondence from the Honourable Eleanor McMahon, Minister of Tourism, Culture and Sport and the Honourable Steven Del Duca, Minister of Transportation respecting the 2017 Budget which includes an investment of \$50 million for commuter cycling infrastructure in 2017-18 to give Ontarians a safe and low-cost commuting alternative between residential communities, workplaces, major transit stations and other destinations and while enhancing their safety and well-being through investments in infrastructure.

Recommendation: Be received and referred to the General Manager of Public Works for information and appropriate action.

- 5.4 Correspondence from Town of Lakeshore to the Ministry of Municipal Affairs requesting support of their resolution respecting their request of the Province of Ontario to ease restrictions of surplus severances in areas zoned agriculture.

Recommendation: Be received.

- 5.5 Correspondence from Gabriel Nicholson respecting PED17074, Applications to Amend City of Hamilton Zoning By-law No. 05-200, Approval of a Draft Plan of Subdivision and Temporary Use By-law for lands located at Pier 8, 65 Guise Street East (Ward 2).

Recommendation: Be received and referred to the consideration of Item 4 of the Planning Committee Report 17-009.

- 5.6 Correspondence from the Honourable Bill Mauro, Minister of Municipal Affairs informing Council that the Ministry will not be moving forward with the proposals requiring regular inspections, pumping out of septic tanks and keeping the septic tanks and treatment units' maintenance records put forth in Phase One of the Building Code consultation.

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

- 5.7 Correspondence from Frank Fernandez, Stop the Great Lakes Nuclear Dump requesting that Mayor Eisenberger and the Great Lakes Mayors jointly sign a letter to Minister McKenna in Opposition to Ontario Power Generation's proposed Deep Geologic Repository (DGR).

Recommendation: Be endorsed.

- 5.8 Correspondence from the Honourable Bill Mauro, Minister of Municipal Affairs respecting the Updated Growth Plan and Greenbelt Plans released as a result of the Co-ordinated Land Use Planning Review.

Recommendation: Be received and referred to the General Manager of Planning and Economic Development for a report to the Planning Committee.

- 5.9 Correspondence from William Liske, General Counsel, Losani Homes respecting DAR-15-024 (the "Site Plan"); 25DCM-201608 (the "Condominium Application") and 435 Garner Road East, Ancaster.

Recommendation: Be received and referred to the consideration of Item 5 of the Planning Committee Report 17-009.

- 5.10 Correspondence from Sergio Manchia, Urbancore Developments Inc., respecting Development Charge Credit, Request for Extension for 440 Victoria Avenue North, Hamilton, Hamilton Central Business Park (formerly the Freeman Industrial Park) 25T-201208, DCR Holdings Inc. c/o Urbancore Developments Inc.

Recommendation: Be received and referred to the General Manager, Finance and Corporate Services for a report to the Audit, Finance & Administration Committee.

- 5.11 Correspondence respecting the Application for Approval of a Draft Plan of Condominium (Common Element), for Lands known as 120 John Fredrick Drive (Ancaster) (PED17018) (Ward 12):

- (a) Hugo and Piera De Grandis
- (b) Doug Pappel and Marilyn Williams
- (c) Coreen Corning
- (d) Anthony and Sandra D'Alesio
- (e) Michael Giftopoulos
- (f) Paul Babiak
- (g) Michele Moore, Vice President, Shabri Properties Limited
- (h) Mark Norman
- (i) Tino Goritsas
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- (q) Lisa Xuan
- (r) Sean Veaudry
- (s) Iola Ayankoya
- (t) Wendy Lo
- (u) Evgueni & Jane Trogan

- (v) Suzanne Mammel, Executive Officer and Policy Director, Hamilton-Halton Home Builders' Association
- (w) Justyna Nalezny
- (x) Hany M. D. Ibrahim
- (y) Kit Ward

Recommendation: Be received and referred to the consideration of Item 5 of the Planning Committee Report 17-009.

- 5.12 Correspondence from Pitman Patterson, Borden Ladner Gervais respecting Zoning By-law Amendment and Draft Plan of Subdivision, Piers 6, 7 & 8, City File Nos: ZAC 16 034/25T 201605 (the "application") Parrish & Heimbecker, Pier 10.

