



## **CITY COUNCIL MINUTES 14-009**

**5:00 p.m.**

**Wednesday, April 23, 2014**

**Council Chambers**

**Hamilton City Hall**

**71 Main Street West**

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**Present:** Mayor R. Bratina  
Councillors B. McHattie, J. Farr, R. Morrow, S. Merulla, C. Collins,  
T. Jackson, S. Duvall, T. Whitehead, B. Johnson, B. Clark,  
M. Pearson, L. Ferguson, J. Partridge, and R. Pasuta

**Absent with  
Regrets:** Councillor R. Powers, City Business

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Mayor Bratina called the meeting to order and called upon Reverend Drew Maddison an ordained Wiccan Priest from the Correllian Nativist Tradition to lead Council in prayer.

Mayor Bratina acknowledged the passing of World War II Veteran and Canadian Hero Private Stan Darch and extended Council's condolences to his family.

### **APPROVAL OF THE AGENDA**

The Clerk advised of the following changes to the agenda:

**1. ADDED CEREMONIAL ACTIVITY**

3.1 Dundas Real McCoy's Senior Hockey Club – 2014 Allan Cup Champions

**2. ADDED CORRESPONDENCE**

5.14(e) Correspondence from May Luong, of Borden Ladner Gervais, respecting the Fruitland Winona Secondary Plan

Recommendation: Be received.

- 5.14(f) Correspondence from Paul Gaudet, respecting the Fruitland Winona Secondary Plan
- Recommendation: Be received.
- 5.17 Correspondence from Deputy Minister Laurie LeBlanc, respecting a One-Time Ice Storm Assistance Program
- Recommendation: Be received and referred to SMT for the appropriate action.
- 5.18 Correspondence from the Honourable Leona Aglukkaq, Minister of the Environment, in response to Council's letter of February 18, 2014 respecting a Province-Wide and National Moratorium on Hydraulic Fracturing
- Recommendation: Be received.
- 5.19 Correspondence from the Honourable David Oraziotti, Minister of Natural Resources, in response to Council's letter of February 18, 2014 respecting a Province-Wide and National Moratorium on Hydraulic Fracturing
- Recommendation: Be received.
- 5.20 Correspondence from the Right Honourable Stephen Harper, Prime Minister of Canada, respecting the Government of Canada's Efforts to Mark the End of our Country's Military Mission in Afghanistan
- Recommendation: Be received.
- 5.21 Correspondence from Premier Kathleen Wynne, in response to Council's letter respecting School Closures and the Accommodation Review Committee Process
- Recommendation: Be received.
- 5.22 Correspondence from Stephen Fraser, Planner, A. J. Clarke and Associates Ltd., respecting Binbrook Heights Addition, 139 Fall Fair Way, Hamilton (Glanbrook)
- Recommendation: Be received.

**3. ADDED COMMITTEE REPORTS**

6.4 Public Works Committee Report 14-005, April 22, 2014

6.5 Board of Health Report 14-003, April 22, 2014

**4. ADDED MOTION**

7.8 Proposed Official Plan Amendment and Zoning By-law Amendment to Permit a Mobile Home Park and a Seasonal Trailer Park at 57 and 58 12th Concession Road East (Flamborough) (PED14032) (Ward 15) (Item 6.3)

**5. ADDED NOTICES OF MOTION**

8.1 Reconsideration of Item 12(c) of Planning Committee Report 14-004 respecting 170 Longwood Road North (Hamilton), Hamilton Letter

8.2 Municipal Representation on the Halton Hamilton Source Water Protection Committee

**(Pearson/Johnson)**

That the agenda for the April 23, 2014 meeting of Council be approved, as amended.

**CARRIED**

<b>DECLARATIONS OF INTEREST</b>
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Councillor B. Johnson declared an interest with respect to Item 10.1 as a member of her family is employed by the Carpenters Union.

<b>CEREMONIAL ACTIVITIES</b>
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**3.1 Dundas Real McCoy's Senior Hockey Club – 2014 Allan Cup Champions**

Mayor Bratina recognized the recent 3-2 win of the Dundas Real McCoy's Senior Hockey Club over Newfoundland's Clarenville Caribous winning their first Allan Cup.

He invited Don Robertson, General Manager and Associate Head Coach, Kenny Mann, Head Coach and Jay McKee, Team Defenseman to the podium.

Mayor Bratina also took the opportunity to recognize Ken Mann (reporter) who was in attendance for his participation in the Boston Marathon.

**APPROVAL OF MINUTES**

**4.1 April 9, 2014**

**(Pearson/Johnson)**

That the Minutes of the April 9, 2014, meeting of Council be approved, as presented.

**CARRIED**

**COMMUNICATIONS**

**(Pasuta/Johnson)**

That Council Communications 5.1 through 5.22 be approved, as amended, as follows:

- 5.1 Correspondence from Silvia Ruegger, National Director of Start2Finish Running and Reading Clubs, requesting that May 14th be proclaimed as a "Day of Change"

Recommendation: Be received.

- 5.2 Correspondence from Kathy Crowhurst, Lupus Foundation of Ontario, requesting that May 10th be proclaimed "World Lupus Day"; and, October be proclaimed "Lupus Awareness Month"

Recommendation: Be received.

- 5.3 Correspondence from Mario Sergio, Minister Responsible for Seniors Affairs, requesting that June be Proclaimed as Seniors' Month

Recommendation: Be received.

- 5.4 Correspondence from the Honourable Deb Matthews respecting Additional Base Funding for the City of Hamilton Land Ambulance Services Grant

Recommendation: Be received.

- 5.5 Correspondence from Steven Covey, President of Operation Life Saver, requesting the Proclamation of April 28 to May 4, 2014 as Public - Rail Safety Week

Recommendation: Be received.

- 5.6 Correspondence from Frank Klees, MPP - Newmarket-Aurora, respecting First Responders' Day in Ontario - May 1st

Recommendation: Be received.

- 5.7 Correspondence from the Honourable Glen Murray, Minister of Infrastructure and Transportation, in response to Council's letter of August 19, 2013 requesting Funding for Waterdown Memorial Hall

Recommendation: Be received and referred to the General Manager of Finance & Corporate Services for the appropriate action.

- 5.8 Correspondence from the Honourable Linda Jeffrey, Minister of Municipal Affairs and Housing, in response to the City of Hamilton's Formal Submission regarding the Review of the System for Land Use Planning and Appeals

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

- 5.9 Correspondence respecting the Provincial Plan Review

- (a) Correspondence from Carey deGorter, Director of Administration/Town Clerk of Caledon, respecting the Provincial Plan Review

Recommendation: Be received.

- (b) Correspondence from the Town of Richmond Hill in response to the letter from the Town of Caledon respecting the Provincial Plan Review

Recommendation: Be received.

- 5.10 Correspondence from Mark Knight, Environmental Planner, Stantec Consulting Ltd., respecting the Union Gas Pipeline Project - Information Sessions and Preliminary Preferred Route Dawn Parkway System Expansions - Hamilton to Milton Section

Recommendation: Be received.

- 5.11 Correspondence from Philip J. Stewart, Pound & Stewart Associates Limited, to the Honourable Glen R. Murray, Minister of Infrastructure, respecting the Naming of the "Golden Horseshoe Bay"

Recommendation: Be received.

- 5.12 Correspondence from Jean Major, Chief Executive Officer and Registrar, Alcohol and Gaming Commission of Ontario, respecting Regulation 720 Under the Liquor Licence Act, allowing for Vintner's Quality Alliance (VQA) Wines to be Sold at Eligible Farmers' Markets

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

- 5.13 Correspondence from the Honourable Lisa Raitt, Minister of Transport, in response to the City's letter of February 28, 2014, respecting Canada Post's Five-Point Action Plan

Recommendation: Be received.

- 5.14 Correspondence respecting the Fruitland-Winona Secondary Plan and Official Plan Amendment

- (a) Correspondence from Caroline Baker, Senior Planner, GSP Group, respecting the Fruitland Winona Secondary Plan, Foothills of Winona, Phase 4, 1335 Barton Street East

Recommendation: Be received and referred to the Planner on the file.

- (b) John Paolini, Resident

Recommendation: Be received and referred to the Planner on the file.

- (c) Jo-Ann Spetch, Resident

Recommendation: Be received and referred to the Planner on the file.

- (d) Iwona Swierzbinska, Resident

Recommendation: Be received and referred to the Planner on the file.

- (e) Correspondence from May Luong, of Borden Ladner Gervais

Recommendation: Be received and referred to the Planner on the file.

- (f) Correspondence from Paul Gaudet, respecting the Fruitland Winona Secondary Plan

Recommendation: Be received and referred to the Planner on the file.

- 5.15 Correspondence from the Dundas Community Council, respecting a Request for an Impact Study of the Proposed Closure of Parkside High School in Dundas

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

- 5.16 Correspondence from Minister Chiarelli, Ministry of Energy, respecting an Update on Provincial Initiatives

Recommendation: Be received and referred to the General Managers of the Planning and Economic Development, the Public Works and the Finance & Corporate Services Departments for appropriate action.

- 5.17 Correspondence from Deputy Minister Laurie LeBlanc, respecting a One-Time Ice Storm Assistance Program.

Recommendation: Be received and referred to SMT for report back to the Audit, Finance & Administration Committee.

- 5.18 Correspondence from the Honourable Leona Aglukkaq, Minister of the Environment, in response to Council's letter of February 18, 2014 respecting a Province-Wide and National Moratorium on Hydraulic Fracturing

Recommendation: Be received.

- 5.19 Correspondence from the Honourable David Oraziotti, Minister of Natural Resources, in response to Council's letter of February 18, 2014 respecting a Province-Wide and National Moratorium on Hydraulic Fracturing

Recommendation: Be received.

- 5.20 Correspondence from the Right Honourable Stephen Harper, Prime Minister of Canada, respecting the Government of Canada's Efforts to Mark the End of our Country's Military Mission in Afghanistan

Recommendation: Be received.

- 5.21 Correspondence from Premier Kathleen Wynne, in response to Council's letter respecting School Closures and the Accommodation Review Committee Process

Recommendation: Be received.

- 5.22 Correspondence from Stephen Fraser, Planner, A. J. Clarke and Associates Ltd., respecting Binbrook Heights Addition, 139 Fall Fair Way, Hamilton (Glanbrook)

Recommendation: Be received and referred to the Planner on the file.

**CARRIED**

**(Partridge/Pasuta)**

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

**CARRIED**

**AUDIT, FINANCE & ADMINISTRATION COMMITTEE REPORT 14-003**

**Item 4 Employer Paid Parking Value for Money Audit Management Action Plan (CM14002) (City Wide) (Item 8.2)**

**(Pearson/Clark)**

That Item 4 of the Audit, Finance & Administration Committee Report 14-003, respecting Report CM14002 – Employer Paid Parking Value for Money Audit Management Action Plan, be amended by adding a sub-section (b) to read as follows:

- (b) That the City Manager and Senior Management Team be directed to report back to the Audit, Finance & Administration Committee, respecting compliance with the Employer Paid Parking Policy and its associated costs, by April 2015.

**Amendment CARRIED  
Main Motion as amended CARRIED**

**(Clark/Pearson)**

That the THIRD Report of the Audit, Finance & Administration Committee be adopted, as amended, and the information section received. (attached hereto)

**CARRIED**

**PLANNING COMMITTEE REPORT 14-006**

**Item 7 Applications for Amendments to the Urban Hamilton Official Plan and Zoning By-law No. 464, and Approval of a Draft Plan of Subdivision, Known as “Binbrook Heights Addition”, on Lands Located at 139 Fall Fair Way (Glanbrook) (PED12182(c)) (Item 6.3)**

**(Johnson/Partridge)**

That Item 7 of Planning Committee Report 14-006 respecting Applications for Amendments to the Urban Hamilton Official Plan and Zoning By-law No. 464, and Approval of a Draft Plan of Subdivision, Known as “Binbrook Heights Addition”, on Lands Located at 139 Fall Fair Way be amended by adding a new sub-section (d) to read as follows:

- (d) That Appendix E, Special Conditions of Draft Plan of Subdivision Approval for “Binbrook Heights Addition”, to Report PED12182(c) be amended by adding a new condition:

“That prior to the registration of the plan, the owner enters into an agreement with the adjoining landowners to the South that ensures the timely and orderly development of Blocks 148 – 154 inclusive on draft plan 25T-201109 (“Binbrook Heights Addition”) and Blocks 110 – 116 inclusive on Plan 62M-1128 and Block 88 on Plan 62M-1078 on terms and conditions satisfactory to the City.”

**CARRIED  
Main Motion as Amended CARRIED**



**Item 8 Fruitland-Winona Secondary Plan and Official Plan Amendment (PED13099(b)) (Ward 11) (Item 7.1)**

**(Collins/Pearson)**

That Item 8 of Planning Committee Report 14-006 respecting Fruitland-Winona Secondary Plan and Official Plan Amendment (PED13099(b)) be amended by adding the following Subsections 9, 10 & 11:

9. That Policy 7.4.7.2 (c), Neighbourhood Park Designation, be amended to read as follows:

The City shall require developers to construct neighbourhood parks on the City's behalf during the construction of the subdivision provided an adequate amount of park land is available and the capital funding for the park development is available.

10. Regarding timing of infrastructure improvements, that the following policy be added to Section 7.4.17 Implementation policies of the Fruitland-Winona Secondary Plan:

In order to ensure that transportation improvements required to facilitate development in the Fruitland-Winona Secondary Plan are constructed when needed, the City may adopt specific transportation phasing strategies or arrange funding agreements for the delivery of road infrastructure project(s).

11. That the Section 7.4.14.1 (j) Block Servicing Strategy policies be amended to add the following policy:

xiv) A phasing strategy for external road infrastructure to ensure that the required upgrades are implemented to support growth subject to the following:

1. . Approved capital budget funding for the road infrastructure project(s);
2. . The availability of storm and sanitary outlets; and,
3. . The servicing needs of abutting developments are coordinated with the road project.

**Amendment CARRIED  
Main motion as amended CARRIED**

Councillors Pasuta and Johnson indicated they wish to be recorded as OPPOSED to the amendment and the Main motion as amended.

9. **Permit Fees for Farm Buildings and Greenhouses (PED14058) (City Wide)  
(Item 8.1)**

**(Clark/Ferguson)**

That Item 9 of Planning Committee Report 14-006 be amended by deleting the word “received” and inserting the words “referred to the General Manager of Finance and Corporate Services for review and report back to the Planning Committee for consideration and referral to the Agriculture and Rural Affairs Committee.”

**To read as follows:**

That Report PED14058 respecting Permit Fees for Farm Buildings and Greenhouses, be **referred to the General Manager of Finance and Corporate Services for review and report back to the Planning Committee for consideration and referral to the Agriculture & Rural Affairs Committee.**

**Amendment CARRIED  
Main Motion as AMENDED CARRIED**

**(Pearson/Partridge)**

That the SIXTH Report of the Planning Committee be adopted, as amended, and the information section received. (attached hereto)

**CARRIED**

Councillors Pasuta and Johnson indicated they wish to be recorded as OPPOSED to the entire Planning Report 14-006.

<b>GENERAL ISSUES COMMITTEE REPORT 14-009</b>
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**Item 23 Settlement of Claims made under the Expropriations Act arising from the Expropriation of 760 West 5<sup>th</sup> Street, being Parts 1 and 2 on Expropriation Plan 159849; OMB File No. LC130019 (Report LS14017)  
(Item 12.4)**

That Item 23 of General Issues Committee Report 14-009 respecting “Settlement of Claims made under the Expropriations Act arising from the Expropriation of 760 West 5<sup>th</sup> Street, being Parts 1 and 2 on Expropriation Plan 159849; OMB File No. LC130019” be deleted in its entirety and replaced with the following in lieu thereof:

- (a) That a settlement of claims made under the *Expropriations Act* by the former owner Andrea Joseph Romano, arising from the expropriation of certain lands known as 760 West 5<sup>th</sup> Street, Hamilton, being Parts 1 and 2 on an Expropriation Plan registered as Instrument No. 159849, entered into by counsel for the City of Hamilton, as Minutes of Settlement subject to Council approval, be approved and completed

and that the total full and final compensation of \$165,000.00, plus \$16,526.59 for the Claimant's legal and appraisal fees, plus up to \$1,041.53 in additional interest for the outstanding market value if full and final payment is made on or before April 30, 2014, plus \$7.89 per day to the date of payment if beyond April 30, 2014, be charged to Account Number 4060087001 Expressway – Land Purchases.

- (e) That a final payment of \$165,000.00 plus \$16,526.59 for Claimant's legal and appraisal fees, plus up to \$1,041.53 in additional interest costs for the outstanding market value if full and final payment is made on or before April 30, 2014 (\$7.89 per diem thereafter), resulting from the settlement of the expropriation of 760 West 5<sup>th</sup> Street, Hamilton be made to Agro Zaffiro LLP (Charles Criminisi), In Trust for the owner;
- (f) That the Mayor and Clerk be authorized and directed to execute any necessary documents in a form satisfactory to the City Solicitor.
- (g) That Report LS14017 and *Minutes* of Settlement remain confidential.

**Amendment CARRIED**  
**Main Motion as amended CARRIED**

**(Bratina/Partridge)**

That the NINTH Report of the General Issues Committee be adopted, as amended and the information section received. (attached hereto)

**CARRIED**

<b>PUBLIC WORKS COMMITTEE REPORT 14-005</b>
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**(Whitehead/Duvall)**

That pursuant to Sub-section 5.6(2) of the City's Procedural By-law 10-053, the 48-hour rule be waived in order to allow for the consideration of Public Works Committee Report 14-005, April 22, 2014.

**CARRIED**

**(Whitehead/Duvall)**

That the FIFTH Report of the Public Works Committee be adopted and the information section received. (attached hereto)

**CARRIED**

<b>BOARD OF HEALTH REPORT 14-003</b>
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**(Bratina/Partridge)**

That pursuant to Sub-section 5.6(2) of the City's Procedural By-law 10-053, the 48-hour rule be waived in order to allow for the consideration of Board of Health Report 14-003, April 22, 2014

**CARRIED**

**(Bratina/Partridge)**

That the THIRD Report of the Board of Health be adopted and the information section received. (attached hereto)

**CARRIED**

**(Partridge/Pasuta)**

That the Committee of the Whole Rise and Report.

**CARRIED**

<b>MOTIONS</b>
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**7.1 Special Occasion Permit - Punisher Adventure Race**

**(Pasuta/Merulla)**

Whereas, City Council has received Notice (attached hereto as Appendix "A") from Event Promotions and Management Services that they wish to obtain a Special Occasion Permit to sell alcohol during the Punisher Adventure Race on May 31, 2014;

And Whereas, the Alcohol & Gaming Commission of Ontario requires that if a permit holder is not a registered charity or non-profit organization or association, that a resolution of the Council is required to designate the event as one of municipal significance;

Therefore be it resolved:

- (a) That the City of Hamilton hereby deems the Punisher Adventure Race, being held at Christie Lake Conservation Area, 1000 Highway 5 West, Dundas, Ontario, on May 31, 2014 from 12:00 p.m. to 3:00 p.m., as municipally significant; and,
- (b) That the Applicant be provided a copy of this resolution for inclusion with their application to the Alcohol & Gaming Commission of Ontario.

**CARRIED**

**7.2 Special Occasion Permit - Seven Sundays**

**(Morrow/Merulla)**

Whereas, City Council has received Notice (attached hereto as Appendix "A") from Sonic Unyon that they wish to obtain a Special Occasion Permit to sell alcohol during the Seven Sundays event on July 6, 2014;

And Whereas, the Alcohol & Gaming Commission of Ontario requires that if a permit holder is not a registered charity or non-profit organization or association,

that a resolution of the Council is required to designate the event as one of municipal significance;

Therefore be it resolved:

- (a) That the City of Hamilton hereby deems the Seven Sundays event, being held at Gage Park, 1000 Main Street East, Hamilton, Ontario, on July 6, 2014 from 12:00 p.m. to 8:00 p.m., as municipally significant; and,
- (b) That the Applicant be provided a copy of this resolution for inclusion with their application to the Alcohol & Gaming Commission of Ontario.

**CARRIED**

### **7.3 Special Occasion Permit - Saving Second Base**

#### **(Duvall/Whitehead)**

Whereas, City Council has received Notice (attached hereto as Appendix "A") from the Saving Second Base Organization that they wish to obtain a Special Occasion Permit to sell alcohol during games on July 19, 2014 and July 20, 2014;

And Whereas, the Alcohol & Gaming Commission of Ontario requires that if a permit holder is not a registered charity or non-profit organization or association, that a resolution of the Council is required to designate the event as one of municipal significance;

Therefore be it resolved:

- (a) That the City of Hamilton hereby deems the games of the Second Base Organization, being held at Turner Park, 344 Rymal Road East, Hamilton, on July 19, 2014 from 11:00 a.m. to 10:00 p.m.; and, on July 20, 2014 from 10:00 a.m. to 7:00 p.m., as municipally significant; and,
- (b) That the Applicant be provided a copy of this resolution for inclusion with their application to the Alcohol & Gaming Commission of Ontario.

**CARRIED**

### **7.4 Revenue Generation and Cost Reduction Opportunities**

#### **(Whitehead/Duvall)**

WHEREAS one of the City's strategic objectives is to enhance overall sustainability;

WHEREAS Council has directed staff to explore non-residential tax revenues;

WHEREAS the City of Hamilton has recently realigned resources to support revenue generation;

WHEREAS the City of Hamilton has a number of existing revenue streams that may have incremental revenue opportunities;

WHEREAS the City of Hamilton has many assets including, but not limited to, arenas, auditoriums and outdoor structures that may lend themselves to new advertising revenues;

WHEREAS the City of Hamilton has many assets in the form of City run events that may lend themselves to sponsorship opportunities;

WHEREAS the City of Hamilton owns property that may be repurposed in such a way that additional tax dollars could be generated; and

WHEREAS the City of Hamilton may produce products or services that may have a revenue potential;

THEREFORE BE IT RESOLVED:

That staff be directed to prepare a report for the General Issues Committee in September 2014, which explores all potential revenue generation and cost reduction opportunities including the scope of the opportunities and any increased revenue potential that may be realized in 2015 and 2016 budget years.

**CARRIED**

**7.5 Amendment to Item 7.3, of the November 27, 2013 Council Minutes, respecting the Consideration of an Overpass Display By-law**

**(Whitehead/Duvall)**

That Item 7.3, respecting the Consideration of an Overpass Display By-law, of the November 27, 2013 Council Minutes be amended by deleting the word "Planning" and replacing it with the words "Public Works" after the words "report to the", to read as follows:

**7.3 Consideration of an Overpass Display By-Law**

That Municipal Law Enforcement staff, in consultation with Legal Services and Public Works staff, be directed to report to the *Public Works* Committee on regulating, by by-law, the use of overpasses for displays of any kind.

**CARRIED**

**(Whitehead/Jackson)**

That Municipal Law Enforcement staff, in consultation with Legal Services and Public Works staff, be directed to report to Planning Committee on regulating by by-law the use of overpasses for displays of any kind.

**CARRIED**

## 7.6 Post Employment Cooling Off Period

### (MerullaCollins)

WHEREAS, many senior levels of government have adopted policies imposing post-employment "cooling-off periods" on senior staff to ensure the integrity of processes and decision-making of the government body;

AND WHEREAS, there may be benefits to having such a policy at the City of Hamilton;

THEREFORE BE IT RESOLVED:

That staff be directed to explore the feasibility of instituting a "cooling off period", as part of the City of Hamilton's Corporate policies and/or employment agreements that would limit the ability of former senior level staff and former elected officials from working for organizations in dealings with the City of Hamilton involving matters with which the former staff member had significant dealings during the last year of service with the City, and report to the Audit, Finance and Administration Committee.

**CARRIED**

## 7.7 Objection to Liquor Licence Application to Increase Occupancy and Add New Area - VISO

### (Farr/McHattie)

Whereas, 1820419 Ontario Inc. operating as VISO, located at 11 Hess Street South, Hamilton, Ontario has applied for a Liquor License for an increase to occupancy and to add a new area;

And Whereas, under Section 7.1 (1) of the Alcohol and Gaming Commission of Ontario's legislation, they shall consider a resolution of Council of the municipality, in which are located the premises for which a person makes an application to sell liquor or holds a license to sell liquor, as proof of the needs and wishes of the residents of the municipality for the purposes of clause 6 (2) (h) of the Act;

Therefore, be it resolved:

That the Alcohol and Gaming Commission of Ontario (AGCO) be advised that the City of Hamilton wishes to object to the Liquor License application for 1820419 Ontario Inc. operating as VISO, located at 11 Hess Street South, Hamilton, Ontario, as concerns have been brought to Council's attention in which the issuing of the license would not be in the best interest of the public due to past operational history.

