



CITY COUNCIL MINUTES 14-013

5:00 p.m.

Wednesday, June 25, 2014

Council Chambers

Hamilton City Hall

71 Main Street West

Present:	Mayor R. Bratina, Deputy Mayor R. Powers Councillors B. McHattie, J. Farr, R. Morrow, S. Merulla, C. Collins, S. Duvall, T. Whitehead, B. Clark, M. Pearson, B. Johnson, L. Ferguson, J. Partridge and R. Pasuta
Absent with Regrets:	Councillor T. Jackson – Vacation

Mayor Bratina called the meeting to order and called upon Imam Hosan Helal of the Muslim Association of Hamilton to lead Council in prayer.

APPROVAL OF THE AGENDA

The Clerk advised of the following changes to the agenda:

1. CEREMONIAL ACTIVITY

3.1 Presentation of Business Appreciation Awards

2. ADDED COMMUNICATIONS

5.14 Correspondence from Sheilah Lamb, President, Hamilton Academy of Medicine, respecting Ontario Medical Association – Community Service Award presented to Mayor R. Bratina

Recommendation: Be received.

- 5.15 Correspondence from Jessica Brennan, Board Chair, Hamilton-Wentworth District School Board, respecting the West Flamborough Accommodation Review Area

Recommendation: Be received and referred to the Joint City/HWDSB Liaison Committee for discussion.

- 5.16 Correspondence from Gabriel Gasbarrini, Award Construction Limited, respecting Boundary to the Ancaster Wilson Street Secondary Plan (Item 8 of Planning Committee Report 14-010)

Recommendation: For the consideration of Council.

- 5.17 Correspondence from the Association of Municipalities of Ontario (AMO) respecting the New Provincial Cabinet

Recommendation: Be received.

- 5.18 Correspondence from Jasmine Branton, Legislative Co-ordinator to the Agriculture and Rural Affairs Advisory Committee, respecting "Resolution from the Agriculture and Rural Affairs Advisory committee respecting Motion by Councillor S. Merulla – Local Health of Honey Bees"

Recommendation: For the consideration of Council.

3. ADDED NOTICES OF MOTION

- 8.1 Amending Motion to Item 8 of the Audit, Finance & Administration Committee Report 14-004, respecting the Grants Sub-Committee Report 14-002, April 17, 2014 (2014 Community Partnership Program) (Item 8.4)
- 8.2 Relocation of the Canadian Football Hall of Fame
- 8.3 Timing of the Demolition of Scott Park Secondary School

4. ADDED PRIVATE & CONFIDENTIAL

- 10.1 64 Melrose Avenue North, Hamilton

(Pearson/Johnson)

That the agenda for the June 25, 2014 meeting of Council be approved, as amended.

CARRIED

DECLARATIONS OF INTEREST

Councillor Ferguson declared an interest in Item 6 of the Public Works Committee Report 14-008, respecting the HSR Transcab Contract Extension with Hamilton Cab Company – Procurement Policy #11 (PW14055) (Wards 6, 9, 10, 11), as he is an investor in the taxi industry.

Councillor Pearson declared an interest in Item 1 of the Planning Committee Report 14-010, respecting the Rental Housing Enforcement Strategy, as she is involved in the rental housing industry; and, Item 5.13 - Correspondence from Viv Saunders, on behalf of Lakewood Beach Community Council/Poplar Park Neighbourhood, respecting 257, 259 and 261 Millen Road, Stoney Creek and Amendment to Zoning By-law 3692-92.

Mayor Bratina declared an interest in Item 7.4, a motion respecting the Canadian Football Hall of Fame, as he is a member of the Football Reporters of Canada Section of the Canadian Football Hall of Fame.

CEREMONIAL ACTIVITIES

3.1 Presentation of Business Appreciation Awards

Mayor Bratina, along with the respective Ward Councillors, acknowledged and congratulated the following recipients of the 2014 Business Appreciation Awards:

Large Business Category:

- (a) VicWest – Doug MacKinnon General Manager (Mayor Bratina)
- (b) Triovest Realty Advisors Inc. – Wayne Roberts, General Manager (Councillor S. Merulla, Ward 4)
- (c) Mohawk Ford – Lloyd Ferguson, Dealer Principal, Stacey Ferguson and Kendall Ferguson (Councillor T. Whitehead, Ward 8)
- (d) RE/MAX Escarpment Realty Inc. (Brokerage) – Conrad Zurini (Councillor B. Clark, Ward 9)
- (e) RPR Environmental – Patrick Whitty, President (Councillor M. Pearson, Ward 10)
- (f) Oakrun Farm Bakery – Tom Giancani, CFO and Laura Giancani (Councillor L. Ferguson, Ward 12)
- (g) Amica Retirement Home – Brown Townsend, General Manager and Jessica Griffiths (Councillor R. Powers, Ward 13)

Small Business Category:

- (a) Harry's Fish & Chips – Mr. & Mrs. Ivan Janssen and Son, Owners (Mayor Bratina)
- (b) Rankin's Bar and Grill – Louise Rankin, Owner and David Jamieson (Councillor S. Merulla, Ward 4)
- (c) Activ8 Wellness Studio – Tim Battaglia, Director (Councillor T. Whitehead, Ward 8)
- (d) Queenston Tire and Rim Centennial Inc. – Mr. & Mrs. Graziano Galleti (Councillor B. Clark, Ward 9)
- (e) Nardini Specialties – Mr. & Mrs. Mario DeFelice, Co-Owners (Councillor M. Pearson, Ward 10)
- (f) The Brassie Pub – Mr. & Mrs. Arash Rahimian, Owner Operator and Megan Burney (Councillor L. Ferguson, Ward 12)
- (g) Booth Furniture and Interiors – Warren Booth, President (Councillor R. Powers, Ward 13)

APPROVAL OF MINUTES

4.1 June 11, 2014

(Powers/Partridge)

That the Minutes of the June 11, 2014, meeting of Council be approved, as presented.

CARRIED

COMMUNICATIONS

(Powers/Pasuta)

That Council Communications 5.1 through 5.18 be approved, as amended, as follows:

- 5.1 Correspondence from Steve Klose, Director, Ministry of the Environment, Standards Development Branch, respecting cosmetic pesticides ban

Recommendation: **(Pearson/Ferguson)** Be received.

- 5.2 Correspondence from Premier Kathleen Wynne respecting public art piece honouring Lincoln MacCauley Alexander

Recommendation: **(Pearson/Ferguson)** Be received.

- 5.3 Correspondence from Gabriella Kalapos, Executive Director, Clean Air Partnership, respecting the City's contribution in forwarding the development, implementation, monitoring and reporting of the GTHA Clean Air Council Declaration on Clean Air and Climate Change actions and targets

Recommendation: **(Pearson/Ferguson)** Be received.

- 5.4 Letters of Opposition from the following with respect to Item 7 of Planning Committee Report 14-010 respecting "Zoning By-law Amendment ZAC-12-020 - 99-103 Locke Street South, Hamilton, owned by Lougain Properties Inc.:

- (a) Mary Jane Fitzgerald
- (b) John Eleftheriou and Laura Tedesco
- (c) Terrance Odette
- (d) Michelle F. Neumann

Recommendation: **(Pearson/Ferguson)** Be received.

- 5.5 Correspondence from Henry Krukowski requesting that his property at 17 Academy Street, Ancaster, be designated as possible mixed-use commercial lands within the secondary node (Item 8 of Planning Committee Report 14-010 respecting Official Plan Amendment to incorporate the Ancaster Wilson Street Secondary Plan into the Urban Hamilton Official Plan (PED12078(a)) (Ward 12)

Recommendation: **(Pearson/Ferguson)** Be received.

- 5.6 Correspondence from T. Wieclawek, Fire Marshal and Chief, Emergency Management, Ministry of Community Safety and Correctional Services, respecting legislative changes intended to improve fire safety in vulnerable occupancies

Recommendation: **(Pearson/Ferguson)** Be received.

- 5.7 Correspondence from Greg Zink, CEO Hamilton East-Stoney Creek (Green Party of Canada), Provincial Candidate for Hamilton East-Stoney Creek (Green Party of Ontario), respecting the Use of Neonicotinoid Pesticides

Recommendation: **(Pearson/Ferguson)** Be Received.

- 5.8 Correspondence from Peter Armstrong, Director, Program and Services Branch, Ministry of Tourism, Culture and Sport, respecting Listing of Non-designated Properties of Cultural Heritage

Recommendation: **(Pearson/Johnson)** Be received and referred to the Hamilton Municipal Heritage Committee for information.

- 5.9 Correspondence from Residents of Hatfield Place, Dundas, respecting Ownership and Maintenance of Hatfield Place, Dundas

Recommendation: **(Powers/Ferguson)** Be received and referred to the General Manager of Public Works for a report to the Public Works Committee.

- 5.10 Correspondence from Ken Hall, Senior Advisor, Public Affairs, Enbridge, respecting Enbridge Line 9 Filings with the National Energy Board - Condition 9 Updated Pipeline Engineering Assessment and Condition 18 Watercourse Crossing Management Plan.

Recommendation: **(Whitehead/Johnson)** Be received and referred to Guy Paparella, Director of Growth Planning, Planning and Economic Development for information.

- 5.11 Correspondence from The Soot Group requesting funds from fines imposed on Arcelor Mittal be awarded to the McAnulty Neighbourhood

Recommendation: **(Powers/Pearson)** Be received and referred to Dr. Elizabeth Richardson, Medical Officer of Health, for appropriate action at the time that the Terms of Reference are constituted for the Environmental Mitigation Reserve, which was established by Council on June 11, 2014 (Item 7.5).

- 5.12 Correspondence from Peter Hasek respecting the establishment of an ad hoc team to develop a communication method for use by Accessible Transit Service users to communicate with physicians a patient's reasons for needing access to the City's accessible transit service.

Recommendation: **(Farr/Whitehead)** Be received.

- 5.13 Correspondence from Viv Saunders, on behalf of Lakewood Beach Community Council/Poplar Park Neighbourhood, respecting 257, 259 and 261 Millen Road, Stoney Creek and Amendment to Zoning By-law 3692-92

Recommendation: **(Johnson/Clark)** Be received and referred to Planner on file.

- 5.14 Correspondence from Sheilah Lamb, President, Hamilton Academy of Medicine, respecting Ontario Medical Association – Community Service Award presented to Mayor R. Bratina

Recommendation: **(Powers/Pearson)** Be received.

- 5.15 Correspondence from Jessica Brennan, Board Chair, Hamilton-Wentworth District School Board, respecting the West Flamborough Accommodation Review Area

Recommendation: **(Pasuta/Partridge)** Be received and referred to the Joint City/School Board Liaison Committee for discussion.

- 5.16 Correspondence from Gabriel Gasbarrini, Award Construction Limited, respecting Boundary to the Ancaster Wilson Street Secondary Plan (Item 8 of Planning Committee Report 14-010)

Recommendation: **(Ferguson/Whitehead)** Be received.

- 5.17 Correspondence from the Association of Municipalities of Ontario (AMO) respecting the New Provincial Cabinet

Recommendation: **(Powers/Pasuta)** Be received.

- 5.18 Correspondence from Jasmine Branton, Legislative Co-ordinator to the Agriculture and Rural Affairs Advisory Committee, respecting "Resolution from the Agriculture and Rural Affairs Advisory committee respecting Motion by Councillor S. Merulla – Local Health of Honey Bees"

Recommendation: **(Ferguson/Pasuta)** Be received and be referred to the debate when motion respecting Local Health of Honey Bees is considered.

(Pearson/Clark)

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

CARRIED

PUBLIC WORKS COMMITTEE REPORT 14-008

(Clark/Pearson)

That, as discussion of Item 18 of the Public Works Committee Report 14-008, respecting an HSR Arbitration and Transportation Division Review is required in Closed Session, this Item be deferred to the Closed Session portion of the agenda.

CARRIED

**Item 18 HSR Arbitration and Transportation Division Review
(CMO14009/PW14068) (City Wide) (Item 12.1)**

(Whitehead/Pearson)

That Item 18 of the Public Works Committee Report, respecting the HSR Arbitration and Transportation Division Review, be amended by deleting subsection (a), in its entirety to read as follows:

~~(a) That Report CMO14009/PW14068, respecting the HSR Arbitration and Transportation Division Review, be referred to Council.~~

That the contents of Report CMO14009/PW14068, respecting the HSR Arbitration and Transportation Division Review, remain confidential.

**AMENDMENT CARRIED
MOTION AS AMENDED CARRIED**

(Whitehead/Morrow)

That the EIGHTH Report of the Public Works Committee be adopted, as amended, and the information section received (attached hereto).

CARRIED

BOARD OF HEALTH REPORT 14-005

**Item 5 Improving Health by Design in the Greater Toronto-Hamilton Area
(BOH14017) (City Wide) (Item 7.1)**

(Bratina/Partridge)

That Report BOH14017, respecting Improving Health by Design in the Greater Toronto-Hamilton Area, be referred back to the Board of Health for further discussion.

CARRIED

(Bratina/Pasuta)

That the FIFTH Report of the Board of Health be adopted, as amended, and the information section received (attached hereto).

CARRIED

PLANNING COMMITTEE REPORT 14-010

**Item 7 Application for Amendment to City of Hamilton Zoning By-law No.
6593 for Lands Located at 99-103 Locke Street South (Hamilton)
(PED14122) (Item 6.5)**

(McHattie/Farr)

That Planning Committee Report 14-010, Item 7, Application for Amendment to City of Hamilton Zoning By-law No. 6593 for Lands Located at 99-103 Locke Street South (Hamilton) (PED14122), be amended as follows:

That Appendix, "B", Draft By-law, be amended in condition 2(a)(i) by adding the following words, "as permitted in the 'H' (Community Shopping and Commercial) District", between the words, "commercial units", and "and 84 residential units" to read as follows:

A mixed-use building with ground floor commercial units as permitted in the 'H' (Community Shopping and Commercial) District and 84 residential units located above shall be permitted.

**AMENDMENT CARRIED
MOTION AS AMENDED CARRIED**

Item 14 336-338 King. St. W. OMB Appeal respecting Zoning By-law Amendment (ZAC-12-043) (Dundas) (LS14021/PED14119) (Item 12.1)

(Johnson/Powers)

That Planning Committee Report 14-010, Item 14, 336-338 King. St. W. OMB Appeal, respecting Zoning By-law Amendment (ZAC-12-043) (Dundas) (LS14021/PED14119), be amended by deleting subsection (a) in its entirety and replacing it with the following in lieu thereof, and by adding subsections (b) and (c), to read as follows:

- ~~(a) That the recommendations remain confidential until Council approval.~~
- (a) That Legal staff be directed to support the revised Concept Plan and Zoning By-law, attached to Report LS14021/PED14119 as Appendices "C" and "D", subject to such drafting, editorial or technical modifications as may be necessary;
- (b) That staff be directed to provide evidence in support of the settlement to the Ontario Municipal Board, respecting 336-338 King. St. W. OMB Appeal regarding Zoning By-law Amendment (ZAC-12-043) (Dundas), as may be necessary; and,
- (c) That Report LS14021/PED14119, respecting 336-338 King. St. W. OMB Appeal respecting Zoning By-law Amendment (ZAC-12-043) (Dundas) and its appendices remain confidential.

**AMENDMENT CARRIED
MOTION AS AMENDED CARRIED**

Item 15 176 Parkside Drive, OMB Appeals respecting Zoning By-law Amendment (ZAR-12-060) and Consent (FL/B-12:106) (LS14020/PED14118) (Item 12.2)

(Johnson/Pearson)

That Planning Committee Report 14-010, Item 15, 176 Parkside Drive, OMB Appeals respecting Zoning By-law Amendment (ZAR-12-060) and Consent (FL/B-12:106) (LS14020/PED14118), be amended by deleting

subsection (a) in its entirety and replacing it with the following in lieu thereof, and by adding subsections (b), (c) and (d) to read as follows:

- ~~(a) That the recommendations remain confidential until Council approval.~~
- (a) That Legal Services staff be directed to settle the Appeals in accordance with:
- (i) The revised proposal, attached as Appendix "B" to Report LS14020/PED14118;
 - (ii) An approved servicing plan, to the satisfaction of the Senior Director, Growth Management; and,
 - (iii) The conditions of approval outlined in Report LS14020/PED14118, subject to such drafting, editorial or technical modifications as may be necessary;
- (b) That staff be directed to finalize a Zoning By-law for approval by the Ontario Municipal Board, with content satisfactory to the Director of Planning, and in a form satisfactory to the City Solicitor;
- (c) That staff be directed to present and/or provide evidence in support of the settlement to the Ontario Municipal Board, as may be necessary; and,
- (d) That Report LS14020/PED14118, respecting 176 Parkside Drive, OMB Appeals regarding Zoning By-law Amendment (ZAR-12-060) and Consent (FL/B-12:106) and its appendices, remain confidential.

**AMENDMENT CARRIED
MOTION AS AMENDED CARRIED**

Item 16 1041 West 5th Street OMB Appeals Re: OPA (OPA-12-024) and ZBA (ZAC-12-070) Owner: 1804487 Ontario Inc. (LS14026/PED14141) (Item 12.3)

(Whitehead/Johnson)

That Planning Committee Report 14-010, Item 16, 1041 West 5th Street OMB Appeals respecting OPA (OPA-12-024) and ZBA (ZAC-12-070) Owner: 1804487 Ontario Inc. (LS14026/PED14141), be amended by deleting subsection (a) in its entirety and replacing it with the following in lieu thereof, and by adding subsection (b) to read as follows:

- ~~(a) That the recommendations remain confidential until Council approval.~~

- (a) That, in regards to appeals to the Ontario Municipal Board by 1804487 Ontario Inc. of Official Plan Amendment application OPA-12-024 and Zoning By-law Amendment application ZAC-12-070 concerning lands located at 1041 West 5th Street, staff be directed to:
 - (i) Advise the Ontario Municipal Board that the application by 1804487 Ontario Inc. for an official plan amendment is not required as the proposed uses are permitted under the Urban Hamilton Official Plan; and,
 - (ii) Support the application for the zoning by-law amendment, subject to inclusion of an "H" provision to address sanitary sewer capacity, and to submit a proposed zoning by-law to the Ontario Municipal Board in a form and content satisfactory to the Director of Planning; and,
- (b) That Report LS14026/PED14141, respecting 1041 West 5th Street OMB Appeals respecting OPA (OPA-12-024) and ZBA (ZAC-12-070) Owner: 1804487 Ontario Inc., remain confidential.

CARRIED

Item 17 1125 West 5th - Ontario Municipal Board Appeal (ZAC-12-067) and Plan of Subdivision 25T-201202, Owner: DiCenzo Construction Company Limited (LS14028/PED14140) (Item 12.4)

(Whitehead/Johnson)

That Planning Committee Report 14-010, Item 17, 1125 West 5th - Ontario Municipal Board Appeal (ZAC-12-067) and Plan of Subdivision 25T-201202, Owner: DiCenzo Construction Company Limited (LS14028/PED14140), be amended by deleting subsection (a) in its entirety and replacing it with the following in lieu thereof, and by adding subsections (b), (c), (d), (e) and (f), to read as follows:

- (a) That staff be directed to continue to oppose the Applications on the grounds of prematurity, described in Appendix "C" to Report LS14028/PED14140, and non-conformity with the Urban Hamilton Official Plan;
- (b) That staff be authorized and directed to continue discussions with the applicant in an effort to resolve outstanding matters, and:
 - (i) if any or all matters are resolved, then staff be authorized and directed to present such resolution on applicable matters to the Ontario Municipal Board; and,

- (ii) If any or all matters remain unresolved, then staff be directed to oppose the Applications before the Ontario Municipal Board based on those matters;

- (c) That staff be directed to prepare and finalize a zoning by-law and conditions of draft plan approval for the Applications, in a form satisfactory to the City Solicitor and with content satisfactory to the Director of Planning, for presentation to the Ontario Municipal Board;

- (d) That staff be directed to bring forward to the August 12, 2014 Planning Committee meeting an amendment to the UHOP which creates an Area Specific Policy for the Mewburn Neighbourhood to exempt lands designated Neighbourhoods from the minimum residential densities identified in policies E.3.5 and E.3.6;

- (e) That Appendix “C” attached to Report LS14028/PED14140 be made public, following Council; and,

- (f) That Report LS14028/PED14140, respecting 1125 West 5th - Ontario Municipal Board Appeal (ZAC-12-067) and Plan of Subdivision 25T-201202, Owner: DiCenzo Construction Company Limited and its Appendices “A” and “B”, remain confidential.

CARRIED

(Johnson/Partridge)

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

CARRIED

GENERAL ISSUES COMMITTEE REPORT 14-013

(Morrow/Clark)

That Item (h)(iv) of the General Issues Committee Report 14-013, respecting a Council- Referred Motion regarding Scott Park Lands, be lifted from the Information Section and added as Item 23.

CARRIED

Item 23 Scott Park Lands

(Morrow/Clark)

That the City Manager, in conjunction with the Mayor and the Ward 3 Councillor, be directed to facilitate discussions among the following, and not limited to, organizations responsible for the future of the current Scott Park Lands – including the Bernie Morelli Seniors Centre, the school site, Jimmy Thompson Pool, parking requirements for current and future

needs, playing fields and open spaces, and that a timely report be made back to Hamilton City Council through its appropriate committees.

CARRIED

(Bratina/Partridge)

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

CARRIED

GENERAL ISSUES COMMITTEE REPORT 14-014

(Bratina/Pasuta)

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

CARRIED

MOTIONS

7.1 Implementation of the Action Plan contained on Pages 43 and 44 of the Rapid Ready Report

(Powers/Pasuta)

That notwithstanding Council's position of support for LRT subject to 100 per cent provincial funding, Council reconfirms its support for the action plan outlined on pages 43 and 44 of the Rapid Ready Report, attached hereto as Appendix "A", and directs that the relevant staff report to the appropriate committee with a schedule for implementation be prepared as soon as is realistic.

CARRIED

7.2 Installation of a Stop Control at the Intersection of Mountain Brow Boulevard (Eastbound/Westbound) at Oakcrest Drive

(Duvall/Whitehead)

(a) That a Stop Control be placed on Mountain Brow Boulevard (Eastbound/Westbound) at the intersection of Oakcrest Drive;

(b) That the appropriate amending by-law respecting the Installation of a Stop Control at the Intersection of Mountain Brow Boulevard (Eastbound/Westbound) at Oakcrest Drive be passed.