Recommendation: Be received and referred to the consideration of Item 4 of the Planning Committee Report 17-009.

**CARRIED**

**(Skelly/Whitehead)**

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

**CARRIED**

**BOARD OF HEALTH REPORT 17-004**

**(Skelly/Whitehead)**

That the FOURTH report of the Board of Health be adopted, as presented, and the information section received.

**CARRIED**

**PLANNING COMMITTEE REPORT 17-009**

**(Collins/Merulla)**

- (a) 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 reads as follows, be TABLED to allow the Ward 12 Councillor to hold a Town Hall meeting in Ancaster with all interested parties to be invited; such as all home buyers, the Director of Planning and other staff he deems necessary, and the Developer:

**5. Application for Approval of a Draft Plan of Condominium (Common Element), for Lands known as 120 John Fredrick Drive (Ancaster) (PED17018) (Ward 12) (Referred back February 14, 2017) (Item 8.1)**

- (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.

(b) That the Developer be requested to provide the names and addresses of each homeowner, to the Ward 12 Councillor’s office, so an invitation to the Town Hall meeting can be sent each homeowner in that condominium development.

The above motion CARRIED on the following Standing Recorded Vote:

Yeas:	Eisenberger, Partridge, VanderBeek, B. Johnson, Farr, Merulla, Collins, Jackson
Total:	8
Nays:	Whitehead, Skelly, Green, A. Johnson, Conley, Pearson
Total:	6
Absent:	L. Ferguson, R. Pasuta
Total:	2

**(Collins/Farr)**

That sub-section (a)(i) to Item 7 of the Planning Committee Report 17-009, be deleted in its entirety and be replaced to read as follows:

**7. Review of Parking Space Dimensions and Associated Standards in the City of Hamilton Zoning By-law No. 05-200 (City Wide) (PED17089) (Item 8.3)**

- (a) That staff be directed and authorized to proceed with an amendment to Zoning By-law No. 05-200 as part of the Commercial and Mixed Use Zoning and Residential Zoning projects that would have the effect of:
- (i) ***Increasing the parking stall size for low density residential and townhouse developments, including visitor parking spaces, and for surface parking areas to 3m x 5.8m and that as part of the Commercial and Mixed Use Zoning that staff recommend appropriate parking stall size to reflect best practice standards and trends for structured parking based on the size and type of private vehicles;***
  - (ii) Adding an additional requirement on each side of a parking stall where a stall is obstructed by a wall or support column;
  - (iii) To introduce a minimum drive aisle width for one- and two-way traffic; and,
  - (iv) To recognize existing legal parking spaces within the vacuum clause; and,
- (b) That staff be directed to undertake additional research as part of the residential zoning project for on-street parking, ratios for visitor parking, and the feasibility of allowing for “small car” stalls.

**CARRIED**

**(B. Johnson/Pearson)**

That the recommendation of Item 10 of Planning Committee Report 17-009 respecting Request for Review of Decision of the Ontario Municipal Board in Case No. PL161144 for Minor Variances for Lands Located at 9163 Twenty Road be deleted in its entirety and the following be inserted therein:

**10. Request for Review of Decision of the Ontario Municipal Board in Case No. PL161144 for Minor Variances for Lands Located at 9163 Twenty Road (Ward 11) (Item 12.2)**

~~That the resolution respecting Request for Review of Decision of the Ontario Municipal Board in Case No. PL161144 for Minor Variances for Lands Located at 9163 Twenty Road be approved and remain private and confidential until Council approval.~~



WHEREAS, in a decision dated May 4, 2017, the Ontario Municipal Board dismissed the appeal of Mr. Gregory Stevens from a decision of the City of Hamilton Committee of Adjustment denying his application for relief from the City of Hamilton Zoning By-law 05-200 to permit the replacement of an existing attached garage;

WHEREAS, the City appeared at the Ontario Municipal Board hearing in support of the applicant; and

WHEREAS, Section 43 of the *Ontario Municipal Board Act*, R.S.O. 1990, c. O.28 states the Ontario Municipal Board may review, rescind, change, alter or vary any decision, approval or order made by it;

THEREFORE BE IT RESOLVED:

- (a) That City staff proceed with filing a request to review the decision of the Ontario Municipal Board in this matter under Section 43 of the *Ontario Municipal Board Act*; and,
- (b) That the City Solicitor and the General Manager, Planning and Economic Development, be directed and authorized to take any steps necessary to make the request for review, including submissions to and appearing before the Ontario Municipal Board.