**CARRIED**

**7.8 Lifting of Item 6 of Planning Committee Report 14-004 (TABLED March 26, 2014)**

**(Partridge/Johnson)**

That Item 6 of Planning Committee Report 14-004 respecting Proposed Official Plan Amendment and Zoning By-law Amendment to Permit a Mobile Home Park and a Seasonal Trailer Park at 57 and 58 12th Concession Road East (Flamborough) (PED14032 ) be LIFTED from the TABLE.

**CARRIED**

**6. Proposed Official Plan Amendment and Zoning By-law Amendment to Permit a Mobile Home Park and a Seasonal Trailer Park at 57 and 58 12th Concession Road East (Flamborough) (PED14032) (Ward 15) (Item 6.3)**

- (a) That approval be given to **Official Plan Amendment Application OPA-13-017, Fern Brook Resort Inc., Owner**, to amend policies and re-designate lands located at 58 12<sup>th</sup> Concession Road East (Flamborough), on Schedule "D" of the Rural Hamilton Official Plan (RHOP), to establish a Seasonal 100-site Trailer Park (Block "2") and protected Conservation Areas (Blocks "3" and "5"), as shown on Appendix "A" to Report PED14032, on the following basis:
- (i) That Blocks "2", "3", and "5" be changed from the "Rural" designation to the "Open Space" designation;
  - (ii) That Blocks "2", "3", and "5" be identified further as Site-Specific Area "R-\_\_\_";
  - (iii) That the draft Official Plan Amendment (OPA), attached as Appendix "B" to Report PED14032, be adopted by City Council; and,
  - (iv) That the proposed OPA is consistent with the Provincial Policy Statement (PPS), Greenbelt Plan, Rural Hamilton Official Plan (RHOP) and the intent of the Town of Flamborough Strategy for Recreational Vehicle Parks, Report DPD1994-21 (see Appendix "C").
- (b) That approval be given to **Amended Zoning Applications D14-ST and ZAC-02-093, Fern Brook Resort Inc., Owner**, for changes in zoning to permit a permanent 150-unit mobile home park and ancillary uses (Block "1"), a 100-site seasonal trailer park and ancillary uses (Block "2"), and protected Conservation Areas (Blocks "3", "4", and "5"), for the lands located at 57 and 58 12<sup>th</sup> Concession Road East (Flamborough), as shown on Appendix "A" to Report PED14032, on the following basis:



- (i) That Block “1” be changed from the Recreational Open Space “O3-3”, Zone Modified, to the Residential Mobile Home “R9-6-1-(H)” Zone, Modified, Holding and the Residential Mobile Home “R9-6-2-(H)” Zone, Modified, Holding;
- (ii) That Block “2” be changed from the Agriculture “A” Zone, to the Recreational Open Space “O3-10-1(H)”, Zone, Modified, Holding;
- (iii) That Block “3” be changed from the Conservation Management “CM” Zone, to the Recreational Open Space “O3-10”, Zone, Modified;
- (iv) That Blocks “4” and “5” be changed from the Conservation Management “CM” Zone, to the Conservation Management “CM-4” Zone, Modified;
- (aa) That the amending By-law apply the following Holding Provisions in accordance with Section 36 (1) of the Planning Act, R.S.O., 1990, to Blocks “1”, and “2”, by introducing the Holding Symbol ‘H’ as a suffix to the proposed Residential Mobile Home “R9-6-1(H)” Zone, Modified, Holding, the Residential Mobile Home “R9-6-2(H)” Zone, Modified, Holding and the Recreational Open Space “O3-10(H)”, Zone, Modified, Holding;
- (v) That the Holding provision referred to in Section (b) (iv) shall not be removed until such time as the following conditions have been completed:

Holding Provision “R9-6-1(H)” Holding Zone

The removal of the Holding provision “1(H)” will allow for the development of up to 50 permanent mobile home sites (units) on Block “1”, as well as the following uses:

- (a) Clubhouse, accessory to the Manufactured and Mobile Home Park, which may include as ancillary uses to the park, administrative offices, a convenience store, a hotel consisting of 20 suites, a restaurant and tavern, a dining area, games room, fitness and leisure facilities including a pool, hot tub, sauna, showers, and fitness room.

- (b) One Manager's suite and two staff apartments, adjacent to the existing clubhouse.
- (c) Maintenance, utility and storage buildings; and,
- (d) Facilities for outdoor sports and leisure, including an outdoor pool, hot tub, children's play area, volleyball and tennis courts, and picnic areas.

The Holding provision "1(H)" shall remain in effect until such time as the completion of the following conditions:

(1) Site Plan Agreement (SPA)

The Owner shall enter into a Site Plan Agreement with the City and register it on title, for Block "1" - North Lands, to address required improvements and upgrades to the servicing, infrastructure, and layout of the mobile home park in a multi-phase plan, to be developed through the Site Plan approval process, through which the required financial securities for the construction of works, identified through Site Plan approval process, will be specified by the City and posted by the Owner, prior to Site Plan approval of each phase.

The development of the SPA should be made in reference to the requirements outlined in the Municipal Responsibility Agreement, adequately providing services to the development as outlined in the Functional Servicing Report, and to the satisfaction of the Director of Hamilton Water, Public Works.

(2) Municipal Responsibility Agreement

The Owner shall enter into and register the signed Municipal Responsibility Agreement and associate Trust agreement on title. Prior to registration of the Agreements, the Owner shall post the financial securities required thereunder to the satisfaction of Senior Director of Growth Management, the Director of Hamilton Water, Public Works, and the Director of Planning.

(3) Conservation Halton

- (a) Preparation and submission of a Flood Emergency Plan to the satisfaction of Conservation Halton (CH) is required to ensure

a safe evacuation of residents during a flood emergency.

- (b) The completion of fill placement/grading and pedestrian bridge upgrades as recommended in the Stantec letter report, dated March 6, 2008, to ensure safe ingress/egress during regulatory storm events, to the satisfaction of Conservation Halton.

City Council shall remove the 'H' symbol "1(H)" and, thereby, give effect to the Residential Mobile Home "R9-6-1(H)" Zone, Modified, Holding provisions, to allow for up to 50 permanent mobile home sites by enactment of an amending By-law, once the above-noted conditions 1, 2, and 3, are satisfied.

Holding Provision 'R9-6-2(H) Holding Zone'

The removal of the Holding provision "2(H)" will allow for the development of an additional 100 permanent mobile home sites (units) on Block "1" for a total of 150 permanent mobile home sites (units). The Holding provision "2(H)" shall remain in effect until such time as the completion of the following conditions:

(1) Functional Servicing Report

Preparation and submission of an addendum to the Functional Servicing Report and Operations and Maintenance Manual, to the satisfaction of the Senior Director of Growth Management and the Director of Hamilton Water, Public Works. The addendum shall address the following matters:

- a) A Hydrogeological Study, with the assistance of a Qualified Person, to characterize the following:
  - i) The direction of groundwater flow;
  - ii) The existence of both an upstream and downstream monitoring well whose location reflects the groundwater flow regime;
  - iii) Confirm that the downstream well is located within the effluent plume and at least 40 m. from the septic system and tile field;

- iv) Confirm that the monitoring well number and the monitoring well information provided to date was sampled from the upstream and downstream monitoring wells identified in (ii) and (iii), above;
  - v) Determine appropriate effluent trigger limits at the monitoring wells;
  - vi) If recommended by the Hydrogeologist, install additional monitoring wells in order to address items (i) to (v).
- b) Following the collection of at least three consecutive years of monitoring data, the Owner shall reassess the Hydrogeological Study to confirm effluent trigger limits and provide recommendations on any required infrastructure upgrades, referencing the monitoring data in conjunction with the water and waste water flow rate and occupancy records;
  - c) Submission of theoretical design flows for both the water and wastewater systems, based on full occupancy of the Fern Brook Development (150 permanent and 100 seasonal sites), following MOE Design Guidelines (2008), City of Hamilton Engineering Guidelines (2006), and the Ontario Building Code;
  - d) Submission of historical water and wastewater flow rates which are based on Ministry of Environment Design Criteria and accompanied by occupancy records for the related time period;
  - e) Demonstration that the rated capacity of the Water Treatment System is capable of servicing the full Fern Brook Development (150 permanent and 100 seasonal sites), with the rated capacity being based on the largest unit for each process component out of service, and that the system is adequately designed to meet the MOE/Hamilton Fire Department fire storage and fire flow requirements;
  - f) Demonstration that the Sewage Treatment System will: i) function adequately for the design flows of the full Fern Brook Development (150 permanent sites and 100 seasonal sites), identifying the need for additional equipment in order to meet the rated firm

capacity with the largest unit out of service; ii) operate in accordance with the associated Certificate of Approval; iii) produce an effluent, at the discharge point of the treatment system, with a nitrate concentration less than, or equal to 10 mg/L; and iv) maintain a nitrate concentration, at the property boundary downstream of the sewage treatment system, that does not exceed 2.5 mg/L.; and,

- g) Revisions to the Operations and Maintenance Manuals for the water and wastewater treatment facilities which follow MOE's prescribed format and which include a comprehensive set of operating instructions and a process narrative to explain how the facility is intended to operate in accordance with the required treatment system, as determined through the ongoing engineering analysis and in consultation with the City.

City Council shall remove the 'H' symbol "2(H)" and, thereby, give effect to the Residential Mobile Home "R9-6" Zone, Modified provisions, to allow for 100 permanent mobile home sites to a maximum of 150 permanent mobile home sites by enactment of an amending By-law, once the above-noted conditions are satisfied.

#### Holding Provision "O3-10(H)" Zone, Modified

The removal of the Holding provision "(H)" will allow for the development of up to 100 seasonal trailer sites on Block "2" and the sewage treatment plan and dispersal fields on Block "3". The Holding provision "(H)" shall remain in effect until such time as the completion of the following conditions:

##### (1) Site Plan Agreement

The Owner has entered into a Site Plan Agreement with the City and registered said Agreement on title, for Blocks "2" and "3" ("South Lands"). The Site Plan Agreement will address but shall not be limited to: required improvements and upgrades to the servicing, infrastructure, and layout of the seasonal trailer park, through which the required financial securities for the construction of works identified through the Site Plan Approval process will be specified by the City and posted by the Owner prior to Site Plan Approval.

##### (2) Municipal Responsibility Agreement

The Owner has executed and registered on title the signed Municipal Responsibility Agreement and associate Trust Agreement to the satisfaction of the Senior Director of Growth Management and the Director of Hamilton Water, Public Works, and the Director of Planning. Prior to registration of said Agreements, the Owner shall post the financial securities required thereunder to the satisfaction of Senior Director of Growth Management and the Director of Hamilton Water, Public Works, and the Director of Planning.

City Council may remove the Holding provision 'H' and thereby give effect to the Recreational Open Space Zone "O3-10", Zone, Modified zone provisions, for Block "2", to allow for a maximum of 100 seasonal trailer sites and Block "3", to permit the Private Sewage Treatment Plant with Dispersal fields, by enactment of an amending By-law, once the above-noted conditions are satisfied.

- (vi) That Council authorize the Mayor and City Clerk to execute a Municipal Responsibility Agreement and associated Trust Agreement, substantially in the form attached as Appendix "H" to Report PED14032, with content acceptable to the City Solicitor and the Director of Planning.
  - (vii) That the draft By-law, attached as Appendix "C" to Report PED14032, which has been prepared in a form satisfactory to the City Solicitor, be enacted by City Council; and,
  - (viii) That the proposed changes in zoning are in conformity with the PPS, the Hamilton-Wentworth Official Plan (HWOP), and the Flamborough Official Plan, and will be in conformity with the RHOP upon approval of OPA No. \_\_\_\_\_.
- (c) That Appendix "C" to Report PED14032, Proposed Official Plan Amendment and Zoning By-law Amendment to Permit a Mobile Home Park and a Seasonal Trailer Park at 57 and 58 12th Concession Road East (Flamborough), be deleted and replaced with the REVISED Appendix "C".

**(Partridge/Johnson)**

That subsections (2) (vi) (vii) (viii) and subsection (c) of Item 6 respecting Proposed Official Plan Amendment and Zoning By-law Amendment to Permit a Mobile Home Park and a Seasonal Trailer Park at 57 and 58 12th Concession Road East (Flamborough) (PED14032) which reads as follows be deleted in their entirety:

- “(vi) That Council authorize the Mayor and City Clerk to execute a Municipal Responsibility Agreement and associated Trust

Agreement, substantially in the form attached as Appendix "H" to Report PED14032, with content acceptable to the City Solicitor and the Director of Planning.

- (vii) That the draft By-law, attached as Appendix "C" to Report PED14032, which has been prepared in a form satisfactory to the City Solicitor, be enacted by City Council; and,
- (viii) That the proposed changes in zoning are in conformity with the PPS, the Hamilton-Wentworth Official Plan (HWOP), and the Flamborough Official Plan, and will be in conformity with the RHOP upon approval of OPA No.
- (c) That Appendix "C" to Report PED14032, Proposed Official Plan Amendment and Zoning By-law Amendment to Permit a Mobile Home Park and a Seasonal Trailer Park at 57 and 58 12<sup>th</sup> Concession Road East (Flamborough), be deleted and replaced with the REVISED Appendix "C".

And replaced in lieu thereof with the following new subsections (c), (d), (e), and (f) as follows:

- (c) That Council authorize the Mayor and City Clerk to execute a Municipal Responsibility Agreement and associated Trust Agreement, substantially in the form attached as Appendix "H" to Report PED14032, with content acceptable to the City Solicitor and the Director of Planning.
- (d) That the proposed changes in zoning are in conformity with the PPS, the Hamilton-Wentworth Official Plan (HWOP), and the Flamborough Official Plan, and will be in conformity with the RHOP upon approval of OPA No. \_\_\_\_\_.
- (e) That the Proposed Official Plan Amendment and Zoning by-law Amendment to Permit a Mobile Home Park and a Seasonal Trailer Park at 57 and 58 12<sup>th</sup> Concession Road East (Flamborough), attached hereto be approved.
- (f) That in accordance with Subsection 34(17) of the Planning Act, the proposed changes to the By-law are for clarification purposes or are more restrictive than the by-law presented at the public meeting and as such no further notice is required.

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

## 7.9 Assessment of Legal Fees

### (Merulla/Morrow)

That the following Notice of Motion submitted to Council on April 9, 2014 respecting Assessment of all of the City of Hamilton's external legal fees which reads as follows:

That staff be directed to seek an assessment of all of the City of Hamilton's external legal fees over the last twelve months from the Provincial Assessment Office.

Be withdrawn and replaced with the following in lieu thereof:

- (a) That the City Solicitor provide a review of external legal fees incurred over the past couple of years and report back to the General Issues Committee on what options exist for an independent third party audit of the City's past legal fees; and
- (b) That on a go-forward basis, staff evaluate the use of RFPs or RFQs to tie external legal fees to budgets and outcomes including appropriate cost control mechanisms and consequences to avoid cost overruns.

**Amendment CARRIED  
Main Motion as Amended CARRIED**

## 7.10 Reconsideration of Item 12(c) of Planning Committee Report 14-004, respecting 170 Longwood Road North, Hamilton Letter

### (Pearson/Clark)

That Item 12(c) to Planning Committee Report 14-004, respecting 170 Longwood Road North, Hamilton Letter, which reads as follows, be reconsidered:

- (c) 170 Longwood Road North, Hamilton letter

That the Hamilton Municipal Heritage Committee be authorized to write a letter to the Ministry of Tourism, Culture & Sport, as well to the Ontario Heritage Trust, outlining concerns with limitations of the Ontario Heritage Act with respect to regulating alterations to non-designated properties that are included in the municipal Register, as demonstrated by the extent of alterations to the existing house at 170 Longwood Road North (for information see Appendix C, attached hereto).

**CARRIED**

### (Pearson/Clark)

That Item 12(c) respecting 170 Longwood Road North, Hamilton Letter, be amended as follows:



- (i) That the recommendations be amended by deleting the words, “the Hamilton Municipal Heritage Committee be authorized to” and replaced with the word, “Council”, to read as follows:

“That Council write a letter to the Ministry of Tourism, Culture & Sport, as well to the Ontario Heritage Trust, outlining concerns with limitations of the Ontario Heritage Act with respect to regulating alterations to non-designated properties that are included in the municipal Register, as demonstrated by the extent of alterations to the existing house at 170 Longwood Road North (for information see Appendix C, attached hereto).”

- (ii) That Item 3, 170 Longwood Road North, Hamilton letter, be referred back to staff for a report to Planning Committee.

**Amendment CARRIED  
Main Motion as amended CARRIED**

**7.11 Municipal Representation on the Halton Hamilton Source Water Protection Committee**

**(Partridge/Pasuta)**

That, in the absence of the Senior Project Manager, Source Protection Planning, that Bert Posedowski, Manager, Sustainable Initiatives, Public Works Department, be appointed as the staff representative on the Halton Hamilton Source Water Protection Committee.

**CARRIED**

<b>NOTICES OF MOTIONS</b>
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Councillor Maria Pearson presented the following Notice of Motion:

**8.1 Reconsideration of Item 12(c) of Planning Committee Report 14-004, respecting 170 Longwood Road North, Hamilton Letter**

That Item 12(c) to Planning Committee Report 14-004, respecting 170 Longwood Road North, Hamilton Letter, which reads as follows, be reconsidered:

- (c) 170 Longwood Road North, Hamilton letter

That the Hamilton Municipal Heritage Committee be authorized to write a letter to the Ministry of Tourism, Culture & Sport, as well to the Ontario Heritage Trust, outlining concerns with limitations of the Ontario Heritage Act with respect to regulating alterations to non-designated properties that are included in the municipal Register, as demonstrated by the extent of alterations to the existing house at 170 Longwood Road North (for information see Appendix C, attached hereto).

**(Pearson/Clark)**

That the Rules of Order be waived to allow for the introduction of a motion respecting the reconsideration of Item 12(c) to Planning Committee Report 14-004, respecting 170 Longwood Road North, Hamilton Letter.

**CARRIED**

For disposition of this matter refer to Item 7.10.  
Councillor Judi Partridge presented the following Notice of Motion:

**8.2 Municipal Representation on the Halton Hamilton Source Water Protection Committee**

That, in the absence of the Senior Project Manager, Source Protection Planning, that Bert Posedowski, Manager, Sustainable Initiatives, Public Works Department, be appointed as the staff representative on the Halton Hamilton Source Water Protection Committee.

**(Partridge/Pasuta)**

That the Rules of Order be waived to allow for the introduction of a motion respecting Municipal Representation on the Halton Hamilton Source Water Protection Committee.

**CARRIED**

For disposition of this matter refer to Item 7.11.

<b>STATEMENT BY MEMBERS</b>
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Members of Council used this opportunity to discuss matters of general interest.

<b>PRIVATE AND CONFIDENTIAL</b>
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**10.1 Closed Session Minutes - March 26, 2014**

**(Partridge/Ferguson)**

- (a) That the Closed Session Minutes of the March 26, 2014 Council Meeting be approved as presented;
- (b) That the Closed Session Minutes of the March 26, 2014 Council Meeting remain private and confidential and restricted from public disclosure.

**CARRIED**

<b>BY-LAWS</b>
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**(Pasuta/Pearson)**

That the Bill List for the April 23, 2014 meeting of Council be amended by adding Bill numbers 095, 096 and 097, which read as follows, and renumbering the balance accordingly:

- 095        Respecting Removal of Part Lot Control:  
              Block 71, Registered Plan No. 62M-1194  
              179, 181, 183, 185, 187, 189, 191, 193, 195, 197, 199, 201, 203, and  
              205 Gowland Drive (Glanbrook)
- 096        To Adopt Official Plan Amendment No. 7 to the Rural Hamilton Official  
              Plan Respecting: 58 12<sup>th</sup> Concession Road East (former Town of  
              Flamborough)
- 097        To Amend Zoning By-law No. 90-145-Z (Flamborough), Respecting  
              Lands Located at 57 and 58 12<sup>th</sup> Concession Road East, in the former  
              Town of Flamborough, now in the City of Hamilton
- 098        To Confirm the Proceedings of City Council

**CARRIED**

**(Pasuta/Pearson)**

That Bills No. 14-088 to 14-098 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:

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**Bill No.**

- 088**        To Amend By-law No. R77-109, the Hamilton Regional Roads By-law and  
              and By-law No. 86-77, the Hamilton Streets By-law
- 089**        To Amend By-law No. 01-215, To Regulate Traffic:  
              Schedule 4 – Yield Sign Location  
              Schedule 5 – Stop Control
- 090**        To Regulate the discharge of any matter into the sewer works, including the  
              sanitary, combined and storm sewer systems of the City of Hamilton and to  
              Repeal By-law No. 04-150 as amended
- 091**        To Amend the Water and Wastewater / Storm Fees and Charges By-law No. 13-  
              325
- 092**        To Amend By-law No. 12-179, Respecting The Appointments of a Chief Building  
              Official, Deputies and Inspectors
- 093**        To Amend By-law No. 01-215, To Regulate Traffic:  
              Schedule 5 – Stop Control
- 094**        To Amend By-law No. 01-215, To Regulate Traffic:

Schedule 2 – Speed Limits  
Schedule 13 – Designated Traffic Lanes

- 095** Respecting Removal of Part Lot Control:  
Block 71, Registered Plan No. 62M-1194  
179, 181, 183, 185, 187, 189, 191, 193, 195, 197, 199, 201, 203, and 205  
Gowland Drive (Glanbrook)
- 096** To Adopt Official Plan Amendment No. 7 to the Rural Hamilton Official Plan  
Respecting:  
58 12<sup>th</sup> Concession Road East (former Town of Flamborough)
- 097** To Amend Zoning By-law No. 90-145-Z (Flamborough), Respecting Lands  
Located at 57 and 58 12<sup>th</sup> Concession Road East, in the former Town of  
Flamborough, now in the City of Hamilton
- 098** To Confirm the Proceedings of City Council

**CARRIED**

**(Pearson/Johnson)**

That there being no further business, the City Council meeting be adjourned at  
7:55 p.m.

**CARRIED**

Respectfully submitted,

Mayor B. Bratina

R. Caterini  
City Clerk



## **AUDIT, FINANCE & ADMINISTRATION COMMITTEE REPORT 14-003**

**AS AMENDED BY COUNCIL ON APRIL 23, 2014**

9:30 a.m.  
Monday, April 14, 2014  
Council Chambers  
Hamilton City Hall  
71 Main Street West

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**Present:** Councillors R. Powers (Chair), B. Clark (Vice Chair),  
C. Collins, B. Johnson, M. Pearson

**Absent with  
Regrets:** Councillor R. Morrow – Personal

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### **THE AUDIT, FINANCE & ADMINISTRATION COMMITTEE PRESENTS REPORT 14-003 AND RESPECTFULLY RECOMMENDS:**

**1. Capital Projects' Status Report as of December 31, 2013 (FCS13066(b) (City Wide) (Item 5.1)**

That Report FCS13066(b), respecting the Capital Projects' Status Report as of December 31, 2013, be received.

**2. Development Charge Stakeholders Sub-Committee Minutes, March 5, 2014 (Item 5.2)**

That the March 5, 2014 Development Charges Stakeholders Sub-Committee Minutes, be received.

**3. Retention of E-mails (CM14001) (City Wide) (Item 8.1)**

(a) That staff be directed to develop guidelines and training on managing and storing e-mail, based on the concept outlined in the workflow attached as Appendix "A" to Report 14-003.

(b) That up to \$25,000 be approved from the Tax Stabilization Reserve to support the mandatory training of staff and members of Council.

**Council – April 23, 2014**

**4. Employer Paid Parking Value for Money Audit Management Action Plan (CM14002) (City Wide) (Item 8.2)**

- (a) That the Management Action Plan in response to Performance Audit Report – Employer Paid Parking, as detailed in Appendix “B” of Report 14-003, be approved.
- (b) That the City Manager and Senior Management Team be directed to report back to the Audit, Finance & Administration Committee, respecting compliance with the Employer Paid Parking Policy and its associated costs, by April 2015.

**5. Accounts Receivable Write-Offs for March 2014 (FCS14019) (City Wide) (Item 8.3)**

- (a) That the General Manager of Finance and Corporate Services be authorized to write-off uncollectible General Accounts Receivables in the amount of \$15,487.36, attached as Appendix “C” to Report 14-003;
- (b) That the General Manager of Finance and Corporate Services be authorized to write-off uncollectible Recreation Division Accounts Receivables in the amount of \$180,311.59, attached as Appendix “D” to Report 14-003;
- (c) That the General Manager of Finance and Corporate Services be authorized to write-off uncollectible HECFI Accounts Receivable in the amount of \$60,610.49, attached as Appendix “E” to Report 14-003;
- (d) That the Schedule of General Accounts Receivable Write-Offs less than \$1,000.00 attached as Appendix “D” to Report FCS14019, be received for information;
- (e) That the Schedule of Recreation Division Accounts Receivable Write-Offs less than \$1,000.00 attached as Appendix “E” to Report FCS14019 be received for information; and,
- (f) That the Schedule of HECFI Accounts Receivable Write-Offs less than \$1,000.00 attached as Appendix “F” to Report FCS14019 be received for information.