CARRIED

7.3 Amending Motion to the Item 8 of the Audit, Finance & Administration Committee Report 14-004, respecting the Grants Sub-Committee Report 14-002, April 17, 2014 (2014 Community Partnership Program) (Item 8.4)

(Powers/Collins)

(a) That, as the Matapa Music and Arts Organization withdrew its 2014 Community Partnership Program application for the Hamilton World Music

Festival 2014 rather than the Roots en Route event, Appendix “J” (attached hereto) to Item 8 of the Audit, Finance & Administration Committee Report 14-004, respecting the 2014 Community Partnership Program, which was approved by Council on May 14, 2014, be amended by:

- (i) Zeroing out the approved funding amount of \$3,600 (includes the 10% late penalty) for the Matapa Music and Arts Organization – Hamilton World Music Festival 2014 (SE-74); and,
- (b) That subsections (a)(i), (a)(iv) and (a)(v) to Item 8 of the Audit, Finance & Administration Committee Report 14-004, respecting the 2014 Community Partnership Program, which was approved by Council on May 14, 2014, be amended by deleting the numbers “\$3,166,239” and replacing it with the number “\$3,166,639”; deleting the number “\$66,133” and replacing it with the number \$69,733; and by deleting the number “\$20,172” and replacing it with the number \$15,369, to read as follows:
 - (i) That the 2014 Community Partnership Program recommended funding allocation, in the amount of **\$3,166,639**, (as outlined in the attached Appendix “J” to Report 14-002), be approved;
 - (iv) That, for 2014, the unallocated balance of **\$69,733** in the Special Events category of the Community Partnership Program (CPP) be transferred to the CPP contingency budget;
 - (v) That the remaining balance of **\$15,369** in the Community Partnership Program (CPP) contingency budget be committed for 2014 unexpected CPP funding; and,
- (c) That the amount of \$4,000, for the Matapa Music and Arts Organization for the Roots en Route event, to be funded from the 2014 Community Partnership Program contingency budget, be approved. **CARRIED**

7.4 Relocation of the Canadian Football Hall of Fame

(Ferguson/Farr)

- (a) That staff be directed to prepare a report examining the feasibility of relocating the museum portion of the Canadian Football Hall of Fame to the room identified as the “Caretakers’ Lounge/FIFA Warm-up Area” at Tim Horton’s Field; and,
- (b) That the staff report outlined in sub-section (a) include an examination of expanding the use of the “Caretakers’ Lounge/FIFA Warm-up Area” into a multi-purpose room (on non Hamilton Tiger Cat Game days); and,
- (c) That the staff report outlined in sub-section (a) be presented to the Pan Am Stadium Precinct Sub-Committee for consideration. **CARRIED**

7.5 Timelines for the Demolition of Scott Park Secondary School

(Ferguson/Morrow)

That the Mayor correspond with the Chair of the Hamilton Wentworth District School Board to inquire if the demolition of Scott Park Secondary School and the site would be available for parking for the Pan Am Games.

CARRIED

7.6 Sidewalk and Catch Basin Replacement on Cortina Crescent (Ward 5)

(Collins/Farr)

That staff be directed to replace the deficient sidewalks and catch basins on Cortina Crescent at an estimated cost of \$30,000, to be funded from the Ward 5 Area Rating Reserve.

CARRIED

NOTICES OF MOTIONS

Councillor Merulla advised that he wished to have the following remain as a Notice of Motion:

8.1 Local Health of Honey Bees

Whereas, honeybees and other pollinating insects are critical to the health of our human and natural ecosystems, and;

Whereas, honeybee species are dying off at a rate too high to guarantee their long-term survival, and;

Whereas, there is growing evidence suggesting that the primary factor in honeybee decline is the presence of neonicotinoid insecticides, commonly found in commonly used agricultural pesticides, and;

Whereas, the European Union and other governments have banned neonicotinoids.

Therefore be it resolved:

That staff consult with the Royal Botanical Gardens, McMaster University, the Agriculture and Rural Affairs Advisory Committee, the Hamilton-Wentworth Federation of Farmers, the Ontario Beekeepers' Association and others to determine the local health of honey bees, the use of neonicotinoids, and report back to the Board of Health on options for local action.

Councillor Powers introduced the following Notice of Motion:

8.1 Amending Motion to the Item 8 of the Audit, Finance & Administration Committee Report 14-004, respecting the Grants Sub-Committee Report 14-002, April 17, 2014 (2014 Community Partnership Program) (Item 8.4)

- (a) That, as the Matapa Music and Arts Organization withdrew its 2014 Community Partnership Program application for the Hamilton World Music Festival 2014 rather than the Roots en Route event, Appendix "J" (attached hereto) to Item 8 of the Audit, Finance & Administration Committee Report 14-004, respecting the 2014 Community Partnership Program, which was approved by Council on May 14, 2014, be amended by:
- (i) Zeroing out the approved funding amount of \$3,600 (includes the 10% late penalty) for the Matapa Music and Arts Organization – Hamilton World Music Festival 2014 (SE-74); and,
- (b) That subsections (a)(i), (a)(iv) and (a)(v) to Item 8 of the Audit, Finance & Administration Committee Report 14-004, respecting the 2014 Community Partnership Program, which was approved by Council on May 14, 2014, be amended by deleting the numbers "\$3,166,239" and replacing it with the number "\$3,166,639"; deleting the number "\$66,133" and replacing it with the number \$69,733; and by deleting the number "\$20,172" and replacing it with the number \$15,369, to read as follows:
- (i) That the 2014 Community Partnership Program recommended funding allocation, in the amount of **\$3,166,639**, (as outlined in the attached Appendix "J" to Report 14-002), be approved;
- (iv) That, for 2014, the unallocated balance of **\$69,733** in the Special Events category of the Community Partnership Program (CPP) be transferred to the CPP contingency budget;
- (v) That the remaining balance of **\$15,369** in the Community Partnership Program (CPP) contingency budget be committed for 2014 unexpected CPP funding; and,
- (c) That the amount of \$4,000, for the Matapa Music and Arts Organization for the Roots en Route event, to be funded from the 2014 Community Partnership Program contingency budget, be approved.

(Powers/Collins)

That the Rules of Order be suspended to allow for the introduction of a motion respecting an amendment to Item 8 of the Audit, Finance & Administration Committee Report 14-004, regarding the 2014 Community Partnership Program.

CARRIED

Refer to item 7.3 for disposition of this item.

Councillor L. Ferguson introduced the following Notice of Motion:

8.2 Relocation of the Canadian Football Hall of Fame

- (a) That staff be directed to prepare a report examining the feasibility of relocating the museum portion of the Canadian Football Hall of Fame to the room identified as the “Caretakers’ Lounge/FIFA Warm-up Area” at Tim Horton’s Field; and,
- (b) That the staff report outlined in sub-section (a) include an examination of expanding the use of the “Caretakers’ Lounge/FIFA Warm-up Area” into a multi-purpose room (on non Hamilton Tiger Cat Game days); and,
- (c) That the staff report outlined in sub-section (a) be presented to the Pan Am Stadium Precinct Sub-Committee for consideration.

(Ferguson/Farr)

That the Rules of Order be suspended to allow for the introduction of a motion respecting the relocation of the Canadian Football Hall of Fame.

CARRIED

Refer to Item 7.4 for disposition of this item.

Councillor Ferguson introduced the following Notice of Motion:

8.3 Timelines for the Demolition of Scott Park Secondary School

That the Mayor correspond with the Chair of the Hamilton Wentworth District School Board to inquire if the demolition of Scott Park Secondary School and the parking availability on that site will be completed in time for the Pan Am Games.

(Ferguson/Morrow)

That the Rules of Order be suspended to allow for the introduction of a motion respecting the timelines for the demolition of Scott Park Secondary School.

CARRIED

Refer to Item 7.5 for disposition of this item.

Councillor Collins introduced the following Notice of Motion:

8.4 Sidewalk and Catch Basin Replacement on Cortina Crescent (Ward 5)

That staff be directed to replace the deficient sidewalks and catch basins on Cortina Crescent at an estimated cost of \$30,000, to be funded from the Ward 5 Area Rating Reserve.

(Collins/Morrow)

That the Rules of Order be suspended in order to introduce a motion respecting sidewalk replacement on Cortina Crescent in Ward 5.

CARRIED

Refer to Item 7.6 for disposition of this item.

STATEMENT BY MEMBERS

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

PRIVATE AND CONFIDENTIAL

10.1 64 Melrose Avenue North, Hamilton

(Collins/Morrow)

That Council move into Closed Session, at 7:57 p.m., respecting 64 Melrose Avenue North, Hamilton, pursuant to Section 8.1, Sub-sections (c) and (f) of the City's Procedural By-law 10-053, and Section 239, Sub-section (c) and (f) of the Ontario Municipal Act, 2001, as amended, as the subject matter pertains to a proposed or pending acquisition or disposition of land for municipal or local board purposes; and, the receiving of advice that is subject to solicitor-client privilege, including communications necessary for that purpose.

CARRIED

There was no further information to report respecting Item 10.1.

**10.2 HSR Arbitration and Transportation Division Review (CMO14009/PW14068)
(City Wide) (Item 12.1)**

(Collins/Morrow)

That the Council move into Closed Session, at 7:57 p.m., to discuss Report CM14009/PW14068, respecting an HSR Arbitration and Transportation Division Review, pursuant to Section 8.1, Sub-sections (b),(e) and (f) of the City's Procedural By-law 10-053, and Section 239, Sub-sections (b), (e) and (f) of the Ontario Municipal Act, 2001, as amended, as the subject matter pertains to personal matters about an identifiable individual, including municipal or local board employees; litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board; and, the receiving of advice that is subject to solicitor-client privilege, including communications necessary for that purpose.

CARRIED

For disposition of this matter, refer to Item 18 of the Public Works Committee Report 14-008, as amended.

(Partridge/Pasuta)

That the Committee of the Whole Rise and Report.

CARRIED

BY-LAWS

(Partridge/Pasuta)

That Bills No. 14-147 to 14-165 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:

By-law No.

- 147** To Amend By-law No. 01-215, To Regulate Traffic:
Schedule 5 – Stop Control
- 148** To Amend By-law No. 01-215, To Regulate Traffic:
Schedule 2 – Speed Limits
Schedule 13 – Designated Traffic Lanes
- 149** Being a By-law to Permanently Close an Unassumed Portion of Alleyway, East of Liberty Street, established by Registered Plan 31, City of Hamilton, designated as Part 1 on Plan 62R-19478, City of Hamilton
- 150** Being a By-law to Permanently Close a Portion of Legend Court being Part 1 on 62R19043, City of Hamilton
- 151** A By-law To Establish Certain 2014 User Fees and Charges for Services, Activities or the Use of Property
- 152** To Amend By-law No. 01-218, as amended, To Regulate On-Street Parking:
Schedule 4 – Special Event Parking
Schedule 8 – No Parking Zones
Schedule 10 – Alternate Side Parking
Schedule 6 – Time Limit Parking
Schedule 8 – No Parking Zones
Schedule 9 – Alternate Side Parking
Schedule 12 – Permit Parking Zones
Schedule 13 – No Stopping Zones
Schedule 14 – Wheelchair Loading Zones
- 153** Being a By-law respecting Development Charges on lands within the City of Hamilton
- 154** To Amend Zoning By-law No. 6593 (Hamilton), Respecting Lands Located at 99–103 Locke Street South (Hamilton)
- 155** To Amend Zoning By-law No. 90-145-Z (Flamborough), Respecting Lands Located at 111 Parkside Drive, Part of Lot 11, Concession 4 (Flamborough) now in the City of Hamilton
- 156** To Amend Zoning By-law No. 6593 (Hamilton), Respecting Lands located at 739 Upper Paradise Road in the City of Hamilton
- 157** To Adopt:
Official Plan Amendment No. 21 to the Urban Hamilton Official Plan
Respecting:
Lands located at the northeast corner of West 5th Street and Lincoln M.
Alexander Parkway, known municipally as 794 to 802 West 5th Street, Hamilton

- 158** To Amend Zoning By-law No. 6593 (Hamilton) as amended, Respecting the Lands Located at 794 to 802 West 5th Street, 810 West 5th Street, Portion of 820 West 5th Street and Block 112, Plan 62M-1040 (Hamilton)
- 159** To Adopt:
Official Plan Amendment No. 20 to the Urban Hamilton Official Plan
Respecting:
Lands located at 1117 Garner Road East, Ancaster
- 160** To Amend Zoning By-law No. 87-57 (Ancaster), Respecting Lands Located at 1117 Garner Road East (Ancaster)
- 161** To Adopt:
Official Plan Amendment No. 23 to the Urban Hamilton Official Plan
Respecting: Medical Marihuana Growing and Harvesting Facility, Greenhouse, and Aquaponics Facility within Specific Employment Districts
- 162** To Amend Zoning By-law No. 6593 (Hamilton), Respecting General Text Amendment for Medical Marihuana Growing and Harvesting Facilities
- 163** To Amend Zoning By-law No. 05-200, Respecting General Text Amendments for Aquaponics, Greenhouses, and Medical Marihuana Growing and Harvesting Facilities
- 164** To Enact a By-law to Protect Police Animals and Persons Who May be Affected by the Use of Police Animals
- 165** To Confirm Proceedings of Council

CARRIED

(Pearson/Johnson)

That, there being no further business, the City Council meeting be adjourned at 10:32 p.m.

CARRIED

Respectfully submitted,

Mayor R. Bratina

R. Caterini
City Clerk



**PUBLIC WORKS COMMITTEE
REPORT 14-008**

AS AMENDED BY COUNCIL JUNE 25, 2014

9:30 a.m.

Monday June 16, 2014

Council Chambers

Hamilton City Hall

71 Main Street West

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

Absent with Regrets: Councillor S. Duvall - Personal

THE PUBLIC WORKS COMMITTEE PRESENTS REPORT 14-008 AND RESPECTFULLY RECOMMENDS:

1. Intersection Control List (PW14001(b)) (Wards 1, 2, 8, 10, 15) (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 "C" Flamborough							
(a)	Rock Chapel Rd.	Valley Rd.	WB	NB & SB	A	S. of Highway 5, E. of Sydenham Rd.	15
Section "E" Hamilton							
(b)	Aterno Dr.	Lavina Cres.	NC	SB	A	E. of Scenic Dr., N. of Mohawk Rd	8
(c)	Caroline St.	Bold St.	EB	NB & SB	B	E. of Queen St. S., of Main St.	2
(d)	Dalewood Ave.	Haddon Ave. S.	NC	SB	A	S. of Main, W. of Hwy 403	1
(e)	Glenside Ave.	Chedoke Ave.	NB & SB	EB & WB	A	W. of Dundurn St., S. of Aberdeen Ave.	1
(f)	Pearl St. S	George St.	EB & WB	NB & SB	A	W. of Queen St., N. of Main St.	1
(g)	Rialto Crt.	Lavina Cres.	NC	NB	A	E. of Scenic Dr., N. of Mohawk Rd.	8
Section "F" Stoney Creek							
(h)	MacIntosh Dr.	MacIntosh Dr.	NC	SB	A	W. of Dewitt Rd., S. of Barton St.	10
(i)	Saxony Crt.	MacIntosh Dr.	NC	EB	B	W. of Dewitt Rd., S. of Barton St.	10

2. Traffic Issues on Sanford Avenue South (PW14060) (Ward 3) (Item 5.2)

- (a) That the existing 50km/hr speed limit on Sanford Avenue South, between Delaware Avenue and Main Street, be reduced to 40 km/hr;
- (b) That an appropriate by-law to amend the City of Hamilton Traffic By-law 01-215 be passed.

3. Long Term Energy Plan (PW14062) (City Wide) (Item 5.3)

That Report PW14062 respecting the Long Term Energy Plan be received.

4. Bridge Structure Inspection Protocols (PW14063) (City Wide) (Item 5.4)

That Report PW14063 respecting Bridge Structure Inspection Protocols be received.

5. Family Bike Skills Park (PW14066) (Ward 3) (Item 5.5)

That Report PW14066 respecting a Family Bike Skills Park be received.

6. HSR Transcab Contract Extension with Hamilton Cab Company - Procurement Policy #11 (PW14055) (Wards 6, 9, 10, 11) (Item 8.1)

- (a) That a contract extension for a maximum of ten (10) months, under Procurement Policy #11, Sections 4.11 (1) (c) and (2), for the HSR TransCab Contract with Hamilton Cab Company, be approved to cover the period December 1, 2013 through September 30, 2014;
- (b) That the General Manager of Public Works be authorized and directed to approve the purchase order to Hamilton Cab Company in order to process payments on a monthly basis, for TransCab and Scheduled Shuttle services provided between December 1, 2013, and September 30, 2014, at the rates per customer trip outlined within Contract C11-45-08.

7. Churchill Park Land Management Master Plan (PW14069) (Ward 1) (Item 8.2)

That the Churchill Park Management Plan, attached as Appendix A to Report PW14069, be approved as the official policy document for the redevelopment and long term management of Churchill Park.

8. Quick Wins - A and B Line Passenger Amenities (PW11079(e)) (City Wide) (Item 8.3)

- (a) That the General Manager of Public Works, be authorized and directed to negotiate with Enseicom Inc., and pending negotiations, award the contract for the design, supply and installation of A & B Line Station Stops - Shelters and Amenities to be charged to Project ID 530138400, to an upset limit of one million dollars (\$1,000,000), funded from the Metrolinx Quick Wins Reserve #108047 in accordance with Purchasing Policy #11(2) Non-Competitive Procurement;

- (b) That the General Manager of Public Works, be authorized to provide a copy of Report PW11079(e), respecting Quick Wins – A and B Line Passenger Amenities, to the Metrolinx CEO and Chair of the Metrolinx Board for their information.

9. Woodburn Bridge Environmental Assessment (PW14065) (Ward 11) (Item 8.4)

- (a) That the General Manager of Public Works be authorized and directed to file the Woodburn Road Bridge Class Environmental Assessment (Class EA) Project File Report with the Municipal Clerk for a minimum thirty (30) day public review period;
- (b) That upon completion of the minimum thirty (30) day public review period, the General Manager of Public Works be authorized and directed to proceed with the implementation of the preferred alternative, to be funded through the Capital Budget Process for 2015.

10. Heritage Green Passive Park (former West Quarry Lands) - Funding Agreement between the City of Hamilton, Newalta Corporation and Heritage Green Community Trust (PW14070) (Ward 9) (Item 8.5)

- (a) That the City of Hamilton enter into a Funding Agreement with Newalta Corporation and the Heritage Green Community Trust regarding the funding of the completion of the passive park and dog park (the “Park”) to be constructed on Parts 4, 6, 10 and 11, Plan 62R-16022 on the former West Quarry Landfill Site, as described in Report PW14070;
- (b) That the City of Hamilton enter into an agreement to amend the terms of an existing Licence Agreement with Newalta Corporation to include a licence to the City for a portion of Part 4, Plan 62R-16022, as shown on Appendix A to Report PW14070;
- (c) That the Park be named the “Heritage Green Passive Park”;
- (d) That the main trail loop in the Park be named the “Newalta Trail”;
- (e) That the Mayor and City Clerk be authorized and directed to execute the Funding Agreement referred to in subsection (a) and the amending agreement referred to in subsection (b) together with all necessary associated documents, in a form satisfactory to the City Solicitor and with content acceptable to the General Managers of Public Works and Finance and Corporate Services; and
- (f) That the identified annual operating costs of approximately \$25,000 for the Park be directed to the 2015 budget process for consideration.

11. Sidewalk Construction Policy - California Curbs (PW14067) (City Wide) (Item 8.6)

- (a) That the current sidewalk approach standards, including the California approach, continue to be applied with the priority of maximizing the benefit to the pedestrian;
- (b) That in sidewalk retrofit situations the area Ward Councillor be advised of choices being recommended where a standard can be modified;
- (c) That staff be directed to further investigate the implications and necessary by-law changes to address the taper length issue and report back to the Public Works Committee;
- (d) That the subject matter remain on the Public Works Committee’s Outstanding Business List until the report identified in Recommendation (c) is submitted.

12. Information Report – Delegated Authority for Records of Site Collection (PW14057(a)) (City Wide) (Item 8.7)

That PW14057(a) respecting an Information Report – Delegated Authority for Records of Site Collection be received.

13. Delegated Authority for Records of Site Condition (PW14057(a)) (City Wide) (Added Item 8.8)

(a) That the General Manager of Public Works, or their designate, be authorized and directed to execute, on behalf of the City of Hamilton, all documents required to be submitted to the Ontario Ministry of Environment, for City of Hamilton owned contaminated properties including, but not limited to,:

- (i) Risk Assessment Pre-submission Forms; and
- (i) Records of Site Condition;

(b) That the General Manager of Public Works be authorized and directed to amend the City of Hamilton Manual for the Contaminated Sites Management Program to reflect Recommendation (a) of Report PW14057.

14. Tree Removal at 314 East 31st Street (City Wide) (Item 9.1)

That forestry staff be directed to remove the tree located at 314 East 31st Street.

15. Leash Free Dog Park at Cathedral Park (Item 10.1)

That the City Solicitor be authorized and directed to prepare the appropriate by-law to amend By-law 12-031, a By-Law for Responsible Animal Ownership in the City of Hamilton, to include Cathedral Park as a leash free dog park location.

16. Installation of a Stop Control at the Intersection of Kingsview Drive and Old Mud Street (Item 10.2)

(a) That a Southbound Stop Control be placed on Kingsview Drive at the intersection of Old Mud Street; and

(b) That the appropriate amending by-law respecting a Southbound Stop Control on Kingsview Drive at the intersection of Old Mud Street, be passed.

17. Tree Removal at 33 Cheryl Avenue (Item 10.3)

That forestry staff be directed to remove the tree located at 33 Cheryl Avenue.

The recommendations of Item 18 were amended as follows:

**18. HSR Arbitration and Transportation Division Review (CMO14009/PW14068) (City Wide)
(Item 12.1)**

(Whitehead/Pearson)

That Item 18 of the Public Works Committee Report, respecting the HSR Arbitration and Transportation Division Review, be amended by deleting subsection (a), in its entirety to read as follows:

~~(a) That Report CMO14009/PW14068 respecting HSR Arbitration and Transportation Division Review be referred to Council.~~

That the contents of Report CMO14009/PW14068, respecting the HSR Arbitration and Transportation Division Review, remain confidential.