**CARRIED**

**(Pearson/B. Johnson)**

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

**CARRIED**

<b>GENERAL ISSUES COMMITTEE REPORT 17-011</b>
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**(Green/Merulla)**

That Item 4 of the General Issues Committee Report 17-011, respecting City of Hamilton Information Sharing with BIAs, be referred to staff for a report back to the General Issues Committee:

**4. Business Improvement Area Advisory Committee Report 17-003, April 11, 2017 (Item 8.3)**

**City of Hamilton Information Sharing with BIAs (Added Item 10.2)**

- (a) That the Film Office ensure that the policy of sharing information with BIAs about upcoming movie/television shoots within BIA boundaries is communicated at least two weeks in advance of the filming; and,
- (b) That any other events/activities, including but not limited to, food trucks and building permits that have been issued and that will have a significant impact on the BIA is communicated in a timely manner.

**CARRIED**

**(Skelly/Whitehead)**

That Item 5 of the General Issues Committee Report 17-011, respecting Report PED17088, the Declaration of Surplus and Sale of 1530 Upper Sherman Avenue, be amended as follows:

**5. Declaration of Surplus and Sale of 1530 Upper Sherman Avenue (PED17088) (Ward 7) (Item 8.4)**

- (a) That Private & Confidential Appendix "B" to Report PED17088, respecting Declaration of Surplus and Sale of 1530 Upper Sherman Avenue, be amended to correct the lot size by deleting the number "1.37" and replacing it with the number "**0.94**"; and,
- (b) That sub-sections (a) and (f) to Item 5 of the General Issues Committee Report 17-011, respecting Report PED17088 – Declaration of Surplus and Sale of 1530 Upper Sherman Avenue, be amended by adding the words "**as amended**" after the words "Appendix "B"" to read as follows:
  - (a) That an Offer to Purchase (for the sale of City-owned property) executed by Sonoma Homes Limited property known as 1530 Upper Sherman Avenue, as shown and described in Appendix "A" attached to Report PED17088, based substantially on the Major Terms and Conditions outlined in Appendix "B", **as amended**, attached to Report PED17088, and such other terms and conditions deemed appropriate by the General Manager of Planning and Economic Development, be approved and completed;
  - (f) That Appendix "B", **as amended**, to Report PED17088, respecting the Declaration of Surplus and Sale of 1530 Upper Sherman Avenue remain confidential and not be released as a public document until after the final completion of the real estate transaction.

**CARRIED****(Eisenberger/Partridge)**

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

**CARRIED**

<b>AUDIT, FINANCE AND ADMINISTRATION COMMITTEE REPORT 17-008</b>
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**(Skelly/Whitehead)**

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

**CARRIED**

**EMERGENCY & COMMUNITY SERVICES COMMITTEE REPORT 17-005****(A. Johnson/Farr)**

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

**CARRIED****(Skelly/Whitehead)**

That the Committee of the Whole Rise and Report.

**CARRIED****MOTIONS****7.1 Rotary Lobster & Rib Fest – Special Occasion Permit Liquor Licence****(Partridge/VanderBeek)**

WHEREAS, Hamilton City Council has received Notice (attached hereto as Appendix “A”) from Mr. Ross Bannatyne on behalf of Rotary Clubs of Dundas that they wish to obtain approval for a Special Occasion Permit Liquor Licence to sell alcohol on May 27, 2017 between the hours of 5:00 p.m. and 11:00 p.m. at Harry Howell Arena, 27 Highway 5, Waterdown, Ontario during Rotary Lobster & Rib 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 the Rotary Lobster & Rib Fest, being held in the City of Hamilton, Ontario on May 27, 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) Rotary Clubs of Dundas c/o Ross Bannatyne, Dundas, Ontario.