**FOR THE INFORMATION OF COMMITTEE:**

**(a) CHANGES TO THE AGENDA (Item 1)**

There were no changes to the agenda.

The agenda for the April 14, 2014 Audit, Finance & Administration Committee meeting was approved, as presented.

**(b) DECLARATIONS OF INTEREST (Item 2)**

There were no declarations of interest.

**(c) APPROVAL OF MINUTES OF PREVIOUS MEETING (Item 3)**

**(i) March 24, 2014 (Item 3.1)**

The Minutes of the March 24, 2014 meeting of the Audit, Finance and Administration Committee was approved, as presented.

**(d) GENERAL INFORMATION / OTHER BUSINESS (Item 11)**

**(i) Amendments to the Outstanding Business List (Item 11.1)**

1. The proposed new due date for the following Outstanding Business List item was approved:
  - (aa) Item "G" – Employee Attendance Performance Measures  
Current Due Date: April 14, 2014  
Proposed New Due Date: May 12, 2014
2. The following items were considered complete and removed from the Audit, Finance & Administration Committee's Outstanding Business List:
  - (aa) Item "M" – Timelines for the Retention of E-mails
  - (bb) Item "P" – Employer Paid Parking Value for Money Audit Management Action Plan

**(e) By-law Compliance by Bidders to City of Hamilton Projects (Item 9.1)**

That staff be directed to review the tender process to determine the feasibility of including a phase in the procedure, which ensures staff have confirmed that bidders are compliant with the zoning and licensing by-laws, prior to awarding a contract(s), and report back to the Audit, Finance & Administration Committee.

**(f) ADJOURNMENT (Item 13)**

There being no further business, the Audit, Finance & Administration Committee was adjourned at 9:59 a.m.

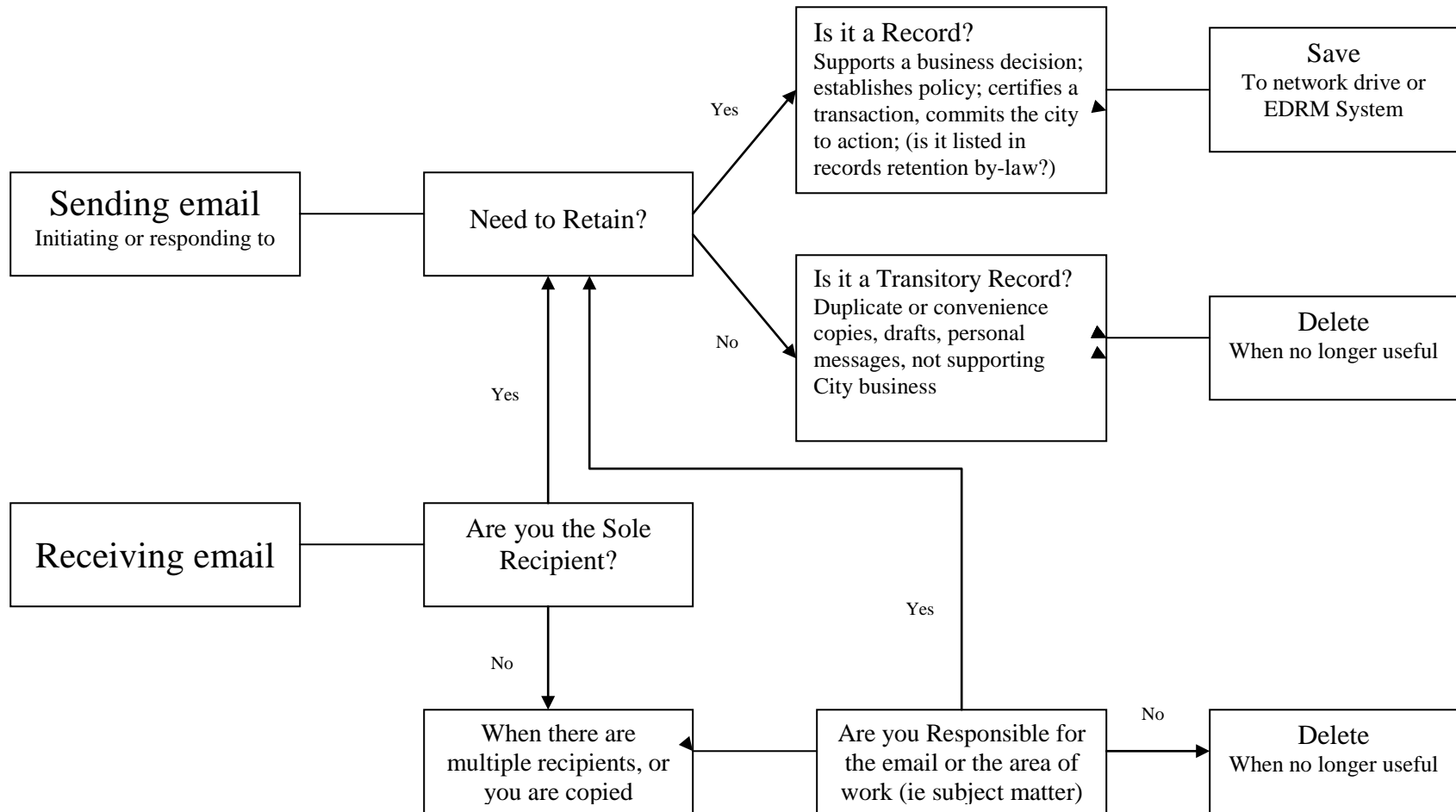
Respectfully submitted,

Councillor R. Powers, Chair  
Audit, Finance & Administration Committee

Stephanie Paparella  
Legislative Coordinator  
Office of the City Clerk



# Managing Email



## **Management Action Plan to address the Employer Paid Parking (Value for Money Audit) – AUD13024**

### **INTRODUCTION**

The 2013 Performance Audit work plan approved by Council included an audit pertaining to Employer Paid Parking. The results of this audit were presented to the Audit, Finance & Administration Committee on September 9<sup>th</sup>, 2013 as Performance Audit Report 2013 -13 – Employer Paid Parking (Value for Money Audit) (AUD13024).

Following the approval of AUD13024 by Council on September 11<sup>th</sup>, 2013, SMT began preparing a Management Action Plan to outline how and when the issues identified within AUD13024 would be resolved. This Management Action Plan is being presented on April 14<sup>th</sup>, 2014 to the Audit, Finance & Administration Committee as Appendix "A" to Report CM14002.

Report CM14002 speaks directly to actions taken with respect to the data contained within AUD13024 only, which references 2012 calendar year data. As such, Table 1 of Appendix "A" to Report CM14002 also only reflects actions taken in regards to 2012 calendar year data and identified employees not eligible (ENE) for paid parking as part of AUD13024. Implementation of these changes took place Q4 2013 through Q1 2014 and will be maintained through PeopleSoft by Human Resources and Finance Payroll staff.

Given the fluidity of staffing at the City of Hamilton, the number of staff with employer paid parking on any one day can change. As part of the Management Action Plan, Senior Management Team (SMT) commits to undertaking an annual review to ensure compliance with the policy. This review has been undertaken by SMT, for 2013 data, utilizing the revised query developed in response to recommendation #3 noted below.

### **AUD13024 FINDINGS**

The Employer Paid Parking (Value for Money Audit) (AUD13024), identified that 220 City of Hamilton employees (excluding Hamilton Police Services) continue to receive employer paid or are provided parking, even though the eligibility criteria outlined in the current City of Hamilton HR-12-09 Employee Parking Policy (Downtown) is not being met. Should parking privileges be withdrawn from these employees, Report AUD13024 estimates that a total potential gross savings of \$183,239.51 could be achieved.

As a result of the findings of AUD13024, management had already agreed that 36 employees are no longer eligible for paid parking for a gross savings of \$30,875.00. Parking privileges for these employees have already been withdrawn. Further review identified that 3 employees previously identified as not

being eligible have since met the parking policy requirements or are awaiting the results of the policy review. Subsequent actions taken by Senior Management Team resulted in a total of \$73,354.56 savings in parking permit costs as a result of an additional 48 parking privileges being revoked. Table 1 on pg. 6 of Appendix "A" to Report CM14002, highlights these results, all based on the 2012 data used as part of AUD13024.

### **AUD13024 RECOMMENDATIONS & MANAGEMENT ACTION PLAN RESPONSES**

The audit had five recommendations. Four recommendations were put forth as part of AUD13024 that were process related. The intent of these recommendations was to ensure that in the future, personnel records would be more comprehensive and provide for more efficient analysis. The fifth recommendation required SMT to address those employees identified as part of AUD13024, who were identified as employees not eligible (ENE) for employee parking. Each recommendation is noted below with the related Management Action Plan Response.

**1. That Payroll label employees in PeopleSoft HRMS who are eligible to receive paid parking and are exempt from the trip requirements outlined in the parking procedure.**

#### Management Action

Complete.

As of April 2014, all employees who receive employer paid parking (regardless of location and reason for exemption) are now labelled in PeopleSoft HRMS, linking parking eligibility and exemptions directly to employment records. This has eliminated the need for secondary lists that previously existed to capture exemptions related to staff not working in the downtown core or secondary lists for record keeping for which exemptions also applied.

The exemptions labelled in PeopleSoft HRMS are based on the policy and are as follows:

1. Grandfathered
2. Elected Officials
3. Collective Agreement
4. Employment Offer
5. Grievance Settlement
6. General Manager Discretion

All employees identified as part of AUD13024 as exempt from the trip requirements outlined in City of Hamilton HR-12-09 Employee Parking Policy

(Downtown), that have maintained parking privileges, have been identified in PeopleSoft by Payroll based on the appropriate exemption label.

**2. That, once exempt employees are coded in PeopleSoft HRMS, that Payroll develop a process for departments to communicate changes to Payroll that affect employer paid parking to ensure the population remains accurate and complete.**

Management Action

Complete.

The HR Records Co-Ordinator sets up all new hires and makes changes to employee records, including changes in parking eligibility.

As a result of AUD13024 and this Management Action Plan, the HR Records Co-ordinator has been instructed to update the employee's PeopleSoft data, if an exemption was noted in accordance with one of the 6 categories identified in the above response to recommendation #1.

An email was sent from Payroll to Human Resources, HR Records Co-ordinator on October 11, 2013 outlining the process required to be undertaken to ensure the Employer Paid Parking list remains accurate and complete.

**3. That Payroll develop a PeopleSoft HRMS query capturing all pertinent information required to carry out the parking eligibility analysis. This query should be made available to departmental staff in order to perform the analysis on a go-forward basis.**

Management Action

Complete.

Payroll had already developed queries which were required to calculate the taxable benefit for employees. Using this as a basis, a revised query has been developed to include all pertinent information for Management to undertake a parking eligibility analysis on an annual basis.

Each year, during Q1, Payroll will circulate the query for the previous calendar year to SMT for their annual review to ensure employees who receive employer-paid parking continue to meet the eligibility standards set out in the policy. This review has been undertaken by SMT, for 2013 data, utilizing the revised query developed in response to this recommendation.

**4. That Payroll include the employee's work location into the PeopleSoft HRMS query outlined in Recommendation #3. The employee's work location should be factored into the parking eligibility analysis on a go-forward basis.**

Management Action

Complete.

The employee work location has been included in the query that was developed for Recommendations #3, to provide a comprehensive report for the annual eligibility analysis.

**5. That SMT be directed to address those employees who do not meet the eligibility criteria outlined in the parking policy and procedure (or do not fall under verifiable exclusions). SMT should prepare management action plans by the 2013 calendar year end outlining how and when these issues will be resolved.**

Management Action

Complete.

Following Council approval of the recommendations set out in AUD13024 the Senior Management Team reviewed the respective results for their Departments. Of the 220 employees identified as not meeting trip requirements, 36 employees had their parking privileges revoked.

The subsequent SMT review undertaken in formulating this Management Action Plan revoked an additional 48 parking permits for a total savings of \$73,354.56. Table 1 – Departmental Summary (column 5) on page 6 of Appendix "A" identifies the breakdown by Department. Remaining employees identified as Employee Not Eligible as part of the AUD13024 have been noted as exempt in accordance with one of the 6 categories identified in the above response to recommendation #1, where Management has confirmed they are exempt from the policy.

## **Employer Paid Parking Policy Review**

A review of the City of Hamilton HR-12-09 Employee Parking Policy (Downtown) by the Human Resources Policy Review Group is recommended to be undertaken during Q1-Q3 2014. The review will address a number of areas for improvement to the current policy and procedures that were identified as part of discussions that took place with Management and highlighted in AUD13024. Some preliminary research and consultation is already underway in this regard. The review will also address issues noted as part of AUD13024 including:

- How to reflect circumstances not currently covered in the Policy, including when Management and Mayor's/Councillors' Offices exercise their discretion to provide paid parking for employees irrespective of the eligibility requirements outlined in the policy and procedure.
- Updating procedures to reflect the process changes made in PeopleSoft HRMS
- Updating procedures and processes to notify when an employee's circumstances change (e.g. move to another job, retire, etc.)
- Revenue Canada Agency Requirements
- Ensuring effectiveness of the policy for employees that are required to use their vehicle for City business, while meeting Canada Revenue Agency requirements and the intention of the policy.

Recommended changes will be brought forward for Council approval when this work has been completed.

**Table 1** – Departmental Summary of AUD13014 results and Management Action Plan

Management Action Plan by Department in response to AUD13024	Employees Did Not Meet Trip Requirements	Potential Savings (\$)	Agreed Employee Not Eligible (ENE) as part of Audit - 39	Additional Revoked Parking Privileges as a result of Management Action Plan as it relates to AUD13024 only	Total Revoked by Department	Total Savings Achieved (\$) as a result of AUD13024
Community Services	96	73,577.00	18 (2)*	23	41	34,004.20
Planning & Economic Development	41	34,195.00	4	16	20	17,038.00
Public Works	45	37,744.55	11	1	12	10,285.00
Corporate Services	15	14,705.36	2 (1)*	5	7	7,975.36
Public Health	11	11,992.60	1	2	3	3,297.00
Mayor's and Councillors' Offices	6	5,135.00	0	0	0	0
City Manager's Office	6	5,890.00	0	1	1	755.00
<b>TOTAL</b>	<b>220</b>	<b>\$183,984.09</b>	<b>36 (3)*</b>	<b>48</b>	<b>84</b>	<b>73,354.56</b>

Summary is based on AUD13024 which references 2012 calendar year data and actions taken by SMT Q4 2013 - Q1 2014 in regards to the numbers identified in AUD13024 only. Subsequent review has resulted in additional changes not captured as part of this report.

\* Further review identified as having met trip requirements or are awaiting the results of the policy review (NOT included in savings achieved)

Cust ID	Customer Name	Amount	Description
<b><i>Exhausted Collections/Unable to locate/Bankrupt</i></b>			
113889	Smooth Hermans Bar & Grill	2,719.30	Police Duty - Bankrupt
116099	***	1,122.80	Senior Day Program
100509	Ham. Dist. Catholic School Bd.	1,934.40	Blue carts disputes dated back from 2009
100791	Ministry of Attorney General	3,154.76	HSR irreconcilable differences prior to 2011
	<b>Sub-Total</b>	<b>8,931.26</b>	
<b><i>Deceased/No Estate/No Funds</i></b>			
	***	1,016.41	Maintenance Charge - Lodges
	***	5,539.69	Maintenance Charge - Lodges
	<b>Sub-Total</b>	<b>6,556.10</b>	
	<b>GRAND TOTAL</b>	<b>\$ 15,487.36</b>	

\*\*\* Identifiable Individual, name left off at request of Council.

**Note:** Amounts listed have been allowed for in the December 2013 year end allowance, these write-offs will not affect the 2014 budget.



Recreation Division Accounts Receivable Greater Than \$1000

Name	>\$1000	
Arthritis - Roller Hockey	\$1,031.40	Exhausted Collection Efforts
***	\$1,227.65	"
Scott Park Community HockeyAsoc old de	\$35,319.87	Bankrupt
	<b><u>\$37,578.92</u></b>	<b>Total 2002</b>
***	\$2,525.00	Exhausted Collection Efforts
***	\$3,766.40	"
***	\$1,040.80	"
Scott Park Community HockeyAsoc old de	\$48,954.40	Bankrupt
Tanya Langille's Tap & Jazz	\$1,740.00	Business no longer in operation
	<b><u>\$58,026.60</u></b>	<b>Total 2003</b>
***	\$1,328.30	Exhausted Collection Efforts
Eastwood Minor Hockey Association	\$25,208.36	Bankrupt
***	\$2,256.60	Exhausted Collection Efforts
***	\$2,668.20	"
***	\$2,333.60	"
JKD Canada	\$1,225.00	"
Laura Stamm Power Skating	\$1,155.60	"
***	\$1,656.00	"
Stoney Creek Jaguars	\$1,480.00	"
***	\$1,058.60	"
	<b><u>\$40,370.26</u></b>	<b>Total 2004</b>
***	\$1,264.70	Exhausted Collection Efforts
Hamilton Screaming Eagles	\$3,442.80	"
***	\$1,712.00	"
	<b><u>\$6,419.50</u></b>	<b>Total 2005</b>
1st Woodburn Scouting Group	\$6,497.92	Exhausted Collection Efforts
Ancaster Little League	\$6,255.83	Fees waived - agreement with former Town of Ancaster
Canadian Soccer League	\$3,240.00	Exhausted Collection Efforts
Mt. Hope Lions	\$1,677.00	Fees waived - agreement with former Town of Glanbrook
	<b><u>\$17,670.75</u></b>	<b>Total 2007</b>
Ancaster Little League	\$8,398.10	Fees waived - agreement with former Town of Ancaster
***	\$2,667.50	Exhausted Collection Efforts
	<b><u>\$11,065.60</u></b>	<b>Total 2008</b>
***	\$2,130.00	Exhausted Collection Efforts
Hamilton&District Sr. Soccer League old	\$5,007.20	"
SC 1812 Junior old debt account	\$2,042.76	"
	<b><u>\$9,179.96</u></b>	<b>Total Not Active Account</b>
	<b><u>\$180,311.59</u></b>	<b>Grand Total</b>

\*\*\* Identifiable Individual, name left out at request of Council

**Note:** Amounts have been allowed for in the December 2013 year end allowance

**HECFI Account Receivable Greater Than \$1000****Appendix "E" to Item 5 of AF&A Report 14-003**

Page 1 of 1

<b>Cust ID</b>	<b>Name</b>	<b>Amount</b>	
100914	Opera Hamilton	14,020.86	Legal settlement
106232	SISO - Settlement & Integratio	5,038.42	No longer operating
108531	Hamilton Bulldogs Hockey Club	8,443.15	Invoicing dispute
114737	Community Functionality Facili	1,845.54	Exhausted collection efforts
115213	Indian Art-I-Crafts of Ontario	25,108.55	Exhausted collection efforts
116554	The Danforth Music Hall	6,153.97	Exhausted collection efforts
<b>Total</b>		<b><u>\$ 60,610.49</u></b>	

**Note:** Amounts listed have been allowed for in the December 2013 year end allowance, these write-offs will not affect the 2014 budget.



## **PLANNING COMMITTEE REPORT 14-006**

**As Amended by Council on April 23, 2014**

9:30 am

Tuesday, April 15, 2014

Council Chambers

Hamilton City Hall

71 Main Street West

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**Present:** Councillors B. Johnson (Chair), J. Partridge (1<sup>st</sup> Vice Chair), C. Collins (2<sup>nd</sup> Vice Chair), J. Farr, B. Clark, L. Ferguson, R. Pasuta and M. Pearson

**Absent with Regrets:** Councillor T. Whitehead

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### **THE PLANNING COMMITTEE PRESENTS REPORT 14-006 AND RESPECTFULLY RECOMMENDS:**

**1. Mandatory Septic Inspections (PED14059) (City Wide) (Item 5.1)**

That Report PED14059 respecting Mandatory Septic Inspections, be received.

**2. Appointment By-law under the Building Code Act (PED14070) (City Wide) (Item 5.2)**

That the By-law, attached as Appendix "A" to Report PED14070 to amend City of Hamilton By-law 12-179, being a By-law for the Appointments of a Chief Building Official, Deputies and Inspectors under Section 3 of the Building Code Act, be enacted.

**3. Requalification of Municipal Building Officials (PED14071) (City Wide) (Item 5.3)**

That Report PED14071 respecting Requalification of Municipal Building Officials, be received.

**4. Capital Projects' Status as of December 31, 2013 (PED14076) (City Wide) (Item 5.4)**

That Report PED14076 respecting Capital Projects' Status as of December 31, 2013, be received.

**5. Application for Amendment to Town of Flamborough Zoning By-law No. 90-145-Z for Lands Located at 24 McDonald Court (PED14060) (Ward 15) (Item 6.1)**

(a) That the amended Zoning Application ZAR-12-055, by Isabel & Firmino Ferreira, Owner, for a change in zoning from the "R1-6" (Urban Residential (Single Detached)) Zone to the "R1-65" (Urban Residential (Single Detached)) Zone, to facilitate the severance of a lot for the creation of one additional single detached residential lot, on lands located at 24 McDonald Court (Flamborough), as shown on Appendix "A" to Report PED14060, be DENIED;

(b) That in keeping with the funding source for other appeals where Council authorizes the retainer of outside consultants, the amount required to retain such experts to support the City's position before the Ontario Municipal Board be funded through the Tax Stabilization Reserve 110046.

**6. Applications for an Official Plan Amendment and Zoning By-law Amendment for Lands Located at 1125, 1143 and 1185 Wilson Street West (Ancaster) (PED14057) (Ward 12) (Item 6.2)**

(a) That approval be given to Urban Hamilton Official Plan Amendment Application OPA-13-012, by Trinity Development Group Inc. (Owner), for a change in designation on Schedule E-1 – Urban Land Use Designations from the "Arterial Commercial" designation to the "District Commercial" designation on a portion of the subject lands, and to establish two Area Specific Policies to be demarcated on Volume 3: Map 1 – Area Specific Policies Key Map and Volume 3: Map A-2 – Area Specific Policies, in order to modify the permitted range of commercial land uses on the subject lands located at 1125, 1143 and 1185 Wilson Street West (Ancaster), as shown on Appendix "A" to Report PED14057, on the following basis:

(i) That the draft Official Plan Amendment, attached as Appendix "B" to Report PED14057, be adopted by City Council.

(b) That approval be given to Zoning By-law Application ZAC-13-044, by Trinity Development Group Inc. (Owner), for a change in zoning from the Holding–Shopping Centre Commercial "H-C2-629" Zone to the Shopping

Centre Commercial "C2-629" Zone (Block 1); for a change in zoning from the Holding-Shopping Centre Commercial "H-C2-629" Zone to the General Commercial "C3-656" Zone (Block 2); from the Agricultural "A" Zone to the General Commercial "C3-656" Zone (Block 3); from the Urban Commercial "C4-130" Zone to the General Commercial "C3-656" Zone (Block 4); from the Holding-Shopping Centre Commercial "H-C2-635" Zone to the General Commercial "C3-656" Zone (Block 5); from the Holding-Shopping Centre Commercial "H-C2-634" Zone to the Holding-General Commercial "H-C3-657" Zone (Block 5); and, from the Holding-Shopping Centre Commercial "H-C2-630" Zone to the Holding-General Commercial "H-C3-657" Zone (Block 6), in order to modify the permitted range of commercial land uses on the subject lands located at 1125, 1143 and 1185 Wilson Street West (Ancaster), as shown on Appendix "A" to Report PED14057, on the following basis:

- (i) That the draft By-law, attached as Appendix "C" to Report PED14057, which has been prepared in a form satisfactory to the City Solicitor, be enacted by City Council;
  - (ii) That the amending By-law be added to Map 5 to Schedule "A" of By-law No. 87-57; and,
  - (iii) That the proposed changes in zoning are in conformity with the Urban Hamilton Official Plan upon finalization of Official Plan Amendment No. [REDACTED].
- (c) That the Draft Official Plan Amendment, attached as Appendix B to Report PED14057 be revised to prohibit a department store from both Area Specific Policy UA-\_\_A and UA-\_\_B and further that Area Specific Policy UA-\_\_B be further revised to require the 13,000 square metres of district commercial uses permitted to be made up of a maximum 4,725 square metre supermarket with the remaining 8,275 square metres to be other district commercial uses (but not a department store);
- (d) That the draft Zoning By-law, attached as Appendix C to Report PED14057 be revised for the portion of the lands to be zoned C3-656 pertaining to subsection 2.0(g)(2) so that it be revised to read: "A minimum of 40% of the area of the ground floor façade facing Wilson Street West shall be composed of windows and doors except that 80 metres of façade facing the Wilson Street frontage shall be exempt from this requirement.";
- (e) That the draft Zoning By-law, attached as Appendix C to Report PED14057 be revised for the portion of the lands to be zoned C3-657 to delete the requirement for an 'H' Holding Provision;

- (f) That a Cultural Heritage Impact Assessment, in accordance with the requirements of Subsection F.3.2.3 of the Urban Hamilton Official Plan, for the existing dwelling at 1143 Wilson Street West, is required to be submitted as part of a complete application for any future Site Plan Control Application that includes any portion of the lands to be zoned C3-657;
- (g) That at the Site Plan Control stage of development that staff are directed to ensure that a high quality of landscaping be provided both surrounding and within all parking areas.