**AMENDMENT CARRIED
MOTION AS AMENDED CARRIED**

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 8.7 – an Information Report respecting Delegated Authority for Record of Site Collection (PW14057(a)) (City Wide)
- (ii) Added as Item 8.8 – PW Report 14057 (City Wide) respecting Delegated Authority for Record of Site Condition
- (iii) Added as Item 9.1 - a Revised Motion respecting Tree Removal at 314 East 31st Street
- (iv) Added as Item 9.2 a Motion for the Rules of Order to be waived to allow a Motion to reconsider the removal of Outstanding Business List Items (i) and (ii) of Public Works Committee Report 14-006
- (v) Added as Item 9.3 a Motion respecting a Two Way Traffic Study of Wentworth Street and Sanford Avenue
- (vi) Added as Item 9.4 a Motion respecting a Two Way Traffic Conversion of Victoria Avenue North

The June 16, 2014 Public Works Committee Agenda was approved as amended.

(b) DECLARATIONS OF INTEREST (Item 2)

Councillor Ferguson declared an interest in Item 8.1 respecting the HSR Transcab Contract Extension with Hamilton Cab Company – Procurement Policy #11 (PW14055) (Wards 6, 9, 10, 11) as he is an investor in the taxi industry. Councillor Ferguson did not speak to nor vote on this matter.

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

Councillor Jackson indicated that his Notice of Motion in the Minutes of the June 2, 2014 Public Works Committee meeting had an incorrect street address. The Committee Clerk will correct this in the official record.

The Minutes of the June 2, 2014 Public Works Committee meeting were approved as amended.

(d) DELEGATION REQUESTS (Item 4)

(i) Delegation request from Brian Tisdale, respecting Traffic on Sanford Avenue South (Item 4.1)

The delegation request from Brian Tisdale, respecting Traffic on Sanford Avenue South, was approved for today's meeting.

(e) CONSENT ITEMS (Item 5)

(i) Traffic Issues on Sanford Avenue South (PW14060) (Ward 3) (Item 5.2)

Staff were directed to report to the Public Works Committee with an update on Report PW07150(a) respecting a Traffic Calming/Management Policy Update and that the report consider the following issues:

- (i) An evaluation of the "speed hump model" and the effect this would have on parking on Sanford Avenue South; and
- (ii) An investigation of measures on how to improve safety at the intersection of Main Street East and Sanford Avenue South, including such measures as the installation of optically programmable traffic signal heads for Northbound traffic on Sanford Avenue South.

(ii) Minutes of Various Sub-Committees (FOR INFORMATION PURPOSES ONLY) (Item 5.6)

The following Sub-committee Minutes were received:

- (a) Keep Hamilton Clean and Green Committee – April 15, 2014
- (b) Keep Hamilton Clean and Green Committee – May 20, 2014

(c) Waste Management Advisory Committee – January 21, 2014

(f) PUBLIC HEARINGS/DELEGATIONS (Item 6)

(ii) Delegation from Brian Tisdale, respecting Traffic on Sanford Avenue South (Item 6.1)

Mr. Brian Tisdale addressed the Committee respecting Traffic on Sanford Avenue South with the aid of a handout. A copy of the handout has been retained for the public record.

Mr. Tisdale informed the Committee about his concerns with safety issues on Sanford Avenue South. Mr. Tisdale referred to photographs in his handout to explain his concerns. Mr. Tisdale feels that rumble strips and a lower speed limit on the street would help in addressing safety concerns.

The delegation from Brian Tisdale respecting Traffic on Sanford Avenue South was received.

(g) PRESENTATIONS

(i) The Role of Transportation Planning and Mobility Programs in the Transportation Division (Item 7.1)

Mr. Al Kirkpatrick, Manager, Transportation Planning, addressed the Committee respecting the Role of Transportation Planning and Mobility Programs in the Transportation Division 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:

- Corporate Strategic Plan
- Transportation Master Plan
- Rapid Ready
- Pedestrian Mobility Plan
- Cycling Master Plan
- Environmental Assessment
- Goods Movement
- Public Transit
- Special Projects
 - Pan Am Games
 - Niagara-to-GTA Corridor
- Elements of Complete Streets
- Transportation Modeling
- Development Review Applications

The presentation respecting the Role of Transportation Planning and Mobility Programs in the Transportation Division was received.

(h) MOTIONS

(i) Tree Removal at 314 East 31st Street (Item 9.1)

For disposition on this matter refer to Item 14.

(i) NOTICES OF MOTIONS (Item 10)

Councillor McHattie introduced the following Notice of Motion:

(i) Leash Free Dog Park at Cathedral Park (Item 10.1)

That the City Solicitor be authorized and directed to prepare the appropriate by-law to amend By-law 12-031, a By-Law for Responsible Animal Ownership in the City of Hamilton, to include Cathedral Park as a leash free dog park location.

The rules of order were waived to allow the introduction of a Motion respecting a Leash Free Dog Park at Cathedral Park.

For disposition on this matter refer to Item 15.

Councillor Jackson introduced the following Notice of Motion:

(ii) Installation of a Stop Control at the Intersection of Kingsview Drive and Old Mud Street (Item 10.2)

- (a) That a Southbound Stop Control be placed on Kingsview Drive at the intersection of Old Mud Street; and
- (b) That the appropriate amending by-law respecting a Southbound Stop Control on Kingsview Drive at the intersection of Old Mud Street, be passed.

The rules of order were waived to allow the introduction of a Motion respecting the Installation of a Stop Control at the Intersection of Kingsview Drive and Old Mud Street.

For disposition on this matter refer to Item 16.

Councillor Jackson introduced the following Notice of Motion:

(iii) Tree Removal at 33 Cheryl Avenue (Item 10.3)

Whereas, the residents of 33 Cheryl Avenue have indicated that the 80 cm Silver Maple City Tree on the road allowance adjacent to their property has caused damage to their property including: branches falling on their hydro lines during the December 2013 ice storm; sewer backups caused by tree roots infiltrating their sewer lines; and, tree roots damaging their driveway; and

Whereas, the property owners of 33 Cheryl Avenue have expressed their desire to their Ward Councillor that the City remove the tree;

Therefore be it resolved:

That forestry staff be directed to remove the tree located at 33 Cheryl Avenue.

The rules of order were waived to allow the introduction of a Motion respecting a Tree Removal at 33 Cheryl Avenue.

For disposition on this matter refer to Item 17.

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

(i) Outstanding Business List (Item 11.1)

(a) The following Items were considered complete and removed from the Outstanding Business List:

- (1) Item A – Petition from Residents of Sanford Avenue South regarding Traffic Calming Measures
- (2) Item M – Province of Ontario Long Term Energy Plan
- (3) Item N – Family Bike Skills Park

(b) The following Items were added to the Outstanding Business List by Motion:

- (1) Item U – Wentworth Street and Sanford Avenue 2-Way Traffic Study
- (2) Item V - Two-Way Conversion of Victoria Avenue North

(k) PRIVATE AND CONFIDENTIAL (Item 12)

The Committee moved into Closed Session at 12:10 p.m. to consider Report CMO14009/PW14068, respecting HSR Arbitration and Transportation Division Review, pursuant to sub-sections (b) and (d) of the Municipal Act 2001 and sub-sections 8.1 (b) and (d) of the Procedural by-law; as the subject matter pertains to personal matters about identifiable individuals, including municipal or local board employees, and is subject to labour relations or employee negotiations.

Members of the public were invited to return to hear any further deliberations upon Committee reconvening in Open Session.

(i) HSR Arbitration and Transportation Division Review (CMO14009/PW14068) (City Wide) (Item 12.1)

For disposition on this matter refer to Item 18.

(I) ADJOURNMENT (Item 13)

There being no further business the Public Works Committee adjourned at 1:21 p.m.

Respectfully submitted,

Councillor T. Whitehead, Chair
Public Works Committee

Lauri Leduc
Legislative Coordinator
Office of the City Clerk



BOARD OF HEALTH

As Amended By Council on June 25, 2014

REPORT 14-005

1:30 p.m.

Monday, June 16, 2014

Council Chambers

Hamilton City Hall

Present:	Mayor. R. Bratina (Chair), Councillors S. Merulla, J. Farr, C. Collins, M. Pearson, B. McHattie, R. Pasuta, R. Morrow, T. Jackson, B. Johnson, B. Clark, R. Powers, T. Whitehead, L. Ferguson
Absent with regrets:	Councillor J. Partridge – City Business Councillor S. Duvall - Personal

THE BOARD OF HEALTH PRESENTS REPORT 14-005 AND RESPECTFULLY RECOMMENDS:

1. Healthy Birth Weights Project Update - BOH14002(a) (City Wide) (Item 5.1)

That the Medical Officer of Health be authorized and directed to extend the temporary Healthy Birth Weight Project Manager position through December 2015.

2. Provincial Dental Program Integration - BOH14020 (City Wide) (Item 5.2)

That Report BOH14020 respecting Provincial Dental Program Integration be received.

3. Extension of Community Nurse Networker Pilot Project and Public Health Nurse Secondment – BOH14016 (Ward 4)/Neighbourhood Development Strategy – Community Networker Pilot Project – CES14031 (Ward 4) (Item 5.3)

- (a) That the City of Hamilton continue its partnership with the Hamilton Family Health Team, the McQuesten Community Planning Team and the

Hamilton Community Foundation, to extend the Community Nurse Networker pilot that works with residents in the McQuesten community and a neighbourhood family practice to improve the health and social outcomes of individuals and families;

- (b) That subject to the continued financial support by the Hamilton Family Health Team and the Hamilton Community Foundation for the Community Nurse Networker until September 2015, that the General Manager of Community and Emergency Services be authorized to fund \$25,750 from the Neighbourhood Strategy Fund (Project ID 2051255204) to the Hamilton Family Health Team to assist in the delivery of this initiative for an additional 12 months from September 2014 to September 2015 inclusive;
- (c) That the Medical Officer of Health be authorized to extend the existing agreement between the City of Hamilton and the Hamilton Family Health Team in a form satisfactory to the City Solicitor that supports a secondment of a Public Health Nurse to the Hamilton Family Health Team as a Community Networker; and
- (d) That the Medical Officer of Health be directed and authorized to continue with the approved increased complement in the Healthy Living Division program by 0.8 FTE Public Health Nurse.

4. Appointment of Temporary Associate Medical Officer of Health – BOH14026 (City Wide) (Item 5.4)

- (a) That Dr. Matthew Hodge be appointed as Associate Medical Officer of Health, and the necessary documentation be forwarded to the Minister of Health & Long-Term Care for approval;
- (b) That Dr. Matthew Hodge be appointed as an Acting Medical Officer of Health until such time as the Minister of Health & Long-Term Care approves his appointment as Associate Medical Officer of Health.

The following item was referred back to the Board of Health:

5. Improving Health by Design in the Greater Toronto-Hamilton Area - BOH14017 (City Wide) (Item 7.1)

- (a) That Report BOH14017 respecting Improving Health by Design in the Greater Toronto-Hamilton Area be endorsed and the funding and sustainable implementation of the Big Move, strengthening provincial policies and integrating health into municipal planning be supported in principle;

- (b) That Public Health Services work with the City Manager's Office, Public Works, and Planning and Economic Development to report back on the specific recommendations contained in the Improving Health by Design in the Greater Toronto-Hamilton Area report and what local actions could be implemented;
- (c) That Public Health Services continue to work with the City Manager's Office, Public Works, and Planning and Economic Development regarding transportation planning and land-use planning to maximize health benefits.

6. Comments Respecting Land Use Reform and Development Charges Act/Discussions Respecting Transportation Needs (Item 7.1)

- (a) That staff be directed to review the comments that the City has previously submitted to the Province respecting the Land Use Reform and Development Charges Act and provide any recommendations with respect to maximising health benefits to Planning staff for inclusion with the City's previous submissions;
- (b) That Chris Murray, City Manager, and his staff be encouraged to work with the Western Golden Horseshoe municipalities and the Province to set a deadline for their discussions respecting transportation and transit needs and report back to the General Issues Committee.

7. Citizens' Panel on Fluoridation - BOH14015 (City Wide) (Item 8.1)

That Report BOH14015 respecting Citizens' Panel on Fluoridation be received.

8. National Strategy for Dementia (Item 10.1)

Whereas, there is a growing crisis looming in the number of people afflicted with dementia illness; and

Whereas, according to a new study commissioned by the Alzheimer Society of Canada, the number of Canadians living with Alzheimer disease and other dementias now stands at 747,000 and will double to 1.4M by 2031; and

Whereas, the combined direct (medical) and indirect (lost earnings) costs of dementia total \$33 billion per year; and

Whereas, pressures on family caregivers are mounting; and

Whereas, the Hamilton, Burlington, and Oakville Chapter of the Congress of Union Retirees of Canada (CURC) has taken the lead locally to promote the issue.

Therefore be it resolved:

That Hamilton City Council endorse NDP MP – Nickel Belt Claude Gravelle's Private Member's Bill C-356 An Act Respecting a National Strategy for Dementia.

9. Correspondence from the Ontario Association of Public Health Dentistry respecting the Low Income Dental Integration Program (Item 11.1)

Recommendation: Be Received

10. Correspondence from Matt Goodman, Vice President of Grants and Community Initiatives, Hamilton Community Foundation, respecting a Grant Award ~ 1 FTE for the Nurse Family Partnership Program (Item 11.3)

Recommendation: (a) That the Medical Officer of Health be directed to receive and utilize the funds from Hamilton Community Foundation for the Nurse Family Partnership Program accordingly;

(b) That a letter of thanks be forwarded to the Hamilton Community Foundation.

FOR THE INFORMATION OF COUNCIL:

(a) CHANGES TO THE AGENDA (Item 1)

The Committee Clerk advised of the following changes:

ADDED NOTICE OF MOTION:

10.1 Request for Ongoing Funding for the Expanded Community Health Education/Navigator Approach to Health Care

ADDED GENERAL INFORMATION/OTHER BUSINESS:

11.3 Correspondence from Matt Goodman, Vice President of Grants and

Community Initiatives, Hamilton Community Foundation, respecting a Grant Award ~ 1 FTE for the Nurse Family Partnership Program
Recommendation: That the Medical Officer of Health be directed to receive and utilize these funds accordingly.

The agenda was approved, as amended.

(b) DECLARATIONS OF INTEREST (Item 2)

Councillor Johnson declared an interest respecting a National Strategy for Dementia, Item 10.1, as she has family members who have been diagnosed.

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

(i) May 22, 2014 (Item 3.1)

The Minutes from the May 22, 2014 meeting of the Board of Health were approved, as presented.

(d) DELEGATIONS/PUBLIC HEARINGS (Item 6)

(i) Danxia Wang, Hi Temp Heaters Hamilton, respecting a response to the Bed Bug Strategy (Item 6.1)

As the presentation by Ms. Wang appeared to be for the purpose of presenting unsolicited proposals by a Vendor to Committee and as proposals are subject to a competitive process as required by the City's Purchasing Policy, the Board of Health declined to hear the delegate's presentation and suggested she keep apprised of any Requests for Proposals the City may issue via the City's Website.

(e) PRESENTATIONS (Item 7)

(i) Improving Health by Design in the Greater Toronto-Hamilton Area - BOH14017 (City Wide) (Item 7.1)

Dr. Tran presented Improving Health by Design in the Greater Toronto-Hamilton Area with the aid of a PowerPoint presentation. A copy of the presentation has been included in the public record.

Chris Murray, City Manager and Joanne Hickey-Evans, Manager of Planning Policy and Zoning By-law Reform, assisted with the presentation.

The presentation included, but was not limited to, the following:

Improving Health by Design

- Why Transportation Matters
 - Air Quality
 - Injuries/Safety
 - Physical Activity
 - Mental Health
 - Equity
- Active Transportation Priorities
- GTHA MOH Collaboration
- Report Findings
- Recommendations

The presentation respecting Improving Health by Design in the Greater Toronto-Hamilton Area was received.

As a result of the discussion respecting the presentation, the Board provided staff with direction.

For disposition of this matter, refer to Item 5 & 6.

(f) DISCUSSION ITEMS (Item 8)

(i) Citizens' Panel on Fluoridation - BOH14015 (City Wide) (Item 8.1)

The Motion **CARRIED** on the following vote:

Yeas:	Collins, Merulla, Morrow, Farr, McHattie, Clark, Pearson, Johnson, Powers, Pasuta, Bratina
Total:	11
Nays:	Jackson
Total:	1
Absent:	Duvall, Partridge, Whitehead, Ferguson
Total:	4

For disposition of this matter, refer to Item 7.

(g) MOTIONS (Item 9)

(i) Gasification Process Operation in Hamilton (Item 9.1) (Deferred on May 22, 2014)

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

Councillor Morrow requested that the motion be deferred to the July 10, 2014 meeting when the proponents will be in attendance.

(ii) National Strategy for Dementia (Item 9.2)

The Motion **CARRIED** on the following vote:

Yeas:	McHattie, Farr, Jackson, Collins, Morrow, Pearson, Merulla
Total:	7
Nays:	Clark, Powers, Pasuta, Bratina
Total:	4
Abstain:	Johnson
Total:	1
Absent:	Duvall, Partridge, Whitehead, Ferguson
Total:	4

For disposition of this matter, refer to Item 8.

(h) NOTICES OF MOTION (Item 10)

(i) National Strategy for Dementia (Item 10.1)

Councillor McHattie introduced the following Notice of Motion:

Whereas, there is a growing crisis looming in the number of people afflicted with dementia illness; and

Whereas, according to a new study commissioned by the Alzheimer Society of Canada, the number of Canadians living with Alzheimer disease and other dementias now stands at 747,000 and will double to 1.4M by 2031; and

Whereas, the combined direct (medical) and indirect (lost earnings) costs of dementia total \$33 billion per year; and

Whereas, pressures on family caregivers are mounting; and

Whereas, the Hamilton, Burlington, and Oakville Chapter of the Congress of Union Retirees of Canada (CURC) has taken the lead locally to promote the issue.

Therefore be it resolved:

That Hamilton City Council endorse NDP MP – Nickel Belt Claude Gravelle’s Private Member’s Bill C-356 An Act Respecting a National Strategy for Dementia.

The Rules of Order were waived to allow for an introduction of a Motion respecting a National Strategy for Dementia.

The Motion **CARRIED** on the following vote:

Yeas:	Collins, McHattie, Pearson, Merulla, Farr, Bratina, Jackson, Morrow
Total:	8
Nays:	Clark, Powers, Pasuta
Total:	3
Absent:	Whitehead, Partridge, Duvall, Ferguson
Total:	4
Abstain:	Johnson
Total:	1

(ii) Request for Ongoing Funding for the Expanded Community Health Education/Navigator Approach to Health Care (Item 10.2)

Councillor McHattie introduced the following Notice of Motion:

WHEREAS, two in five Canadians will develop cancer in their lifetime and one in four will die of the disease;

AND WHEREAS, Public Health Services (PHS) is mandated to address lung, breast, cervix, colorectal and skin cancers through promotion of healthy eating, physical activity, and tobacco free living, protection against ultraviolet radiation exposure and other protective behaviours;

AND WHEREAS, having regular cancer screening tests for breast, cervix and colorectal cancer saves lives;

AND WHEREAS, some populations in the City of Hamilton (COH) face barriers to accessing cancer screening, including language, disability, low income, resulting in later stage diagnosis, limited treatment options and poor prognosis;

AND WHEREAS, the Hamilton Niagara Haldimand Brant Local Health Integration Network (HNHB LHIN) has identified assistance with health system navigation as a priority, especially for people facing such barriers;

AND WHEREAS, the HNHB LHIN has shown its commitment to collaborate

with the COH by funding a Community of Practice for Navigation in 2014;

AND WHEREAS, PHS has developed a successful Community Health Educator/Navigator (CHEN) approach to help address barriers and empower people to obtain health services such as cancer screening tests;

THEREFORE BE IT RESOLVED:

- (a) That staff from Public Health Services be directed to develop a business case to present the benefits, operational logistics, financial implications, staffing requirements, and return on investment of implementing an expanded Community Health Educator/Navigator approach within the City of Hamilton; and,
- (b) That the Mayor, on behalf of the Board of Health and Council, request ongoing funding for the expanded Community Health Educator/Navigator approach from the Honourable Rona Ambrose, Minister of Health, the Minister of Health and Long Term Care and the Hamilton Niagara Haldimand Brant Local Health Integration Network.

That the Rules of Order be waived to allow for the introduction of a Motion respecting a Request for Ongoing Funding for the Expanded Community Health Educator/Navigator Approach to Health Care.

The Motion was **DEFEATED** on the following vote:

Yeas:	McHattie, Farr, Johnson, Collins, Merulla
Total:	5
Nays:	Clark, Powers, Pasuta, Bratina, Pearson
Total:	5
Absent:	Duvall, Partridge, Whitehead, Ferguson, Morrow, Jackson
Total:	6

(i) GENERAL INFORMATION/OTHER BUSINESS (Item 11)

(i) Revised Due Date on the Outstanding Business List (Item 11.2)

The due date for the following item on the Outstanding Business List was amended accordingly, as follows:

Item B: Good to Go Food Box Program
Due Date: June 16, 2014
Revised Due Date: August 14, 2014

(j) ADJOURNMENT (Item 13)

There being no further business, the Board of Health adjourned at 3:34 p.m.

Respectfully submitted,

Mayor R. Bratina
Chair, Board of Health

Jasmine Branton
Legislative Coordinator
Office of the City Clerk



PLANNING COMMITTEE REPORT 14-010

As Amended by Council on June 25, 2014

9:30 am

Tuesday, June 17, 2014

Council Chambers

Hamilton City Hall

71 Main Street West

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

Also Present: Councillor T. Jackson

THE PLANNING COMMITTEE PRESENTS REPORT 14-010 AND RESPECTFULLY RECOMMENDS:

1. Rental Housing Enforcement Strategy (PED10049(q)) (City Wide) (Item 5.1)

That City Council endorse the Rental Housing By-law Enforcement Strategy outlined in Appendix "A" attached hereto.

2. Annual Report on Building Permit Fees (PED14128) (City Wide) (Item 5.3)

That Report PED14128, Annual Report on Building Permit Fees, be received.

