



## **CITY COUNCIL MINUTES 13-009**

**5:00 p.m.**

**Wednesday, April 24, 2013**

**Council Chambers**

**Hamilton City Hall**

**71 Main Street West**

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<b>Present:</b>	Mayor R. Bratina Councillors B. McHattie, J. Farr, B. Morelli, S. Merulla, C. Collins, T. Jackson, S. Duvall, T. Whitehead, B. Clark, M. Pearson, B. Johnson, L. Ferguson, J. Partridge, R. Pasuta
<b>Absent with Regrets:</b>	Councillor R. Powers – Other City Business

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Mayor Bratina called the meeting to order and called upon Bob Warriner, Pastor of Flamborough Christian Fellowship, to lead Council in prayer.

The Mayor acknowledged the passing of the late Mr. Arthur Weisz and noted many of Mr. Weisz's accomplishments and contributions to the City of Hamilton over the years.

Mayor Bratina read out loud correspondence that was sent to Thomas Menino, Mayor of Boston, expressing Council's thoughts and condolences regarding the Boston Marathon bombing. A moment of silence was observed in honour of the late Mr. Arthur Weisz and all the victims of the Boston Marathon bombing.

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

### **1. ADDED CORRESPONDENCE**

- 5.9 Correspondence from Sharon L. MacKenzie, Executive Director, i2i Intergenerational Society, requesting a Letter of Support for Intergenerational Day on June 1, 2013

Recommendation: Be received.

- 5.10 Correspondence from Ryan McGreal, Editor, Raise the Hammer, respecting Re-affirmation of Council's support for Light Rail Transit

Recommendation: Be received.

- 5.11 Correspondence from Nicholas Kevlahan expressing support for a B-line Light Rail Transit (LRT) in Hamilton

Recommendation: Be received.

- 5.12 Correspondence from Gregory Galante expressing support for Light Rail Transit (LRT) in Hamilton

Recommendation: Be received.

- 5.13 Correspondence from Dr. Tom Doyle, Ph.D., P.Eng. expressing support for Light Rail Transit (LRT) in Hamilton

Recommendation: Be received.

## **2. NOTICE OF MOTION**

- 8.1 Re-Affirmation of Council's Position respecting B-Line Light Rail Transit (LRT) on King Street

## **3. PRIVATE & CONFIDENTIAL**

- 10.2 Selection Committee Report 13-002 – April 23, 2013

### **(Johnson/Pasuta)**

That the agenda for the April 24, 2013 meeting of Council be approved, as amended.

**CARRIED**

<b>DECLARATIONS OF INTEREST</b>
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There were no declarations of interest.

<b>CEREMONIAL ACTIVITIES/ANNOUNCEMENTS</b>
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None.

<b>APPROVAL OF MINUTES</b>
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**4.1 April 10, 2013**

**(Ferguson/Pearson)**

That the Minutes of the April 10, 2013, meeting of Council be approved, as presented.

**CARRIED**

<b>COMMUNICATIONS</b>
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**(Ferguson/Pasuta)**

That Council Communications 5.1 through 5.13 be approved, as amended, as follows:

- 5.1 Resolution from the Town of Ajax respecting the Enbridge Line 9B Reversal and Line 9 Capacity Expansion project – Issues Report

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

- 5.2 Correspondence from Metrolinx respecting “The Big Move” – the Regional Transportation Plan for the Greater Toronto and Hamilton Area (GTHA)

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

- 5.3 Resolution from the City of Brantford respecting Changes to the Heads and Beds Legislation and to Develop a Legal Position around the Heads and Beds Payment

Recommendation: Be endorsed. **(Whitehead/Jackson)**

- 5.4 Correspondence from Marlene Meerkat requesting to proclaim May, 2013 as Lyme Disease Awareness Month

Recommendation: Be received. **(Johnson/Duvall)**

- 5.5 Correspondence from Patience Adamu, Intern, Municipal Partnerships, TO2015, requesting to proclaim July 10, 2013 as Pan Am/Parapan Am Day