**The following Item 7 was amended by adding subsection (d):**

**7. Applications for Amendments to the Urban Hamilton Official Plan and Zoning By-law No. 464, and Approval of a Draft Plan of Subdivision, Known as “Binbrook Heights Addition”, on Lands Located at 139 Fall Fair Way (Glanbrook) (PED12182(c)) (Item 6.3)**

- (a) That approval be given to Official Plan Amendment Application OPA-11-016, by John Bruce Robinson Construction Limited, Owner, for Amendment No. [REDACTED] to the Urban Hamilton Official Plan (UHOP), to amend Land Use Plan Map B.5.1-1 Binbrook Village Secondary Plan Land Use Plan from “Local Commercial” to “Low Density Residential 2h”, for a portion of the lands located at 139 Fall Fair Way (Glanbrook), as shown on Appendix “A” to Report PED12182(c), on the following basis:
  - (i) That the draft OPA, attached as Appendix “B” to Report PED12182(c), be adopted by Council; and,
  - (ii) That the proposed OPA is consistent with the Provincial Policy Statement (PPS), and conforms to the Growth Plan for the Greater Golden Horseshoe.
- (b) That approval be given to Zoning Application ZAC-11-065, by John Bruce Robinson Construction Limited, Owner, for changes in zoning to Glanbrook Zoning By-law No. 464 from the Restricted Agricultural “A2” Zone to: the Residential “R4-276” Zone, Modified, with a Special Exception (Block 1); the Residential Multiple “RM2-277” Zone, Modified, with a Special Exception (Block 2); the Residential “R4-222” Zone, Modified, with a Special Exception (Block 3); and, the Residential Multiple “RM2-161” Zone, Modified, with a Special Exception (Block 4); and from the Residential “R4-222” Zone, Modified, to the Residential Multiple “RM2-277” Zone, Modified, with a Special Exception (Block 5), to permit 113 lots for single detached dwellings, 32 lots for street townhouse dwellings, and 9 blocks for future residential to be developed in conjunction with adjacent

lands, as shown on Schedule "A" to Appendix "C" of Report PED12182(c), on the following basis:

- (i) That the draft By-law, attached as Appendix "C" to Report PED12182(c), which has been prepared in a form satisfactory to the City Solicitor, be enacted by City Council; and,
  - (ii) That the changes in zoning will conform to the Urban Hamilton Official Plan upon finalization of Official Plan Amendment No. [REDACTED].
- (c) That approval be given to Draft Plan of Subdivision Application 25T-201109, by John Bruce Robinson Construction Limited, Owner, to establish a draft plan of subdivision, known as "Binbrook Heights Addition", on lands at 139 Fall Fair Way, in the former Township of Glanbrook, as shown on Appendix "D" to Report PED12182(c), subject to the following conditions, all in accordance with the City's Financial Policies for Development and Parkland Dedication By-law, as approved by Council:
- (i) That this approval apply to "Binbrook Heights Addition", 25T-201109, prepared by A.J. Clarke & Associates Ltd., and certified by B.J. Clarke, O.L.S., dated April 2, 2012, showing 113 lots for single detached dwellings (Lots 1-113), 32 lots for street townhouse dwellings (Lots 114-145), 9 blocks for future residential (6 single detached dwellings, 15 street townhouse dwellings, and approximately 12 townhouse units on a common elements road) to be developed in conjunction with adjacent lands (Blocks 146-154), one block for a public walkway (Block 155) and two streets (Festival Way and Fairgrounds Drive), subject to the owner entering into a Standard Form Subdivision Agreement, as approved by City Council, and with the Special Conditions, attached as Appendix "E" to Report PED12182(c);
  - (ii) Acknowledgement that there will be no City share for any municipal works associated with this development;
  - (iii) That payment of Cash-in-Lieu of Parkland will be required, pursuant to Section 42 of the Planning Act, prior to the issuance of each building permit. The calculation of the Cash-in-Lieu payment shall be based on the value of the lands on the day prior to the day of issuance of each building permit, with the exception of Lots 114 to 145 and Blocks 146, 147 and 154, for which payment shall be based on the value of the land on the day prior to the issuance of the first building permit for each said block;

With regard to Lots 1-113 and Blocks 148-153 (Single Detached Residential), a parkland dedication at a ratio of 5% shall be required;

With regard to Lots 114-145 and Blocks 146, 147 and 154 (Street Townhouses), a parkland dedication at a ratio of 1 ha. per 300 dwellings units shall be required.

- (d) That Appendix E, Special Conditions of Draft Plan of Subdivision Approval for “Binbrook Heights Addition”, to Report PED12182(c) be amended by adding a new condition:

That prior to the registration of the plan, the owner enters into an agreement with the adjoining landowners to the South that ensures the timely and orderly development of Blocks 148 – 154 inclusive on draft plan 25T-201109 (“Binbrook Heights Addition”) and Blocks 110 – 116 inclusive on Plan 62M-1128 and Block 88 on Plan 62M-1078 on terms and conditions satisfactory to the City.

**The following Item 8 was amended by adding subsections 9, 10, & 11:**

**8. Fruitland-Winona Secondary Plan and Official Plan Amendment (PED13099(b)) (Ward 11) (Item 7.1)**

- (a) That the Fruitland-Winona Secondary Plan Public Feedback Report, attached as Appendix “A” to Report PED13099(b), be received.
- (b) That the Fruitland-Winona Secondary Plan and Official Plan Amendment, attached as Appendix “B” to Report PED13099(b), be approved with the following changes:
1. That the lands fronting onto Barton Street and Jones Street designated as “Community Park”, “Institutional”, and “Special Policy Area ‘C’” (municipally known as 718, 720, 722, 724, 728, 230, 734, 738, 742, 744, 746, 748, 750, 752, 754, 756, 760 Barton Street and 287, 289, 291, 293, 297 Jones Road) identified on Map B.7.4-1 of Appendix “B” to Report PED13099(b), be designated “Medium Density Residential 2”;
  2. That Policy 7.4.17.5 of be amended to read as follows:



- (a) The following policy shall apply to the lands designated as “Community Park”, located on the south side of Barton Street, east of Collector Road “A”:
  - i. The City shall acquire lands for the Community Park in accordance with any Council approved acquisition policies, plans, strategies and By-laws. Notwithstanding the foregoing, however, the City shall not acquire lands for the Community Park by means of expropriation.
3. That Policy 7.4.18.3 (h), (ii) – Area Specific Policy – Area C – Community Node be amended to read as follows:

A Neighbourhood Park of a minimum of 2.0 hectares in size shall be maintained and with frontage on Collector Road ‘B’. The Neighbourhood Park shall be acquired through the development/redevelopment process in accordance with Section F.1.18 – Parkland Dedication Policies.
4. That the following policies be added to Section 7.4.17, Implementation Policies:
  - (a) In addition to Section F.1.19.6 – Complete Application Requirements and Formal Consultation, the following study may be required:

An Air Drainage Analysis Brief, which has been prepared by a ***qualified environmental engineer with additional information being provided by a climatologist and argologist who are specialized in the field of tender fruit and grape production***, to the satisfaction of the City. The Air Drainage Analysis Brief shall include the following:
    - i. A review of the existing conditions, including air photos, topography, road patterns, thermal conditions, climate and air movement down the Niagara Escarpment and towards Lake Ontario, to evaluate the effects of the proposed development on the existing microclimate and airflow.
  - (b) The Zoning By-law may be amended to recognize a legal non-complying residential use as an existing use, in accordance with Policy F.1.12.8.
5. That Policy 7.4.14.1 (j), (xii), Block Servicing Strategy be amended to read as follows:

A scoped Air Drainage Analysis Brief, which has been prepared by a ***qualified environmental engineer with additional information being provided by a climatologist and argologist who are specialized in the field of tender fruit and grape production***, to the satisfaction of the City. The Air Drainage Analysis Brief shall include the following:

- i. A review of the existing conditions, including air photos, topography, road patterns, thermal conditions, climate and air movement down the Niagara Escarpment and towards Lake Ontario, to evaluate the effects of the proposed development on the existing microclimate and airflow; and,
  - ii. Where appropriate, proposed road layout and development patterns should be designed in a north/south alignment to maximize air drainage in and minimize potential negative impacts on the tender fruit area to the south.
6. That the following policy be added to Section 7.4.13, Integrated Transportation Network Policies:
  - (a) Municipal Class Environmental Assessments shall be carried out for Barton Street, Fifty Road, and Highway No. 8, to determine the associated upgrades required for the Fruitland-Winona Secondary Plan area.
7. That the following policy be added to Section 7.4.10.16, Barton Street Pedestrian Promenade Policies:
  - (a) The required road widening for the pedestrian promenade shall not exceed 4 metres, however, widening less than 4 metres may be taken where identified through the Barton Street Environmental Assessment.
8. The lands municipally known as 685 Highway No. 8, identified on Map B.7.4-1, as “Local Commercial”, “Low Density Residential 2” and “Site Specific Policy Area ‘A’”, be revised such that the front half of the property (approximately 80 m.) is designated as “Local Commercial”.
9. That Policy 7.4.7.2 (c), Neighbourhood Park Designation, be amended to read as follows:

The City shall require developers to construct neighbourhood parks on the City's behalf during the construction of the subdivision

provided an adequate amount of park land is available and the capital funding for the park development is available.

10. Regarding timing of infrastructure improvements, that the following policy be added to Section 7.4.17 Implementation policies of the Fruitland-Winona Secondary Plan:

In order to ensure that transportation improvements required to facilitate development in the Fruitland-Winona Secondary Plan are constructed when needed, the City may adopt specific transportation phasing strategies or arrange funding agreements for the delivery of road infrastructure project(s).

11. That the Section 7.4.14.1 (j) Block Servicing Strategy policies be amended to add the following policy:

xiv) A phasing strategy for external road infrastructure to ensure that the required upgrades are implemented to support growth subject to the following:

1. Approved capital budget funding for the road infrastructure project(s);
2. The availability of storm and sanitary outlets; and,
3. The servicing needs of abutting developments are coordinated with the road project.

- (c) That staff be directed to report back to General Issues Committee on a strategy for the Community Park land acquisition.
- (d) That the List of items attached as Appendix "C" to Report PED13099(b) be referred to the appropriate departments for further consideration and response.
- (e) That the Medium Density Residential 2 Designation be amended as follows:

7.4.4.6 c) Notwithstanding Policy E.3.5.8 of Volume 1, the maximum height shall be 3.5 storeys.

The following Item 9 was amended by deleting the word “received” and inserting the words “referred to the General Manager of Finance and Corporate Services for review and report back to the Planning Committee for consideration and referral to the Agriculture and Rural Affairs Committee”:

**9. Permit Fees for Farm Buildings and Greenhouses (PED14058) (City Wide) (Item 8.1)**

That Report PED14058 respecting Permit Fees for Farm Buildings and Greenhouses, be ~~received~~ referred to the General Manager of Finance and Corporate Services for review and report back to the Planning Committee for consideration and referral to the Agriculture and Rural Affairs Committee.

**10. Agricultural & Rural Affairs Advisory Committee Report 14-001 (Item 8.3)**

- (a) Road Salt Usage in the Rural Areas (Item 8.1)  
and
- (b) Culverts and Rural Road Drainage (Item 8.2)

That Roads & Maintenance staff be directed to attend the next Agricultural & Rural Affairs Advisory Committee meeting to speak to the matters of Road Salt Usage in the Rural Areas and, Culverts and Rural Road Drainage.

**11. Referral of Outstanding Business List Item**

That the Planning Committee Outstanding Business List Item, Performance Review – Planning and Economic Development Directors (No copy), be referred to the April 16, 2014 meeting of the General Issues Committee.

**FOR THE INFORMATION OF COUNCIL:**

**(a) CHANGES TO THE AGENDA (Item 1)**

The Committee Clerk advised of the following changes to the Agenda:

**1. DELEGATION REQUESTS**

- 4.1 Delegation Request respecting item 7.1, Fruitland-Winona Secondary Plan and Official Plan Amendment (PED13099(b))

- (i) Cal DiFalco
- (ii) Teresa DiFalco
- (iii) Georgina Beattie
- (iv) Danny Gabriele
- (v) Grant Cook
- (vi) Carl Turkstra
- (vii) Mark De Benedictis
- (viii) Victor Rottaris
- (ix) Janet Fair
- (x) Mary Walford-Fazackerley
- (xi) Clarence Walford
- (xii) Jesse Anderson
- (xiii) Diane Chapman
- (xiv) Amy Chapman
- (xv) Amber Chapman
- (xvi) Mary and Dody Walford
- (xvii) Correena Walford
- (xviii) Cam Hudson
- (xix) Maureen McPartlin
- (xx) Angelo Cutaia
- (xxi) Chris Douglas
- (xxii) Steve Spicer

## **2. CONSENT ITEMS**

- 5.5 Hamilton Municipal Heritage Committee - Minutes 14-002
- 5.6 Agricultural & Rural Affairs Advisory Committee - Minutes 13-003

## **3. PUBLIC HEARING**

- 6.1 Application for Amendment to Town of Flamborough Zoning By-law No. 90-145-Z for Lands Located at 24 McDonald Court (PED14060) (Ward 15)
  - (vi) Petition from Robert Potter and 9 surrounding property owners
- 6.2 Applications for an Official Plan Amendment and Zoning By-law Amendment for Lands Located at 1125, 1143 and 1185 Wilson Street West (Ancaster) (PED14057) (Ward 12)
  - (xi) Correspondence from Calloway Real Estate Investment Trust Inc. (Wood Bull LLP)

#### **4. PRESENTATIONS**

##### **7.1 Fruitland-Winona Secondary Plan and Official Plan Amendment (PED13099(b)) (Ward 11)**

- (i) Correspondence from Future Homes Construction Ltd., Sharon Restivo, 511437 Ontario Inc. (Jack Restivo)
- (ii) Correspondence from Marz Homes (Fruitland) Inc., Benemar Construction Inc., Todoc Construction Ltd., NGE Land Holdings Inc., Raffaella Marini, 1787482 Ontario Inc. (Jack Restivo)
- (iii) Correspondence from 2294643 Ontario Inc. (Jack Restivo)
- (iv) Correspondence from 212 Fruitland Road (Matt Johnston)
- (v) Correspondence from Horizon Utilities Corporation (May Luong)
- (vii) Correspondence from Domenic Chiaravalle
- (viii) Correspondence from 820 Barton Street (Tony Millington)
- (ix) Correspondence from Multi-Area Developments Inc.
- (x) Correspondence from De Filippis Designs (Nick and Anna DeFilippis)

#### **5. DISCUSSION ITEMS**

##### **8.2 Hamilton Municipal Heritage Committee Report 14-003**

##### **8.3 Agricultural & Rural Affairs Advisory Committee Report 14-001**

The Agenda for the April 15, 2014 meeting of the Planning Committee was approved, as amended.

#### **(b) DECLARATIONS OF INTEREST (Item 2)**

None.

#### **(c) APPROVAL OF MINUTES (Item 3)**

##### **(i) April 1, 2014**

The Minutes of the April 1, 2014 Planning Committee meeting were approved.

**(d) DELEGATION REQUESTS (Item 4)**

**(i) Delegation Requests respecting item 7.1, Fruitland-Winona Secondary Plan and Official Plan Amendment (PED13099(b)) (Item 4.1)**

- (i) Cal DiFalco
- (ii) Teresa DiFalco
- (iii) Georgina Beattie
- (iv) Danny Gabriele
- (v) Grant Cook
- (vi) Carl Turkstra
- (vii) Mark De Benedictis
- (viii) Victor Rottaris
- (ix) Janet Fair
- (x) Mary Walford-Fazackerley
- (xi) Clarence Walford
- (xii) Jesse Anderson
- (xiii) Diane Chapman
- (xiv) Amy Chapman
- (xv) Amber Chapman
- (xvi) Mary and Dody Walford
- (xvii) Correena Walford
- (xviii) Cam Hudson
- (xix) Maureen McPartlin
- (xx) Angelo Cutaia
- (xxi) Chris Douglas
- (xxiii) Steve Spicer

The delegation requests respecting item 7.1, Fruitland-Winona Secondary Plan and Official Plan Amendment (PED13099(b)), were approved.

**(e) CONSENT (Item 5)**

**(i) Hamilton Municipal Heritage Committee - Minutes 14-002 (Item 5.5)**

The Hamilton Municipal Heritage Committee Minutes 14-002, were received.

**(ii) Agricultural & Rural Affairs Advisory Committee - Minutes 13-003 (Item 5.6)**

The Agricultural and Rural Affairs Advisory Committee Minutes 13-003, were received.

**(f) PUBLIC HEARINGS AND DELEGATIONS (Item 6)**

**(i) Application for Amendment to Town of Flamborough Zoning By-law No. 90-145-Z for Lands Located at 24 McDonald Court (PED14060) (Ward 15) (Item 6.1)**

**(i) Petition from Robert Potter and 9 surrounding property owners**

The Petition from Robert Potter and 9 surrounding property owners respecting Report PED14060, Application for Amendment to Town of Flamborough Zoning By-law No. 90-145-Z for Lands Located at 24 McDonald Court, was received.

In accordance with the provision of the Planning Act, Chair B. Johnson advised those in attendance that if a person or public body does not make oral submissions at a public meeting or make written submissions to the Council of the City of Hamilton before Council approves the zoning by-law amendments, the person or public body is not entitled to appeal the decision of the Council of the City of Hamilton to the Ontario Municipal Board, and the person or public body may not be added as a party to the hearing of an appeal before the Ontario Municipal Board unless, in the opinion of the Board, there are reasonable grounds to do so.

Daniel Barnett, Planning Technician, provided an overview of the report with the aid of a PowerPoint presentation. A copy of the presentation has been included in the public record.

The staff presentation respecting Report PED14060, Application for Amendment to Town of Flamborough Zoning By-law No. 90-145-Z for Lands Located at 24 McDonald Court, was received.

John Sterling, on behalf of the owner, indicated that the owner does agree with the staff recommendations.

The agent's presentation respecting Report PED14060, Application for Amendment to Town of Flamborough Zoning By-law No. 90-145-Z for Lands Located at 24 McDonald Court, was received.

**Speakers:**

1. Jane Lee – 20 McDonald Crt. Flamborough, ON L9H 7C4



Ms. Lee expressed concerns with the aid of speaking notes. A copy of her notes has been included in the public record.

2. Bruce Tracy – 23 McDonald Crt. Flamborough, ON L9H 7C3

Mr. Tracy expressed that he opposes the amendments.

3. Wanda Potter – 21 McDonald Crt., Flamborough, ON L9H 7C3

Ms. Potter expressed that her and her husband are opposed to the amendments. The petition outlines their concerns.

The public presentations respecting Report PED14060, Application for Amendment to Town of Flamborough Zoning By-law No. 90-145-Z for Lands Located at 24 McDonald Court, were received.

The public meeting respecting Report PED14060, Application for Amendment to Town of Flamborough Zoning By-law No. 90-145-Z for Lands Located at 24 McDonald Court, was closed.

For disposition on this Item, refer to item 5.

**(ii) Applications for an Official Plan Amendment and Zoning By-law Amendment for Lands Located at 1125, 1143 and 1185 Wilson Street West (Ancaster) (PED14057) (Ward 12) (Item 6.2)**

In accordance with the provision of the Planning Act, Chair B. Johnson advised those in attendance that if a person or public body does not make oral submissions at a public meeting or make written submissions to the Council of the City of Hamilton before Council approves the Official Plan and zoning by-law amendments, the person or public body is not entitled to appeal the decision of the Council of the City of Hamilton to the Ontario Municipal Board, and the person or public body may not be added as a party to the hearing of an appeal before the Ontario Municipal Board unless, in the opinion of the Board, there are reasonable grounds to do so.

The staff presentation respecting Report PED14057, Applications for an Official Plan Amendment and Zoning By-law Amendment for Lands Located at 1125, 1143 and 1185 Wilson Street West (Ancaster), was waived.

Sergio Manchia, on behalf of the applicant, expressed that they are in agreement with staff and the Ward Councillor.

The agent's presentation respecting Report PED14057, Applications for an Official Plan Amendment and Zoning By-law Amendment for Lands Located at 1125, 1143 and 1185 Wilson Street West (Ancaster), was received.

**Speakers:**

1. Ben Smuskowitz – 300-1550 Kingston Rd., Pickering, ON L1V 1C3

Mr. Smuskowitz, on behalf of another development in the area, expressed that they are in support of the development.

2. Vincci Wilson – 700 Applewood Cres., Vaughan, ON L4K 5X3

Ms. Wilson, agent on behalf of Smart Centres, indicated that Smart Centres agrees with the recommendations, but there are further discussions required.

The public presentations respecting Report PED14057, Applications for an Official Plan Amendment and Zoning By-law Amendment for Lands Located at 1125, 1143 and 1185 Wilson Street West (Ancaster), were received.

The public meeting respecting Report PED14057, Applications for an Official Plan Amendment and Zoning By-law Amendment for Lands Located at 1125, 1143 and 1185 Wilson Street West (Ancaster), was closed.

The correspondence respecting Report PED14057, Applications for an Official Plan Amendment and Zoning By-law Amendment for Lands Located at 1125, 1143 and 1185 Wilson Street West (Ancaster), was received.

The staff recommendations contained in Report PED14057, Applications for an Official Plan Amendment and Zoning By-law Amendment for Lands Located at 1125, 1143 and 1185 Wilson Street West (Ancaster), were amended by adding the new sub-sections as follows:

- (c) That the Draft Official Plan Amendment, attached as Appendix B to Report PED14057 be revised to prohibit a department store from both Area Specific Policy UA-\_\_A and UA-\_\_B and further that Area Specific Policy UA-\_\_B be further revised to require the 13,000 square metres of district commercial uses permitted to be made up of a maximum 4,725 square metre supermarket with the

remaining 8,275 square metres to be other district commercial uses (but not a department store);

- (d) That the draft Zoning By-law, attached as Appendix C to Report PED14057 be revised for the portion of the lands to be zoned C3-656 pertaining to subsection 2.0(g)(2) so that it be revised to read: "A minimum of 40% of the area of the ground floor façade facing Wilson Street West shall be composed of windows and doors except that 80 metres of façade facing the Wilson Street frontage shall be exempt from this requirement.";
- (e) That the draft Zoning By-law, attached as Appendix C to Report PED14057 be revised for the portion of the lands to be zoned C3-657 to delete the requirement for an 'H' Holding Provision;
- (f) That a Cultural Heritage Impact Assessment, in accordance with the requirements of Subsection F.3.2.3 of the Urban Hamilton Official Plan, for the existing dwelling at 1143 Wilson Street West, is required to be submitted as part of a complete application for any future Site Plan Control Application that includes any portion of the lands to be zoned C3-657;
- (g) That at the Site Plan Control stage of development that staff are directed to ensure that a high quality of landscaping be provided both surrounding and within all parking areas.

For disposition on this Item, refer to item 6.

**(iii) Applications for Amendments to the Urban Hamilton Official Plan and Zoning By-law No. 464, and Approval of a Draft Plan of Subdivision, Known as "Binbrook Heights Addition", on Lands Located at 139 Fall Fair Way (Glanbrook) (PED12182(c)) (Item 6.3)**

In accordance with the provision of the Planning Act, 2<sup>nd</sup> Vice-Chair C. Collins advised those in attendance that if a person or public body does not make oral submissions at a public meeting or make written submissions to the Council of the City of Hamilton before Council approves the Official Plan and zoning by-law amendments, the person or public body is not entitled to appeal the decision of the Council of the City of Hamilton to the Ontario Municipal Board, and the person or public body may not be added as a party to the hearing of an appeal before the Ontario Municipal Board unless, in the opinion of the Board, there are reasonable grounds to do so.

No public speakers came forward.

Peter De Iulio, Senior Project Manager, provided an overview of the report with the aid of a PowerPoint presentation. A copy of the presentation has been included in the public record.

The staff presentation respecting Report PED12182(c), Applications for Amendments to the Urban Hamilton Official Plan and Zoning By-law No. 464, and Approval of a Draft Plan of Subdivision, Known as "Binbrook Heights Addition", on Lands Located at 139 Fall Fair Way (Glanbrook), was received.