3. Proposed Common Elements Condominium Application for Parkside Hills, Phase 1 (25CDM-201309) 619 Centre Road (PED14111) (Ward 15) (Item 6.1)

That approval be given to **Draft Plan of Condominium Application 25CDM-201309, by Parkside Hills Inc., Owner**, to establish a draft plan of condominium (Common Elements Condominium) to create a condominium road with sidewalk, manoeuvring area, private on-site visitors parking, and landscaped areas, for 22 freehold maisonette townhouse dwelling units, on

lands located at 619 Centre Road (Waterdown), known legally as Blocks 97 and 98, Registered Plan 62M-1125, as shown on the attached location map marked as Appendix "A" to Report PED14111, subject to the following conditions:

- (a) That this approval shall apply to the plan, prepared by Metropolitan Consulting Inc. and certified by Thomas J. Salb., O.L.S., dated February 25, 2014, showing the common elements, attached as Appendix "B" to Report PED14111.
- (b) That the Final Plan of Condominium shall comply with all of the applicable provisions of Flamborough Zoning By-law No. 90-145-Z, as amended by Ontario Municipal Board Decision for OMB Case Number PL101121, PL101150 and PL121013, issued January 21, 2013.
- (c) That the Final Plan of Condominium shall comply, in all respects, with the approved Site Plan (DA-13-013), to the satisfaction of the Director of Planning.
- (d) That the owner shall receive final approval of a Part Lot Control Application, including the enactment and registration on title of the Part Lot Control Exemption By-law, to create the 22 Parcels of Tied Land, to the satisfaction of the Director of Planning.
- (e) That the owner shall enter into a Development Agreement to ensure that the tenure of each of the proposed 22 freehold townhouse dwellings having frontage on the condominium road has legal interest, in common, to the Common Elements Condominium, to the satisfaction of the City Solicitor.
- (f) That the owner shall include the following warning clauses in the Development Agreement and all Purchase and Sale Agreements, and any rental or lease agreements required for occupancy:
 - (i) "Purchasers are advised that the City of Hamilton will not be providing maintenance or snow removal service for the private condominium road and sidewalk."
 - (ii) "That the home/business mail delivery will be from a designated Centralized Mail Box."
 - (iii) "On-street, public parking in the surrounding neighbourhood is limited and cannot be guaranteed in perpetuity. Garage space for this unit is provided and intended for the purposes of parking a vehicle. It is the owner's responsibility to ensure that their parking needs can be met on-site."
- (g) That the owner shall agree to:

- (i) Work with Canada Post to determine and provide temporary suitable Centralized Mail Box locations, which may be utilized by Canada Post, until the curbs, boulevards, and sidewalks are in place in the remainder of the subdivision.
 - (ii) Install a concrete pad in accordance with the requirements of, and in locations to be approved by, the Senior Director of Growth Management and Canada Post, to facilitate the placement of Community Mail Boxes.
 - (iii) Identify the pads above on the engineering servicing drawings. Said pads are to be poured at the time of the sidewalk and/or curb installation within each phase.
 - (iv) Determine the location of all centralized mail receiving facilities in cooperation with the Senior Director of Growth Management and Canada Post, and indicate the location of centralized mail facilities on appropriate maps, information boards, and plans. Maps are also to be prominently displayed in the sales office(s) showing specific Centralized Mail Facility locations.
 - (v) Providing official notification to the purchasers, of the exact Centralized Mail Box locations, prior to the closing of any home sales.
- (h) That the owner provide evidence to the satisfaction of the Senior Director of Growth Management, that the Condominium Approval Agreement and Condominium Agreement contains appropriate wording requiring the future Condominium Corporation to be responsible for maintenance, repair and/or replacement of all common elements, including, but limited to, maintaining landscaping and fencing, as well as the grading and drainage in accordance with the engineered drawings approved through Site Plan Application DA-13-013.
- (i) That the owner shall provide the Manager of Design and Construction with evidence that satisfactory arrangements, financial and otherwise, have been made with a telecommunication service provider, approved by the Canadian Radio and Telecommunication Commission (CRTC), that adequate telecommunication service will be provided to the condominium, including 9-1-1 emergency calling service that identifies, at a minimum, the caller's name and location information.
 - (j) That the owner/developer shall provide to Union Gas Limited the necessary easements and/or agreements required by Union Gas Limited for the provision of gas services for this project, in a form satisfactory to Union Gas Limited.

- (k) That the owner shall satisfy all conditions, financial or otherwise, of the City of Hamilton.
- (l) That the owner shall obtain the required final approvals for the severances of the lands in Park Place, Phase 2A which create 23 parcels of tied land, and a second condominium road with visitor parking, landscaped strip and retaining wall, such that those parcels of tied land and common elements shall be included in the Common Elements Condominium at the time of registration to the satisfaction of the Director of Planning.

4. Application for Amendment to City of Hamilton Zoning By-law No. 6593 for Lands Located at 739 Upper Paradise Road (PED14125) (Ward 8) (Item 6.2)

That approval be given to Zoning Application ZAR-14-016, by Chris Gosopoulos, Owner, for a change in zoning from the "B" (Suburban Agriculture and Residential, etc.) District to the "C" (Urban Protected Residential, etc.) District, to facilitate the severance of a lot for the creation of two additional single detached residential lots, on lands located at 739 Upper Paradise Road (Hamilton), as shown on Appendix "A" to Report PED14125, on the following basis:

- (a) That the draft By-law, attached as Appendix "B" to Report PED14125, which has been prepared in a form satisfactory to the City Solicitor, be enacted by City Council;
- (b) That the amending By-law be added to Section 19B of Zoning By-law No. 6593;
- (c) That the proposed change in zoning is consistent with the Provincial Policy Statement (PPS), and conforms to the Growth Plan for the Greater Golden Horseshoe and the Urban Hamilton Official Plan (UHOP).

5. Zoning By-law Amendment ZAC-13-028 to Permit Modifications to Residential Uses in Silverwoods Subdivision, 111 Parkside Drive (Waterdown) (PED14127) (Ward 15) (Item 6.3)

- (a) That approval be given to Zoning Application ZAC-13-028, Silvercreek, Owner, for changes in zoning to permit *four (4)* semi-detached dwelling units (Blocks "1" and "2"); three (3) street townhouse units (Block "3"); and *six (6)* future semi-detached dwelling units (Block "4" and "5"), for the lands located at 111 Parkside Drive, Waterdown

(Flamborough), as shown on Appendix "A" to Report PED14127, on the following basis:

- (i) That Blocks "1" and "2" be changed from the Medium Density Residential "R6-22", Zone Modified, to the Urban Residential "R4-7" Zone, Modified;
- (ii) That Block "3" be changed from the Medium Density Residential "R6-22", Zone Modified, to the Medium Density Residential "R6-34", Zone, Modified;
- (iii) That Blocks "4" and "5" be changed from the Medium Density Residential "R6-22" Zone, Modified, to the Medium Density Residential "R4-7-H" Zone, Modified Holding;
- (iv) 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 "4", and "5", by introducing the Holding Symbol 'H' as a suffix to the proposed Zoning District. The Holding provision 'H' shall not be removed until such time as the following conditions have been completed to the satisfaction of the Director of Planning and the Senior Director of Growth Management:
 - (1) The owner has provided a Record of Site Condition for the lands within Eager Drive to the satisfaction of the Senior Director of Growth Management, and the Director of Planning.
 - (2) An alternative access has been provided to the subdivision to allow for the construction of the lots along Eager Drive, either on the adjacent DiMarco Estates, or by means of the East-West Corridor, to the satisfaction of the Senior Director of Growth Management and the Director of Planning.
 - (3) The temporary watermains servicing the Silverwoods Subdivision along Eager Drive have been decommissioned to the satisfaction of the Senior Director of Growth Management.
- (v) That the draft By-law, attached as Appendix "B" to Report PED14127, which has been prepared in a form satisfactory to the City Solicitor, be enacted by City Council; and,
- (vi) That the proposed changes in zoning are consistent with the PPS, and conforms with the Growth Plan for the Greater Golden

Horseshoe (Places to Grow), and the Urban Hamilton Official Plan (UHOP).

- (b) That Appendix “B” to Report PED14127, Draft Zoning By-law, be amended on page 2 of 6, 1(c) by deleting “R6-24” and replacing it with “R6-22”.

6. Applications for an Official Plan Amendment, Zoning By-law Amendment and for Revisions to a Draft Plan of Subdivision “Ancaster Glen Phase 2” for Lands Located at 435 Garner Road East (Ancaster) (PED14113) (Ward 12) (Item 6.4)

- (a) That approval be given to **Urban Hamilton Official Plan Amendment Application OPA-12-023, by Losani Homes (1998) Limited (Owner)**, for a change in designation on Map B.2.3-1 – Garner Neighbourhood Secondary Plan Land Use Plan from “Local Commercial” and “Medium Density Residential 2b” to “Low Density Residential 2c” with a Site Specific Policy to permit increased density and from “Low Density Residential 3a” to “Utility”, in order to permit a residential subdivision on the subject lands located at 435 Garner Road East (Ancaster), as shown on Appendix “A” to Report PED14113, on the following basis:
 - (i) That the draft Official Plan Amendment, attached as Appendix “B” to Report PED14113, be adopted by City Council.
- (b) That approval be given to **Zoning By-law Application ZAC-12-068, by Losani Homes (1998) Limited (Owner)**, for a change in zoning from the Holding-General Commercial “H-C3-610” Zone (Block 1) and the Holding-Residential Multiple “H-RM2-609” Zone (Block 2) to the Residential Multiple “RM5-660” Zone and from the Holding-Residential Multiple “H-RM2-609” Zone (Block 3), the Holding-Residential “H-R5-622” Zone (Block 4) and the Holding-Residential “H-R5-601” Zone (Block 5) to the Residential Multiple “RM2-661” Zone, in order to permit a residential plan of subdivision on the subject lands located at 435 Garner Road East (Ancaster), as shown on Appendix “A” to Report PED14113, on the following basis:
 - (i) That the draft By-law, attached as Appendix “C” to Report PED14113, 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 Schedule “B”, Map No. 1 of By-law No. 87-57;

- (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 approval be given to **Draft Plan of Subdivision Application 25T-200725(R), by Losani Homes (1998) Limited, Owner**, to revise a portion of the previously approved Draft Plan of Subdivision for “Ancaster Glen Phase 2”, subject to the following condition:
 - (i) That this approval apply to the draft plan of Subdivision, located at 435 Garner Road East, 25T-200725(R), prepared by Losani Homes and certified by S.D. McLaren, O.L.S., dated October 2012 and revised May 1, 2014, showing 130 lots for single detached dwellings (Lots 1 to 130), sixteen blocks for 84 townhouse units (Blocks 153 to 159 and Blocks 170 to 178), two blocks for future medium density residential development (Blocks 166 and 168), one block for townhouses and maisonettes (Block 169), one block for an elementary school (Block 165), one block for a neighbourhood park (Block 160), two blocks for stormwater management (Blocks 161 and 162), two blocks for open space/conservation (Blocks 163 and 164), one block for future road access (Block 167), two blocks for 0.3 m reserves (Blocks 179 and 180), and the creation of five streets (Streets “A”, “B”, “C”, “D” and “E”) and the extension of four streets (John Frederick Drive, Annalee Drive, Gegorio Avenue and Bookjans Drive), attached as Appendix “D” to Report PED14113, subject to the owner revising the Registered Subdivision Agreement to include the revised Draft Plan of Subdivision (attached as Appendix “D”) and with the revised Special Conditions, attached as Appendix “E”,
 - (ii) That payment of Cash-in-Lieu of Parkland will be required, pursuant to Section 51 of the Planning Act, prior to the registration of the plan of subdivision.

With regard to Blocks 170 - 178 (Street Townhouse), a parkland dedication at a ratio of 1 ha of the net land area for each 300 dwelling units proposed, will be required.

With regard to Blocks 166, 168 and 169 (Medium Density Residential Uses), a parkland dedication at a ratio of 0.6 ha of the net land area for each 300 dwelling units proposed will be required.

All in accordance with the Financial Policies for Development and the City’s Parkland Dedication By-law, as approved by Council.

7. Application for Amendment to City of Hamilton Zoning By-law No. 6593 for Lands Located at 99-103 Locke Street South (Hamilton) (PED14122) (Item 6.5)

- (a) That approval be given to Zoning Application ZAC-12-020, by Lougain Properties, Owner, for a change in zoning to Hamilton Zoning By-law No. 6593 from the “H” (Community Shopping Centre, etc.) District and the “G-3/S-1108” (Public Parking Lot) District, Modified, to the “E”-‘H’ (Multiple Dwellings, Lodges, Clubs, etc.) District, Modified Holding, in order to permit a six-storey, mixed-use building comprised of 84 residential units and ground floor commercial, as shown on Appendix “A”, on the following basis:
 - (i) That the draft By-law, attached as Appendix “B” to Report PED14122, that has been prepared in a form satisfactory to the City Solicitor, be enacted by City Council;
 - (ii) That the change in zoning is in conformity with the Urban Hamilton Official Plan (UHOP).
- (b) That upon finalization of the implementing By-law, the subject lands within the Kirkendall Neighbourhood Plan be re-designated from “Commercial” to “Commercial and Apartments”.
- (c) That Appendix, “B”, Draft By-law, be amended in condition 2(a)(i) by adding the following words, “as permitted in the ‘H’ (Community Shopping and Commercial) District”, between the words, “commercial units”, and “and 84 residential units” to read as follows:
 - (i) A mixed-use building with ground floor commercial units as *permitted in the ‘H’ (Community Shopping and Commercial) District* and 84 residential units located above shall be permitted.

8. Official Plan Amendment to incorporate the Ancaster Wilson Street Secondary Plan into the Urban Hamilton Official Plan (PED12078(a)) (Ward 12) (Item 6.6)

- (a) That draft Official Plan Amendment No. ___ to the Urban Hamilton Official Plan, attached as Appendix “A” to Report PED12078(a), to add a new Secondary Plan and associated mapping (Ancaster Wilson Street Secondary Plan), be adopted by City Council.
- (b) That Appendix “E” to Appendix “A” to Report PED12078a be amended, as follows:

- (i) That the properties, known municipally as 11, 19, 25, and 33 Douglas Road and 121, 127, and 131 Fiddlers Green Road, be changed from “Low Density Residential 3” to “Low Density Residential 1” on Map B.2.8-1.
- (ii) That the property, known municipally as 97 Wilson Street East, be changed from “Low Density Residential 1” to “Low Density Residential 3” on Map B.2.8-1.

9. City Initiative 14-B - Review Medical Marihuana Growing and Harvesting Facility, Greenhouse and Aquaponics Facility, as Permitted Uses in Urban and Rural Areas (PED14037(b)) (City Wide) (Item 6.7)

- (a) That approval be given to City Initiative 14-B, for Official Plan Amendment (OPA) No. to the Urban Hamilton Official Plan, to establish a definition of a medical marihuana growing and harvesting facility, and to permit a medical marihuana growing and harvesting facility with appropriate regulations, a greenhouse, and an aquaponics facility in the Employment Area – Industrial Land Designation and the Employment Area – Business Park Designation, on the following basis:
 - (i) That the draft OPA, attached as Appendix “A” to Report PED14037(b), be adopted by Council; and,
 - (ii) That the proposed OPA is consistent with the Provincial Policy Statement (PPS) 2014, and conforms to the Growth Plan for the Greater Golden Horseshoe.
- (b) That approval be given to City Initiative 14-B, for a general text amendment to Zoning By-law 05-200, to establish a definition of a medical marihuana growing and harvesting facility, and to permit a medical marihuana growing and harvesting facility with appropriate regulations, a greenhouse, and an aquaponics facility in the General Business Park (M2) Zone, Prestige Business Park (M3) Zone, General Industrial (M5) Zone, and Light Industrial (M6) Zone, on the following basis:
 - (i) That the Draft By-law, attached as Appendix “B” to Report PED14037(b), which has been prepared in a form satisfactory to the City Solicitor, be enacted by Council; and,
 - (ii) That the proposed changes in zoning will be in conformity with the Urban Hamilton Official Plan upon approval of Official Plan Amendment No.
- (c) That approval be given to City Initiative 14-B, for a general text amendment to City of Hamilton Zoning By-law No. 6593, to establish a

definition for a medical marihuana growing and harvesting facility and to prohibit this use in the Urban Area, on the following basis:

- (i) That the Draft By-law, attached as Appendix “F” to Report PED14037(b), which has been prepared in a form satisfactory to the City Solicitor, be enacted by Council; and,
- (ii) That the proposed changes in zoning conform to the Urban Hamilton Official Plan (UHOP).

10. Revisions to Draft Rural Zoning By-law (PED13167(a)) (Wards 9, 11, 12, 13, 14 and 15) (Item 7.1)

That report PED13167(a), Revisions to Draft Rural Zoning By-law, be received.

11. Changes to the Current Wording in the Standard Form Subdivision Agreement regarding Canada Post’s Fee for Community Mail Boxes in New Developments (PED14123) (City Wide) (Item 8.1)

That Growth Management staff be directed to amend Canada Post Condition 1.22 of the Standard Form Subdivision Agreement to the following:

“The Owner covenants and agrees to provide the Senior Director of Growth Management with evidence that satisfactory Planning and Engineering arrangements, have been made with Canada Post Corporation for the installation of Community Mail Boxes (CMB) in locations satisfactory to the City of Hamilton.”

12. Police Animal Protection By-law (LS14024) (City Wide) (Item 8.2)

That the proposed By-law attached as Appendix A to Report LS14024 to provide for the protection of police animals and persons who may be affected, and which By-law is in a form satisfactory to the City Solicitor, be enacted.

13. Tow Truck Licensing Sub-Committee Report 14-001 (Item 8.3)

- (a) That the by-law enforcement respecting tow truck licensing be held, pending passing of Provincial legislation Bill 189;
- (b) That staff be directed to investigate better enforcement of the Anti-Solicitation By-law through Hamilton Police Services;
- (c) That public education programs be implemented (paper ads, Public Service Announcements);

- (d) That Bill 189, An Act to amend various acts with respect to tow and storage service, the enhancement of consumer protection, commercial motor vehicle and tow truck regulation, and the enforcement of legislation, be endorsed;
 - (e) That this motion be forwarded to the Premier of Ontario and the Honourable Tracy MacCharles, Minister of Consumer Services.
14. **336-338 King. St. W. OMB Appeal re: Zoning By-law Amendment (ZAC-12-043) (Dundas) (LS14021/PED14119) (Item 12.1)**
- (a) That Legal staff be directed to support the revised Concept Plan and Zoning By-law, attached to Report LS14021/PED14119 as Appendices “C” and “D”, subject to such drafting, editorial or technical modifications as may be necessary;
 - (b) That staff be directed to provide evidence in support of the settlement to the Ontario Municipal Board, respecting 336-338 King. St. W. OMB Appeal regarding Zoning By-law Amendment (ZAC-12-043) (Dundas), as may be necessary; and,
 - (c) That Report LS14021/PED14119, respecting 336-338 King. St. W. OMB Appeal respecting Zoning By-law Amendment (ZAC-12-043) (Dundas) and its appendices remain confidential.
15. **176 Parkside Drive, OMB Appeals re: Zoning By-law Amendment (ZAR-12-060) and Consent (FL/B-12:106) (LS14020/PED14118) (Item 12.2)**
- (a) That Legal Services staff be directed to settle the Appeals in accordance with:
 - (i) The revised proposal, attached as Appendix “B” to Report LS14020/PED14118;
 - (ii) An approved servicing plan, to the satisfaction of the Senior Director, Growth Management; and,
 - (iii) The conditions of approval outlined in Report LS14020/PED14118, subject to such drafting, editorial or technical modifications as may be necessary;

- (b) That staff be directed to finalize a Zoning By-law for approval by the Ontario Municipal Board, with content satisfactory to the Director of Planning, and in a form satisfactory to the City Solicitor;
- (c) That staff be directed to present and/or provide evidence in support of the settlement to the Ontario Municipal Board, as may be necessary; and,
- (d) That Report LS14020/PED14118, respecting 176 Parkside Drive, OMB Appeals regarding Zoning By-law Amendment (ZAR-12-060) and Consent (FL/B-12:106) and its appendices, remain confidential.

16. 1041 West 5th Street OMB Appeals Re: OPA (OPA-12-024) and ZBA (ZAC-12-070) Owner: 1804487 Ontario Inc. (LS14026/PED14141) (Item 12.3)

- (a) That, in regards to appeals to the Ontario Municipal Board by 1804487 Ontario Inc. of Official Plan Amendment application OPA-12-024 and Zoning By-law Amendment application ZAC-12-070 concerning lands located at 1041 West 5th Street, staff be directed to:
 - (i) Advise the Ontario Municipal Board that the application by 1804487 Ontario Inc. for an official plan amendment is not required as the proposed uses are permitted under the Urban Hamilton Official Plan; and,
 - (ii) Support the application for the zoning by-law amendment, subject to inclusion of an "H" provision to address sanitary sewer capacity, and to submit a proposed zoning by-law to the Ontario Municipal Board in a form and content satisfactory to the Director of Planning; and,
- (b) That Report LS14026/PED14141, respecting 1041 West 5th Street OMB Appeals respecting OPA (OPA-12-024) and ZBA (ZAC-12-070) Owner: 1804487 Ontario Inc., remain confidential.

17. 1125 West 5th - Ontario Municipal Board Appeal (ZAC-12-067) and Plan of Subdivision 25T-201202, Owner: DiCenzo Construction Company Limited (LS14028/PED14140) (Item 12.4)

- (a) That staff be directed to continue to oppose the Applications on the grounds of prematurity, described in Appendix "C" to Report LS14028/PED14140, and non-conformity with the Urban Hamilton Official Plan;

- (b) That staff be authorized and directed to continue discussions with the applicant in an effort to resolve outstanding matters, and:
 - (i) if any or all matters are resolved, then staff be authorized and directed to present such resolution on applicable matters to the Ontario Municipal Board; and,
 - (ii) If any or all matters remain unresolved, then staff be directed to oppose the Applications before the Ontario Municipal Board based on those matters;
- (c) That staff be directed to prepare and finalize a zoning by-law and conditions of draft plan approval for the Applications, in a form satisfactory to the City Solicitor and with content satisfactory to the Director of Planning, for presentation to the Ontario Municipal Board;
- (d) That staff be directed to bring forward to the August 12, 2014 Planning Committee meeting an amendment to the UHOP which creates an Area Specific Policy for the Mewburn Neighbourhood to exempt lands designated Neighbourhoods from the minimum residential densities identified in policies E.3.5 and E.3.6;
- (e) That Appendix "C" attached to Report LS14028/PED14140 be made public, following Council; and,
- (f) That Report LS14028/PED14140, respecting 1125 West 5th - Ontario Municipal Board Appeal (ZAC-12-067) and Plan of Subdivision 25T-201202, Owner: DiCenzo Construction Company Limited and its Appendices "A" and "B", remain confidential.