**CARRIED****7.2 Food Advisory Committee – Resignation****(Whitehead/Skelly)**

WHEREAS, due to time constraints, Councillor S. Merulla is submitting his resignation from the Food Advisory Committee, effective immediately.

THEREFORE BE IT RESOLVED:

That Councillor S. Merulla's resignation from the Food Advisory Committee, be received.

**CARRIED**

### **7.3 Heat Response Plan Initiative**

#### **(Merulla/Collins)**

WHEREAS, the City of Hamilton has developed a Heat Response Plan in recognition of the risks of heat-related illnesses, and identifies that going to an air-conditioned place can help reduce the risk of heat-related illnesses;

WHEREAS, the City of Hamilton experienced nine (9) Heat Alert days in 2016;

WHEREAS, seniors, children and people with chronic medical conditions are at the greatest risk during extreme heat days;

WHEREAS, in Hamilton approximately 22% of people under the age of 18, and approximately 19% of people over the age of 65, live in poverty;

WHEREAS, the City of Hamilton is committed to anti-poverty, public health and affordable housing initiatives through a funding allocation of 50 million dollars; and,

WHEREAS the provision of air-conditioners to low-income residents with problematic health ailments would help alleviate the health risks caused by extreme heat days and potentially reduce the number of heat-related illnesses and deaths;

THEREFORE BE IT RESOLVED:

That staff in Community and Emergency Services, in consultation with Public Health Services, be directed to investigate the feasibility and evidence associated with providing identified low-income citizens in the city of Hamilton with air-conditioners and report back to the Emergency & Community Services Committee detailing the implications of such an initiative.

**CARRIED**

### **7.4(a) Amendment to Item (i)(i), of the General Issues Committee Report 17-009, respecting Parking Violations at the City Hall Parking Lot**

#### **(Skelly/Whitehead)**

WHEREAS, Item (i)(i), of the General Issues Committee (GIC) Report 17-009, respecting Parking Violations at the City Hall Parking Lot, was presented to Council in the Information Section of GIC Report 17-009 to be received only; and,

WHEREAS, the resolution shown as Item (i)(i), of the General Issues Committee Report 17-009, respecting Parking Violations at the City Hall Parking Lot, requires Council approval;

THEREFORE BE IT RESOLVED:

That the General Issues Committee Report 17-009 (April 19, 2017), which was approved by Council on April 26, 2017 be amended by LIFTING Item (i)(i), respecting Parking Violations at the City Hall Parking Lot from the Information Section, and adding it as Item 1 to the General Issues Committee Report 17-009 to read as follows:

**1. Parking Violations at the City Hall Parking Lot (Added Item 11.1)**

Parking Enforcement staff were directed to rescind all tickets issued for parking violations at the City Hall Parking Lot issued on Wednesday April 19, 2017.

**CARRIED**

**7.4(b) Parking Violations at the City Hall Parking Lot (Added Item 11.1)**

**(Skelly/Whitehead)**

Parking Enforcement staff were directed to rescind all tickets issued for parking violations at the City Hall Parking Lot issued on Wednesday April 19, 2017.

**CARRIED**

**7.5 Amendment to the Motion Approved by Council on May 10, 2017 for Expansion of the Time Frame for Residential Municipal Relief Assistance Program for Basement Flooding for Heavy Rain Events**

**(Collins/Pearson)**

WHEREAS, the City of Hamilton is only issuing one (1) Residential Municipal Relief Assistance Program for Basement Flooding for Heavy Rain Events which occurred April 20, 2017 to May 6, 2017 inclusive.

THEREFORE BE IT RESOLVED:

That the motion approved by Council on May 10, 2017 for expansion of the time frame for Residential Municipal Relief Assistance Program for Basement Flooding for Heavy Rain Events, be **amended** as follows:

- (a) That for the purpose of invoking the Residential Municipal Relief Assistance Program for Basement Flooding, City Council declare the rainstorm events from April **20**, 2017 to May 6, 2017, as a **"Disaster"** for all affected properties within the City of Hamilton;
- (b) That payment of claims be based on compassionate grounds only and not to be construed as an admission of liability on the part of the City of Hamilton;
- (c) That the Eligibility Criteria for the Residential Municipal Disaster Relief Assistance Program as previously approved in report FCS06007 be applied;
- (d) That the costs associated with these claims be funded from the Storm Sewer Reserve (108010); and

- (e) That staff be authorized, if required, to retain an independent adjuster for the administration of claims under the Residential Municipal Disaster Relief Assistance Program and that these administrative costs be funded from the Storm Sewer Reserve (108010).