Steven Fraser, on behalf of the applicant expressed that the owner is in agreement with the staff recommendations

The agent's presentation respecting Report PED12182(c), Applications for Amendments to the Urban Hamilton Official Plan and Zoning By-law No. 464, and Approval of a Draft Plan of Subdivision, Known as "Binbrook Heights Addition", on Lands Located at 139 Fall Fair Way (Glanbrook), was received.

The public meeting respecting Report PED12182(c), Applications for Amendments to the Urban Hamilton Official Plan and Zoning By-law No. 464, and Approval of a Draft Plan of Subdivision, Known as "Binbrook Heights Addition", on Lands Located at 139 Fall Fair Way (Glanbrook), was closed

For disposition on this Item, refer to item 7.

**(g) PRESENTATIONS (Item 7)**

**(i) Fruitland-Winona Secondary Plan and Official Plan Amendment (PED13099(b)) (Ward 11) (Item 7.1)**

- (i) Correspondence from Future Homes Construction Ltd., Sharon Restivo, 511437 Ontario Inc. (Jack Restivo)
- (ii) Correspondence from Marz Homes (Fruitland) Inc., Benemar Construction Inc., Todoc Construction Ltd., NGE Land Holdings Inc., Raffaella Marini, 1787482 Ontario Inc. (Jack Restivo)
- (iii) Correspondence from 2294643 Ontario Inc. (Jack Restivo)
- (iv) Correspondence from 212 Fruitland Road (Matt Johnston)
- (v) Correspondence from Horizon Utilities Corporation (May Luong)
- (vi) Correspondence from Domenic Chiaravalle
- (vii) Correspondence from 820 Barton Street (Tony Millington)
- (viii) Correspondence from Multi-Area Developments Inc.

- (ix) Correspondence from De Filippis Designs (Nick and Anna DeFilippis)

Councillor Pearson clarified a conflict of interest query. Councillor Pearson has had consultations with an independent municipal solicitor and with the City of Hamilton's Integrity Commissioner and advised pursuant to the independent advice received from both that she does not have a conflict of interest with regards to the Fruitland-Winona Secondary Plan process and can deliberate and vote on all matters pertaining to the same.

Alissa Mahood, Senior Planner, provided an overview of the report and new information on this file with the aid of a PowerPoint presentation. A copy of the presentation has been included in the public record.

The staff presentation respecting Report PED13099(b), Fruitland-Winona Secondary Plan and Official Plan Amendment, was received.

**Delegations:**

1. Cal DiFalco

Mr. DiFalco addressed the Committee and expressed his concerns regarding various issues associated with the proposed development including: density, impact on tender fruit farms, expropriation and the impact increased traffic will have. Mr. DiFalco provided the Committee Clerk with a petition respecting the Fruitland-Winona Secondary Plan Official Plan Amendment. A copy of the petition has been retained for the public record.

The petition presented by Cal DiFalco, was received.

2. Teresa DiFalco

Ms. DiFalco addressed the Committee and discussed the Concept C plan respecting the Fruitland-Winona Secondary Plan Official Plan Amendment and indicated that it is the community's preferred model. Ms. DiFalco stated her objections to Report PED13099b; in particular the way in which the traffic count was conducted. Ms. DiFalco reported that the community is not in agreement with the proposed development.

3. Georgina Beattie

Ms. Beattie believes that the report fails to address major issues like Fruitland road and density of housing.

4. Danny Gabriele

Mr. Gabriele, president of Marz Homes Ltd., expressed support for the staff report and recommendations.

5. Grant Cook

Mr. Cook expressed concerns with traffic.

6. Carl Turkstra

Mr. Turkstra expressed support for the staff report and recommendations and spoke to the benefits he sees to the plan.

7. Mark De Benedictis

Mr. De Benedictis expressed support for the staff report and recommendations and spoke to the benefits he sees in the plan.

8. Victor Rottaris

Cal DiFalco read a letter on behalf of Victor Rottaris, expressing that their home is to be expropriated and is concerned.

9. Janet Fair

Mary Walford-Fazackerley read a letter on behalf of Janet Fair, expressing that she feels the City is not managing this project fairly.

10. Mary Walford-Fazackerley

Ms. Walford-Fazackerley expressed that the City is not managing this project fairly and without democracy.

Teresa DiFalco, in her presentation, spoke on behalf of the following people who registered as delegations: Clarence Walford, Jesse Anderson, Diane Chapman, Amy Chapman, Amber Chapman, Mary and Dody Walford, Correena Walford and Cam Hudson

11. Maureen McPartlin

Lillian Courtulia spoke on behalf of Ms. McPartlin, expressing that she feels her home is being taken away from her with this plan. She feels misinformed. She spoke to supporting Plan C.

12. Angelo Cutaia

Mr. Cutaia with Todoc Construction Ltd. support for the staff report and recommendations and spoke to the benefits he sees in the plan.

13. Chris Douglas

Mr. Douglas expressed concerns with various issues.

14. Steve Spicer

Mr. Spicer, on behalf of Multi-Area Developments, spoke to the status of Fruitland Rd. and encouraged that it stay open as a collector road to the neighbourhood and eliminating the truck route and implanting traffic calming techniques.

Councillor Clark read an e-mail from John Paolini which will be on the Council agenda to be formally received.

The delegations respecting Report PED13099(b), Fruitland-Winona Secondary Plan and Official Plan Amendment, were received.

(a) The lands on Barton Street are to be redesignated to Medium Density 2 – to remove the policy that indicates that the subject lands may be developed for Community Park or Industrial uses without amendment to the Secondary Plan;

(b) Recommendation (b) 2 was removed, as follows, and the remainder were renumbered accordingly:

“2. That “Area Specific Policy - Area K”, be added to the lands municipally known as 718, 720, 722, 724, 728, 230, 734, 738, 742, 744, 746, 748, 750, 752, 754, 756, 760 Barton Street and 287, 289, 291, 293, 297 Jones Road to read as follows:

(a) For the lands located at 718, 720, 722, 724, 728, 230, 734, 738, 742, 744, 746, 748, 750, 752, 754, 756, 760 Barton Street and 287, 289, 291, 293, 297 Jones Road, and as shown as “Area Specific Policy – Area K” on Map B.7.4-1 –

Fruitland-Winona Secondary Plan – Land Use Plan, the following policy shall apply:

- i. The subject lands may be developed for Community Park or Institutional uses in accordance with Policies 7.4.7.3, 7.4.7.2, and 7.4.8, without an amendment to this Plan.”

Recommendations (b)4(a) and (b)5 contained in Report PED13099(b), Fruitland-Winona Secondary Plan and Official Plan Amendment, were amended by deleting the words, “qualified engineer, climatologist, and/or agrologist,” after the words, “which has been prepared by a”, and replacing it with the words, “qualified environmental engineer with additional information being provided by a climatologist and argologist who are specialized in the field of tender fruit and grape production.”

The recommendations contained in Report PED13099(b), Fruitland-Winona Secondary Plan and Official Plan Amendment, were to be amended by adding a new sub-section as follows:

- (e) That the Fruitland Winona Secondary Plan be designated 50 persons and jobs per hectare.

The amendment was DEFEATED on the following vote:

Yeas:	Johnson, Pasuta
Total:	2
Nays:	Partridge, Collins, Farr, Pearson, Clark, Ferguson
Total:	6
Absent:	Whitehead
Total:	1

The recommendations contained in Report PED13099(b), Fruitland-Winona Secondary Plan and Official Plan Amendment, were to be amended by adding a new sub-section (e) as follows:

- (e) That the Medium Density Residential 2 Designation be amended as follows:

7.4.4.6 c) Notwithstanding Policy E.3.5.8 of Volume 1, the maximum height shall be 3 storeys.

The amendment was DEFEATED on the following standing recorded vote:

Yeas:	Ferguson, Johnson, Pasuta, Clark
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Total: 4  
Nays: Collins, Farr, Partridge, Pearson  
Total: 4  
Absent: Whitehead  
Total: 1

The recommendations contained in Report PED13099(b), Fruitland-Winona Secondary Plan and Official Plan Amendment, were amended by adding a new sub-section (e) as follows:

(e) That the Medium Density Residential 2 Designation be amended as follows:

7.4.4.6 c) Notwithstanding Policy E.3.5.8 of Volume 1, the maximum height shall be 3.5 storeys.

The amendment was CARRIED on the following standing recorded vote:

Yeas: Collins, Farr, Partridge, Ferguson, Pearson  
Total: 5  
Nays: Clark, Pasuta, Johnson  
Total: 3  
Absent: Whitehead  
Total: 1

The main motion CARRIED, as amended, on the following vote:

Yeas: Collins, Farr, Partridge, Ferguson, Pearson, Clark  
Total: 6  
Nays: Pasuta, Johnson  
Total: 2  
Absent: Whitehead  
Total: 1

For disposition on this Item, refer to item 8.

**(h) DISCUSSION ITEMS (Item 8)**

**(i) Hamilton Municipal Heritage Committee Minutes 14-002 (Item 5.5)**

The recommendations respecting 170 Longwood Road North, has been previously approved as part of Hamilton Municipal Heritage Committee

**Report** 14-002 which formed part of Planning Report 14-004. This report was approved by Council on March 26, 2014, therefore following motions require reconsideration by Council:

**3. 170 Longwood Road North, Hamilton letter**

That the recommendations be amended by deleting the words, “the Hamilton Municipal Heritage Committee be authorized to” and replaced with the word, “Council”, to read as follows:

“That Council write a letter to the Ministry of Tourism, Culture & Sport, as well to the Ontario Heritage Trust, outlining concerns with limitations of the Ontario Heritage Act with respect to regulating alterations to non-designated properties that are included in the municipal Register, as demonstrated by the extent of alterations to the existing house at 170 Longwood Road North (for information see Appendix C, attached hereto).”

That Item 3, 170 Longwood Road North, Hamilton letter, be referred back to staff for a report to Planning Committee.

**(i) MOTIONS (Item 9)**

**(i) Referral of Outstanding Business List Item**

For disposition on this Item, refer to item 11.

**(j) GENERAL INFORMATION AND OTHER BUSINESS (Item 11)**

**(i) Outstanding Business List Amendments (Item 11.1)**

The following Outstanding Business List due dates were revised:

- (aa) Item O: Synergies between infrastructure Development and New School Openings (Added Item 10.1 & 9.2)  
Current Due Date: April 15, 2014  
Proposed Due Date: May 20, 2014

The following items were removed from the Outstanding Business List:

- (aa) Item W: PED13099(a), Fruitland-Winona Secondary Plan and Official Plan Amendment

- (bb) Item FF: Performance Review – Planning and Economic Development Directors
- (cc) Item GG: Notice of Motion - Possible Property Acquisition (In Camera - April 1, 2014)

**(k) PRIVATE AND CONFIDENTIAL (Item 12)**

**(i) Closed Session Minutes – April 1, 2014 (Item 12.1)**

- (a) The Closed Session Minutes of the April 1, 2014 meeting of the Planning Committee were approved, as presented.
- (b) The Closed Session Minutes of the April 1, 2014 meeting of the Planning Committee, are to remain confidential and restricted from public disclosure.

**(l) ADJOURNMENT**

There being no further business, the Planning Committee adjourned at 3:48 p.m.

Respectfully submitted,

Councillor B. Johnson  
Chair, Planning Committee

Vanessa Robicheau  
Legislative Coordinator  
Office of the City Clerk



**GENERAL ISSUES COMMITTEE  
REPORT 14-009**

**(as amended and approved by Council on April 23, 2014)**

**9:30 a.m.**

**Wednesday, April 16, 2014**

**Council Chambers**

**Hamilton City Hall**

**71 Main Street West**

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**Present:** Deputy Mayor R. Pasuta (Chair)  
Councillors B. Clark, C. Collins, S. Duvall, J. Farr,  
L. Ferguson, T. Jackson, B. McHattie, S. Merulla, R. Morrow,  
J. Partridge, M. Pearson, R. Powers,

**Absent with Regrets:** Councillor B. Johnson – City Business  
Councillor T. Whitehead – Illness

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**THE GENERAL ISSUES COMMITTEE PRESENTS REPORT 14-009 AND  
RESPECTFULLY RECOMMENDS:**

**1. Request for Meetings respecting Light Rail Transit (New Business) (No Copy)**

- (a) That Minister Glen Murray, Minister of Transportation, be invited to meet with the General Issues Committee to discuss issues respecting LRT matters;
- (b) That an invitation be extended to the Deputy Minister of Transportation and Bruce McCuaig, President of Metrolinx, to meet with the City Manager, the General Managers of Finance and Public Works and the Director of Transit to discuss LRT financials.

**2. Hamilton Police Services Monthly Report PSB 14-043 (Item 5.1)**

That Hamilton Police Services Monthly Report PSB 14-043 be received.

**3. City of Hamilton's Efforts on Brownfields – 2001 to Present (PED14067) (City Wide) (Item 5.2)**

That Report PED14067 respecting "City of Hamilton's Efforts on Brownfields – 2001 to Present", be received.

**Council – April 23, 2014**

**4. Declaration of Surplus and Sale of 193 King Street East, Hamilton (Sandbar Tavern), described as Lot 12, Plan 1393 (PED14068) (Ward 2) (Item 5.3)**

- (a) That City land described as Lot 12, Registrar's Compiled Plan 1393, municipally known as 193 King Street East, Hamilton and forming PIN 17168-0048 and Roll No. 251802015250610, as shown on Appendix "A" attached to Report PED14068, be declared surplus to the requirements of the City of Hamilton, in accordance with Procedural By-Law 04-299;
- (b) That sub-section (c) of Motion 10.1, respecting "Transfer/Deed of Land – 193 King Street East, Hamilton", approved by Council on September 27, 2006, and which reads as follows, be rescinded:

*"That the appropriate City staff enter into negotiations with Hamilton Realty Corporation Inc. (HRCI) for the purposes of transferring 193 King Street to the HRCI and that staff report back to Council on any proposed agreement";*

- (c) That the Real Estate Section of the Economic Development Division of the Planning and Economic Development Department be authorized and directed to sell the subject lands at fair market value;
- (d) That the proceeds of sale be credited to Account No. 47702-3560150200 (Land and Property Sales) for recovery of expenses including Real Estate administration fees, appraisal and legal expenses.

**5. Declaration of Surplus and Sale of 62 Osler Drive (Former Town of Dundas), Hamilton (PED12069) (Ward 13) (Item 5.4)**

- (a) That land municipally known as 62 Osler Drive, described as Part of Block B (Block 70), Plan 1465 and further identified as PIN 17451-0039 (LT) and Roll No. 251826007011800, as shown on Appendix "A" attached to Report PED14069, be declared surplus to the requirements of the City of Hamilton in accordance with the "Procedural By-law for the Sale of Land", being By-law No. 04-299;
- (b) That the Real Estate Section of the Economic Development Division of the Planning and Economic Development Department be authorized and directed to sell the subject lands at fair market value;
- (c) That the proceeds of sale be credited to Account No. 47702-3560150200 (Land and Property Sales) for recovery of expenses including Real Estate administration fees, appraisal and legal expenses.

**6. Purchase of 497 Parkside Drive East, Flamborough, from Tammi Roy and Andrew Kikauka (PED14077) (Ward 15) (Item 5.5)**

- (a) That an Option to Purchase agreement between the City and Tammi Roy and Andrew Kikauka scheduled to close on June 16, 2014, for a residential property municipally known as 497 Parkside Drive East, Flamborough, comprising an area of 0.34 acres, as shown on Appendix “A” attached to Report PED14077, be approved and completed at the purchase price of \$545,000, subject to adjustments and subject to:
  - (i) The owner providing the City of Hamilton access to the property for the purpose of undertaking an Environmental Assessment and/or Designated Substance Survey;
- (b) That the purchase price of \$545,000, subject to adjustments, be funded from Capital Project No. 59259-4031380390 (East-West Corridor Waterdown);
- (c) That the Mayor and Clerk be authorized and directed to execute any necessary documents, in a form satisfactory to the City Solicitor;
- (d) That upon Council approval of the purchase of 497 Parkside Drive, the Director of Facilities Management and Capital Programs be authorized and directed to take all the necessary steps for the demolition of the subject building(s), and that the cost for the demolition and any additional ancillary expenses be funded from Capital Project No. 4031380390 (East-West Corridor Waterdown);
- (e) That the sum of \$25,615 be funded from Capital Project No. 4031380390 (East-West Corridor Waterdown) and credited to Account No. 45408-3560150200 (Capital – Property Purchases and Sales), being the costs incurred for real estate, appraisal and legal services.

**7. Enbridge Pipelines Inc. Line 9B Reversal and Line 9 Capacity Expansion Project – National Energy Board (NEB) Decision (PED12160(c)/LS12022(c) (City Wide)**

That Report PED12160(c)/LS12022(c) respecting “Enbridge Pipelines Inc. Line 9B Reversal and Line 9 Capacity Expansion Project – National Energy Board (NEB) Decision” be received.

**8. Innovation Factory Request for Funding – 2014 (PED14056) (City Wide) (Item 7.1)**

- (a) That funding in the amount of \$50,000 to the Innovation Factory as the City of Hamilton's 2014 community partnership contribution be approved and funded from the Economic Development Investment Reserve Account No. 362098900;
- (b) That approval of the \$50,000 contribution be conditional on the Council - established annual Key Performance Indicators (KPIs) as contained in Report PED14056.

**9. Accessibility to Council Chambers and Meeting Rooms at Hamilton City Hall (PW14040) (Ward 2) (Item 8.1)**

- (a) That City Hall Doors Design Option #2 - (based on Council Chambers Door 220A as Besam Unislide Telescopic Doors) and as described in Appendix "A" to Report PW14040, be approved as the design concept with which to move forward to provide barrier-free access to Council Chambers and public meeting rooms at Hamilton City Hall;
- (b) That the funding strategy for Option #2 in the approximate amount of \$350,000 be as follows:
  - (i) Design consulting fees in the approximate amount of \$45,000 be funded from project ID 3541441409 (Program - Facilities Code and Legislative Compliance);
  - (ii) That the construction costs of this project be submitted for Council's consideration as part of the proposed 2015 Capital Budget.

**10. Events Strategy Framework for the City of Hamilton (PED13038(a)) (City Wide) (Item 8.3)**

- (a) That the Events Strategy Framework, attached as Appendix "A" hereto, be approved;
- (b) That Tourism and Culture Division staff be directed to consult with City of Hamilton Divisions responsible for event servicing and permitting on the development of operating principles, objectives, actions, performance measures and resource requirements to support the Events Strategy Framework.

**11. Award of Contract (C2-02-14 for Residential Water/Wastewater Warranty Protection Plans (FCS12044(a)) (Outstanding Business List Item) (Item 8.4)**

- (a) That the contract for Residential Water/Wastewater Warranty Protection Plans (C2-02-14) be awarded to Service Line Warranties of Canada, Inc. for an initial term of two years, with a maximum of two, five-year term renewals at the sole discretion of the City;
- (b) That the Mayor and City Clerk be authorized and directed to execute, on behalf of the City of Hamilton, the contract finalized with Service Line Warranties of Canada, Inc. and all necessary associated documents, all in a form satisfactory to the City Solicitor;
- (c) That the City Solicitor be authorized and directed to prepare the necessary amending By-law to the Sewer and Drain By-law 06-026, as amended, so that the City's Sewer Lateral Management Program ("SLMP") that has a provision whereby property owners affected by roots from a City-owned tree may be eligible for a one-time reimbursement from the City for a portion of the costs, up to a maximum allowance of \$1,500, be amended to exclude SLMP reimbursement to a third party provider of a sewer lateral warranty protection plan with respect to City owned tree lateral damage;
- (d) That subject to Recommendations (a) and (b) of Report FCS12044(a), that the proceeds received through the agreement for the Residential Water/Wastewater Warranty Protection Plans be reflected as a funding source in future Rate Supported Finance Strategies.

**12. Tax and Rate Operating Budget Variance Report as of December 31, 2013 – Budget Control Policy Transfers (Unaudited) (FCS14026) (City Wide) (Item 8.5)**

- (a) That in accordance with the "Budget Control Policy", the 2014 budget restatement, transferring budget from one department/division to another with no impact on the levy, attached hereto as Appendix "B", be approved;
- (b) That in accordance with the "Budgeted Complement Control Policy", the 2014 complement transfer, transferring complement from one department/division to another with no impact on the levy, attached hereto as Appendix "C", be approved;
- (c) That subject to final audit, the Disposition of Year-End Surplus/Deficit be approved as follows:



<b>DISPOSITION / RECONCILIATION OF YEAR-END SURPLUS/ (DEFICIT)</b>	<b>\$</b>	<b>\$</b>
<b>Corporate Surplus from Tax Supported Operations</b>		<b>\$ 2,087,312</b>
<b>Less: Disposition to Self-Supporting Programs &amp; Agencies</b>		<b>\$ (957,809)</b>
Police (Transfer to Police Reserve)	\$ (604,141)	
Library (Transfer to Library Reserve)	\$ (353,668)	
<b>Balance of Corporate Surplus</b>		<b>\$ 1,129,503</b>
Add: Transfer from Winter Control Reserve		\$ 4,684,300
Less: Transfer for Ontario Summer Student Jobs Services		\$ (5,240)
Less: Transfer of Flamboro Slot Revenues to Flamboro Capital Reserve		\$ (371,819)
Less: Transfer to Unallocated Capital Levy Reserve		\$ (5,421,735)
Less: Transfer to Tax Stabilization Reserve		\$ (15,009)
<b>Balance of Tax Supported Operations</b>		<b>\$ -</b>
<b>Corporate Surplus from Rate Supported Operations</b>		<b>\$ 6,614,165</b>
Less: Transfer to the Rate Supported Reserves		\$ (6,614,165)
<b>Balance of Rate Supported Operations</b>		<b>\$ 0</b>

**13. Capital Projects' Closing Report as of December 31<sup>st</sup>, 2013 (FCS13070(b)) (City Wide) (Item 8.6)**

- (a) That the General Manager of Finance and Corporate Services be directed to close the completed and/or cancelled capital projects listed in Appendix "D" attached hereto in accordance with the Capital Closing Policy;
- (b) That the General Manager of Finance & Corporate Services be authorized to fund a combined total of \$2,947 from the "Unallocated Capital Levy Reserve (108020)" to cover the deficits in "WL-1989 Wing Renovations (6300941909)", "Macassa-Scheduling Software (6500457101)", and "CSD Accommodations (6501241100)";
- (c) That Appendix "E" attached hereto, detailing the Capital Projects' Budget Appropriations for the period covering October 1, 2013 through December 31, 2013 be received for information.

**14. 2014 Tax Policies and Area Rating (FCS14029) (City Wide) (Item 8.7)**

- (a) That the following optional property classes be continued for the 2014 taxation year:
  - New Multi-Residential
  - Parking Lot and Vacant Land
  - Large Industrial
- (b) That, based on the 2014 final approved tax operating budget, the following final tax ratios be established for the 2014 taxation year:

• Residential	1.0000
• Multi-Residential	2.7400
• New Multi-Residential	1.0000
• Commercial (residual)	1.9800
• Parking Lot & Vacant Land	1.9800
• Industrial (residual)	3.1752
• Large Industrial	3.7233
• Pipeline	1.7367
• Farm	0.1857
• Managed Forest	0.2500

(c) That the following tax reductions be established for the 2014 taxation year:

• Excess land subclass (residual commercial)	30%
• Excess land subclass (residual industrial)	30%
• Vacant land subclass (residual industrial)	30%
• Excess land subclass (large industrial)	30%
• Farmland awaiting development (1 <sup>st</sup> subclass)	25%
• Farmland awaiting development (2 <sup>nd</sup> subclass)	0%

(d) That the existing property tax relief deferral program for low-income seniors and disabled persons be continued for the 2014 taxation year;

(e) That the existing 40% tax rebate for eligible charities and similar organizations be continued for the 2014 taxation year;

(f) That the existing 30% vacancy rebate for eligible commercial and industrial properties be continued for the 2014 taxation year;

(g) That the existing 100% tax rebate for Veteran's Clubhouses and Legion Halls be continued for the 2014 taxation year;

(h) That the existing Seniors' (65+) Tax Rebate Program be continued, with the following criteria updated for the 2014 taxation year:

- (i) **Income threshold (150% of GIS couple)** increased to \$33,120 (\$32,832 in 2013);
- (ii) **Assessment cap (120% of city-wide average)** increased to \$357,300 (\$344,200 in 2013);
- (iii) **Rebate** increased by the CPI index to \$174 (\$172 in 2013);

- (i) That, for the 2014 taxation year, the tax capping percentage for any assessment-related tax increases in the Commercial, Industrial and Multi-Residential property classes be set at the maximum allowable of 10%;
- (j) That, for the 2014 taxation year, any capped property in the Commercial, Industrial and Multi-Residential property classes that is within \$250 of its Current Value Assessment (CVA) taxes in 2014, be moved directly to its full Current Value Assessment (CVA) taxes;
- (k) That, for the 2014 taxation year, the minimum percentage of Current Value Assessment (CVA) taxes for properties eligible for the new construction/new to class treatment be set at 100% of Current Value Assessment (CVA) taxes;
- (l) That for the 2014 taxation year, any property in the Commercial, Industrial and Multi-Residential property class which paid full Current Value Assessment (CVA) taxes in 2013, no longer be eligible for capping protection in 2014 and future years;
- (m) That, for the 2014 taxation year, all properties eligible for a tax reduction under the existing capping program receive the full decrease, funded from the approved capping program operating budget;
- (n) That, for the 2014 taxation year, the Area Rated Levies be approved as identified in Appendix A to report FCS14029 “2014 Tax Policies & Area Rating” attached hereto;
- (o) That the City Solicitor & Corporate Counsel be authorized and directed to prepare all necessary by-laws, for Council approval, for the purposes of establishing the tax policies and tax rates for the 2014 taxation year.