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
 - 4.4 Delegation Requests Respecting item 8.3 Tow Truck Licensing Sub-Committee Report 14-001
 - (i) Fred Dath
 - (ii) Greg Ryan

- (iii) John Norris
- (iv) Ray Weninger

4.5 Delegation Request from George Zajac/Lorne Richter respecting Item 5.2 Proposal to Proceed with an OMB Appeal for Minor Variance Application, 55 Rymal Road East, Hamilton (PED14108) (Ward 7)

2. PUBLIC HEARING ITEMS

6.2 Application for Amendment to City of Hamilton Zoning By-law No. 6593 for Lands Located at 739 Upper Paradise Road (PED14125) (Ward 8)

- (i) Correspondence from A. Galletti

6.5 Application for Amendment to City of Hamilton Zoning By-law No. 6593 for Lands Located at 99-103 Locke Street South (Hamilton) (PED14122)

- (ii) Correspondence from William Gunn
- (iii) Correspondence from Laura Gunn
- (iv) Correspondence from Brendan Prince
- (v) Correspondence from Mel Athulathmudali
- (vi) Correspondence from Pat McCormack

3. DISCUSSION ITEMS

8.1 Changes to the Current Wording in the Standard Form Subdivision Agreement regarding Canada Post's Fee for Community Mail Boxes in New Developments (PED14123) (City Wide)

- (i) Correspondence from Hamilton-Halton Home Builders' Assoc.

The Agenda for the June 17, 2014 meeting of the Planning Committee was approved, as amended.

(b) DECLARATIONS OF INTEREST (Item 2)

Councillor Pearson declared an interest in Item 5.1, Rental Housing Enforcement Strategy (PED10049(q)) (City Wide) as she is involved in the rental housing industry.

(c) APPROVAL OF MINUTES (Item 3)

(i) June 3, 2014

The Minutes of the June 3, 2014 Planning Committee meeting were approved.

(d) DELEGATION REQUESTS (Item 4)

(i) Delegation Request from James Pichette respecting a complaint against a Municipal Law Enforcement Officer for a future meeting (Item 4.1)

The delegation from James Pichette respecting a complaint against a Municipal Law Enforcement Officer, was referred to staff.

(ii) Delegation Request from Gail McGinnis, Kit Cat Club of Hamilton, respecting Hamilton Animal Control for a future meeting (Item 4.2)

The delegation from Gail McGinnis, Kit Cat Club of Hamilton, respecting Hamilton Animal Control was approved for a future meeting.

(iii) Delegation Request from Joanne Turnell respecting by-law exemptions for Wilson Street Farmers Market for a future meeting (Item 4.3)

The delegation from Joanne Turnell respecting by-law exemptions for Wilson Street Farmers Market was approved for a future meeting.

(iv) Delegation Requests Respecting item 8.3 Tow Truck Licensing Sub-Committee Report 14-001 (Item 4.4)

- (i) Fred Dath**
- (ii) Greg Ryan**
- (iii) John Norris**
- (iv) Ray Weninger**

The delegations respecting item 8.3 Tow Truck Licensing Sub-Committee Report 14-001, were approved.

- (v) Delegation Request from George Zajac/Lorne Richter respecting Item 5.2 Proposal to Proceed with an OMB Appeal for Minor Variance Application, 55 Rymal Road East, Hamilton (PED14108) (Ward 7) (Item 4.5)**

The delegation from George Zajac and Lorne Richter, respecting Item 5.2 Proposal to Proceed with an OMB Appeal for Minor Variance Application, 55 Rymal Road East, Hamilton, was approved.

(e) CONSENT ITEMS (Item 5)

- (i) Proposal to Proceed with an OMB Appeal for Minor Variance Application, 55 Rymal Road East, Hamilton (PED14108) (Ward 7) (Item 5.2)**

Report PED14108, Proposal to Proceed with an OMB Appeal for Minor Variance Application, 55 Rymal Road East, Hamilton, was referred back to staff for further consultation and for a report back to the Planning Committee meeting of August 12, 2014.

(f) PUBLIC HEARINGS AND DELEGATIONS (Item 6)

- (i) Proposed Common Elements Condominium Application for Parkside Hills, Phase 1 (25CDM-201309) 619 Centre Road (PED14111) (Ward 15) (Item 6.1)**

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 proposed common elements of condominium, 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.

The applicant indicated they were in agreement with the staff recommendations and that this development is eligible for waste removal.

The public meeting respecting Report PED14111 Proposed Common Elements Condominium Application for Parkside Hills, Phase 1 (25CDM-201309) 619 Centre Road, was closed.

The staff presentation respecting Report PED14111 Proposed Common Elements Condominium Application for Parkside Hills, Phase 1 (25CDM-201309) 619 Centre Road, was waived.

For disposition on this Item, refer to item 3.

(ii) Application for Amendment to City of Hamilton Zoning By-law No. 6593 for Lands Located at 739 Upper Paradise Road (PED14125) (Ward 8) (Item 6.2)

(i) Correspondence from A. Galletti

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.

No public speakers came forward.

The public meeting respecting Report PED14125 Application for Amendment to City of Hamilton Zoning By-law No. 6593 for Lands Located at 739 Upper Paradise Road, was closed.

The staff presentation respecting Report PED14125 Application for Amendment to City of Hamilton Zoning By-law No. 6593 for Lands Located at 739 Upper Paradise Road, was waived.

The correspondence respecting Report PED14125 Application for Amendment to City of Hamilton Zoning By-law No. 6593 for Lands Located at 739 Upper Paradise Road, was received.

For disposition on this Item, refer to item 4.

(iii) Zoning By-law Amendment ZAC-13-028 to Permit Modifications to Residential Uses in Silverwoods Subdivision, 111 Parkside Drive (Waterdown) (PED14127) (Ward 15) (Item 6.3)

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.

No public speakers came forward.

The public meeting respecting Report PED14127 Zoning By-law Amendment ZAC-13-028 to Permit Modifications to Residential Uses in Silverwoods Subdivision, 111 Parkside Drive (Waterdown), was closed.

The staff presentation respecting Report PED14127 Zoning By-law Amendment ZAC-13-028 to Permit Modifications to Residential Uses in Silverwoods Subdivision, 111 Parkside Drive (Waterdown), was waived.

- (a) The recommendations contained in Report PED14127 Zoning By-law Amendment ZAC-13-028 to Permit Modifications to Residential Uses in Silverwoods Subdivision, 111 Parkside Drive (Waterdown), were amended by:
- (i) deleting the words, “six (6)”, before the words, “semi-detached dwelling units (Blocks “1” and “2””, and replace it with the words, “four (4)”;
 - (ii) deleting the words, “four (4)”, before the words, “future semi-detached dwelling units (Blocks “4” and “5”)”, and replacing it with the words, “six (6)”;
- (b) The recommendations contained in Report PED14127 Zoning By-law Amendment ZAC-13-028 to Permit Modifications to Residential Uses in Silverwoods Subdivision, 111 Parkside Drive

(Waterdown), were amended by adding a new sub-section (b) to read as follows:

- (b) That Appendix “B” to Report PED14127, Draft Zoning By-law, be amended on page 2 of 6, 1(c) by deleting “R6-24” and replacing it with “R6-22”.

For disposition on this Item, refer to item 5.

(iv) Applications for an Official Plan Amendment, Zoning By-law Amendment and for Revisions to a Draft Plan of Subdivision “Ancaster Glen Phase 2” for Lands Located at 435 Garner Road East (Ancaster) (PED14113) (Ward 12) (Item 6.4)

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 as well as the draft plan of subdivision, 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.

The public meeting respecting Report PED14113 Applications for an Official Plan Amendment, Zoning By-law Amendment and for Revisions to a Draft Plan of Subdivision “Ancaster Glen Phase 2” for Lands Located at 435 Garner Road East (Ancaster), was closed.

The staff presentation respecting Report PED14113 Applications for an Official Plan Amendment, Zoning By-law Amendment and for Revisions to a Draft Plan of Subdivision “Ancaster Glen Phase 2” for Lands Located at 435 Garner Road East (Ancaster), was waived.

For disposition on this Item, refer to item 6.

(v) Application for Amendment to City of Hamilton Zoning By-law No. 6593 for Lands Located at 99-103 Locke Street South (Hamilton) (PED14122) (Item 6.5)

- (i) Correspondence from David Cuming**

(ii) Correspondence from William Gunn

(iii) Correspondence from Laura Gunn

(iv) Correspondence from Brendan Prince

(v) Correspondence from Mel Athulathmudali

(vi) Correspondence from Pat McCormack

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.

The correspondence respecting Report PED14122 Application for Amendment to City of Hamilton Zoning By-law No. 6593 for Lands Located at 99-103 Locke Street South (Hamilton), was received.

Edward John, 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 PED14122 Application for Amendment to City of Hamilton Zoning By-law No. 6593 for Lands Located at 99-103 Locke Street South (Hamilton), was received.

Public Speakers:

1. Carmen Cuming – 309 Jackson St. W., Hamilton, ON L8P 1M6
2. Rita Bailey – 84 Pearl St. S., Hamilton, ON L8P 3X1
3. Maria Murchie – 368 Main St. W., Hamilton, ON L8P 1K2
4. Hans Stief – 323 Jackson St. W., Hamilton, ON L8P 1M8
5. Eli Harsed – 119 Locke St. S., Hamilton, ON L8P 4A7
6. Robert Bernacci – 87 Locke St. S., Hamilton, ON L8P 4A3
7. Sandy Shan – 279 Homewood Ave., Hamilton, ON L8P 2M8

8. Linda Grigg – 34 Holbrook Rd., Hamilton, ON L9C 2H2

The public presentations respecting Report PED14122 Application for Amendment to City of Hamilton Zoning By-law No. 6593 for Lands Located at 99-103 Locke Street South (Hamilton), were received.

The public meeting respecting Report PED14122 Application for Amendment to City of Hamilton Zoning By-law No. 6593 for Lands Located at 99-103 Locke Street South (Hamilton), was closed.

Sergio Manchia, spoke to the report with the aid of a PowerPoint presentation. A copy of the presentation has been included in the public record.

The agent's presentation respecting Report PED14122 Application for Amendment to City of Hamilton Zoning By-law No. 6593 for Lands Located at 99-103 Locke Street South (Hamilton), was received.

Members of the Planning Committee indicated that they are not supportive of a lane closure for this development.

For disposition on this Item, refer to item 7.

(vi) Official Plan Amendment to incorporate the Ancaster Wilson Street Secondary Plan into the Urban Hamilton Official Plan (PED12078(a)) (Ward 12) (Item 6.6)

(i) Correspondence from GSP Group on behalf of Garth Trails Ltd.

(ii) Correspondence from Ward Construction

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 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.

The public meeting respecting PED12078(a), Official Plan Amendment to incorporate the Ancaster Wilson Street Secondary Plan into the Urban Hamilton Official Plan, was closed.

The staff presentation respecting PED12078(a), Official Plan Amendment to incorporate the Ancaster Wilson Street Secondary Plan into the Urban Hamilton Official Plan, was waived.

The recommendations contained in Report PED12078(a) were amended by adding a new sub-section (b) to read as follows:

- (b) That Appendix “E” to Appendix “A” to Report PED12078a be amended, as follows:
 - (i) That the properties, known municipally as 11, 19, 25, and 33 Douglas Road and 121, 127, and 131 Fiddlers Green Road, be changed from “Low Density Residential 3” to “Low Density Residential 1” on Map B.2.8-1.
 - (ii) That the property, known municipally as 97 Wilson Street East, be changed from “Low Density Residential 1” to “Low Density Residential 3” on Map B.2.8-1.

For disposition on this Item, refer to item 8.

(vii) City Initiative 14-B - Review Medical Marihuana Growing and Harvesting Facility, Greenhouse and Aquaponics Facility, as Permitted Uses in Urban and Rural Areas (PED14037(b)) (City Wide) (Item 6.7)

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 city initiative, 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.

Joanne Hickey-Evans, Manager, Planning Policy and Zoning By-Law Reform, 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 PED14037(b), City Initiative 14-B - Review Medical Marihuana Growing and Harvesting Facility, Greenhouse and Aquaponics Facility, as Permitted Uses in Urban and Rural Areas, was received.

Public Speakers:

1. Michael Thomas – 25-1350 Limeridge Rd. E., Hamilton, ON L8W 1L6

Mr. Thomas expressed his concerns with the aid of speaking notes. A copy of the speaking notes has been included in the public record.

2. Rami Reda – 784 Concession St., Hamilton, ON L8V 1C9

Mr. Reda expressed support for the report.

3. Catherine Hughes – 27 Fairholt Rd., N., Hamilton, ON L8M 2S9

Ms. Hughes expressed support for the aquaponics facilities

4. Celeste Licorish – 36 Fairholt, Rd. S., Hamilton, ON L8M 2T4

Ms. Licorish expressed support for the aquaponics facilities

5. Warren Bravo – 780 8th Concession Rd. W., Flamborough, ON N0B 2J0

Mr. Bravo expressed support but concerned about the size limitation

6. Bill Pauagootakopoulos – 1653 Hwy 6 N, Hamilton, ON L8N 2Z7

Mr. Pauagootakopoulos expressed support but concerned about the size limitation

The public presentations respecting Report PED14037(b), City Initiative 14-B - Review Medical Marihuana Growing and Harvesting Facility, Greenhouse and Aquaponics Facility, as Permitted Uses in Urban and Rural Areas, were received.

The public meeting respecting Report PED14037(b), City Initiative 14-B - Review Medical Marihuana Growing and Harvesting Facility, Greenhouse and Aquaponics Facility, as Permitted Uses in Urban and Rural Areas, was closed.

- (a) Staff were directed to include a site plan control process as part of the Official Plan Amendment that will permit medical marihuana growing and harvesting facilities, Greenhouses and Aquaponics facilities in the Rural Areas.
- (b) Staff were directed to determine the number of current applications/facilities that exceed the square footage limits in the rural area, referred to in the report.
- (c) Staff were directed to review the development charge exemptions for industrial use in light of new marijuana by-laws and report back to the Planning Committee on possible changes to the development charges by-law.

The following recommendations were referred back to staff for further direction:

- (a) That approval be given to **City Initiative 14-B**, for a general text amendment to Town of Ancaster Zoning By-law 87-57, to establish a definition for a medical marihuana growing and harvesting facility, to add this use to the list of agricultural uses, to establish appropriate regulations, and to prohibit it in certain zones in the urban area that permit some agricultural uses, on the following basis:
 - (i) That the Draft By-law, attached as Appendix "C" to Report PED14037(b), which has been prepared in a form satisfactory to the City Solicitor, be enacted by Council; and,
 - (ii) That the proposed changes in zoning conform to the Rural Hamilton Official Plan (RHOP) and the Urban Hamilton Official Plan (UHOP).
- (b) That approval be given to **City Initiative 14-B**, for a general text amendment to Town of Flamborough Zoning By-law 90-145-Z, to establish a definition for a medical marihuana growing and harvesting facility, to add this use to the list of agricultural uses,

to establish appropriate regulations and to prohibit it in certain zones that permit some agricultural uses, on the following basis:

- (i) That the Draft By-law, attached as Appendix “D” to Report PED14037(b), which has been prepared in a form satisfactory to the City Solicitor, be enacted by Council; and,
 - (ii) That the proposed changes in zoning conform to the Rural Hamilton Official Plan (RHOP).
- (c) That approval be given to **City Initiative 14-B**, for a general text amendment to Township of Glanbrook Zoning By-law No. 464, to establish a definition for a medical marihuana growing and harvesting facility, to add this use to the list of agricultural uses, to establish appropriate regulations, to permit this use in the Rural Industrial Business Park “M6” Zone with appropriate regulations and to prohibit a medical marihuana growing and harvesting facility and an aquaponics facility in certain zones that permit some agricultural uses, on the following basis:
- (i) That the Draft By-law, attached as Appendix “E” to Report PED14037(b), which has been prepared in a form satisfactory to the City Solicitor, be enacted by Council; and,
 - (ii) That the proposed changes in zoning conform to the Rural Hamilton Official Plan (RHOP) and the Urban Hamilton Official Plan (UHOP).
- (d) That approval be given to **City Initiative 14-B**, for a general text amendment to City of Stoney Creek Zoning By-law No. 3692-92, to establish a definition for a medical marihuana growing and harvesting facility, to add a medical marihuana growing and harvesting facility and aquaponics uses to the list of agricultural uses, to establish appropriate regulations and to prohibit a medical marihuana growing and harvesting facility and an aquaponics facility in certain zones in the urban area that permit some agricultural uses, on the following basis:
- (i) That the Draft By-law, attached as Appendix “G” to Report PED14037(b), which has been prepared in a form satisfactory to the City Solicitor, be enacted by Council; and,

- (ii) That the proposed changes in zoning conform to the Rural Hamilton Official Plan (RHOP) and the Urban Hamilton Official Plan (UHOP).

- (e) That the definition of a medical marihuana growing and harvesting facility and the associated regulations be included in the proposed Agricultural (A1) and Agricultural (A2) Zones for the Rural area.

For disposition on this Item, refer to item 9.

(g) PRESENTATIONS (Item 7)

(i) Revisions to Draft Rural Zoning By-law (PED13167(a)) (Wards 9, 11, 12, 13, 14 and 15) (Item 7.1)

Heather Travis, Senior Planner, 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 presentation respecting Report PED13167(a), Revisions to Draft Rural Zoning By-law, was received.

For disposition on this Item, refer to item 10.

(h) DISCUSSION ITEMS (Item 8)

(i) Changes to the Current Wording in the Standard Form Subdivision Agreement regarding Canada Post's Fee for Community Mail Boxes in New Developments (PED14123) (City Wide) (Item 8.1)

(i) Correspondence from Hamilton-Halton Home Builders' Assoc.

The correspondence from Hamilton-Halton Home Builders' Association, was received.

For disposition on this Item, refer to item 11.

(ii) Police Animal Protection By-law (LS14024) (City Wide) (Item 8.2)

Sgt. Brad Adams provided an overview of complaints that have prompted this report.

The presentation respecting Report LS14024, Police Animal Protection By-law, was received.

That the by-law be amended to increase the fine from \$250 to \$1,000.

The Amendment was DEFEATED on the following vote:

Yeas: C. Collins, J. Farr, B. Clark

Total: 3

Nays: R. Pasuta, L. Ferguson, T. Whitehead, B. Johnson, M. Pearson

Total: 5

Absent: J. Partridge

Total: 1

For disposition on this Item, refer to item 12.

(iii) Tow Truck Licensing Sub-Committee Report 14-001 (Item 8.3)

Delegations:

1. Fred Dath

Mr. Dath was supportive of the recommendations.

2. Greg Ryan

Mr. Ryan expressed support for the recommendations as a way to move forward.

3. John Norris

Mr. Norris could not stay but indicated his support for the report.

4. Ray Weninger

Mr. Weninger was unable to attend.

The delegations respecting Tow Truck Licensing Sub-Committee Report 14-001, were received.

For disposition on this Item, refer to item 13.

(i) MOTIONS (Item 9)

(i) Delegated Authority to Consent to Heritage Permits Under the Ontario Heritage Act (Item 9.1)

Whereas the *Ontario Heritage Act* requires consent from City of Hamilton Council or its delegate for alterations to properties designated under the *Ontario Heritage Act*, and that this consent be obtained through the issuance of a Heritage Permit;

And Whereas the *Ontario Heritage Act* requires consultation with the Municipal Heritage Committee on Heritage Permit applications, but not public notice or public consultation, before a decision with respect to a Heritage Permit application is made;

And Whereas City Council passed By-law No.05-364, as amended by By-law No. 07-322, delegating the power to consent to Heritage Permits to the Director of Planning.

And Whereas the delegated power to consent has been in place for approximately 9 years and it is prudent to conduct periodic review of by-laws and procedures;

Therefore be it resolved:

- (a) That staff in the Planning Division be directed to carry out a review of the Heritage Permit process, and report back to Planning Committee.

The motion respecting Delegated Authority to Consent to Heritage Permits Under the Ontario Heritage Act was amended to include a subsection (b), to read as follows:

- (b) That staff come back with a terms of reference.

(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 C: Protection Measures for Existing Stable Residential Areas (Monster Homes) (PED11196)
Due Date: Q1 2014

Proposed Due Date: July 8, 2014

- (bb) Item D: Dust Control: Clean Air Hamilton 2011 Progress Report (BOH12015) (City Wide)
Due Date: Q1 2014
Proposed Due Date: September 3, 2014
- (cc) Item K: By-law to Regulate Parking on Boulevards and Front and Side Yard (PED13042)
Due Date: Q1 2014
Proposed Due Date: 2015
- (dd) Item Q: Establishment of a Specialized By-law Enforcement Unit (PED13108) (City Wide) (Item 5.1)
Due Date: Q1 2014
Proposed Due Date: August 12, 2014
- (ee) Item R: Parked Facing the Wrong Way (PED13109) (City Wide)
Due Date: Q1 2014
Proposed Due Date: 2015
- (ff) Item K: Municipal Costs for Appeals to the Ontario Municipal Board for Municipal Decision on Mineral Aggregate Resource Developments
Current Due Date: Q1 2014
Proposed Due Date: Q1 2015
- (gg) Item W: Amendment to Site Plan Control By-law No. 03-294, as Amended by By-law No. 08-298 (PED14014) (City Wide)
Current Due Date: June 17, 2014
Proposed Due Date: Q1 2015

The following items were removed from the Outstanding Business List:

- (aa) Item H: Business Licensing Fee Review (PD01104(h))
- (bb) Item V: Proposed Zoning By-law Amendment for 307 and 325 Fiddler's Green Road (Ancaster) (PED13183)
- (cc) Item X: Resolution Opposing the Requalification of Municipal Building Officials
- (dd) Item OO: Inclusion of 1 St. James Place, Hamilton in the Register of Property of Cultural Heritage Value or Interest
- (ee) Item T: Police Services Animal By-law

(k) PRIVATE AND CONFIDENTIAL (Item 12)

The Planning Committee moved into Closed Session, at 3:40 p.m. for the discussion of Items 12.1 through to item 12.4, pursuant to Section 8.1, Sub-sections (c), (e) and (f) of the City's Procedural By-law 10-053, and Section 239, Sub-sections (c), (e) and (f) of the Ontario Municipal Act, 2001, as amended, as the subject matter pertains to:

- litigation or potential litigation, including matters before administrative tribunals, affecting the City;
- advice that is subject to solicitor-client privilege, including communications necessary for that purpose;
- a proposed or pending acquisition or disposition of land by the municipality or local board

Committee moved into open session at 4:15 p.m.