**CARRIED**

**7.6 Revised Heritage Recognition Awards List from the Hamilton Municipal Heritage Committee**

**(Pearson/Partridge)**

That the Heritage Recognition Awards List be amended to include the following nominations:

**(a) HMHC Developer of the Year Award**

- (i) Core Urban Inc. (Templar Flats, Textile Building)
- (ii) Aragon Properties (Right House)

**(b) Sustainable Design in Heritage Award:**

- (i) Greenhouse at McMaster University

**(c) Education in Heritage Award:**

- (i) Sylvia Wray, Flamborough Archives
- (ii) Paul Wilson, Writer
- (iii) The Jelly Brothers (Matt and Dan Jelly)

**(d) Making Heritage Accessible:**

- (i) Lister Block

**CARRIED**

**7.7 Ambulance Dispatch Services**

**(Whitehead/Skelly)**

WHEREAS, pursuant to the Ambulance Act the City of Hamilton is responsible for ensuring the proper provision of land ambulance services within the municipality in accordance with the needs of persons in the municipality and, subject to any grants, all costs associated with the provision of land ambulance service;

WHEREAS, ambulance dispatch services are a fundamental element of, and integral to the control of the performance and the cost of, the operation of a land ambulance service;

WHEREAS, various reports, including the Greater Toronto Area Ambulance Communication and Dispatch Services Review have identified systemic deficiencies in the delivery of ambulance communication services including:

- (i) Governance of the operation of ambulance dispatch centres;
- (ii) Management and staffing of ambulance dispatch centres;
- (iii) Utilization of technology to improve performance of ambulance dispatch centres; and,
- (i) Utilization of appropriate call screening tools to reduce call handling time and improve the accuracy of call assignment;

WHEREAS, ambulance dispatch services are currently provided by a Central Ambulance Communications Centre located in the City of Hamilton and operated directly by the Ministry of Health and Long Term Care;

WHEREAS, the City of Hamilton received Information Report CES17022 (Ambulance Communications and Dispatch Services) which provided a current review of the ambulance dispatch system impacting the delivery of land ambulance services in the City of Hamilton;

WHEREAS, Report CES17022 outlined that the current model of ambulance dispatch delivery is not well aligned with the goals and objectives of the City of Hamilton Paramedic Service thereby affecting the operational and cost efficiency of land ambulance service delivery in the City of Hamilton;

WHEREAS, the *Ambulance Act*, R.S.O. 1990, c. A. 19 assigns Minister of Health and Long Term Care the duty and the power to establish, maintain and operate ambulance communication services, alone or in co-operation with others, and to fund such services; and,

WHEREAS, these duties and powers have been utilized to fund ambulance dispatch services in areas such as Toronto, Niagara, and Ottawa which are more integrated with the land ambulance services being delivered in those municipalities;

THEREFORE BE IT RESOLVED:

- (a) That staff be directed and authorized to meet with representatives of the Ministry of Health and Long Term Care to discuss alternatives for collaboration in the operation of the Hamilton ambulance dispatch centre including:
  - (i) Pursuing the establishment in the short term of a performance contract or alternative governance models for land ambulance dispatch outlining roles, responsibilities and performance expectations;
  - (ii) Pursuing the provision of current, real time, data from the computerized ambulance dispatch system to support contemporaneous decision

making, land ambulance service delivery, and the needs of our partners including hospitals and other emergency services; and,

- (iii) Determining the feasibility, terms and costs for the City of Hamilton to assume operation of ambulance dispatch function for the City of Hamilton in the same manner as has been developed for the City of Toronto, the Region of Niagara, or the City of Ottawa;

- (b) That staff be directed to report back to the Emergency & Community Services Committee within 6 months with respect to the items outlined herein.