**15. Report 14-001 of the Non-Union Compensation Sub-Committee (Item 8.8)**

**(a) Minimum Wage Increase (HUR14002)**

- (i) That Report HUR14002 respecting “Minimum Wage Increase” be received;
- (ii) That the contents of Report HUR14002 respecting “Minimum Wage Increase” remain confidential as it contains information related to labour relations and employee negotiations.

**(b) City Manager Remuneration Options (HUR12005(c)) (City Wide)**

- (i) That the recommendation outlined in Report HUR12005(c), together with Alternative 1 outlined in Report HUR12005(c), be approved;
- (ii) That Report HUR121005(c) respecting City Manager Remuneration Options remain confidential as it contains information related to labour relations and employee negotiations.

**16. Natural Areas Acquisition Fund for Cootes to Escarpment Park (Item 9.3)**

That the City of Hamilton and Hamilton Conservation Authority Funding Agreement (046-2013) be amended in support of the Cootes to Escarpment system by transferring \$20,000 from the Natural Areas Acquisition Fund project (8121459100).

**17. Area Rating Special Capital Re-Investment Reserve-Funded Projects (Ward 3) (Item 10.1)**

- (a) That Fairholt Street (from Main Street to King Street) and Leinster Avenue (from King Street to Dunsmure Road) be rehabilitated using asset preservation practices, with the work to include the rehabilitation of the existing asphalt, complete base repairs, along with high risk concrete curb and sidewalk repairs and re-paving;
- (b) That Albemarle Street be reconstructed with the replacement of road and sidewalk, along with the replacement of the existing watermain;
- (c) That \$565,000 from Reserve #108053 – Ward 3 Area Rating Special Capital Reinvestment Reserve – be utilized to fund the asset preservation of Fairholt Street and Leinster Avenue, in addition to the road and sidewalk reconstruction of Albemarle Street;
- (d) That the General Manager of Public Works be authorized to prepare, advertise and award tenders as required for the above-noted works.

**18. Ontario Women's Hockey Association Bid Submission for the 2016 IIHF Ice Hockey Women's Championship (Item 10.2)**

- (a) That the submission being prepared by the Ontario Women's Hockey Association to Hockey Canada to hold the 2016 IIHF Ice Hockey Women's World Championship in Hamilton include the City of Hamilton's sponsorship of this event;

- (b) That \$25,000 be allocated from the Sport Tourism Reserve to the Ontario Women's Hockey Association Host Organizing Committee to host the 2016 IIHF Ice Hockey Women's World Championship, subject to the condition that all associated secondary competitions and practice events be held at City of Hamilton-owned areas only;
- (c) That City of Hamilton owned arena rental fees for the secondary competitions and practice events be waived.

**19. Area Rating Special Capital Re-Investment Reserve Funded Projects  
(Ward 5) (Added Item 10.3)**

- (a) That Malta Drive from Greenhill Avenue to Montrose Avenue be rehabilitated using asset preservation practices, with the work to include the rehabilitation of the existing asphalt, complete base repairs, along with high risk concrete curb and sidewalk repairs and re-paving;
- (b) That \$320,000 from Reserve #10856 – Ward 5 Area Rating Special Capital Reinvestment Reserve – be utilized to fund the asset preservation of Malta Drive;
- (c) That the General Manager of Public Works be authorized to prepare, advertise and award tenders as required for the above-noted works.

**20. Hamilton Environmental Summit 2013 (Outstanding Business List Item)  
(Item 11.3)**

That the General Issues Committee Outstanding Business Item respecting the Hamilton Environmental Summit 2013 be transferred to the Outstanding Business List of the Emergency and Community Services Committee.

**21. Cherry Beach Parkland Acquisition Strategy, former City of Stoney Creek  
(PW14039) (Ward 10) (Item 12.2)**

- (a) That the Real Estate Section of the Economic Development Division of the Planning and Economic Development Department be authorized and directed to undertake a land exchange of a portion of Given Road at a nominal cost of \$2.00 to the adjoining land owner, municipally known as 423 North Service Road in exchange to which the owners holds title to the private road ways within the Cherry Beach development area;

- (b) That part of the lands described as Part 1 on Plan 62R-15709, forming part of PIN 173460252, as shown on Appendix "D" attached to Report PW14039 be declared surplus to the requirements of the City of Hamilton, in accordance with Procedural By-law No. 04-299;
- (c) That the Mayor, Clerk and Legal Services be directed to execute all documents related to the purchase of properties identified in Recommendations (a), (b) and (c) of Report PW14039;
- (d) That Report PW14039 respecting Cherry Beach Parkland Acquisition Strategy, former City of Stoney Creek not be released as a public document as the information relates to a proposed or pending acquisition or disposition of land for City purposes;
- (e) That the contents of Report PW14039 remain confidential.

**22. Acquisition of Property in Ward 3 (CES14022) (Ward 3) (Item 12.3)**

That the contents of Report CES14022 remain confidential.

**Item 23 was deleted in its entirety and replaced with the following in lieu thereof:**

**23. Settlement of Claims made under the Expropriations Act arising from the Expropriation of 760 West 5<sup>th</sup> Street, being Parts 1 and 2 on Expropriation Plan 159849; OMB File No. LC130019 (Report LS14017) (Item 12.4)**

- (a) That a settlement of claims made under the *Expropriations Act* by the former owner Andrea Joseph Romano, arising from the expropriation of certain lands known as 760 West 5<sup>th</sup> Street, Hamilton, being Parts 1 and 2 on an Expropriation Plan registered as Instrument No. 159849, entered into by counsel for the City of Hamilton, as Minutes of Settlement subject to Council approval, be approved and completed and that the total full and final compensation of \$165,000.00, plus \$16,526.59 for the Claimant's legal and appraisal fees, plus up to \$1,041.53 in additional interest for the outstanding market value if full and final payment is made on or before April 30, 2014, plus \$7.89 per day to the date of payment if beyond April 30, 2014, be charged to Account Number 4060087001 Expressway – Land Purchases.
- (a) That a final payment of \$165,000.00 plus \$16,526.59 for Claimant's legal and appraisal fees, plus up to \$1,041.53 in additional interest costs for the outstanding market value if full and final payment is made on or before April 30, 2014 (\$7.89 per diem thereafter), resulting from the settlement of the expropriation of 760 West 5<sup>th</sup> Street, Hamilton be made to Agro Zaffiro LLP (Charles Criminisi), In Trust for the owner;

- (b) That the Mayor and Clerk be authorized and directed to execute any necessary documents in a form satisfactory to the City Solicitor.
- (c) That Report LS14017 and *Minutes* of Settlement remain confidential.

**24. H.E.C.F.I. Contract (Added Item 12.8)**

That the update received from staff in closed session with respect to the H.E.C.F.I. Contract be received and remain confidential.

**FOR THE INFORMATION OF COUNCIL:**

**(a) CHANGES TO THE AGENDA (Item 1)**

The Committee Clerk advised of the following changes:

**ADDED NOTICES OF MOTION**

- 10.1 Area Rating Special Capital Re-Investment Reserve-Funded Projects (Ward 3)
- 10.2 Ontario Women's Hockey Association Bid Submission for the 2016 IIHF Ice Hockey Women's Championship

Councillor B. McHattie requested that an update with respect to the Global Spectrum issue be provided by staff in the closed session portion of today's meeting.

Councillor B. Clark brought forward comments made by Minister Glen Murray, Minister of Transportation, respecting Light Rail Transit in Hamilton.

See Item 1 for the disposition of this item.

The agenda was approved as amended.

**(b) DECLARATIONS OF INTEREST (Item 2)**

None

**(c) APPROVAL OF PREVIOUS MINUTES (Item 3.1)**

**(i) Minutes of the March 20, 2014 Meeting (Budget Deliberations)**

The Clerk advised that the following Standing Recorded Vote was omitted from the March 20, 2014 Minutes of the Committee with respect to Item 5.3, subsection (C)(ii) – Boards and Agencies, and specifically, “Festival of Friends:

Yeas: McHattie, Farr, Morrow, Collins, Jackson, Partridge, Pasuta,  
Pearson, Clark

Total Yeas: 9

Nays: Duvall, Whitehead

Total Nays: 2

Absent: Bratina, Merulla, Powers, Ferguson, Johnson

Total Absent: 5

The Minutes of the March 20, 2014 meeting of the General Issues Committee were approved, as amended.

**(ii) Minutes of the March 6 and April 2, 2014 Meetings**

The Minutes of the March 6 and April 2, 2014 meetings of the General Issues Committee were approved as presented.

**(d) DELEGATION REQUESTS**

**(i) Request from Abdullah Mayo, founder and CEO, Raise an Aim Inc., to speak to Civic Crowdfunding where people, institutions and governments can work together to bring civic projects to life (Item 4.1)**

The delegation request from Abdullah Mayo, Founder and CEO of Raise an Aim Inc., to speak to Civic Crowdfunding where people, institutions and governments can work together to bring civic projects to life, was approved.

**(ii) Request from Keanin Loomis, Hamilton Chamber of Commerce, to discuss the 2014 Hamilton Economic Summit (Item 4.2)**

The delegation request from Keanin Loomis of the Hamilton Chamber of Commerce, respecting the 2014 Hamilton Economic Summit, was approved.



**(e) CONSENT ITEMS**

**(i) Enbridge Pipelines Inc. Line 9B Reversal and Line 9 Capacity Expansion Project – NEB Decision (PED12160(c)/LS12022(c)) (City Wide) (Item 5.6)**

Chief R. Simonds was requested to bring a follow-up report back to the General Issues Committee detailing a safety plan relative to the Line 9B Reversal and Line 9 Capacity, including arrangements/agreements that may be in place with other municipalities.

Deputy Mayor Pasuta relinquished the Chair in order to move the above-noted motion.

**(f) DELEGATIONS/PUBLIC HEARINGS**

**(i) Sheri Longboat, Ph.D., Co-ordinator, Red Hill Valley Joint Stewardship Board**

Sheri Longboat, Co-ordinator of the Red Hill Valley Joint Stewardship Board, appeared before the Committee to provide an update on past accomplishments, current activities and future plans.

Councillor C. Collins, one of the City's representative on the Joint Stewardship Board, provided opening comments and introduced Chief Blake Bomberry from the Haudenosaunee Confederacy Chief Council, who performed a traditional opening to the meeting. Councillor Collins also recognized the attendance of Board members Brian Doolittle, Paul Williams and Hazel Hill.

Ms. Longboat provided a PowerPoint presentation and spoke to the following:

- Shared Commitment
- Joint Stewardship
- Vision and Objectives
- Work Plan 2014 to 2016 – Guiding Stewardship Framework
- Valley Restoration
- Medicine Plant Recovery
- Deer Inventory
- Environmental and Ecological Monitoring
- Red Hill Valley Trail System
- Enhanced Web Content and Functionality
- Landscape Architecture Features – Bear Meeting Place
- Environmental Interpretive Centre – Concept Design
- What's Next.

A copy of the PowerPoint presentation was submitted for the public record and can be viewed on the City's website at [www.hamilton.ca](http://www.hamilton.ca).

The presentation from Sheri Longboat, Co-ordinator of the Red Hill Valley Joint Stewardship Board, was received.

**(g) PRESENTATIONS**

**(i) Innovation Factory Request for Funding – 2014 (PED14056)  
(City Wide)**

Neil Everson, Acting General Manager of Planning and Economic Development, introduced David Carter, Executive Director, Innovation Factory (IF) to provide a presentation with respect to the Innovation Factory request for funding to continue the operation of the Innovation Factory.

With the assistance of a PowerPoint presentation, Mr. Carter spoke to the following:

- About the Innovation Factory: Mission
- Thank you to Partners
  
- Expected outcomes: new companies/healthier companies/institutions promote entrepreneurship
- City Partners: Economic Development, Small Business Enterprise Centre, City Councillors and their Wards
- IF Process; the Prescription
- Key Events and Programs
  - KPMG Lunch and Learn Series
  - Innovation Night
  - Lion's Lair
  - Life Sciences – synapse (Life Science Competition)
  - Broad Industry Support
  - Start-up Weekend
  - Entrepreneurship 101 "Intensives"
  - LiFT
- Moving Forward – IF needs the continued financial support of the City; support to celebrate successes; direct constituents to IF services
- In return – make sure Hamiltonians get their fair share of government \$\$; continue to help IF business innovate and compete; IF will be a catalyst for key groups to work together; build a new generation of companies

A copy of the PowerPoint presentation was submitted for the public record and can be viewed on the City's website at [www.hamilton.ca](http://www.hamilton.ca).

The presentation from David Carter, Executive Director of Innovation Factory, was received.

**(h) DISCUSSION ITEMS**

**(i) Five-year Plan regarding Two-Way Street Conversions (PW13097) (Item 8.2) (Tabled by Committee on December 4, 2013)**

Report PW13097 respecting “Five-Year Plan regarding Two-Way Street Conversions” remained tabled to the May 7, 2014 General Issues Committee meeting for discussion.

**(ii) Events Strategy Framework for the City of Hamilton (PED13038(a)) (City Wide) (Item 8.3)**

Tourism and Culture Division staff was directed to report back to the General Issues Committee with a final Events Strategy that includes the results of the staff consultation, and that has been reviewed by the events community including the Business Improvement Areas (BIAs) and Neighbourhood Associations.

**(i) MOTIONS**

**(i) Review of Arts Funding (Item 9.1)**

Councillor R. Morrow indicated that he wished to defer his Motion, which reads as follows:

“That funding of the Arts by the City of Hamilton be reassessed with a view to increasing their level of funding, and that a report be brought back by the appropriate Standing Committee(s) and staff.”

**(ii) Previously-Identified One-Way to Two-Way Street Conversions**

Councillor J. Farr withdrew his motion, which reads as follows:

“That staff be requested to identify and examine the “low-hanging fruit” as it relates to previously-identified Transportation Master Plan-approved streets for conversion of one-way to two-way, identifying conversion priorities, benefits, impacts and costs, and report back to the General Issues Committee.”

**(iii) Natural Areas Acquisition Fund for Cootes to Escarpment Park (Item 9.3)**

The following is the preamble to the Motion introduced by Councillors Powers and McHattie:

Whereas an agreement has been established between the City of Hamilton and the Hamilton Conservation Authority to deliver funding for natural areas acquisition; and,

Whereas the City of Hamilton is a signatory to the Cootes to Escarpment EcoPark Project Memorandum of Understanding focused on establishment of that new park; and,

Whereas funding for the City of Hamilton Natural Areas Acquisition Fund was approved in the 2014 Capital Budget.

See Item 16 for the disposition of this item.

**(j) NOTICES OF MOTION**

Councillor R. Morrow introduced the following Notice of Motion:

**(i) Area Rating Special Capital Re-Investment Reserve-Funded Projects (Ward 3) (Item 10.2)**

- (a) That Fairholt Street (from Main Street to King Street) and Leinster Avenue (from King Street to Dunsmure Road) be rehabilitated using asset preservation practices, with the work to include the rehabilitation of the existing asphalt, complete base repairs, along with high risk concrete curb and sidewalk repairs and re-paving;
- (b) That Albemarle Street be reconstructed with the replacement of road and sidewalk, along with the replacement of the existing watermain;
- (c) That \$565,000 from Reserve #108053 – Ward 3 Area Rating Special Capital Reinvestment Reserve – be utilized to fund the asset preservation of Fairholt Street and Leinster Avenue, in addition to the road and sidewalk reconstruction of Albemarle Street;
- (d) That the General Manager of Public Works be authorized to prepare, advertise and award tenders as required for the above-noted works.

The rules of order were waived in order to allow for the introduction of a motion respecting “Area Rating Special Capital Re-Investment Reserve-Funded Projects (Ward 3)”.

See Item 17 for the disposition of this item.

Councillor Farr introduced the following Notice of Motion:

(ii) **Ontario Women's Hockey Association Bid Submission for the 2016 IIHF Ice Hockey Women's Championship (Item 10.2)**

Whereas the Ontario Women's Hockey Association (OWHA) has selected Hamilton as their preferred location for the prestigious 2016 IIHF Ice Hockey Women's World Championship and is preparing to submit a bid to Hockey Canada; and,

Whereas the 2013 Women's World Championship event was hosted in Ottawa and recorded 152,450 paid spectators over the 21 games of the tournament; and,

Whereas the Canadian Sport Tourism Alliance Economic Impact Assessment estimated 5,400 same-day visitors and 3,100 overnight visitors to this event, with the average number of games attended per visitor as 18, and generated just under \$3 million in revenue to the City of Ottawa during their visit; and,

Whereas the Ontario Women's Hockey Association is looking for support from the City of Hamilton in their pursuit of this significant event which, apart from utilizing a significant number of hotel rooms in Hamilton, will also use the FirstOntario Centre as their primary competition venue, with secondary competition sites and practice facilities at City of Hamilton-owned arenas.

Therefore Be It Resolved:

- (a) That the submission being prepared by the Ontario Women's Hockey Association to Hockey Canada to hold the 2016 IIHF Ice Hockey Women's World Championship in Hamilton include the City of Hamilton's sponsorship of this event;
- (b) That \$25,000 be allocated from the Sport Tourism Reserve to the Ontario Women's Hockey Association Host Organizing Committee to host the 2016 IIHF Ice Hockey Women's World Championship, subject to the condition that all associated secondary competitions and practice events be held at City of Hamilton-owned areas only;
- (c) That City of Hamilton owned arena rental fees for the secondary competitions and practice events be waived.

The rules of order were waived in order to allow for the introduction of a motion respecting "Area Rating Special Capital Re-Investment Reserve-Funded Projects (Ward 3)".

See Item 18 for the disposition of this item.

Councillor C. Collins introduced the following Notice of Motion:

**Council – April 23, 2014**

**(iii) Area Rating Special Capital Re-Investment Reserve Funded Projects (Ward 5) (Added Item 10.3)**

- (a) That Malta Drive from Greenhill Avenue to Montrose Avenue be rehabilitated using asset preservation practices, with the work to include the rehabilitation of the existing asphalt, complete base repairs, along with high risk concrete curb and sidewalk repairs and re-paving;
- (b) That \$320,000 from Reserve #10856 – Ward 5 Area Rating Special Capital Reinvestment Reserve – be utilized to fund the asset preservation of Malta Drive;
- (c) That the General Manager of Public Works be authorized to prepare, advertise and award tenders as required for the above-noted works.

The rules of order were suspended in order to allow for the introduction of a motion respecting “Area Rating Special Capital Re-Investment Reserve Funded Projects”.

See Item 19 for the disposition of this item.

Councillor C. Collins introduced the following Notice of Motion:

**(iv) One-Way to Two-Way Street Conversions (New Business)**

Whereas the City’s capital budget, on average, accommodated approximately one 2-way conversion per year over the past decade; and,

Whereas there are currently 9 streets approved for future 2-way conversion (without funding) as part of the Downtown Transportation Master Plan (DTMP); and,

Whereas the necessary approvals are in place for the aforementioned 9 location; and,

Whereas there are no resources for conversions in the approved 2014 Capital Budget.

Therefore Be It Resolved:

- (a) That Rebecca Street (between John Street and Wellington Street) be redesigned to accommodate 2-way traffic as part of the Traffic Department’s 2014 work plan;
- (b) That the 2014 Annual Traffic Calming Account No. 4041416102 be utilized as the funding source;

- (c) That as part of the 2015 Capital Budget process, staff provide an accelerated conversion strategy for the remaining 8 Downtown Transportation Master Plan streets (i.e., 2 per year or more) with funding alternatives including, but not limited to, existing Public Works Department block funding and Ward Area Rating allocations.

**(k) OTHER BUSINESS/GENERAL INFORMATION**

**(i) Outstanding Business List Items**

**(aa) Revised Due Dates**

The due dates for the following items on the Outstanding Business List were amended accordingly, as follows:

- (a) Item R: Temporary Promotional Transit Fare Special Program  
Due Date: May 7, 2014  
Revised Due Date: September 17, 2014
  
- (b) Item GG: Employee Attendance Performance Measures  
Due Date: April 16, 2014  
Revised Due Date: May 21, 2014

**(bb) Items to be removed from the Outstanding Business List:**

The following item was deemed complete and removed from the Outstanding Business List:

- (c) Item J: Residential Water/Wastewater Warranty Protection Plan (Item 8.2)

**(l) PRIVATE & CONFIDENTIAL**

**(i) Closed Session Minutes – March 19, 2014 (Item 12.1)**

The closed session minutes from the March 19, 2014 meeting of the General Issues Committee were approved as presented. These Minutes will remain confidential and restricted from public disclosure.

The Committee moved into Closed Session at 1:40 p.m. pursuant to Sub-sections 8.1(b), (c), (e) and (f) of the City's Procedural By-law and Section 239(2) of the Ontario Municipal Act, 2001, as the subject matters pertain to:

- (c) the proposed or pending acquisition or disposition of land for the municipality or local board respecting “Cherry Beach Parkland Acquisition Strategy, former City of Stoney Creek (Item 12.2)” and “Acquisition of Property in Ward 3 (Item 12.3)”;
- (e) litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board; and
- (f) for the receiving of advice that is subject to solicitor-client privilege, including communications necessary for that purpose, respecting “Settlement of Claims made under the Expropriations Act arising from the Expropriation of 760 West 5<sup>th</sup> Street (Item 12.4)”;
- (b) personal matters about an identifiable individual, including municipal or local board employees respecting “Appointment of General Manager of Planning and Economic Development (Item 12.6)” and “Performance Review – Planning and Economic Development Department Directors (Item 12.7)”;
- (f) for the receiving of advice that is subject to solicitor-client privilege, including communications necessary for that purpose, respecting “HECFI Contract (Added Item 12.8).

The Committee reconvened in Open Session.

**(i) Cherry Beach Parkland Acquisition Strategy, former City of Stoney Creek (PW14039) (Ward 10) (Item 12.2)**

Direction provided to staff in closed session respecting “Cherry Beach Parkland Acquisition Strategy, former City of Stoney Creek”, was approved.

See Item 21 for the disposition of this item.

**(ii) Acquisition of Property in Ward 3 (CES14022) (Ward 3) (Item 12.3)**

Direction provided to staff in closed session respecting “Acquisition of Property in Ward 3” as outlined in Report CES14022 was approved.

See Item 22 for the disposition of this item.

**(iii) Settlement of Claims made under the Expropriations Act arising from the Expropriation of 760 West 5<sup>th</sup> Street, being Parts 1 and 2 on Expropriation Plan 159849; OMB File No. LC130019 (LS14017) (Item 12.4)**

See Item 23 for the disposition of this item.



- (iv) Reports HUR14002 and HUR13016(a) referenced in Items 1 and Information Item (d) respectively of Non-Union Compensation Sub-Committee Report 14-001 (Item 8.8)**

Information provided for reference purposes only for Item 8.8.

- (v) Appointment of General Manager of Planning and Economic Development (Item 12.6)**

No action to report.

- (vi) Performance Review – Planning and Economic Development Directors (Item 12.7)**

No action to report.

- (vii) H.E.C.F.I. Contract (New Business) (Added Item 12.8)**

See Item 24 for the disposition of this item.

**(m) ADJOURNMENT**

There being no further business, the Committee adjourned at 4:26 p.m.

Respectfully submitted

Councillor R. Pasuta  
Deputy Mayor

Carolyn Biggs  
Legislative Co-ordinator  
Office of the City Clerk

## City of Hamilton Events Strategy Framework (Draft)

**Mandate**                    The City of Hamilton supports a range of events that leave a creative, social and economic legacy in the community.  
*(This statement affirms the important role that events play in our community).*

**Vision**                     Hamilton's events build community, create social cohesion, contribute to tourism, grow the economy, and enrich the quality of life for residents and visitors.  
*(This statement affirms that the City of Hamilton has a role to play in supporting events).*

**Policy Statement**        The City of Hamilton is committed to working with the event sector and community stakeholders to support events and create an environment in which events flourish.  
*(This statement affirms the City's commitment to ensuring the success of events and the event sector).*

There are six distinct roles the City may undertake, based on strategic priorities, resource availability, and opportunity:  
*(This delineates how the City interacts with events).*

**Regulator**    ensures the health and safety of event participants

**Facilitator**   ensures that event organizers have the correct events-related information, education and training

**Funder**        provides financial resources

**Promoter**    creates marketing opportunities

**Producer**    plans, delivers and evaluates events

**Service Provider**   provides municipal services that support events (either on an in-kind or for a fee basis)

**Definition**                An **event** is a celebration, activity or display of an educational, commemorative, celebratory, exhibitivite or competitive nature in which participation is a choice. An event has public profile and access, occurs for a limited time and is not considered a regularly scheduled program.