(i) 336-338 King. St. W. OMB Appeal re: Zoning By-law Amendment (ZAC-12-043) (Dundas) (LS14021/PED14119) (Item 12.1)

For disposition on this Item, refer to item 15.

(ii) 176 Parkside Drive, OMB Appeals re: Zoning By-law Amendment (ZAR-12-060) and Consent (FL/B-12:106) (LS14020/PED14118) (Item 12.2)

For disposition on this Item, refer to item 16.

(iii) 1041 West 5th Street OMB Appeals Re: OPA (OPA-12-024) and ZBA (ZAC-12-070) Owner: 1804487 Ontario Inc. (LS14026/PED14141) (Item 12.3)

For disposition on this Item, refer to item 17.

(iv) 1125 West 5th - Ontario Municipal Board Appeal (ZAC-12-067) and Plan of Subdivision 25T-201202, Owner: DiCenzo Construction Company Limited (LS14028/PED14140) (Item 12.4)

Appendix "C" to Report LS14028/PED141401125, West 5th - Ontario Municipal Board Appeal (ZAC-12-067) and Plan of Subdivision 25T-

201202, Owner: DiCenzo Construction Company Limited, was deleted and replaced with the revised Appendix "C".

For disposition on this Item, refer to item 18.

(I) ADJOURNMENT

There being no further business, the Planning Committee adjourned at 4:20 p.m.

Respectfully submitted,

Councillor B. Johnson
Chair, Planning Committee

Vanessa Robicheau
Legislative Coordinator
Office of the City Clerk

Rental Housing Enforcement Strategy Framework

Much of the work of the new proactive rental housing enforcement team will support the neighbourhood action plans developed as part of the City’s Neighbourhood Development Strategies, and will address problem properties/areas in response to Community and Ward Councillor concerns.

However, normal day-to-day proactive enforcement will be focused on the following problem properties and/or key neighbourhoods in each of the eight Wards as identified through consultation with the respective Ward Councillors and stakeholders:

Ward 1 - property standards issues associated with single/semi-detached housing in the neighbourhoods in close proximity to McMaster University.

Ward 2 – external property standards within the Stinson Neighbourhood and other problem areas as determined through ongoing consultation with neighbourhood associations and other stakeholders.

Ward 3 - visible (i.e. outside) property standards issues such as garbage and debris, long grass/weeds associated with single/semi-detached housing, and extra effort and coordination with Public Health Services to address bed bug problems.

Ward 4 - property standards issues associated with single/semi-detached housing and multi-residential buildings as well as monitoring illegal dumping in vicinity of high-rises.

Ward 5 - internal/common area property standards issues associated with multi-residential buildings, as well as monitoring illegal dumping in vicinity of high-rises.

Ward 6 - property standards issues associated with single/semi-detached housing and multi-residential rentals along key arterials as well as monitoring illegal dumping along the Mountain Brow.

Ward 7 - external property standards issues associated with Hamilton Housing properties and single/semi-detached housing in close proximity to Mohawk College, as well as site specific problems as identified by the Ward Councillor through consultation with the Community.

Ward 8 - property standards issues associated with single/semi-detached housing in the neighbourhoods in close proximity to Mohawk College.

Wards 9 to 15 - enforcement of rental housing conditions in these Wards will primarily be on a complaint basis. However, periodic proactive blitzes and attending to problem properties/areas will occur from time to time in consultation with the respective Ward Councillors.



GENERAL ISSUES COMMITTEE REPORT 14-013

(as amended and approved by Council on June 25, 2014)

9:30 a.m.

Wednesday, June 18, 2014

Monday, June 23, 2014

Council Chambers

Hamilton City Hall

71 Main Street West

June 18, 2014

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

Absent with Regrets: Councillor S. Duvall – Vacation

June 23, 2014

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

Absent with Regrets: Councillors T. Jackson, S. Duvall – Vacation

THE GENERAL ISSUES COMMITTEE PRESENTS REPORT 14-013 AND RESPECTFULLY RECOMMENDS:

1. Hamilton Police Service Monthly Report (PSB14-068) (Item 5.1)

That Hamilton Police Service Monthly Report PSB14-068 be received.

2. **Lease Agreement with CityHousing Hamilton Corporation - Career Development Centre, 181 Main Street West (PED14121/CES14033) (Ward 1) (Item 5.3)**
- (a) That City Council approve a new lease with CityHousing Hamilton Corporation (CHHC) subject to the following terms and conditions:
- (i) **Term:** Five years commencing January 1, 2014, and terminating on December 31, 2018, together with a five year renewal option;
 - (ii) **Property:** Career Development Centre, 181 Main Street West, Hamilton, comprising a gross rentable area of 22,706 square feet of first floor, second floor and third floor space;
 - (iii) **Rental Rate:** From the date of commencement, being January 1, 2014, the City shall pay fixed rent of \$12.127 per square foot including HST for year one, \$12.345 for year two, \$12.567 for year three, \$12.794 for year four and \$13.024 for year five;
 - (iv) **Parking:** Lease provides five underground parking spaces at no cost;
 - (v) **Operating Costs:** Operating costs are included in the gross rent save and except cleaning, garbage, waste collection and disposal, security system, interior décor and finishing;
 - (vi) **Other:** The City has the option to terminate the lease at any time after the second year without penalty, subject to providing six months written notice;
 - (vii) **Other:** The City has the option to reduce the size of the leased premises at any time or times after the second year without penalty, subject to providing six months written notice;
- (b) That all rent and operating costs be funded from Account No. 672825-55358;
- (c) That the Mayor, General Manager of Finance and Corporate Services and City Clerk be authorized and directed to execute the lease in a form satisfactory to the City Solicitor.

3. **Public Health Services - Lease Agreement with 1235887 Ontario Limited (Davpart Ltd.) - Unit 106A, 891 Upper James Street, Hamilton (PED14124/BOH14022) (Ward 7) (Item 5.4)**

- (a) That City Council approve a new lease agreement with 1235887 Ontario Limited, for a new central Mountain Sexual Health Clinic subject to the following terms and conditions:
- (i) **Term:** Ten years commencing August 1, 2014, and terminating on July 31, 2024, together with two, five year renewal options;
 - (ii) **Property:** Unit 106A, 891 Upper James Street, Hamilton, comprising a gross area of 2,100 square feet located a short distance south of Mohawk Road, facing Upper James Street; the property is located within a commercial retail strip plaza;
 - (iii) **Rental Rate:** During the first five years from the date of commencement, being August 1, 2014, the City shall pay a net annual rent of \$33,600 plus H.S.T. which equates to a net rental rate of \$16 per square foot. Throughout the second term, i.e. years six to ten, the rent will escalate to \$38,325 plus H.S.T. which equates to a net rental rate of \$18.25 per square foot;
 - (iv) **Operating Costs:** The City is responsible for all operating costs, save and except property taxes, which are to be exempted. Excluding taxes, operating costs are currently \$5.41 per square foot;
 - (v) **Renewal Option:** Upon six months and prior to expiry of the ten year term (July 31, 2024), the City of Hamilton has an option to renew the lease for two additional five year terms under the same terms and conditions, save for the rental rate, which will be negotiated at the prevailing market rate;
 - (vi) **Other:** The tenant (Public Health Services) agrees to pay \$65,000 to the Landlord upon commencement of the lease for its share of the tenant improvement costs, estimated to be approximately \$150,000, based upon the client department's specifications. The landlord will be responsible for completing the work;
- (b) That all rent and operating expenses be charged to Dept ID 677500;
- (c) That the Real Estate Section of the Economic Development Division of the Planning and Economic Development Department be authorized and directed to complete the Lease Agreement in accordance with the terms set out in Recommendation (a) of Report PED14124 / BOH14022 and with By-law 04-299;

- (d) That Legal Services be authorized to prepare a by-law under Section 110 of the Municipal Act to designate the leased space as a Municipal Capital Facility, thereby exempting the City from payment of realty taxes;
- (e) That the Mayor, City Clerk and General Manager of Finance and Corporate Services be authorized and directed to execute the Lease in a form satisfactory to the City Solicitor.

4. Dundas Business Improvement Area (BIA) Revised Board of Management (PED11032(c)) (Ward 13) (Item 5.5)

That Ian Chan be appointed to the Dundas Business Improvement Area (BIA) Board of Management.

5. Declaration of Surplus and Sale of 0 Aldercrest Avenue, Hamilton (PED14109) (Ward 11) (Item 5.6)

- (a) That land municipally known as 0 Aldercrest Avenue, described as Part Lot 6, Concession 1 in the Geographic Township of Glanford, as in Instruments GL10713 and HL21974 (save and except Registered Plan 1166), further identified as all of PIN 16902-0098(LT) and Roll No. 251890211056410, as shown on Appendix "A" attached to Report PED14109, 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 an Offer to Purchase, executed on April 29, 2014 by Cody Campbell, scheduled to close on August 14, 2014, be approved and completed subject to the conditions described in Recommendation (e) of Report PED14109 and the sale price of \$2,000 be credited to Account No. 47702-3560150200 (Land and Property Sales) then transferred to the Property Purchases Reserve No. 100035;
- (c) That the deposit cheque in the amount of \$200, being the required 10% of the purchase price, be held by the General Manager of Finance pending acceptance of this transaction;
- (d) That the sale price of \$2,000 does not include the Harmonized Sales Tax (HST); should the HST be applicable and collected by the City, that the HST amount be credited to Account No. 22828-009000 (HST Payable);
- (e) That the following condition(s) be included in the Offer to Purchase of 0 Aldercrest Avenue:

“The Transferee acknowledges and agrees that the subject lands being sold pursuant to the Offer being all of PIN 16902-0098 are to be registered in the same name and title as the current land holdings of the Transferee, legally described as Lot 1A, on Plan 1166, being all of PIN 16902-0022(LT) and municipally known as 264 Aldercrest Avenue, Hamilton and that both PINS and PARCELS are to be merged on or after closing. To that end the Transferee hereby covenants and agrees as part of the Closing of this Transaction to make application to the Land Registrar to consolidate both PINS and PARCELS into one in the Land Titles System”;

- (f) That the City Clerk be authorized and directed to execute and issue a Certificate of Compliance for this transaction in the form prescribed pursuant to Section 268 of the Municipal Act, incorporating the following, if required:
 - (i) That the subject lands be declared surplus by inclusion in this Report to Council;
 - (ii) An internal appraisal of the fair market value of the real property intended to be sold was completed on January 3, 2014; and,
 - (iii) That in accordance with the approved methods of giving Notice to the Public in the Real Property Sales Procedural By-law No. 04-299, Section 12(a) 6, as to sufficient public notification by way of this Report to City Council.

6. Bayfront Strategy - Transfer of Funds (PED14117) (City Wide) (Item 5.7)

- (a) That the budget for the Bayfront Industrial Secondary Plan capital project be increased from \$132,000 to \$360,000, and that the additional funding required in the amount of \$228,000, be appropriated from the Economic Development Initiatives capital project (3621308900);
- (b) That staff be directed to retain Deloitte to complete the market opportunities component of the Bayfront;
- (c) That staff report back to the General Issues Committee with a clear Terms of Reference outlining how this project will proceed prior the commencement of the study.

7. City of Hamilton/Haldimand County Supply of Water Agreement (FCS14048) (City Wide) (Item 5.8)

(a) That the City of Hamilton enter into an agreement with The Corporation of Haldimand County (“Haldimand”) for the continued supply of potable water to Haldimand which incorporates the following terms and conditions:

- (i) initial term of the agreement will be for 20 years, effective August 1, 2014, with a potential renewal of two additional ten (10) year periods on the same terms and conditions unless otherwise agreed to by the parties;
- (ii) water consumption will be billed on a per cubic metre basis at the following rates:

		2014 to 2018	January 1, 2019 and thereafter
Block	Monthly Water Consumption (m ³)/metered account	Rate (\$/m ³)	Rate(\$/m ³)
1	0 - 62,500 m ³	\$ 1.94	Hamilton Water Rate + 10% Operating Surcharge + 15% Return On Investment
2	> 62,500 m ³	\$ 1.46	Hamilton Water Rate + 10% Operating Surcharge

- (iii) fixed daily water charges based on the size of the water meter will be billed at the same rates that from time to time the City of Hamilton charges to its water consumers within the City of Hamilton;
 - (iv) early termination by either party will require no less than ten (10) years notice;
- (b) That the Mayor and City Clerk be authorized and directed to execute, on behalf of the City of Hamilton, all necessary documentation to implement recommendation (a), all with content acceptable to the General Manager of Finance and Corporate Services and General Manager of Public Works, and in a form satisfactory to the City Solicitor;

- (c) That the fees and charges relating to Haldimand County and The Regional Municipality of Halton be removed from the City of Hamilton Water and Wastewater/Storm Fees and Charges By-law No. 13-325 and Waterworks By-law No. R84-026, as those water rates are to be negotiated and imposed through agreements entered into between the City of Hamilton and the appropriate municipalities;
- (d) That the City Solicitor be authorized and directed to prepare all necessary by-laws, for Council approval, in order to implement recommendation (c).

8. Performance Management Strategy (HUR14004) (Outstanding Business List Item) (City Wide) (Item 5.9)

That Report HUR14004 respecting “Performance Management Strategy”, be received.

9. Research Collaboration between the City of Hamilton and McMaster University (CES14027) (City Wide) (Item 5.10)

That Report CES14027 respecting “Research Collaboration between the City of Hamilton and McMaster University” be received.

10. Community Policing Partnerships (CPP) Program – Agreement with the Ministry of Community Safety and Correctional Services for Additional Funding for Front-line Officers (City Wide) (PSB98069(j)) (Item 5.11)

That the Mayor and City Clerk be authorized and directed to execute the Community Policing Partnerships (CPP) Program Agreement respecting additional funding for front-line officers between the Province of Ontario, the City of Hamilton and the Hamilton Police Services Board, such agreement to be in a form satisfactory to Corporate Counsel.

11. Funding Agreement: Safer Communities – 1,000 Officers Partnership Program (SCOPP) (City Wide) (PSB05055(k)) (Item 5.12)

That the Mayor and City Clerk be authorized and directed to execute the Funding Agreement: Safer Communities – 1,000 Officers Partnership Program (SCOPP) respecting additional funding for front-line officers between Her Majesty in Right of Ontario, as represented by the Minister of Community Safety and Correctional Services, the City of Hamilton and the Hamilton Police Services Board, such agreement to be in a form satisfactory to the City Solicitor.

12. Arts Community Support for the Proposed Arts Investment Program (AAC14001) (City Wide) (Item 7.2)

That Report AAC14001 respecting “Arts Community Support for the Proposed Arts Investment Program” be received.

13. Terms of Reference for the Evaluation of the City of Hamilton Community Partnership Program (FCS14024(a)) (City Wide) (Item 7.1)

(a) That the framework for the proposed new “City Enrichment Fund” attached as Appendix A to Report FCS14024(a) and the Proposed Guidelines for the Arts Investment Program attached as Appendix B to Report FCS14024(a) be received;

(b) That staff be directed to receive written public input on the framework for the proposed new “City Enrichment Fund” for a thirty day period from the date that requests for public input is published in the Hamilton Spectator and other appropriate community and social media.

(c) That staff be directed to report back to GIC in September 2014 with a final framework for the proposed new “City Enrichment Fund” informed by the public input, and with a two-part, detailed Implementation Plan, for the 2015 and 2016 grant cycles, that addresses, but is not limited to, the following items:

(i) For 2015 – the development of timelines, associated policies, eligibility criteria, assessment criteria, new application forms, and as a pilot for all funding streams, the Sports and Recreation stream’s new application form is to be made available via an online format; and,

(ii) For 2016 – the development of ‘phase out’ and ‘phase in’ policies and procedures for applications beginning 2016, an appeal process, strategic funding priorities, and identification of any other organizations that should be moved into the new grants program from departmental or other current funding sources.

(d) That increased funding for the new grants program in the amount of \$750,000 be referred to the 2015 budget deliberations for consideration, and be distributed as follows:

(i)	Arts and Arts Festivals	\$500,000
(ii)	Communities, Culture and Heritage; Sport and Recreation; Community Services; Agriculture and Environment	\$250,000

**14. Theatre Aquarius One-Time Funding Request (FCS14043) (City Wide)
(Item 8.3)**

- (a) That the City of Hamilton provide an unconditional grant to Theatre Aquarius Incorporated in the amount of \$71,000 from the 2014 Boards and Agencies Program;
- (b) That the grant in recommendation (a) made to Theatre Aquarius for costs related to hosting Opera Hamilton in 2014 is not a warranty by the City to pay for debts or other liabilities of Opera Hamilton as might exist.

15. A Draft Woodland Conservation By-law for Private Property within the Urban Area (PD02229(e)) (City Wide) (Item 7.4)

- (a) That the draft Urban Woodland Conservation By-law, attached as Appendix “B” to Report PD02229(e), to regulate all woodlands 0.2 ha. (0.5 ac.) or more in size in the Urban Area, be brought forward for public review and comment;
- (b) That the draft By-law, attached as Appendix “C” to Report PD02229(e), to amend the existing Tree/Woodland Conservation By-laws for the Regional Municipality of Hamilton-Wentworth, the Town of Ancaster, Town of Dundas, and the City of Stoney Creek, be brought forward for public review and comment;
- (c) That a Public Meeting be held at the Planning Committee meeting on August 12, 2014 to receive comments on the By-laws, attached as Appendices “B” and “C” to Report PD02229(e);
- (d) That the costs for one additional FTE with expertise in forestry or arboriculture to implement and administer the Urban Woodland Conservation By-law, be referred to the 2015 Budget process;
- (e) That staff be directed to prepare a work plan and report back to Planning Committee on a Woodland Protection Strategy, which supplements the new By-law, to implement non-regulatory tools that protect and enhance trees and woodlands in the Urban and Rural Areas of Hamilton.

**16. Host Community Authorization and Delegation of Authority (CES14035)
(City Wide) (Item 8.1)**

- (a) That the City of Hamilton’s willingness to be a host community to residents of Ontario who have been evacuated from their homes as a result of emergency situations, including but not limited to forest fires and floods be approved in principle;

- (b) That the General Manager of Community and Emergency Services be authorized and directed to execute one or more agreements with the appropriate government bodies seeking host community services in the event of an emergency, with content acceptable to the Emergency Management;
- (c) That staff be directed to continue to have discussions with single-tier municipalities to develop a template for the “Host Community Authorization and Delegation of Authority”.

17. Neighbourhood Action Strategy City-Wide Initiatives (CES14026) (City Wide) (Item 8.2)

- (a) That staff explore the development of a City-wide Neighbourhood Engagement Matching Grants program and report back to the General Issues Committee in the first quarter of 2015 on the results and next steps;
- (b) That the City of Hamilton enter into a partnership agreement with the Social Planning and Research Council for community development support in the Rolston neighbourhood, and to support neighbourhood planning across Hamilton from September 2014 to December 31, 2015, in the amount of \$96,000 to be funded from the Neighbourhood Action Strategy Fund (Project #2051255204);
- (c) That the City of Hamilton enter into a partnership agreement with the Hamilton Community Foundation to support the expansion of the Neighbourhood Leadership Institute (NLI) across the City of Hamilton for the next three years (September 2014 – December 2016) in the amount of \$20,000 per year to a total of \$60,000 to be funded from the Neighbourhood Action Strategy Fund (Project #2051255204);
- (d) That the General Manager of Community and Emergency Services be authorized and directed to execute, on behalf of the City of Hamilton, the partnership agreements referred to in sub-sections (b) and (c), together with all necessary associated documents, in a form satisfactory to the City Solicitor.

18. Facility Naming Sub-Committee Report 14-003 – May 26, 2014 (Item 8.4)

Review of Naming Policy (Item 7.1)

That the matter respecting adding individual names to a military memorial wall proposed for Gore Park and the possibility of corresponding with the Chief of Staff, Canadian Forces, for purposes of obtaining the correct Canadian Forces contact information, to request a list of fallen soldiers' names, be referred to the Hamilton Veteran's Committee and report back to the Facility Naming Sub-Committee.

19. Raoul Wallenberg Commemorative Project (Item 9.2)

Whereas in December 2012, the General Issues Committee received a presentation from Madeleine Levy and a delegation from the Hamilton Jewish Federation Holocaust Education Committee speaking to the heroism and humanitarian acts of Raoul Wallenberg, asking that the City recognize and commemorate his actions; and,

Whereas the General Issues Committee referred this request to staff for a report to the Facility Naming Sub-Committee; and,

Whereas Councillors B. McHattie and M. Pearson have been meeting with Ms. Levy and staff to discuss a suitable commemoration in Churchill Park, adjacent to the aviary location (see attached map); and,

Whereas the Federal Government named Raoul Wallenberg the first honorary Canadian citizen, and has an interest in the project; and,

Whereas the draft project plan includes a pathway of granular trail construction, two decorative benches, one decorative waste receptacle, two interpretive panels and a 10-metre granular circle with garden, irrigation and public art.

Therefore Be It Resolved:

- (a) That the Raoul Wallenberg Commemorative Project be referred to staff for further costing and consideration of funding sources, including but not limited to Ward 1 area rating funding;
- (b) That the Project details be shared with the Federal Government, with a request for their participation and consideration of funding.

20. Memorial Park Facility Expansion (Item 10.1)

- (a) That an addition of approximately 23 square meters be added to the existing Memorial Park facility;
- (b) That the estimated cost of approximately \$105,000 for the addition be funded as follows:
 - (i) \$40,000.00 - Indoor Recreation Development Charges
 - (ii) \$15,834.69 - former Stoney Creek Capital Reserve (#108034)
 - (iii) \$49,165.31- 7101354105 – Park & Fieldhouse Retrofits;
- (c) That the General Manager of Public Works be authorized to prepare, advertise and award request for quotations or tenders as required for the works in accordance with sub-sections (a) and (b).

21. Storm Water Management at Stoney Creek Recreation Centre (Item 10.2)

- (a) That the storm water management dry pond at Stoney Creek Recreation Centre be removed and that site grading and servicing works including but not limited to the addition of two catch basins and a storm sewer along with landscaping restoration be implemented;
- (b) That the estimated cost of approximately \$115,000 for the work identified in sub-section (a) be funded from the Storm Sewer Capital Reserve (#108010);
- (c) That the General Manager of Public Works be authorized to prepare, advertise and award request for quotations as required for the works in accordance with sub-sections (a) and (b).