**CARRIED**

**7.8 Reconsideration of sub-section (e) to Item 4 of the General Issues Committee Report 16-023, respecting Report FCS16083 - Public Transit Infrastructure Fund (PTIF) and Clean Water and Wastewater Fund (CWWF) Grant Programs (8.1)**

**(Whitehead/Eisenberger)**

WHEREAS, Public Works staff had requested that the required Transfer Funding Agreement for the Public Transit Infrastructure Fund, include a clause that would allow the City to withdraw a project, as listed in Appendix "B" to Report 16-023, or component of a project, should it become apparent that program timelines cannot be met;

WHEREAS, Ministry of Transportation staff advised that such a change to the Public Transit Infrastructure Transfer Funding Agreement ("Agreement") could not be made, as it is inconsistent with the approval process outlined in the Canada-Ontario bilateral agreement;

WHEREAS, until such time as the clause, which would allow the City to withdraw a project, as listed in Appendix "B" to Report 16-023, or component of a project, should it become apparent that program timelines cannot be met has been removed from the Agreement, the \$36,489,204 Public Infrastructure Funding cannot be released to the City of Hamilton; and,

WHEREAS, at its meeting of October 12, 2016, Council approved Item 4 of the General Issues Committee Report 16-023, respecting Report FCS16083 - Public Transit Infrastructure Fund (PTIF) and Clean Water and Wastewater Fund (CWWF) Grant Programs;

**THEREFORE BE IT RESOLVED:**

That sub-section (e) to Item 4 of the General Issues Committee Report 16-023, which reads as follows, be reconsidered:



4. **Public Transit Infrastructure Fund (PTIF) and Clean Water and Wastewater Fund (CWWF) Grant Programs (FCS16083) (City Wide) (Item 7.3)**
- (a) That the projects, as listed in Appendix “B” to Report 16-023, be approved as the City of Hamilton’s submission for consideration to Infrastructure Ontario for the requested funding amount of \$36,489,204, in accordance with the terms and conditions associated with the Public Transit Infrastructure Fund;
  - (b) That the projects, as listed in Appendix “C” to Report 16-023, be approved as the City of Hamilton’s submission for consideration to Infrastructure Ontario for the requested funding amount of \$32,918,072, in accordance with the terms and conditions associated with the Clean Water and Wastewater Fund;
  - (c) That the Mayor and the City Clerk be authorized to execute all necessary documentation, including Funding Agreements for funding under the Public Transit Infrastructure Fund and Clean Water and Wastewater Fund Programs, in a form satisfactory to the City Solicitor;
  - (d) That, in consultation with the Procurement Section, Corporate Services Department, the City of Hamilton Procurement Policy be amended for projects that are accepted under federal and or provincial funding programs with a completion deadline of March 2018, as follows:
    - (i) That the requirement to issue a formal Request for Proposals to the entire vendor community be waived;
    - (ii) That Request for Proposals will be issued on an invitational basis only and staff will invite at least three firms to bid for each Request for Proposals (Purchasing Policy #5.4); and,
    - (iii) That the Manager of Procurement may waive the requirement for three Bids for Requests for Proposals (Purchasing Policy #5.4), but will only do so where the Client Department has demonstrated to the satisfaction of the Manager of Procurement that a minimum of three Bids cannot be obtained;
  - (e) ***That the required funding agreement for the Public Transit Infrastructure Fund, include a clause that would allow the City to withdraw a project as listed in Appendix “B” to Report 16-023, or component of a project, should it become apparent that program timelines cannot be met;***
  - (f) That the operating budget and FTE impacts related to approved Public Transit Infrastructure Fund projects, estimated to be \$2.75 M and 29.0 FTE’s be incorporated in the 2017 Tax Supported Operating Budget

and \$1.43 M and 30.0 FTE's be incorporated in the 2018 Tax Supported Operating Budget; and,

- (g) That copies of Report FCS16083, respecting the Public Transit Infrastructure Fund and Clean Water and Wastewater Fund Grant Programs, be forwarded to local Members of Provincial Parliament and to local Members of Parliament.