**Event  
Types**

**Civic Event** – an event organized by the City of Hamilton for a local audience

**Community Event** – an event organized by the community for a local audience

**Commercial Event** – an event that is organized with profit-making goals by a commercial entity, or that primarily promotes the business of a commercial entity

**Tourism Event** – an event that is promoted to and primarily attracts tourists<sup>1</sup>.

**Note:** The Events Strategy will not encompass:

1. Events held on private property  
*(Although the City plays a regulatory role in many aspects of these events, such as the provision of building permits for permanent and temporary structures and the setting of occupancy limits, the City does not have any overarching role in private events).*
2. Facility bookings for indoor events at civic facilities  
*(These events are regulated by the booking policies and procedures of each facility).*
3. Sportsfield bookings for sporting events.  
*(These events are coordinated by the Recreation Division).*
4. Civic events that are part of a regular program of activities, e.g. Museum exhibition openings, Recreation Centre events.  
*(These are not considered events, but are part of the regular programming of these facilities).*

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<sup>1</sup> Tourist - an individual (including an Ontario resident) who travels 40 kilometres or more or crosses the Ontario border to attend a festival or event. Ontario Ministry of Tourism, Culture and Sport. Tourism Research Unit, March 2011. Concepts and Definitions Stage and Signature Category. Ontario Ministry of Tourism, Culture and Sport.

# CITY OF HAMILTON BUDGET RESTATEMENT SCHEDULE

## BUDGET RESTATEMENT

### Budget Transfer to another division or department

ITEM #	TRANSFER FROM			TRANSFER TO		
	Department	Division	Amount	Department	Division	Amount
1.1	Public Health Services	Health Protection	4,928,350	Public Health Services	Mandatory Public Health Subsidy	-23,456,810
		Healthy Living	5,573,380			
		Family Health	3,020,150			
		Planning & Business Improvement	2,231,430			
		Clinical & Preventive Services	4,548,760			
		Medical of Officer	3,154,740			
Explanation: Consolidation of the Mandatory Public Health Subsidy into its own division. Simplifies financial management and reporting for divisions and programs.						

Note - Above budget transfers remain in the same cost category.

# CITY OF HAMILTON

## BUDGETED COMPLEMENT TRANSFER SCHEDULE

### STAFF COMPLEMENT CHANGE

#### Complement Transfer to another division or department <sup>(1)</sup>

ITEM #	TRANSFER FROM				TRANSFER TO			
	Department	Division	Position Title (2)	FTE	Department	Division	Position Title (2)	FTE
1.1	Community & Emergency Services	Recreation	Various	1.0	Planning & Economic Development	Parking & By-Law	License Clerk	1.0
<b>Explanation:</b> To make a currently temporary License Clerk position within Parking & By-Law into a permanent position.								

Note - Complement transfers include the transfer of corresponding budget.

(1) - All other budgeted complement changes that require Council approval per Budgeted Complement Control Policy must be done through either separate report or the budget process (i.e. Increasing/decreasing budgeted complement, changing budgeted complement type).

(2) - If a position is changing, the impact of the change must be within 1 pay band or separate Council approval is required.

**CITY OF HAMILTON  
CAPITAL PROJECTS' CLOSING SCHEDULE  
AS OF DECEMBER 31, 2013**

YEAR	APPROVED PROJECT ID	DESCRIPTION	APPROVED BUDGET	REVENUES	EXPENDITURES	PROJECT SURPLUS/ (DEFICIT)	% SPENT	FUNDING SOURCE & TRANSFERS	NOTES/ REASON FOR CLOSING
			a	b	c	d = b - c	e=c/a		
			\$	\$	\$	\$			
<b>UNALLOCATED RESERVES</b>									
<b><u>Reserve 108020 - Unallocated Capital Levy</u></b>									
2009	6300941909	WL-1989 Wing Renovations	193,780	193,783	196,314	-2,531	101.3%		
2004	6500457101	Macassa-Scheduling Software	388,250	438,262	438,675	-413	113.0%		
2012	6501241100	CSD Accommodations	86,888	86,885	86,888	-3	100.0%		
2011	6501141100	CSD Accommodations	168,837	168,840	168,837	3	100.0%		
2010	3541041015	330 Wentworth-Mechanical Upgrade Garage	133,200	133,200	133,196	4	100.0%		
2004	4400449100	Stair Replacement Install	243,409	243,411	243,118	293	99.9%		
2007	7100754715	Winona Park Facility Improve	100,000	100,000	99,588	412	99.6%		
2012	4031211224	Sidewalk Rehabilitation Program 2012	441,000	442,949	441,000	1,949	100.0%		
2009	4030918924	Bridge 313 - Jolley Cut & Wall	3,396,000	3,761,479	3,759,106	2,373	110.7%		
2012	6301251200	WL-Building Deficiency Repairs	39,132	39,132	36,419	2,713	93.1%		
2002	8200203105	Increase Public Safety Downtown	50,000	50,000	47,272	2,728	94.5%		
2013	7801351302	P25 Diagnostic Test Equipment	75,000	75,000	70,791	4,209	94.4%		
2012	6301251202	ML-Replacement of Hand Rails	75,000	75,000	65,895	9,105	87.9%		
2008	6500851803	MSDs Prevention & Ergonomics	1,061,000	1,061,000	1,044,729	16,271	98.5%		
2008	8200803610	Commerc Property Improve Grant	400,000	400,000	323,065	76,935	80.8%		
2010	3621051101	Gateway Signs-Ancaster Bus Pk	150,000	150,000	58,841	91,159	39.2%		
<b>TOTAL FUNDS RETURNED TO UNALLOCATED CAPITAL LEVY (16)</b>			<b>7,001,496</b>	<b>7,418,940</b>	<b>7,213,732</b>	<b>205,208</b>	<b>103.0%</b>		

**DELAYED/CANCELLED PROJECTS**

**Planning & Economic Development (Tax Budget)**

2010	7101058700	Public Art - James and Hunter	150,000	150,000	150,000	0	100.0%		Funds used to offset 2014 Capital Levy Impact - GIC Report 13-022(a)
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**Hamilton Police Services (Tax Budget)**

2013	3761341202	Marine Vessel Purchase	300,000	0	0	0	0.0%		Project is not viable at this time due to competing priorities
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**Corporate Services (Tax Budget)**

2012	4241209201	Ferguson/Kelly - Pedestrian Signal	80,000	0	0	0	0.0%		Traffic worked in conjunction with Councillor - project was cancelled.
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**Public Works (Tax Budget)**

2013	4451351010	Vehicle Acquisition-Roundabout	0	0	0	0	#DIV/0!		No longer required
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**CAPITAL PROJECTS' CLOSING SCHEDULE  
AS OF DECEMBER 31, 2013**

YEAR	APPROVED PROJECT ID	DESCRIPTION	APPROVED BUDGET	REVENUES	EXPENDITURES	PROJECT SURPLUS/ (DEFICIT)	% SPENT	FUNDING SOURCE & TRANSFERS	NOTES/ REASON FOR CLOSING
			a	b	c	d = b - c	e = c/a		
			\$	\$	\$	\$			
<b>Public Works (Rates Budget)</b>									
2010	5161057051	Storm Rate Sys Implementation	605,000	240,045	240,045	0	39.7%	Funded up to expenses incurred	Stormwater Rate Study was abandoned.
2011	5181150100	Collection Sys-RTC Land Purch	5,000	3,582	3,582	0	71.6%	Funded up to expenses incurred	No further land acquisition required.
2011	5181196125	Kenora - Barton to Bancroft & Bancroft - Nash	3,600,000	473,819	473,819	0	13.2%	Funded up to expenses incurred	Project is not feasible at this time due to existing infrastructure restrictions/downstream capacity.
<b>TOTAL CANCELLED PROJECTS (7)</b>			<b>4,740,000</b>	<b>867,446</b>	<b>867,446</b>	<b>0</b>	<b>18.3%</b>		
<b>COMPLETED PROJECTS</b>									
<b>Hamilton Police Services (Tax Budget)</b>									
2012	3761251202	Crime Computer Storage	206,800	206,791	206,791	0	100.0%		
2012	3761251201	Armoured Rescue Unit Vehicle	250,000	284,094	284,094	0	113.6%		
<b>Corporate Services (Tax Budget)</b>									
2011	3501157105	IS Infrastructure	243,631	244,167	244,167	0	100.2%		
2011	2051157100	Operating Budget - Upgrade	142,000	141,854	141,854	0	99.9%		
<b>Councillor Infrastructure (Tax Budget)</b>									
2013	4241309211	York St Car Prk Elec Plugins	25,000	11,531	11,531	0	46.1%		
2012	4241209801	Gilksn Park Redevelopment	17,000	7,681	7,681	0	45.2%		
2012	4241209501	Sam Manson Park Irrigation	50,000	49,248	49,248	0	98.5%		
2013	4241309101	School Nutrition Program	80,000	80,000	80,000	0	100.0%		
2013	4241309210	School Nutrition Program	80,000	80,000	80,000	0	100.0%		
<b>Planning &amp; Economic Development (Tax Budget)</b>									
2009	4030980981	Kitty Murray & Garner Signals	250,000	248,592	248,592	0	99.4%		
2001	3620155103	GRIDS Study	1,152,900	1,153,123	1,153,123	0	100.0%		
2003	3620308102	Traditional Mfg Sector Profile	81,000	17,000	17,000	0	21.0%		
2007	8200703601	Main Street Housing Program	300,000	291,449	291,449	0	97.1%		
2005	3620507102	SWMP #2 Enhancements Ancaster	2,876,000	1,979,781	1,979,781	0	68.8%		
2004	3620407001	Anc Ind Pk-Ext of Cormorant Rd	651,300	293,910	293,910	0	45.1%		
2001	3640107100	Tradewind Dr Extension	1,016,000	311,200	311,200	0	30.6%		
2001	5160180130	Binbrook Agreement Recoveries	2,300,000	11,740,181	11,740,181	0	510.4%		
<b>Community &amp; Emergency Services (Tax Budget)</b>									
2011	7401151601	Annual Fire Vehicle Replace	116,000	91,451	91,451	0	78.8%		
2009	7400951601	2009 Fire Vehicle Replacement	1,138,000	1,093,434	1,093,434	0	96.1%		
2009	7800951900	Corporate Trunk Radio Upgrades	24,215,300	24,195,989	24,195,989	0	99.9%		
2007	7640751702	EMS Review-Capital Investments	1,552,510	1,533,698	1,533,698	0	98.8%		
2012	6301251204	ML-Replace Furnishings-A Wings	53,693	53,693	53,693	0	100.0%		

**CAPITAL PROJECTS' CLOSING SCHEDULE  
AS OF DECEMBER 31, 2013**

YEAR	APPROVED	PROJECT ID	DESCRIPTION	APPROVED BUDGET	REVENUES	EXPENDITURES	PROJECT SURPLUS/ (DEFICIT)	% SPENT	FUNDING SOURCE & TRANSFERS	NOTES/ REASON FOR CLOSING
	a			b	c	d = b - c	e = c/a			
	\$			\$	\$	\$	\$			
<b>CityHousing (Tax Budget)</b>										
2013	6731341304		Landscape-25 Towercrest Drive	500,000	500,000	500,000	0	100.0%		
<b>Public Works</b>										
<b>Hamilton Water (Rates Budget)</b>										
2008	5140861303		WM Replace Roadway Restoration	1,060,000	1,051,734	1,051,734	0	99.2%		
2011	5141170000		Coordinated Road and Subsurface Works 201	4,500,000	4,500,000	4,500,000	0	100.0%		
2012	5141270000		Coordinated Road and Subsurface Works 201	4,380,000	4,380,000	4,380,000	0	100.0%		
2011	5161160390		Wastewater System Lining Program 2011	5,000,000	5,000,000	5,000,000	0	100.0%		
2012	5161260390		Wastewater System Lining Program 2012	5,410,844	5,410,844	5,410,844	0	100.0%		
2010	5181072290		Storm Sewer Upgrades 2010	2,480,000	2,480,000	2,480,000	0	100.0%		
2011	5181170000		Coordinated Road and Subsurface Works 201	820,000	820,000	820,000	0	100.0%		
2011	5181172290		Storm Sewer Upgrades 2011	3,601,000	3,601,000	3,601,000	0	100.0%		
2012	5181260622		SWM Pond-Creek Maintenance Program 2012	650,000	650,000	650,000	0	100.0%		
2012	5181270000		Coordinated Road and Subsurface Works 201	1,110,000	1,110,000	1,110,000	0	100.0%		
<b>Roads (Tax Budget)</b>										
2008	4030811016		Resurfacing 2008 - Provincial Funding	5,756,310	5,624,665	5,624,665	0	97.7%		
2009	4030955940		Transportation Tomorrow Survey 2009/11	61,000	61,093	61,093	0	100.2%		
2011	4031111224		Sidewalk Rehabilitation Program 2011	401,000	401,000	401,000	0	100.0%		
2012	4031210005		Major Road Maintenance Program 2012	900,000	900,000	900,000	0	100.0%		
2012	4031217677		Preventative Maintenance Program 2012	2,122,000	2,122,000	2,122,000	0	100.0%		
2012	4031218217		Bridge & Culvert Maintenance 2012	700,000	700,000	700,000	0	100.0%		
2012	4031218218		OSIM Bridge and Culvert Inspections 2012	200,000	200,000	200,000	0	100.0%		
2012	4031255940		Transportation Tomorrow Survey 2012	23,000	23,000	23,000	0	100.0%		
2011	4041117124		Bicycle Route Program 2011	240,000	240,000	240,000	0	100.0%		
2012	4041210004		Escarpment Slope Stabilization Program 2012	300,000	300,000	300,000	0	100.0%		
2012	4041210417		Retaining Wall Rehabilitation 2012	300,000	300,000	300,000	0	100.0%		
2009	4040916102		Traffic Calming Program - 2009/10/11	110,000	110,000	110,000	0	100.0%		
<b>Waste Management (Tax Budget)</b>										
2007	5120791000		Glan Landfill Maint & Cap Impr	1,311,406	1,311,406	1,311,406	0	100.0%		
2010	5121091000		Glan Landfill Cap Improv	176,000	176,000	176,000	0	100.0%		
2012	5121251700		MRF Equipment Upgrades	1,943,620	1,943,620	1,943,620	0	100.0%		
<b>Forestry &amp; Horticulture (Tax Budget)</b>										
2013	4451351006		Gage Park Formal Garden Curb	47,675	47,675	47,675	0	100.0%		
<b>Park &amp; Cemeteries (Tax Budget)</b>										
2012	4401249101		2012 Pathway resurfacing	240,000	240,000	240,000	0	100.0%		
2012	4401249510		Spraypad Infrastructure Rehab	122,600	122,840	122,840	0	100.2%		
2012	4401249607		Outdoor Ice Rink Program	50,000	50,000	50,000	0	100.0%		
2012	4401249104		Parks Sports -security Lighting	25,000	25,000	25,000	0	100.0%		
2012	4401252100		CSA Safety Material Replacement	115,000	115,000	115,000	0	100.0%		



**CAPITAL PROJECTS' CLOSING SCHEDULE  
AS OF DECEMBER 31, 2013**

YEAR	APPROVED PROJECT ID	DESCRIPTION	APPROVED BUDGET	REVENUES	EXPENDITURES	PROJECT SURPLUS/ (DEFICIT)	% SPENT	FUNDING SOURCE & TRANSFERS	NOTES/ REASON FOR CLOSING
			a	b	c	d = b - c	e = c/a		
			\$	\$	\$	\$			
2012	4401251700	2012 Small Equipment Replacement	70,000	70,000	70,000	0	100.0%		
2011	4401149104	Parks Lighting Upgrades	25,000	27,500	27,500	0	110.0%		
2011	4401149107	Park Fencing	100,000	104,573	104,573	0	104.6%		
<b>Transit (Tax Budget)</b>									
2011	5311182001	Expansion Buses ATS	400,000	327,668	327,668	0	81.9%		
2012	5311282100	2012 ATS Vehicle Replacement	1,924,000	1,788,799	1,788,799	0	93.0%		
2013	5301383100	2013 Annual HSR Vehicle Replacement	0	43,514	43,514	0	#DIV/0!		
<b>Open Space Development (Tax Budget)</b>									
2006	4400656519	Emergency Services Commemorative Square	105,262	105,262	105,262	0	100.0%		
2009	4400956103	Inch Park	117,101	117,101	117,101	0	100.0%		
2009	4400956902	West Harbour Trail	9,400	9,425	9,425	0	100.3%		
2010	4401056612	Pine Ridge Valley Trail	73,000	72,534	72,534	0	99.4%		
2011	4401156116	Sam Manson Park	180,663	180,663	180,663	0	100.0%		
<b>Facilities (Tax Budget)</b>									
2009	3540941723	Fire Station Architectural	1,795,818	1,795,818	1,795,818	0	100.0%		
2008	3540841620	CUP Lifecycle Retrofit	781,510	703,510	703,510	0	90.0%		
2010	3541041412	Roof Management Program	715,300	715,277	715,277	0	100.0%		
2011	3541141001	Emergency Generators - CUP	719,707	719,707	719,707	0	100.0%		
2011	3541141104	Arena Lighting and Controls	302,000	256,760	256,760	0	85.0%		
2011	3541141105	Hamilton City Centre Lighting and Controls	275,000	282,269	282,269	0	102.6%		
2012	3541241001	Yard Capital Renewal Program	120,000	120,000	120,000	0	100.0%		
<b>Recreation (Tax Budget)</b>									
2009	7100954630	ISF-2400-Sir Allan McNab	3,000,000	2,980,774	2,980,774	0	99.4%		
2011	7101154702	Facility Capital Maintenance	335,000	335,000	335,000	0	100.0%		
2012	7101249211	Westdale Tennis Construction	358,486	358,486	358,486	0	100.0%		
2012	7101254536	Program - Arena Retrofits	320,000	320,000	320,000	0	100.0%		
<b>TOTAL COMPLETED PROJECTS (76)</b>			<b>93,180,837</b>	<b>100,060,383</b>	<b>100,060,383</b>	<b>0</b>	<b>107.4%</b>		
<b>GRAND TOTAL COMPLETED/CANCELLED PROJECTS (99)</b>			<b>104,922,333</b>	<b>108,346,770</b>	<b>108,141,561</b>	<b>205,208</b>	<b>103.1%</b>		

**CITY OF HAMILTON**  
**CAPITAL PROJECTS' BUDGET APPROPRIATION SCHEDULE**  
**FOR THE PERIOD COVERING OCTOBER 1, 2013 THROUGH DECEMBER 31, 2013**

Appropriated from	Appropriated to	Amount \$	Council Approval / Comments
<b>PUBLIC WORKS</b>			
<b>Public Works (Tax Budget)</b>			
<u>Roads</u>			
4031115820	Traffic Counts Program	4031315820	Traffic Counts Program
		99,000	N/A - within policy limits
		99,000	
<u>Corporate Facilities</u>			
3540941723	Fire Station Architectural	3541341013	Firestations Facility Upgrade
		61,162	N/A - within policy limits
3541041015	330 Wentworth-MechUpgrd Garage	3541355001	Yard Capital Renewal Program
		34,800	N/A - within policy limits
3541141001	Emergency Generators - CUP HP	3541341532	Facility Capital Maintenance
		80,293	N/A - within policy limits
		176,255	
<u>Recreation</u>			
7101141704	Beemer Pk Washroom&Storage	7100941704	Beemer Park Building Upgrades
		1,600	N/A - within policy limits
7101254702	Facility Capital Maintenance	7100958912	RINc 16 Inch Park Arena Rehab
		75,000	N/A - within policy limits
7101341706	Recreation Centre Retrofits	7101249211	Westdale Tennis Construction
		8,486	N/A - within policy limits
7101354702	Facility Capital Maintenance	7100958912	RINc 16 Inch Park Arena Rehab
		153,000	N/A - within policy limits (City Manager)
		238,086	
<u>Forestry</u>			
4451351006	Gage Park Formal Garden Curb	4451351003	Gage Park Depot Improvements
		27,325	N/A - within policy limits
4451351010	Vehicle Acquisition-Roundabout	4451351003	Gage Park Depot Improvements
		70,000	N/A - within policy limits
		97,325	
<u>Waste Management</u>			
5120791000	Glan Landfill Maint & Cap Impr	5120867101	Relocation of Hall Rd Pmp Stn
		87,019	N/A - within policy limits
5121091000	Glan Landfill Cap Improvements	5121291000	Glan Landfill Cap Improvements
		100,000	N/A - within policy limits
		187,019	
<u>Open Space</u>			
4400356100	Desj Canal Walkway-Emerg Plan	4401349004	Wfirt Trail-Shrine&Pth Restor
		34,500	N/A - within policy limits
		34,500	
<b>Total Public Works (Tax Budget) (13)</b>		<b>832,185</b>	

**CAPITAL PROJECTS' BUDGET APPROPRIATION SCHEDULE  
FOR THE PERIOD COVERING OCTOBER 1, 2013 THROUGH DECEMBER 31, 2013**

Appropriated from		Appropriated to		Amount \$	Council Approval / Comments
<b>Public Works (Rates Budget)</b>					
<u>Water</u>					
5141167751	Outstations - Asset Management	5141267274	Kenilworth PS - HD005 Upgrades	60,000	N/A - within policy limits
				60,000	
<u>Storm</u>					
5181172290	Storm Sewer Upgrades 2011	5181317152	Roadside Drainage Improvements	24,000	N/A - within policy limits
5181272290	Storm Sewer Upgrades 2012	5181317152	Roadside Drainage Improvements	60,000	N/A - within policy limits
5181272295	SERG - LEEDS Implementation	5181159150	Res Drainage Assistance Prog	300,000	PC 11-018 approved at Council Oct 26, 2012
5181372290	Storm Sewer Upgrades 2013	5181174110	Lower Davis Crk Erosion Easing	99,000	N/A - within policy limits
5181372290	Storm Sewer Upgrades 2013	5181317152	Roadside Drainage Improvements	60,000	N/A - within policy limits
				543,000	
<b>Total Public Works (Rates Budget) (6)</b>				603,000	
<b>TOTAL PUBLIC WORKS (19)</b>				1,435,185	
<b>PLANNING &amp; ECONOMIC DEVELOPMENT</b>					
4900857800	Parking Ticket Mgmt Software	8061259800	Upgrade-Counter & Adjudicate	57,000	N/A - within policy limits
4901241105	Workshop-Staff Room Upgrade	8061259800	Upgrade-Counter & Adjudicate	22,000	N/A - within policy limits
7100758708	Collections-Preservation Task	7201158701	Burlington St Storage Building	27,000	N/A - within policy limits
<b>TOTAL PLANNING &amp; ECONOMIC DEVELOPMENT (3)</b>				106,000	
<b>COMMUNITY &amp; EMERGENCY SERVICES</b>					
6501141100	CSD Accommodations	6301241205	Macassa Lodge Lobby	59,940	N/A - within policy limits
6501141100	CSD Accommodations	6501341100	CSD Accommodations	21,223	N/A - within policy limits
6501241100	CSD Accommodations	6301241205	Macassa Lodge Lobby	12,560	N/A - within policy limits
6501241100	CSD Accommodations	6501341100	CSD Accommodations	552	N/A - within policy limits
<b>TOTAL COMMUNITY &amp; EMERGENCY SERVICES (4)</b>				94,275	
<b>CORPORATE SERVICES</b>					
3501157102	PeopleSoft Systems-Upgrades	2051357301	AP Automated Workflow	88,000	N/A - within policy limits
<b>TOTAL CORPORATE SERVICES (1)</b>				88,000	
<b>GRAND TOTAL BUDGET APPROPRIATIONS (27)</b>				1,723,460	

**CAPITAL PROJECTS' BUDGET APPROPRIATION SCHEDULE  
FOR THE PERIOD COVERING OCTOBER 1, 2013 THROUGH DECEMBER 31, 2013**

Appropriated from	Appropriated to	Amount \$	Council Approval / Comments
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*NOTE: There were several projects on the closing report which had surpluses appropriated to fund projected deficits, or had deficits covered through appropriations, as part of the closing process. These appropriations are in accordance with the Capital Project Monitoring Policy and are summarized in the table below. The presentation on the closing report accounts for these appropriations.*

**APPROPRIATIONS COMPLETED IN 2014 RELEVANT TO DEC 31, 2013 CLOSING LIST**

5121290412	MRF Roof Repl & Repair	5121251700	MRF Equipment Upgrades	43,620	N/A - within policy limits
6301251204	ML-Replace Furnishings-A Wings	6301241205	Lobby Renovation Project	21,307	N/A - within policy limits
6301251204	ML-Replace Furnishings-A Wings	6301251201	Nurse Call & wall Protection	8,449	N/A - within policy limits
6301251200	WL-Building Deficiency Repairs	6301151102	HVAC Replacement-1989 Wing	22,419	N/A - within policy limits
4031111224	Sidewalk Rehabilitation Program 2011	4031311224	Sidewalk Rehabilitation Program 2013	99,000	N/A - within policy limits
4031211224	Sidewalk Rehabilitation Program 2012	4031311224	Sidewalk Rehabilitation Program 2013	59,000	N/A - within policy limits
4030955940	Transportation Tomorrow Survey 2009/11	4031355940	Transportation Tomorrow Survey 2013	99,000	N/A - within policy limits
4031255940	Transportation Tomorrow Survey 2012	4031355940	Transportation Tomorrow Survey 2013	7,000	N/A - within policy limits
<b>TOTAL APPROPRIATIONS COMPLETED IN 2014 RELEVANT TO DEC 31, 2013 CLOSING LIST (8)</b>				<b>359,795</b>	



# PUBLIC WORKS COMMITTEE

## REPORT 14-005

9:30 a.m.