22. Grand River Conservation Authority Land Acquisition(s) (PW14061) (Ward 12) (Item 12.1)

- (a) That the City purchase of lands from the property owner, Grand River Conservation Authority, described as Block 113 on Plan 62M-1000 and Block 15 on Plan 62M-1055, and Block 10 on Plan 62M-1084 in the former Township of Ancaster, as shown on Appendix “A” to Report PW14061, be approved and completed, and the nominal purchase price of \$2.00 for each parcel be charged to Project ID 59259-4401256126 (Shaver Estates Park);
- (b) That as consideration, the amount of \$2.00, paid to the owner pursuant to the agreement, is deducted from the purchase price;

- (c) That the Mayor and City Clerk be authorized and directed to execute any necessary documents, in a form satisfactory to the City Solicitor, and that any Legal Services expenses or other administrative expenses be charged to Project ID 59259-4401256126 (Shaver Estates Park);
- (d) That Report PW14061 respecting Grand River Conservation Authority Land Acquisition remain confidential until the purchase transaction is completed.

The following was added as Item 23:

23. Scott Park Lands

That the City Manager, in conjunction with the Mayor and the Ward 3 Councillor, be directed to facilitate discussions among the following, and not limited to, organizations responsible for the future of the current Scott Park Lands – including the Bernie Morelli Seniors Centre, the school site, Jimmy Thompson Pool, parking requirements for current and future needs, playing fields and open spaces, and that a timely report be made back to Hamilton City Council through its appropriate committees.

FOR THE INFORMATION OF COUNCIL:

(a) CHANGES TO THE AGENDA (Item 1)

The Committee Clerk advised of the following changes:

CEREMONIAL ACTIVITY

- A. Presentation of the Community Spirit Award – Barton Village Business Improvement Area

ADDED DELEGATION REQUESTS

For June 18 Meeting

- 4.3 Delegation Request from Tim Potocic of Supercrawl to speak in support of the Arts Funding Report (Item 7.1)
- 4.4 Delegation Request from Svava Juliusson of Hamilton Artists Inc. to speak in support of the recommendations respecting the Arts Funding Task Force (Item 7.1)

For June 23 Meeting

- 4.5 Delegation Request from Lorna Zaremba of Theatre Aquarius to appear before the Committee to speak to "Theatre Aquarius One-time Funding Request" (Report FCS14043 – Item 8.3)

ADDED CONSENT ITEMS

- 5.11 Community Policing Partnerships (CPP) Program – Agreement with the Ministry of Community Safety and Correctional Services for Additional Funding for Front-line Officers (City Wide) (PSB98069(j))
- 5.12 Funding Agreement: Safer Communities – 1,000 Officers Partnership Program (SCOPP) (City Wide) (PSB05055(k))

DELEGATIONS

Delegations 6.3 to 6.6 inclusive, which read as follows:

- 6.3 Lorna Zaremba, on behalf of Hamilton's Anchor Arts Organizations (Art Gallery of Hamilton, Brott Festival, Hamilton Philharmonic Orchestra and Theatre Aquarius) respecting arts funding recommendations (Approved by Committee on May 21, 2014)
- 6.4 Representative(s) from the Board of Directors of the Anchor Arts Organizations respecting arts funding recommendations (Approved by Committee on May 21, 2014)
- 6.5 Representative from the Hamilton Philharmonic Orchestra respecting the arts funding recommendations (Approved by Committee on May 21, 2014)
- 6.6 Boris Brott, Brott Music Festival, respecting draft of the Arts Investment Programme (Approved by Committee on May 21, 2014)

have been combined with one presentation, as follows:

- 6.3 Carl Turkstra, Founder of the "incite Foundation for the Arts" on behalf of Hamilton's Anchor Organizations (Art Gallery of Hamilton, Hamilton Philharmonic Orchestra, Theatre Aquarius, Brott Music Festival)

ADDED DISCUSSION ITEM

- 8.5 Scott Park Lands (referred from Council on June 11, 2014)

NOTICES OF MOTION

- 10.1 Memorial Park Facility Expansion
- 10.2 Storm Water Management at Stoney Creek Recreation Centre
- 10.3 Randle Reef Clean-up

ADDED PRIVATE AND CONFIDENTIAL

- 12.2 Interest Arbitration Award for OPSEU 256 – Paramedics – Verbal Update (No Copy)
Pursuant to Sub-section 8.1(d) of the City's Procedural By-law and Section 239.2 of the Municipal Act as the subject matter pertains to labour relations or employee negotiations
- 12.3 Real Estate Matter regarding 64 Melrose Avenue North (No copy) (Ward 3 with City Wide Implications)
Pursuant to Sub-sections 8.1(c) and (f) of the City's Procedural By-law and Section 239.2 of the Municipal Act as the subject matter pertains to: (c) a proposed or pending acquisition or disposition of land by the municipality or local board; and (f) the receiving of advice that is subject to solicitor-client privilege, including communications necessary for that purpose.

The agenda was approved as amended.

CEREMONIAL ACTIVITY

Chair Powers called upon Ward 3 Councillor R. Morrow and Shelly Wonch, Executive Director of the Barton Village Business Improvement Area, to approach the podium to present the "Community Spirit Award" to the owner/operators of Mr. Appliance at 637 Barton Street East. This is the first Community Spirit Award to be presented, and is awarded to someone who takes pride in their property and business, and portrays a positive image to other people that visit and come into the Barton Village BIA.

(b) DECLARATIONS OF INTEREST (Item 2)

None

(c) APPROVAL OF PREVIOUS MINUTES

(i) Minutes of the June 4, 2014 Meeting (Item 3.1)

The Minutes of the June 4, 2014 meeting of the General Issues Committee were approved, as presented.

(d) DELEGATION REQUESTS

- (i) The following delegation requests were approved, and the rules of order were suspended in order to allow the delegations to present at this Committee meeting:
 - (aa) Tim Potocic of Supercrawl to speak in support of the Arts Funding Report (Item 7.1) (Item 4.3)
 - (bb) Svava Juliusson of Hamilton Artists Inc. to speak in support of the recommendations respecting the Arts Funding Task Force (Item 7.1) (Item 4.4)
- (ii) The following delegation request was approved, and the rules of order were suspended in order to allow the delegation to present at the June 23, 2014 meeting of the Committee:
 - (aa) Delegation Request from Lorna Zaremba of Theatre Aquarius to appear before the Committee to speak to “Theatre Aquarius One-time Funding Request” (Report FCS14043 – Item 8.3)

(e) CONSENT

(i) Minutes of Various Sub-Committees (For Information Purposes Only) (Item 5.2)

The following Minutes were received:

- (aa) Web Re-development and Service Channel Sub-Committee - March 3, 2014
- (bb) Pan-Am Stadium Precinct Sub-Committee - March 25, 2014
- (cc) Task Force on Cleanliness and Security in the Downtown Core - May 5, 2014

(ii) Bayfront Strategy - Transfer of Funds (PED14117) (City Wide) (Item 5.7)

The following was added as sub-section (c):

- (c) That staff report back to the General Issues Committee with a clear Terms of Reference outlining how this project will proceed prior the commencement of the study.

The Amendment CARRIED and the Motion, as amended, CARRIED.

Mayor R. Bratina indicated that he wished to be recorded opposed to the Amendment.

(f) DELEGATIONS/PUBLIC HEARINGS

(i) Norm Dorr to provide an update on the lapel cameras for police officers (Item 6.1)

Norm Dorr appeared before the Committee with his daughter, Sharon Dorr, and his grandson, Domenik Steve Mesic, and thanked Councillor Scott Duvall and other members of Council for their assistance over the last year.

Mr. Dorr's comments included, but were not limited to, the following:

- Trying to get a few changes done within the City that are important to every citizen
- Requested that consideration be given to possibly naming a street after Steve Mesic (Domenik's father)
- Has raised the issue of lapel cameras for police officers with the Hamilton Police Services Board
- One of the recommendations from the inquest was the use of lapel cameras
- Other cities have started pilot projects; quoted prices for hardware and software in U.S. dollars
- Officers endorse lapel cameras – works both ways – good for officers and for the public
- Can't see any reason why Council would not push the Police Services Board for lapel cameras.

The presentation from Mr. Norm Dorr respecting lapel cameras for police officers was received.

(ii) Carmen D'Angelo from the Niagara Peninsula Conservation Authority, to present the NPCA's Strategic Plan (Item 6.2)

Carmen D'Angelo, Treasurer and Chief Executive Officer of the Niagara Peninsula Conservation Authority (NPCA) appeared before the Committee to present the NPCA's 2014-2017 Strategic Plan. With the assistance of a PowerPoint presentation, Mr. D'Angelo spoke to the following:

- Who We Are – The Watershed (Geography, Board of Directors and Conservation Areas)
- What We Do – Watershed Management; Operations; Corporate Services
- 2014 Budget - \$11,396,677

- How We Are Funded
- Strategic Plan – The Process
- Parallel Process – Staff Realignment
- Strategic Plan – The Challenge; The Mandate
- Mission, Vision, Values
- Strategic Plan – Goals
- What Has Been Completed to Date – Communications; Improving Development Processes; Asset Management; Restoration Programs; Policies; Governance
- What Needs to be Done – Four phases of the Strategic Plan Implementation
- Ask to Municipalities – “Be Our Partner”

A copy of the presentation was submitted to the Clerk for the public record and is available on the City of Hamilton website.

The presentation from Carmen D’Angelo respecting the Niagara Peninsula Conservation Authority Strategic Plan was received.

(iii) Carl Turkstra, Founder of the incite Foundation for the Arts, respecting the Arts Funding Recommendations (Item 6.3)

Dr. Carl Turkstra, “Founder of the incite Foundation for the Arts” appeared before the Committee on behalf of Hamilton’s Anchor Arts Organizations, which include the Hamilton Philharmonic Orchestra, the Art Gallery of Hamilton, Theatre Aquarius and the Brott Music Festival.

Accompanying Dr. Turkstra were Robert Savage, Chair of the HPO, Michael Schwenger, representing Theatre Aquarius, Charles Criminisi, Chair of the AGH, and Wendell Wilks, Board Member of the Brott Music Festival.

Dr. Turkstra spoke to the creation of the non-profit “Incite Foundation” in 2011 whose mission is “to incite” the people of Hamilton to support the arts, and supports program excellence and creativity by contributing to the financial stability of visual and performing arts organizations in Hamilton

Dr. Turkstra’s comments included, but were not limited to, the following:

- The Arts Investment Program would significantly broaden the scope of the City’s support for the arts and is strongly supported by all cultural institutions in the City
- Expressed one major concern – if the Program is approved, but sufficient additional funds are not provided, the effect of the program might well be very negative; unless additional funding is provided, the Program should not be approved

- Urged Committee to accept the challenge of increased support for the arts in Hamilton

A copy of Dr. Turkstra's comments was submitted to the Clerk for the public record.

Robert Savage addressed the Committee on behalf of the Chairs of the Anchor organizations. Mr. Savage's comments included, but were not limited to, the following:

- Program will simply not work if it is not adequately funded; more money needs to be added to the Arts Investment program
- 3 key objectives: require adequate funding to ensure the ability to bring the core products to the community; mid-size organizations need funds to grow; emerging organizations need assistance to get started
- Without enough money, the program will not achieve its objectives
- Lack of adequate funding has the potential to destabilize transparency

A copy of Mr. Savage's comments was submitted to the Clerk for the public record.

The presentations from Carl Turkstra and Robert Savage respecting the arts funding recommendations were received.

(iv) Vitek Wincza from the Hamilton Conservatory for the Arts/Culture for Kids in the Arts/HCA Dance Theatre, to speak in support of the Arts Investment Model (Items 4.1/6.4)

Mr. Wincza addressed Committee on behalf of the Hamilton Conservation Authority for the Arts/Culture for Kids in the Arts/HCA Dance Theatre, respecting the Proposed Strategic Arts Investment Strategy. Mr. Wincza's comments included, but were not limited to, the following:

- HCA is a self sustained organization.
- 50,000 children receive arts education from this foundation annually through this organization.
- People would like to participate in the arts, but is not accessible or affordable for all.
- Mr. Wincza was once a member of the Arts Advisory Commission.
- To have a healthy arts culture, we need to invest.
- This is an investment in the community.
- Make Hamilton a place that everyone, regardless of their age, race or origin can be involved in the arts.
- The current approach has to be changed. The longer you wait, the more difficult it will be to work out.

The presentation from Vitek Wincza of the Hamilton Conservatory for the Arts/Culture for Kids in the Arts/HCA Dance Theatre, respecting the Arts Investment Model was received.

(v) Stephanie Vegh from the Hamilton Arts Council respecting the Proposed Strategic Arts Investment Recommendations (Items 4.2/ 6.5)

Stephanie Vegh, representing the Hamilton Arts Council, addressed the Committee respecting the Proposed Arts Investment Strategy. Ms. Vegh's comments included, but were not limited to, the following:

- Hamilton Arts Council works with all arts organization within the community.
- In support of the Arts Strategy.
- Current arts funding is a crisis.
- Grants have not kept up with inflation.
- Encourages Committee to support the proposed Arts Investment Strategy.

The presentation from Stephanie Vegh, of the Hamilton Arts Council, respecting the Proposed Strategic Arts Investment Strategy, was received.

(vi) Tim Potocic, on behalf of Supercrawl, to speak in support of the Arts Funding Report (Items 4.3/6.6)

Tim Potocic of Supercrawl addressed Committee respecting the Arts Funding Report. Mr. Potocic's comments included, but were not limited to, the following:

- In support of the proposal that is before Committee.
- Would like to see Council adopt the report for the City's Enrichment Fund.
- Would like this Council to lead by example so that the next Council can follow what this Council has done.
- New model will increase accountability and transparency and will work for the community
- Want quantitative as well as qualitative approach to the "report card"
- Keep in mind some of the slides – specifically the fact that \$3.2 million in funding since 2000, need more funding over the next three years
- Arts and culture community is one of key pillars to Hamilton
- Model aligns with the strategic plan
- Volunteer hours by community leaders and people in the arts is staggering

- Arts investment will create more jobs, prosperity and increase to the tax base
- Arts drives re-development within the City i.e., James, Barton, Ottawa, Locke – important to appreciate what this is doing for the City'
- Want new model adopted and increased investment i.e., funding

The presentation from Tim Potocic, on behalf of Supercrawl, to speak in support of the Arts Funding Report was received.

(vii) Svava Juliusson from Hamilton Artists Inc. to speak in support of the Arts Funding Task Force (Items 4.3 /6.7)

Svava Juliusson, Chair of Hamilton Artists Inc, appeared before the Committee to request the Committee to approve the proposed strategic arts investment model in its entirety, and particularly, to recommend the funding increase and to adopt the peer assessment as the governance, best practice, approach to adjudicate the assess funding applications.

In her comments, Ms. Juliusson requested that consideration be given for additional annual support under the proposed increase in strategic arts investment.

A copy of Ms. Juliusson's comments was submitted to the Clerk for the public record.

The presentation from Svava Juliusson from Hamilton Artists Inc. respecting the report of the Arts Funding Task Force was received.

(viii) Lorna Zaremba from Theatre Aquarius to speak to Item 8.3 – Theatre Aquarius One-Time Funding Request (Items 4.5/6.8)

Lorna Zaremba appeared before the Committee to speak to Item 8.3 – Theatre Aquarius One-Time Funding Request, and acknowledged the attendance of Ron Ulrich, Artistic Director of Theatre Aquarius.

Ms. Zaremba's requested that Opera Hamilton's Municipal grant be paid directly to Theatre Aquarius to assist with fees owing to it by Opera Hamilton.

A copy of Ms. Zaremba's comments was submitted to the Clerk for the public record.

The presentation from Lorna Zaremba from Theatre Aquarius respecting the One-Time Funding Request, was received.

Theatre Aquarius One-Time Funding Request (FCS14043) (City Wide) (Item 8.3)

The recommendations contained in Report FCS14043 respecting “Theatre Aquarius One-Time Funding Requests” were deleted in their entirety and replaced with the following in lieu thereof:

- (a) That the City of Hamilton provide an unconditional grant to Theatre Aquarius Incorporated in the amount of \$71,000 from the 2014 Boards and Agencies Program;
- (b) That the grant in recommendation (a) made to Theatre Aquarius for costs related to hosting Opera Hamilton in 2013/2014 is not a warranty by the City to pay for debts or other liabilities of Opera Hamilton as might exist.

See Item 14 for the disposition of this item.

(g) PRESENTATIONS

(i) Terms of Reference for the Evaluation of the City of Hamilton Community Partnership Program (FCS14024(a)) (City Wide) (Item 7.1)

John Hertel, Director of Enterprise Management and Revenue Generation, and Anna Bradford, Director of Tourism and Culture, provided a PowerPoint presentation to the Committee with respect to the “Evaluation of the City of Hamilton Community Partnership Program Update”, and spoke to the following:

- Goals and deliverables of the review
- Work schedule
- Stakeholder engagement – the Centrepiece for the Review
- Findings – Top 5 Criteria that should be used to judge review recommendations
- CPP findings
 - What’s working/what’s not
 - Need for more transparency
 - Timing and awarding of funds
 - Impact on the community
 - Distribution of funds
 - Publicity and celebration
 - Governance
- Arts Investment Program highlights
 - What’s working
 - Key principles
 - Governance

- Funding
- Next steps
- Today – Fragmented: many categories and funding sources
- Moving forward

“City Enrichment Fund”

- “Proposed – City Enrichment Fund”
- Examples of existing in new model
- Applications
- What’s different
- Summary of proposed changes
- Actions and timelines

Funding Considerations

- Funding observations
- Funding dilemma for 2015+
- Funding considerations for the 2015 budget deliberations
- Arts and arts festivals; other streams (former CPP)

A copy of the PowerPoint presentation was submitted to the Clerk for the public record and can be viewed on the City of Hamilton website.

The presentation respecting “Evaluation of the City of Hamilton Community Partnership Program Update” was received.

(ii) Arts Community Support for the Proposed Arts Investment Program (AAC14001) (City Wide) (Item 7.2)

Tricia LeClair, Chair of the Arts Advisory Commission, appeared before the Committee to speak on behalf of the AAC and their support of the new arts investment program and the recommendations presented by staff.

A copy of the PowerPoint presentation was submitted to the Clerk for the public record and can be viewed on the City of Hamilton website.

The presentation respecting “Arts Community Support for the Proposed Arts Investment Program” was received.

Terms of Reference for the Evaluation of the City of Hamilton Community Partnership Program (FCS14024(a)) (City Wide) (Item 7.1)

Sub-section (d)(ii) was deleted in its entirety and replaced with the following in lieu thereof:

- | | |
|---|-----------|
| (d)(ii) Communities, Culture and Heritage;
Sports and Recreation; Community
Services; Agriculture and Environment | \$250,000 |
|---|-----------|

The Amendment CARRIED.

It was moved and seconded that the following be added as sub-sections (e) and (f):

- “(e) That following the City’s commitment of \$1 million to the Art Gallery of Hamilton in 2016, the funding levels for the AGH, HPO, Festival of Friends, Boris Brott and Theatre Aquarius be reduced to \$0, which will provide a level playing field for existing and future applicants within the “arts” envelope;
- (f) That a funding cap be considered for each organization noted in sub-section (e) to maximize the allocated budget in the community, notwithstanding the 30% existing City policy.”

A Motion to Refer sub-sections (e) and (f) to staff for inclusion in the report to be presented to the General Issues Committee in September, following the public consultation period was DEFEATED on the following Standing Recorded Vote:

Yeas: Merulla, Collins
Total Yeas: 2
Nays: McHattie, Farr, Morrow, Jackson, Whitehead, Partridge,
Powers, Ferguson, Johnson, Pearson, Clark
Total Nays: 11
Absent: Bratina, Duvall, Pasuta
Total Absent: 3

The Main Motion, as amended, CARRIED on the following Standing Recorded Vote:

Yeas: McHattie, Farr, Morrow, Merulla, Collins, Jackson,
Whitehead, Partridge, Powers, Ferguson, Johnson, Pearson,
Clark
Total Yeas: 13
Total Nays: 0
Absent: Bratina, Duvall, Pasuta
Total Absent: 3

(iii) Web Project – Site Preview (Item 7.3)

Mike Zegarac, General Manager of Finance and Corporate Services, provided comments prior to the presentation and acknowledged the efforts of all of the members of the Project Team.

Jay Adams, Project Lead, provided a PowerPoint presentation with respect to the “Web Redevelopment Project” and spoke to the following:

- Goals of the Web Project
- Design of New Website
- Hamilton’s Preview Website
- Preview until Full Launch.

A copy of the PowerPoint presentation was submitted to the Clerk for the public record and can be viewed on the City of Hamilton website.

The presentation respecting the “Web Redevelopment Project” was received.

(iv) A Draft Woodland Conservation By-law for Private Property within the Urban Area (PD02229(e)) (City Wide) (Item 7.4)

Cathy Plosz, Natural Heritage Planner, provided a presentation with respect to the “Draft Woodland Conservation By-law for Private Property within the Urban Area”. With the assistance of a PowerPoint, Ms. Plosz spoke to the following:

- Background
- Why the By-law is needed
- By-law content
- Councillors’ concerns
- Strength of By-law
- Maximum Fines
- Impacts of residential homeowners
- Staffing (New FTE)
- FTE – Duties
- Harmonizing By-laws

- Changes to By-law
- Next Steps

The presentation respecting the “Draft Woodland Conservation By-law for Private Property within the Urban Area” was received.

It was moved and seconded that Sub-section (c) be amended by deleting the words, “summer of 2014” and replacing it with the words, “July 8, 2014” in lieu thereof.

The Amendment was DEFEATED on the following Standing Recorded Vote:

Yeas: McHattie, Farr, Morrow, Whitehead

Council – June 25, 2014

Total Yeas: 4
Nays: Bratina, Partridge, Pasuta, Powers, Ferguson, Johnson,
Pearson, Clark
Total Nays: 8
Absent: Duvall, Jackson, Merulla, Collins
Total Absent: 4

Item (c) was amended by deleting the words, “summer of 2014” and replacing it with the words, “August 12, 2014” in lieu thereof.

The Amendment CARRIED and the Motion as amended, CARRIED.

See Item 15 for the disposition of this item.

(h) DISCUSSION ITEMS

(i) Host Community Authorization and Delegation of Authority (CES140235) (City Wide) (Item 8.1)

Sub-section (a) was deleted in its entirety and replaced with the following in lieu thereof:

- (a) That the City of Hamilton’s willingness to be a host community to residents of Ontario who have been evacuated from their homes as a result of emergency situations, including but not limited to forest fires and floods be approved in principle.