**CARRIED**

**7.9 Amendment to Item 4 of the General Issues Committee Report 16-023, respecting Report FCS16083 - Public Transit Infrastructure Fund (PTIF) and Clean Water and Wastewater Fund (CWWF) Grant Programs (Item 8.1)**

**(Whitehead/Eisenberger)**

That sub-section (e) to Item 4 of the General Issues Committee Report 16-023, which reads as follows, be deleted in its entirety:

**4. Public Transit Infrastructure Fund (PTIF) and Clean Water and Wastewater Fund (CWWF) Grant Programs (FCS16083) (City Wide) (Item 7.3)**

- (a) That the projects, as listed in Appendix "B" to Report 16-023, be approved as the City of Hamilton's submission for consideration to Infrastructure Ontario for the requested funding amount of \$36,489,204, in accordance with the terms and conditions associated with the Public Transit Infrastructure Fund;
- (b) That the projects, as listed in Appendix "C" to Report 16-023, be approved as the City of Hamilton's submission for consideration to Infrastructure Ontario for the requested funding amount of \$32,918,072, in accordance with the terms and conditions associated with the Clean Water and Wastewater Fund;
- (c) That the Mayor and the City Clerk be authorized to execute all necessary documentation, including Funding Agreements for funding under the Public Transit Infrastructure Fund and Clean Water and Wastewater Fund Programs, in a form satisfactory to the City Solicitor;
- (d) That in consultation with the Procurement Section, Corporate Services Department, the City of Hamilton Procurement Policy be amended for projects that are accepted under federal and or provincial funding programs with a completion deadline of March 2018, as follows:
  - (i) That the requirement to issue a formal Request for Proposals to the entire vendor community be waived;
  - (ii) That Request for Proposals will be issued on an invitational basis only and staff will invite at least three firms to bid for each Request for Proposals (Purchasing Policy #5.4); and,

- (iii) That the Manager of Procurement may waive the requirement for three Bids for Requests for Proposals (Purchasing Policy #5.4), but will only do so where the Client Department has demonstrated to the satisfaction of the Manager of Procurement that a minimum of three Bids cannot be obtained;
- ~~(e) ***That the required funding agreement for the Public Transit Infrastructure Fund, include a clause that would allow the City to withdraw a project as listed in Appendix "B" to Report 16-023, or component of a project, should it become apparent that program timelines cannot be met;***~~
- (f) That the operating budget and FTE impacts related to approved Public Transit Infrastructure Fund projects, estimated to be \$2.75 M and 29.0 FTE's be incorporated in the 2017 Tax Supported Operating Budget and \$1.43 M and 30.0 FTE's be incorporated in the 2018 Tax Supported Operating Budget; and,
- (g) That copies of Report FCS16083, respecting the Public Transit Infrastructure Fund and Clean Water and Wastewater Fund Grant Programs, be forwarded to local Members of Provincial Parliament and to local Members of Parliament.

**CARRIED**

## **7.10 Community Grants for Ward 9 (Item 8.2)**

### **(Conley/B. Johnson)**

WHEREAS, the Newalta Reserve Account (#117036), provides for the financial support for community led projects and initiatives that benefit Ward 9;

THEREFORE BE IT RESOLVED:

- (a) That the funding for the following programs and initiatives, to be financed from the Newalta Reserve Account (#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**

**7.11 Rockton Lions Annual Fish Fry – Special Occasion Permit Liquor Licence (Item 8.3)**

**(Partridge/VanderBeek)**

WHEREAS, Hamilton City Council has received Notice (attached hereto as Appendix “A”) from Pat Evangelisto on behalf of Rockton Lions Club that they wish to obtain approval for a Special Occasion Permit Liquor Licence to sell alcohol on June 3, 2017 between the hours of 4:30 p.m. and 8:00 p.m. at the Beverly Community Centre, 680 Highway #8, Rockton, Ontario during Rockton Lions Annual Fish Fry 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 Rockton Lions Annual Fish Fry, being held in the City of Hamilton, Ontario on June 3, 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) Rockton Lions Club c/o Pat Evangelisto, Puslinch, Ontario.