Tuesday, April 22, 2014

Council Chambers

Hamilton City Hall

71 Main Street West

**Present:** Councillors T. Whitehead (Chair), S. Merulla (Vice Chair), C. Collins, S. Duvall L. Ferguson, T. Jackson, B. McHattie, R. Pasuta, R. Powers.

### THE PUBLIC WORKS COMMITTEE PRESENTS REPORT 14-005 AND RESPECTFULLY RECOMMENDS:

#### 1. Intersection Control List (PW14001) (Ward 11) (Item 5.1)

That the appropriate By-law be presented to Council to provide traffic control as follows:

Intersection		Stop Direction		Class	Location / Comments / Petition	Ward
Street 1	Street 2	Existing	Requested			
Section "F" Stoney Creek						
(a) Arvin Ave.	Lewis Rd.	NC	WB	B	N. of Barton St., W. of Winona Rd.	11

#### 2. Capital Projects Status Report as of December 31, 2013 (PW14038) (City Wide) (Item 5.2)

That Report PW14038 respecting Capital Projects Status Report as of December 31, 2013 be received.

#### 3. Transit Bus Stops Accessibility Review (PW14041) (City Wide) (Item 8.2)

- (a) That the City of Hamilton reaffirm its strong support of the Accessibility for Ontarians with Disabilities Act (AODA) and;
- (b) That the City of Hamilton advocate for a national and provincial strategy for a funding formula to be established to expedite full compliance with AODA legislation and;
- (c) That a letter be sent to the Prime Minister of Canada and the Premier of Ontario providing them with a copy of this resolution.

**Council - April 23, 2014**

**4. Playground Project at Crerar Park No. 1 (Item 10.1)**

- (a) That the playground at Crerar Park No.1 be upgraded, with the work to include the replacement of the play structure and the addition of a swing set;
- (b) That the cost of the Crerar Park No.1 playground project estimated at \$50,000 be funded from the 2014 Ward 7 Area Rating fund.

**5. Tree Removal at 269 Eaglewood Drive (Item 10.2)**

That forestry staff be directed to remove the tree located at 269 Eaglewood Drive.

**FOR THE INFORMATION OF COUNCIL:**

**(a) APPROVAL OF THE AGENDA (Item 1)**

The Committee Clerk advised of the following changes to the agenda:

- (i) Added as Item 10.1 - a Notice of Motion respecting a Playground Project at Crerar Park No.1
- (ii) Added as Item 10.2 - a Notice of Motion respecting a Tree Removal at 269 Eaglewood Drive

The April 22, 2014 Public Works Committee Agenda was approved, as amended.

**(b) DECLARATIONS OF INTEREST (Item 2)**

There were no declarations of interest.

**(c) MINUTES (Item 3)**

**(i) April 7, 2014 (Item 3.1)**

The Minutes of the April 7, 2014 Public Works Committee meeting were approved, as presented.

**(d) DELEGATION REQUESTS (Item 4)**

- (i) The delegation request from Issac Neven and Brett Bailey, Crown Point Youth Council, respecting a proposal for a Family Bike Skills Park was approved for today's meeting and added as Item 6.1.

**(e) CONSENT ITEMS (Item 5)**

**(i) Minutes of Various Sub-Committees (FOR INFORMATION PURPOSES ONLY) (Item 5.3)**

The minutes of the February 24, 2014 minutes of Glanbrook Landfill Coordinating Committee were received.

**(f) PUBLIC HEARINGS/DELEGATIONS (Item 6)**

**(i) Delegation by Issac Neven and Brett Bailey, Crown Point Youth Council, respecting a proposal for a Family Bike Skills Park (Item 6.1)**

Mr. Neven and Mr. Bailey addressed the Committee respecting a proposal for a Family Bike Skills Park in Gage Park. Mr. Neven and Mr. Bailey provided the Committee with a handout to accompany their presentation. A copy of this document has been retained for the public record.

The presentation included but was not limited to the following:

- Purpose of the Bike Skills Park
- Definition and Benefits of a Pump Track
- Need for a Bike Skills Park due to initiatives such as:
  - Bike for Mike Program
  - Hamilton Police Earn-a-Bike Program
  - New Hope Community Bikes

The delegation by Issac Neven and Brett Bailey, Crown Point Youth Council, respecting a proposal for a Family Bike Skills Park was received.

Staff were directed to report to the Public Works Committee with options and alternatives respecting the establishment of a Family Bike Skills Park.

**(g) PRESENTATIONS**

**(i) 2015 Pan Am Games (Item 7.1)**

Ms. Coralee Secore, Manager, Pan Am Initiatives, addressed the Committee with the aid of a PowerPoint presentation. A copy of the presentation has been retained for the public record.

The presentation included but was not limited to the following:

- Hamilton "Soccer Central"
- Ticketing Strategy
- The "People's Games"
- Who Does What
- Status of Current issues

- Host Volunteer Committee
- Community Forums
- Host Showcase Program
- Internal Staff Working Group
- Cultural Festivities
- Volunteer Opportunities
- Role of Public Works
- Upcoming Events

The presentation respecting the 2015 Pan Am Games was received.

**(ii) 2014 Transit Capital Fleet Replacement and Compressed Natural Gas (CNG) Station Replacement (Item 7.2)**

Mr. Don Hull, Director of Transportation, addressed the Committee respecting the 2014 Transit Capital Fleet Replacement and Compressed Natural Gas (CNG) Station Replacement with the aid of a PowerPoint presentation. A copy of the presentation has been retained for the public record.

The presentation included but was not limited to the following:

- Overview of the Report's Recommendations and Executive Summary
- Financial Implications
- Legal Implications
- Policy Implications and Legislated Requirements
- Relevant Consultation
- Analysis and Rationale for Recommendation
- Alternatives for Consideration
- Alignment to the 2012-2015 Strategic Plan

Mr. Steve Kay, Manager of Distribution and Business Development, Union Gas, was in attendance and answered questions posed by the Committee respecting the CNG Station Replacement.

The presentation respecting 2014 Transit Capital Fleet Replacement and Compressed Natural Gas (CNG) Station Replacement was received.

**(iii) Transit Bus Stops Accessibility Review (Item 7.3)**

The presentation respecting the Transit Bus Stops Accessibility Review was waived.

Staff was directed to report back to the Committee on the financial implications of full compliance with AODA legislation from a public perspective and that an assessment of the private sector cost implications also be included in this report.



**(h) DISCUSSION ITEMS**

**(i) 2014 Transit Capital Fleet Replacement and Compressed Natural Gas (CNG) Station Replacement (PW12017(b)) (City Wide) (Item 8.1)**

Report PW12017(b) was referred to staff for a further report back to the Public Works Committee on May 22, 2014.

**(i) NOTICE OF MOTIONS (Item 10)**

Councillor Duvall introduced the following Notice of Motion:

**(i) Playground Project at Crerar Park No. 1 (Item 10.1)**

- (aa) That the playground at Crerar Park No.1 be upgraded, with the work to include the replacement of the play structure and the addition of a swing set;
- (bb) That the cost of the Crerar Park No.1 playground project estimated at \$50,000 be funded from the 2014 Ward 7 Area Rating fund.

The rules of order were waived to allow the introduction of a Motion respecting a Playground Project at Crerar Park No.1.

For disposition on this matter refer to Item 4.

Councillor Duvall introduced the following Notice of Motion:

**(ii) Tree Removal at 269 Eaglewood Drive (Item 10.2)**

That forestry staff be directed to remove the tree located at 269 Eaglewood Drive.

The rules of order were waived to allow the introduction of a Motion respecting Tree Removal at 269 Eaglewood Drive.

For disposition on this matter refer to Item 5.

**(j) GENERAL INFORMATION/OTHER BUSINESS (Item 11)**

**(i) Outstanding Business List (Item 11.1)**

- (a) That the due date of following item was revised:

Item M - Reduction in Greenhouse Gas and Energy  
Current Date – April 7, 2014  
Revised Date – May 22, 2014

**(k) ADJOURNMENT (Item 13)**

That, there being no further business, the Public Works Committee adjourned at 12:27 p.m.

Respectfully submitted,

Councillor T. Whitehead, Chair  
Public Works Committee

Lauri Leduc  
Legislative Coordinator  
Office of the City Clerk



**BOARD OF HEALTH  
REPORT 14-003  
1:30 p.m.  
Tuesday, April 22, 2014  
Council Chambers  
Hamilton City Hall**

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**Present:** Mayor. R. Bratina (Chair),  
Councillors S. Merulla, C. Collins, T. Jackson, S. Duvall  
T. Whitehead, B. Clark, M. Pearson, B. Johnson,  
L. Ferguson, R. Powers, R. Pasuta, J. Partridge R. Morrow,  
Councillor J. Farr

**Absent with regrets:** Councillor B. McHattie – City Business

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**THE BOARD OF HEALTH PRESENTS REPORT 14-003 AND RESPECTFULLY RECOMMENDS:**

1. **Epinephrine Auto Injector Pilot Project Update (BOH13040(a)) (City Wide) (Item 8.3)**
  - (a) That the development, implementation, research and evaluation of the Stock Epinephrine Auto-injector Pilot Project be overseen by the City of Hamilton, through Public Health Services;
  - (b) That as an exception to the Corporate Purchasing Policy, that Public Health Services be given the authority to negotiate, through Memorandum of Understandings as acceptable to the City Solicitor, the undertaking of components of the Epinephrine Auto Injector Pilot Project with McMaster University, Anaphylaxis Canada, or other agents as identified, including but not limited to related research, evaluation, training, and project management related to the Epinephrine project and with shopping mall operators, food outlet businesses and other related agencies as locations for the carrying out of the Epinephrine Pilot Project; and if acceptable agreements cannot be reached, Hamilton Public Health Services itself will conduct the necessary work or report back;
  - (c) That staff be directed to use up to \$82,000 from the Tax Stabilization Reserve Number 11046 to fund the components necessary to complete the Stock Epinephrine Auto Injector Pilot Project;

(d) That Appendix A to the Report BOH13040(a) remain confidential.

**2. Board of Health Self-Evaluation Results (BOH14011) (City Wide) (Item 8.4)**

(a) That the newly-elected Board of Health be advised to initiate a review of governance models within the first year of term to decide on the appropriate Board of Health governance structure to implement;

(b) That staff be directed to improve the Board of Health orientation program with the long term goal to develop an education strategy for the Board.

**3. Ottawa Street Mobile Farmers' Market 2-Year Pilot Program (Item 9.1)**

Whereas low consumption of vegetables and fruit is associated with a poor diet and increased risk of obesity, heart disease, Type 2 diabetes, and some cancers; and

Whereas the majority of Hamiltonians do not eat the recommended daily servings of vegetables and fruit, with less than half reporting they eat vegetables and fruit five or more times a day; and

Whereas in 2011-12, 11.6% of households in the City of Hamilton reported food insecurity due to income, which impacts their ability to consume fresh vegetables and fruit, and increases the risk of preventable chronic diseases; and

Whereas some Hamilton neighbourhoods have limited physical access to healthy food retail, but are surrounded by many unhealthy food retail outlets; and

Whereas the City of Hamilton has endorsed the Golden Horseshoe Agriculture & Agri-Food Strategy: Food & Farming Action Plan 2021, which includes goals for public health to increase local food literacy and promote and improve consumers' access to local produce, and

Whereas a mobile farmers' market could result in multiple benefits, including improved access to fresh produce in Hamilton neighbourhoods with limited access to healthy food retail, increased support for the economic livelihood of local farmers, and building community resilience.

Therefore be it resolved:

(a) That Public Health Services assist the Ottawa Street BIA to apply for funding from the Ontario Ministry of Agriculture and Food's Local Food Fund for the proposed 2-year pilot mobile farmers' market project and that any shortfall be funded from the Newalta Landfill Royalty Reserve (117036) created to fund projects for the benefit of the former City of Stoney Creek for up to \$100,000 and the remainder be funded from third party sources;

- (b) That within By-Law No. 07-170, Food Service Vehicles (Schedule 6), Planning and Economic Development explore options, when funding is obtained, to implement the 2-year pilot mobile farmers' market on sites identified by Planning and Economic Development and Public Health Services beginning in 2015;
- (c) That the sites include 2 locations in Stoney Creek, to be determined;
- (d) That Public Health Services and Planning and Economic Development work in collaboration with the Ottawa Street BIA on the operation of the proposed 2-year pilot mobile farmers' market project.

**4. East Hamilton Air Monitoring Stations (Item 10.1)**

Whereas the expansion of Hamilton's local air monitoring network will assist in identifying air pollution 'hot spots', and ultimately enhance our knowledge of local air emission sources and their impacts; and

Whereas air monitoring allows for the collection of outdoor air quality data that can be used to identify local sources of air emissions and to evaluate the potential health impacts on humans due to these exposures; and

Whereas the City of Hamilton has a limited network of fixed air monitors at present where areas of the City and a number of emissions sources are not adequately monitored, creating gaps in local knowledge of air quality and air emissions; and

Whereas over the course of Summer 2012, Sam Manson Park Air Pointer Pilot project approved by Board of Health on September 27, 2010 describes the benefits of continued operation of an Air Pointer in Sam Manson Park and other locations.

Therefore, be it resolved:

- (a) That the funding for the purchase of one reconditioned Air Pointer and one new Air Pointer as well as the first year operating costs be funded by the Ward 5 Area Rating Fund;
- (b) That staff investigate the following City parks & open space properties as potential host sites: Sam Manson Park, Glen Castle Park, Father Sean O'Sullivan Park, Confederation Park, Rosedale Arena/Kings Forest Golf Course, Oakland Park and 2650 Barton St. E. (old HSR transformer station);
- (c) That an amount of \$225,305.00 be set aside to purchase and operate the Air Pointers, to be disbursed as follows:

- (i) \$211,655.00 immediately upon Council Approval;
  - (ii) \$3,650.00 to be paid on the 1<sup>st</sup> of each month to a total of \$43,800.00;
  - (iii) \$9,000.00 immediately to a Purchase Order for the use of Electrical Connections;
  - (iv) \$1,000.00 immediately upon Council Approval.
- (d) That the amounts in (c)(i) and (c)(ii) be paid directly to Rotek Environmental Inc.;
  - (e) That the amounts in (c)(iii) be paid to the selected City of Hamilton Vendor for Electrical work;
  - (f) That the amounts in (c)(iv) be paid directly to Hamilton Air Monitoring Network;
  - (g) That the operating costs of \$44,800 be funded by Ward 5 Area Rating Fund during the first year and then referred to the 2015 Budget process for subsequent years.
  - (h) That when mutually agreed upon, the Air Pointers can be used in other locations/wards.
  - (i) That the Ministry of Environment be contacted to seek funding and support.

**5. Physician Recruitment Specialist Employment Contract (FCS14032) (City Wide) (Item 8.1)**

**Contract Renewal – Physician Recruitment Specialist**

- (a) That the Physician Recruitment Specialist contract be extended for three years, commencing March, 2013 and expiring March, 2016.;
- (b) That the contents of the contract remain confidential.

**6. Item to be Transferred to another Standing Committee (Item 11.3)**

That the Item on the Board of Health Outstanding Business List respecting “Cardiac Safe City” (Item C) be transferred to the Emergency and Community Services Committee.

**FOR THE INFORMATION OF COUNCIL:**

**(a) CHANGES TO THE AGENDA (Item 1)**

There were no changes to the agenda.

The agenda was approved, as presented

**(b) DECLARATIONS OF INTEREST (Item 2)**

There were no declarations of interest.

**(c) APPROVAL OF MINUTES OF PREVIOUS MEETING (Item 3)**

**(i) March 17, 2014 (Item 3.1)**

The Minutes from the March 17, 2014 meeting of the Board of Health were approved, as presented.

**(d) DISCUSSION ITEMS (Item 8)**

**(i) Physician Recruitment Specialist Employment Contract (FCS14032) (City Wide) (Item 8.1)**

For disposition of this matter, refer to Item 5.

**(ii) Physician Recruitment & Retention Steering Committee Report 13-002 (TABLED on January 13, 2014) (Item 8.1(I))**

The Physician Recruitment & Retention Steering Committee Report 13-002 was lifted from the table.

The dates respecting the contract were amended to reflect a start of March 2013 and expiration of March 2016 in the contract and report.

Councillor Ferguson reviewed the Key Performance Indicators. The Board had a general discussion respecting the Key Performance Indicators.

**(iii) Epinephrine Auto Injector Pilot Project Update (BOH13040(a)) (City Wide) (Item 8.3)**

Councillor Ferguson advised he was approached by the Rotary Club of Ancaster with regard to this matter and thanked everyone for their work.

Councillor Collins expressed thanks to Councillor Ferguson for the time and energy put into this matter.

For disposition of this matter, refer to Item 1.

(e) **MOTIONS (Item 9)**

(i) **Ottawa Street Mobile Farmers' Market 2-Year Pilot Program (Item 9.1)**

Item 9.1, Ottawa Street Mobile Farmers' Market 2-Year Pilot Program was amended as follows:

- (aa) That the words "Local Food Grant" be replaced with "Ontario Ministry of Agriculture and Food's Local Food Fund" in subsection (a) of the recommendation; and
- (bb) That the words "through the City's Tax Stabilization Reserve" be replaced with the words "from the Newalta Landfill Royalty Reserve (117036) created to fund projects for the benefit of the former City of Stoney Creek for up to \$100,000 and the remainder be funded from third party sources" to read as follows:
  - (a) That Public Health Services assist the Ottawa Street BIA apply for funding from the **Ontario Ministry of Agriculture and Food's Local Food Fund** for the proposed 2-year pilot mobile farmers' market project and that any shortfall would be funded **from the Newalta Landfill Royalty Reserve (117036) created to fund projects for the benefit of the former City of Stoney Creek for up to \$100,000 and the remainder be funded from third party sources.**
- (cc) That the words "beginning in 2015" be added to the end of subsection (b) of the recommendation to read as follows:
  - (b) That within By-law No. 07-170, Food Service Vehicles (Schedule 6), Planning and Economic Development explore options, when funding is obtained, to implement the 2-year pilot mobile farmers' market on sites identified by Planning and Economic Development and Public Health Services **beginning in 2015.**
- (dd) That the following subsection (c) be inserted and the subsequent subsection be re-lettered.
  - (c) That the sites include 2 locations in Stoney Creek, to be determined.



For disposition of this matter, refer to Item 3.

**(f) NOTICES OF MOTION (Item 10)**

**(i) East Hamilton Air Monitoring Stations (Item 10.1)**

Councillor Collins introduced the following Notice of Motion:

Whereas the expansion of Hamilton's local air monitoring network will assist in identifying air pollution 'hot spots', and ultimately enhance our knowledge of local air emission sources and their impacts; and

Whereas air monitoring allows for the collection of outdoor air quality data that can be used to identify local sources of air emissions and to evaluate the potential health impacts on humans due to these exposures; and

Whereas the City of Hamilton has a limited network of fixed air monitors at present where areas of the City and a number of emissions sources are not adequately monitored, creating gaps in local knowledge of air quality and air emissions; and

Whereas over the course of Summer 2012, Sam Manson Park Air Pointer Pilot project approved by Board of Health on September 27, 2010 describes the benefits of continued operation of an Air Pointer in Sam Manson Park and other locations.

Therefore, be it resolved:

- (a) That the funding for the purchase of one reconditioned Air Pointer and one new Air Pointer as well as the first year operating costs be funded by the Ward 5 Area Rating Fund;
- (b) That staff investigate the following City parks & open space properties as potential host sites: Sam Manson Park, Glen Castle Park, Father Sean O'Sullivan Park, Confederation Park, Rosedale Arena/Kings Forest Golf Course, Oakland Park and 2650 Barton St. E. (old HSR transformer station);
- (c) That an amount of \$225,305.00 be set aside to purchase and operate the Air Pointers, to be disbursed as follows:
  - (i) \$211,655.00 immediately upon Council approval;
  - (ii) \$3,650.00 to be paid on the 1<sup>st</sup> of each month to a total of \$43,800.00;

- (iii) \$9,000.00 immediately to a Purchase Order for the use of Electrical Connections;
- (iv) \$1,000.00 immediately upon Council approval;
- (d) That the amounts in (c)(i) and (c)(ii) be paid directly to Rotek Environmental Inc.;
- (e) That the amounts in (c)(iii) be paid to the selected City of Hamilton Vendor for Electrical work;
- (f) That the amounts in (c)(iv) be paid directly to Hamilton Air Monitoring Network;
- (g) That the operating costs of \$44,800 be funded by Ward 5 Area Rating Fund during the first year and then referred to the 2015 Budget process for subsequent years.
- (h) That when mutually agreed upon, the Air Pointers can be used in other locations/wards.
- (i) That the Ministry of Environment be contacted to seek funding and support.

The rules of order were waived in order to allow for the introduction of a motion respecting "East Hamilton Air Monitoring Stations".

Councillor Collins advised there has been a request from his ward residents to reinstate the Air Monitoring Stations and also concerns with air quality. He also thanked staff and residents who have helped with this matter.

For disposition of this matter, refer to Item 3.

**(ii) Gasification Process Operation in Hamilton (Added Item)**

Councillor Morrow introduced a Notice of Motion respecting the gasification process operation in Hamilton as follows:

That the City of Hamilton formally oppose the gasification process operation planned for the Sherman Avenue and Burlington Street area.

**(g) GENERAL INFORMATION/OTHER BUSINESS (Item 11)**

**(i) Revised Due Dates on the Outstanding Business List (Item 11.1)**

The due dates for the following items on the Outstanding Business List were amended accordingly, as follows:

- (a) Item "A" Review of the City of Hamilton Streets By-law  
Due Date: December 2, 2013  
Revised Due Date: To Be Determined
- (b) Item "E" Request for the LIHN to Present to the Board of Health  
Due Date: February 3, 2014  
Revised Due Date: July 10, 2014

**(ii) Items to be Removed from the Outstanding Business List (Item 11.2)**

The following items were deemed complete and removed from the Outstanding Business List:

- (a) Item "D" Improving Gambling Prevention Activities
- (b) Item "F" Accreditation Moving Forward
- (c) Item "G" Epinephrine Auto-Injector & Food Service Outlets (See Item 8.3)

**(h) PRIVATE AND CONFIDENTIAL (Item 12)**

**(i) Supplemental Information to Item 8.2 (Physician Recruitment & Retention Steering Committee Report 13-002)(Item 12.1)**

The supplemental information to Item 8.2 was amended to include revisions to the duration of the contract.

See Item 5 for the disposition of this item.

**(ii) Supplemental Information to Item 8.3 (Epinephrine Auto Injector Pilot Project Update (BOH13040(a)) (City Wide (Item 12.2)**

The supplemental information to Item 8.3 was received and will remain confidential.

See Item 1 for the disposition of this item.

**(iii) Verbal Update Respecting Personnel Matter regarding Item 8.4  
(Board of Health Self Evaluation Results (BOH14011) (City Wide))  
(Item 12.3)**

The Committee moved into Closed Session at 3:05 p.m. pursuant to Sub-sections 8.1(b) of the City's Procedural By-law and Section 239(2) of the Ontario Municipal Act, 2001, as the subject matters pertains to personal matters about identifiable individuals, including municipal or local board employees.

The Board reconvened in open session.

No action to be reported.

**(i) ADJOURNMENT (Item 13)**

There being no further business, the Board of Health adjourned at 3:15 p.m.

Respectfully submitted,

Mayor R. Bratina  
Chair, Board of Health

Jasmine Branton  
Legislative Coordinator  
Office of the City Clerk