The Amendment CARRIED.

The following was added as sub-section (c):

- (c) That staff be directed to continue to have discussions with single-tier municipalities to develop a template for the “Host Community Authorization and Delegation of Authority”.

The Amendment CARRIED and the Main Motion, as amended, CARRIED.

See Item 16 for the disposition of this item.

(ii) Neighbourhood Action Strategy City-Wide Initiatives (CES124026) (City Wide) (Item 8.2)

The recommendations contained in Report CES14026 were amended as follows:

- (aa) By deleting the words, “General Manager of Community and Emergency Services” in sub-sections (b) and (c) and replacing it with the words, “City of Hamilton” in lieu thereof;

- (bb) By deleting the words, “in a form satisfactory to the City Solicitor” in sub-sections (b) and (c);
- (cc) By adding the following as sub-section (d):
 - (d) That the General Manager of Community and Emergency Services be authorized and directed to execute, on behalf of the City of Hamilton, the partnership agreements referred to in sub-sections (b) and (c), together with all necessary associated documents, in a form satisfactory to the City Solicitor.

The Amendments CARRIED and the Main Motion, as amended, CARRIED.

See Item 17 for the disposition of this item.

(iii) Facility Naming Sub-Committee Report 14-003 (Item 8.4)

Review of Naming Policy

The word, “Gage” was replaced with the word, “Gore” in lieu thereof.

The Amendment CARRIED and the Motion, as amended, CARRIED.

See Item 18 for the disposition of this item.

(iv) Scott Park Lands (Item 8.5)

Paul Johnson, Director of Neighbourhood and Community Initiatives, acknowledged the efforts of staff in compiling the information for the presentation. With the assistance of a PowerPoint presentation, Mr. Johnson spoke to the following:

- Community Engagement Process
- Stadium Precinct Projects
- Stadium Project
- Outdoor Recreation in the Precinct
- Indoor Recreation in the Precinct
- Scott Park Lands
- Bernie Morelli Centre
- Programming Priorities identified by Community
- Bernie Morelli Centre – Current Activities
- Project Schedule – Scott Park
- Discussions with HWDSB
- Conclusion

The presentation respecting “Scott Park Lands” was received.

The following motion respecting “Scott Park Lands” was **tabled** to a future meeting:

Council-Referred Motion respecting Scott Park Lands (Item 8.5)

That the City Manager, in conjunction with the Mayor, as he wishes, and the Ward 3 Councillor, be asked to supervise discussions among the following, and not limited to, organizations responsible for the future of the current Scott Park Lands – including the Bernie Morelli Seniors Centre, the school site, Jimmy Thompson Pool, parking requirements for current and future needs, playing fields and open spaces, and that a timely report be made back to Hamilton City Council through its appropriate committees.

(i) MOTIONS

(i) Review of Arts Funding (Item 9.1)

The following motion respecting “Review of Arts Funding” was **tabled** to a future meeting:

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.

(iii) Economic Benefits – Light Rail Transit (LRT) B-Line/Bus Rapid Transit (BRT) Item 9.3)

Councillor B. McHattie **withdrew** the following Motion respecting “Economic Benefits – Light Rail Transit (LRT) B-Line/Bus Rapid Transit (BRT)”:

Whereas Hamilton City Council approved the Rapid Ready Report in February 2013, recommending the B-Line King Street Light Rail Transit (LRT) corridor, and;

Whereas the Rapid Ready Report states the case for LRT as the technology with the greatest economic development benefits, and;

Whereas the Rapid Ready Report includes the LRT 30% design as required by Metrolinx and the Province of Ontario, and;

Whereas in their Spring 2014 budget, the previous Liberal Provincial Government allocated \$15B to rapid transit projects in the GTHA (see Appendix “A” attached hereto);

Whereas the City of Hamilton's share of the \$15B on a per capita basis is \$1.2B, which could fund the \$800M B-Line LRT and the A-Line Bus Rapid Transit (BRT, at an approximate cost of \$250M), and;

Whereas some in the community believe BRT to be a better choice than LRT.

Therefore Be It Resolved:

That staff be requested to report back on the economic benefits of the Light Rail Transit (LRT) B-Line as compared to a Bus Rapid Transit (BRT), referencing analysis contained in the Council-approved Rapid Ready Report.

(iv) Re-Evaluation of Cost and Business Case for B-Line vs A-Line (Item 9.4)

Councillor T. Whitehead **withdrew** the following Motion respecting "Re-Evaluation of Cost and Business Case for B-Line vs A-Line:

That staff be directed to re-evaluate the cost and business case for the B-line vs A-line to determine whether the A-line should be considered a priority.

(v) Randle Reef Clean-up (Item 10.3)

- (a) That representatives from the appropriate Federal Ministry(ies) be requested to attend a meeting of the General Issues Committee as soon as possible to discuss the delay of the Randle Reef clean-up;
- (b) That representatives from the appropriate Provincial Ministry(ies), being a funding partner, also be requested to attend the same meeting;
- (c) That the local MP's and MPP's be invited to attend the meeting of the once a date has been determined.

The Motion was DEFEATED on the following Standing Recorded Vote:

Yeas:	McHattie, Farr, Morrow, Merulla, Collins, Whitehead
Total Yeas:	6
Nays:	Bratina, Partridge, Powers, Ferguson, Johnson, Pearson, Clark
Total Nays:	7
Absent:	Pasuta, Duvall, Jackson
Total Absent:	3

**(vi) Request for Information (RFI) – Auchmar Estate (PED13151)
(Ward 8) (Item 10.5)**

Whereas the Auchmar Estate located at 88 Fennell Avenue West, is a 3.765 hectare (9.5 acre) site owned by the City of Hamilton. The property includes a mid-nineteenth century Ontario Gothic manor house (and associated gardens and outbuildings) built for Isaac Buchanan, a local merchant and politician.

Whereas the property has been designated by the City under Part IV of the Ontario Heritage Act as a property of cultural heritage value or interest.

Whereas the property is also subject to a Heritage Conservation Easement registered on title and held by the Ontario Heritage Trust which protects the landscape features of the site, all buildings and structures, and the interior of the manor house.

Whereas on September 11, 2013, Council directed staff to proceed with a non-binding Request for Proposal (RFP) for the potential private use or sale of the Auchmar Estate.

Whereas the RFP is scheduled to be released in July 2014.

Whereas the City has been approached with an offer for the adaptive re-use of the building(s) and grounds which meets the provisions of the Ontario Heritage Act and the terms of the Ontario Heritage Trust Heritage Conservation Easement.

Therefore Be It Resolved:

- (a) That staff be directed to put a hold on the issuance of the Request for Proposals, for the potential private use or sale of the Auchmar Estate until further notice;
- (b) The City Manager and appropriate staff be directed to work with the proponent to investigate the feasibility of the proponent's offer for the adaptive re-use of the building(s) and grounds that meet the provisions of the *Ontario Heritage Act* and the terms of the Ontario Heritage Trust Heritage Conservation Easement to ensure the proposal meets all legal and legislative requirements;
- (c) That staff be directed to work with the proponent to provide detailed information on the requirements listed below:
 - (i) A detailed description of the proposed adaptive use;

- (ii) A demonstration that the proposed use is compatible with the Municipal Heritage Designation and the Ontario Heritage Trust Heritage Conservation Easement;
 - (iii) A detailed description of the nature of the public access to the property (as specified in Ontario Heritage Conservation Easement);
 - (iv) A demonstration of the applicant's capacity (including financial), knowledge, expertise, and experience to carry out projects of this magnitude; and,
- (d) The staff be directed to report back to the General Issues Committee respecting the findings and feasibility of the proposal for the adaptive re-use of the building(s) and grounds that meet the provisions of the *Ontario Heritage Act*.

The Motion was DEFEATED on the following Standing Recorded Vote:

Yeas:	McHattie, Farr, Morrow, Merulla, Collins, Whitehead
Total Yeas:	6
Nays:	Bratina, Partridge, Powers, Ferguson, Johnson, Pearson, Clark
Total Nays:	7
Absent:	Pasuta, Duvall, Jackson
Total Absent:	3

(j) NOTICES OF MOTION

- (i) Councillor M. Pearson introduced the following Notice of Motion:

Memorial Park Facility Expansion (Item 10.1)

- (aa) That an addition of approximately 23 square meters be added to the existing Memorial Park facility;
- (bb) That the estimated cost of approximately \$105,000 for the addition be funded as follows:
 - (i) \$40,000.00 - Indoor Recreation Development Charges
 - (ii) \$15,834.69 - former Stoney Creek Capital Reserve (#108034)
 - (iii) \$49,165.31- 7101354105 – Park & Fieldhouse Retrofits;
- (cc) That the General Manager of Public Works be authorized to prepare, advertise and award request for quotations or tenders as required for the works in accordance with sub-sections (a) and (b).

The rules of order were suspended in order to allow for the introduction of a Motion respecting “Memorial Park Facility Expansion”.

See Item 20 for the disposition of this item.

- (ii) Councillor B. Clark introduced the following Notice of Motion:

Storm Water Management at Stoney Creek Recreation Centre (Item 10.2)

Whereas the Stoney Creek Recreation Centre has been operational for approximately two years;

And Whereas the City of Hamilton has received some resident complaints regarding the aesthetics and possible vermin infestation in and around the storm water management (SWM) dry pond facility;

And Whereas there is a lack of storm water within the SWM dry pond;

And Whereas engineering consultants have reviewed and assessed the potential impacts of removing the on-site SWM dry pond and determined that the removal of the SWM dry pond designed as part of the original Site Plan Approval process will not adversely affect the off-site drainage systems from a larger sub-catchment perspective provided appropriate site grading and servicing works are implemented.

Therefore Be It Resolved:

- (aa) That the storm water management dry pond at Stoney Creek Recreation Centre be removed and that site grading and servicing works including but not limited to the addition of two catch basins and a storm sewer along with landscaping restoration be implemented;
- (bb) That the estimated cost of approximately \$115,000 for the work identified in sub-section (a) be funded from the Storm Sewer Capital Reserve (#108010);
- (cc) That the General Manager of Public Works be authorized to prepare, advertise and award request for quotations as required for the works in accordance with sub-sections (a) and (b).

The rules of order were suspended in order to allow for the introduction of a Motion respecting “Storm Water Management at Stoney Creek Recreational Centre”.

See Item 21 for the disposition of this item.

- (iii) Councillor S. Merulla introduced the following Notice of Motion:

Randle Reef Clean-up (Item 10.3)

- (aa) That representatives from the appropriate Federal Ministry(ies) be requested to attend a meeting of the General Issues Committee as soon as possible to discuss the delay of the Randle Reef clean-up;
- (bb) That representatives from the appropriate Provincial Ministry(ies), being a funding partner, also be requested to attend the same meeting;
- (cc) That the local MP's and MPP's be invited to attend the meeting of the once a date has been determined.

The rules of order were suspended in order to allow for the introduction of a Motion respecting "Randle Reef Clean-up".

See Information Item (i)(v) for the disposition of this item.

- (iv) Councillor L. Ferguson introduced the following Notice of Motion:

Additional Funding for Renovation/Construction of Dressing Rooms – Spring Valley Arena, Ancaster (Item 10.4)

That additional funding in the amount of \$750,000 be approved for the renovation and construction of the dressing rooms at Spring Valley Arena in Ancaster, and be funded as follows:

- (aa) \$641,000 from Development Charge Reserve Account No. 110320;
- (bb) \$34,000 from Development Charge Reserve Account No. 110321
- (cc) \$75,000 re-appropriated from Capital Project No. 354145004 to Project No. 7101454403 – Spring Valley Change Room Expansion.

- (v) Councillor T. Whitehead introduced the following Notice of Motion:

Request for Information (RFI) – Auchmar Estate (PED13151) (Ward 8) (Item 10.5)

Whereas the Auchmar Estate located at 88 Fennell Avenue West, is a 3.765 hectare (9.5 acre) site owned by the City of Hamilton. The property includes a mid-nineteenth century Ontario Gothic manor house (and associated gardens and outbuildings) built for Isaac Buchanan, a local merchant and politician.

Whereas the property has been designated by the City under Part IV of the Ontario Heritage Act as a property of cultural heritage value or interest.

Whereas the property is also subject to a Heritage Conservation Easement registered on title and held by the Ontario Heritage Trust which protects the landscape features of the site, all buildings and structures, and the interior of the manor house.

Whereas on September 11, 2013, Council directed staff to proceed with a non-binding Request for Proposal (RFP) for the potential private use or sale of the Auchmar Estate.

Whereas the RFP is scheduled to be released in July 2014.

Whereas the City has been approached with an offer for the adaptive re-use of the building(s) and grounds which meets the provisions of the Ontario Heritage Act and the terms of the Ontario Heritage Trust Heritage Conservation Easement.

Therefore Be It Resolved:

- (aa) That staff be directed to put a hold on the issuance of the Request for Proposals, for the potential private use or sale of the Auchmar Estate until further notice;
- (bb) The City Manager and appropriate staff be directed to work with the proponent to investigate the feasibility of the proponent's offer for the adaptive re-use of the building(s) and grounds that meet the provisions of the *Ontario Heritage Act* and the terms of the Ontario Heritage Trust Heritage Conservation Easement to ensure the proposal meets all legal and legislative requirements;
- (cc) That staff be directed to work with the proponent to provide detailed information on the requirements listed below:
 - (i) A detailed description of the proposed adaptive use;
 - (ii) A demonstration that the proposed use is compatible with the Municipal Heritage Designation and the Ontario Heritage Trust Heritage Conservation Easement;
 - (iii) A detailed description of the nature of the public access to the property (as specified in Ontario Heritage Conservation Easement);

- (iv) A demonstration of the applicant's capacity (including financial), knowledge, expertise, and experience to carry out projects of this magnitude; and,
- (dc) The staff be directed to report back to the General Issues Committee respecting the findings and feasibility of the proposal for the adaptive re-use of the building(s) and grounds that meet the provisions of the *Ontario Heritage Act*.

The rules of order were suspended in order to allow for the introduction of a Motion respecting "Request for Information (RFI) – Auchmar Estate".

The question was called.

See Information Item (i)(vi) for the disposition of this item.

(k) OTHER BUSINESS/GENERAL INFORMATION

None.

(l) PRIVATE & CONFIDENTIAL

The Committee moved into closed session at 3:06 p.m. pursuant to sub-sections 8.1(c), (d) and (f) of the City's Procedural By-law and Section 239.2 of the Municipal Act as the subject matters pertained to:

- (c) a proposed or pending acquisition or disposition of land for City purposes respecting "Grand River Conservation Authority Land Acquisitions (PW14061) (Ward 12)"
- (d) labour relations or employee negotiations respecting "Interest Arbitration Award for OPSEU 256 – Paramedics"

and

- (c) a proposed or pending acquisition or disposition of land for City purposes; and (f) the receiving of advice that is subject to solicitor-client privilege, including communications necessary for that purpose, respecting "Real Estate Matter regarding 64 Melrose Avenue North".

The Committee reconvened in Open Session.

(i) Grand River Conservation Authority Land Acquisitions (PW14061) (Ward 12) (Item 12.1)

See Item 22 for the disposition of this matter.

(ii) Interest Arbitration Award for OPSEU 256 – Paramedics (Item 12.2)

No action to be reported.

(iii) Real Estate Matter regarding 64 Melrose Avenue North (Item 12.3)

No action to be reported.

(m) PROCEDURAL MATTERS

(i) The Committee recessed at 3:38 p.m. on Wednesday, June 18, 2014 and reconvened at 9:30 a.m. on Monday, June 23, 2014.

(ii) The staff presentations with respect to the Proposed “City Enrichment Fund” and the “Arts Investment Program” were provided prior to hearing from the delegations requesting to speak to this matter.

(iii) Item 8.3 was moved up on the agenda for discussion following the presentation by Lorna Zaremba.

(iv) The Committee recessed at 12:35 p.m. and reconvened at 1:15 p.m. on June 23, 2014.

(n) ADJOURNMENT

(McHattie/Partridge)

That there being no further business, the Committee adjourned at 5:00 p.m. on Monday, June 23, 2014. **CARRIED**

Respectfully submitted

Councillor R. Powers
Deputy Mayor

Carolyn Biggs
Legislative Co-ordinator
Office of the City Clerk



SPECIAL GENERAL ISSUES COMMITTEE

REPORT 14-014

4:00 p.m.

Wednesday, June 18, 2014

Council Chambers

Hamilton City Hall

71 Main Street West

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

Absent with Regrets: Councillors T. Whitehead and R. Pasuta – Personal
Councillor S. Duvall – Vacation

THE GENERAL ISSUES COMMITTEE PRESENTS REPORT 14-014 AND RESPECTFULLY RECOMMENDS:

- 1. Correspondence from Arend Kersten, Executive Director of the
Flamborough Chamber of Commerce, respecting the Lobbyist Registry
(Item 5.1)**

That the correspondence from Arend Kersten, Executive Director of the
Flamborough Chamber of Commerce, respecting the Lobbyist Registry, be
received.

- 2. Lobbyist Registry By-law – Summary of Public Consultation (CM14006)
(City Wide) (Item 8.1)**

That Report CM14006, respecting a Lobbyist Registry By-law – Summary of
Public Consultation, be received.

FOR THE INFORMATION OF COUNCIL:

(a) CHANGES TO THE AGENDA (Item 1)

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

- (i) Added as Item 4.2 – a Delegation Request submitted by Nando De Caria, of the Hamilton-Halton Home Builders Association, respecting the Lobbyist Registry
- (ii) Added as Item 5.1 – Correspondence from Arend Kersten, Executive Director of the Flamborough Chamber of Commerce, respecting the Lobbyist Registry
- (iii) Item 8.1 – Page 13 of 21 of Appendix “B” to Report CM14006, respecting the Lobbyist Registry By-law – Summary of Public Consultation, the last sentence of the submission was inadvertently cut off during printing, and has since been reprinted and distributed.

The agenda for the June 18, 2014 Special meeting of the General Issues Committee was approved, as amended,

(b) DECLARATIONS OF INTEREST (Item 2)

There were no declarations of interest.

(c) DELEGATION REQUESTS (Item 4)

- (i) Don McLean, on behalf of Citizens at City Hall, respecting the Lobbyist Registry (Item 4.1)**

The delegation request submitted by Don McLean, on behalf of Citizens at City Hall, to appear before Committee today respecting the Lobbyist Registry was approved.

- (ii) Nando De Caria, of the Hamilton-Halton Home Builders Association, respecting the Lobbyist Registry (Item 4.2)**

The delegation request submitted by, Nando De Caria, of the Hamilton-Halton Home Builders Association, to appear before Committee today respecting the Lobbyist Registry was approved.

(d) DELEGATIONS (Item 6)

(i) Don McLean, on behalf of Citizens at City Hall, respecting the Lobbyist Registry (Item 4.1)

Mr. McLean addressed Committee respecting the proposed Lobbyist Registry. Mr. McLean's comments included, but were not limited to, the following:

- Mr. McLean expressed his views and provided examples of why a Lobbyist Registry is important to have in Hamilton.
- There is nothing significantly different between Hamilton and Toronto.
- Recommends approval of the Toronto version of the Lobbyist Registry rather than the version currently before Committee.

The verbal presentation provided by Don McLean, on behalf of Citizens at City Hall, respecting the Lobbyist Registry was received.

(ii) Nando De Caria, of the Hamilton-Halton Home Builders Association, respecting the Lobbyist Registry (Item 4.2)

Mr. De Caria addressed Committee respecting the proposed Lobbyist Registry. A copy of Mr. De Caria's written submission is included in the agenda on page 3 of 4 to Appendix "D" of Report CM1006, which is listed as Item 8.1 on the agenda.

The presentation provided by Nando De Caria, of the Hamilton-Halton Home Builders Association, respecting the Lobbyist Registry was received.

(e) PRESENTATIONS (Item 7)

Linda Gehrke, Lobbyist Registrar, City of Toronto, respecting the Lobbyist Registry (Item 7.1)

Ms. Gehrke addressed Committee and outlined the City of Toronto's Lobbyist Registry. Ms. Gehrke's presentation included, but was not limited to, the following:

- The mission of the Office of the Lobbyist Registrar (in Toronto) is to promote and enhance the transparency and integrity of City government decision-making by:
 - Providing an online, searchable lobbyist registry that is available to the public; and,
 - Ensuring lobbyists' conduct complies with a high standard of ethics.
- History of the Office of the Lobbyist Registrar
- Legislation
- Guiding Principles in the Lobbying By-law (City of Toronto)
- Office of the Lobbyist Registrar
- Obligations of Lobbyists
- Lobbyists' Code of Conduct

The presentation by Linda Gehrke Lobbyist Registrar for the City of Toronto was received.

A full copy of the presentation is available on the City's web site at www.hamilton.ca.

(f) Lobbyist Registry (Item 9.1)

Item 9.1, a motion respecting a Lobbyist Registry for the City of Hamilton, was TABLED to the September 4, 2014 meeting of the General Issues Committee.

Staff was directed to report back to the September 4, 2014 General Issues Committee, with respect to the proposed Lobbyist Registry By-law for the City of Hamilton:

1. Addition of Guiding Principles;
2. Addition of a Code of Conduct for Lobbyists;
3. Requirement that a lobbyist report when meeting with a Councillor;
4. Emphasize that the onus is on the lobbyist to register;
5. Reduce the period to register as a lobbyist from 15 days to 1 day prior to lobbying;

6. Requirement for a complainant to pay a \$100 fee upon filing a complaint against a registrant;
7. That the lobbyist registry apply to the hiring process for the Senior Management Team;
8. Ward constituent exemptions: clarification as to when they are/aren't required to lobby (if they are a business or if a business is on the property);
9. Non profits – should they be exempt and are there any differences between them?
10. Consideration of the Lobbyist Registrar's ability to exempt on a temporary basis. Have others done it and what are the parameters?
11. Explanation of the process; when does the lobbyist register and when do they report, and what are the reporting timelines;
12. Confirm financial implications; the Registrar may need an assistant.
13. Investigate the costs associated with the appointment of a Lobbyist Registrar through a group such as Local Authorities Services (LAS) through the Association of Municipalities of Ontario (AMO); and, the costs associated with appointing a member of City staff as the Lobbyist Registrar;
14. Outline the process to implement the by-law.

(g) ADJOURNMENT (Item 13)

There being no further business, the General Issues Committee meeting adjourned at 6:50 p.m.

Respectfully submitted,

Councillor R. Powers
Deputy Mayor

Stephanie Paparella
Legislative Coordinator
Office of the City Clerk