**CARRIED**

**NOTICES OF MOTION**

Councillor T. Whitehead introduced the following Notice of Motion:

**8.1 Reconsideration of sub-section (e) to Item 4 of the General Issues Committee Report 16-023, respecting Report FCS16083 - Public Transit Infrastructure Fund (PTIF) and Clean Water and Wastewater Fund (CWWF) Grant Programs**

**(Whitehead/Eisenberger)**

That the Rules of Order be waived to allow for the introduction of a Motion respecting the Reconsideration of sub-section (e) to Item 4 of the General Issues Committee Report 16-023, respecting Report FCS16083 - Public Transit Infrastructure Fund (PTIF) and Clean Water and Wastewater Fund (CWWF) Grant Programs.

**CARRIED**

For disposition of this matter, please refer to Items 7.8 and 7.9.

Councillor D. Conley introduced the following Notice of Motion:

**8.2 Community Grants for Ward 9**

**(Conley/B. Johnson)**

That the Rules of Order be waived to allow for the introduction of a motion respecting Community Grants for Ward 9.

**CARRIED**

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

Councillor J. Partridge introduced the following Notice of Motion:

**8.3 Rockton Lions Annual Fish Fry – Special Occasion Permit Liquor Licence**

**(Partridge/A. Johnson)**

That the Rules of Order be waived to allow for the introduction of a motion respecting the Rockton Lions Annual Fish Fry – Special Occasion Permit Liquor Licence.

**CARRIED**

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

**STATEMENT BY MEMBERS**

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

<b>BY-LAWS</b>
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**(Whitehead/Skelly)**

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

**103** To Adopt Municipal Options for Tax Capping Ward: City Wide

**CARRIED**

**(Whitehead/Skelly)**

That Bills No. 17-092 to No. 17-105 be passed, and that the Corporate Seal be affixed thereto, and signed by the Mayor and the City Clerk to read as follows:

**By-law No.**

- 092** To Amend By-law No. 01-215, Being a By-law to Regulate Traffic  
Schedule 2 (Speed Limits)  
Schedule 13 (Designated Traffic Lanes)  
Ward: 2, 7, 15
- 093** To Amend By-law No. 01-215, Being a By-law to Regulate Traffic  
Schedule 2 (Speed Limits)  
Schedule 8 (No Right Turns)  
Schedule 10 (No Left Turns)  
Ward: 2, 7
- 094** To Amend By-law No. R00-054, the Regional Municipality of Hamilton-Wentworth Woodland Conservation By-law; By-law No. 2000-118, the Town of Ancaster Tree Protection By-law; By-law 4401-96, the City of Stoney Creek Tree By-law; By-law No. 4513-99, The Town of Dundas Tree Protection By-law  
Ward: City Wide
- 095** To Amend Zoning By-law No. 05-200, Respecting Lands Located at Pier 8, 65 Guise Street East (Hamilton)  
ZAC-16-034  
Ward: 2
- 096** To Amend By-law No. 05-200 Respecting Pilot Project for Entertainment on Outdoor Commercial Patios  
ZAC-16-034  
Ward: 2
- 097** To Amend Zoning By-law No. 6593 (Hamilton), as amended by By-law Nos. 80-171 and 11-188, Respecting Lands Located at 95 Rymal Road West (Hamilton)  
ZAR-16-069  
Ward: 8
- 098** To Amend Zoning By-law No. 6593 Respecting Lands Located at 99-103 Locke Street South  
ZAH-15-064  
Ward: 1

- 099 To Set Optional Property Classes for the Year 2017  
Ward: City Wide
- 100 To Establish Tax Ratios and Tax Reductions for the Year 2017  
Ward: City Wide
- 101 To Set and Levy the Rates of Taxation for the Year 2017  
Ward: City Wide
- 102 To Levy a Special Charge Upon the Rateable Property in the Business Improvement Areas for the Year 2017  
Ward: 1, 2, 3, 4, 7, 9, 12, 13, 15
- 103 To Adopt Municipal Options for Tax Capping  
Ward: City Wide
- 104 To Amend By-law No. 06-147, Being a By-law to Authorize the City to Enter into Extension Agreements  
Ward: City Wide
- 105 To Confirm the Proceedings of City Council

**CARRIED**

**(Skelly/Jackson)**

That, there being no further business, City Council be adjourned at 6:49 p.m.

**CARRIED**

Respectfully submitted,

Mayor Fred Eisenberger

Rose Caterini  
City Clerk