Recommendation: Be received. **(Morelli/Merulla)**

- 5.6 Association of Municipalities of Ontario (AMO) Communication respecting “Ontario PC’s Interest Arbitration Private Members’ Bill Lost on Vote”

Recommendation: **(Jackson/Whitehead)**

- (a) That the Mayor be authorized and directed to correspond with the Honourable Yasir Naqvi, Minister of Labour, to convey the City of Hamilton's disappointment respecting the decision on the Ontario PC's Interest Arbitration Private Members' Bill and to further advise that the City continues to have concerns with respect to this issue.
- (b) That a copy of the correspondence, respecting the decision on the Ontario PC's Interest Arbitration Private Members' Bill, be sent to the Honourable Kathleen Wynne, Premier of Ontario, Jim Wilson, Opposition House Leader, and the Association of Municipalities of Ontario.

- 5.7 Correspondence from Gordon Searles, MD, FRCPC, President, Canadian Dermatology Association, requesting recognition of "Light It Orange for Melanoma Monday" on Monday, May 6, 2013

Recommendation: Be received and referred to the General Manager of Public Works for appropriate action. **(Jackson/Whitehead)**

- 5.8 Correspondence from Karen Leibovici, President, Federation of Canadian Municipalities, congratulating the City of Hamilton for achieving Milestone 5 of the Partners for Climate Protection (PCP) Program for corporate emissions

Recommendation: Be received. **(McHattie/Jackson)**

- 5.9 Correspondence from Sharon L. MacKenzie, Executive Director, i2i Intergenerational Society, requesting a Letter of Support for Intergenerational Day on June 1, 2013

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

- 5.10 Correspondence from Ryan McGreal, Editor, Raise the Hammer, respecting Re-affirmation of Council's support for Light Rail Transit

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

- 5.11 Correspondence from Nicholas Kevlahan expressing support for a B-line Light Rail Transit in Hamilton

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

- 5.12 Correspondence from Gregory Galante expressing support for Light Rail Transit in Hamilton

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

- 5.13 Correspondence from Dr. Tom Doyle, Ph.D., P.Eng. expressing support for Light Rail Transit in Hamilton

Recommendation: Be received. **(Collins/Merulla)**

**MOTION AS AMENDED CARRIED**

**(Johnson/Pearson)**

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

**CARRIED**

<b>AUDIT, FINANCE &amp; ADMINISTRATION COMMITTEE 13-004</b>
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**(Pearson/Johnson)**

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

**CARRIED**

<b>PLANNING COMMITTEE REPORT 13-006</b>
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13. **Urban Hamilton Official Plan Proposed Settlement of Part of Appeal by Paletta International Corporation and Legal Direction (LS13010) (City Wide) (Item 12.2)**

**(Farr/Morelli)**

That Item 13 of the Planning Committee Report 13-006, respecting the Urban Hamilton Official Plan Proposed Settlement of Part of Appeal by Paletta International Corporation and Legal Direction" (LS13010), be deleted in its entirety and replaced with the following in lieu thereof:

- (a) That the amendments and modifications described in the recommendations contained in Appendix "A" to Report LS13010, be approved as the basis of a settlement of those portions of Paletta International Corporation's appeal of the Urban Hamilton Official Plan, as identified in Appendix "A" except for the modification to policy C.2.3.3. in Appendix "A", which shall be amended to read as follows:

"The natural features and ecological functions of Core Areas shall be protected and, where possible, deemed feasible to the satisfaction of the City enhanced. To accomplish this protection and enhancement vegetation removal and encroachment into Core Areas shall generally

not be permitted, and appropriate vegetation protection zone shall be applied to all Core Areas;"

- (b) That the amendments and modifications described in the Additional Staff Recommended Changes contained in Appendix "B" to Report LS13010, be approved as the position of the City in the Urban Hamilton Official Plan appeal proceedings;
- (c) That staff be directed to advise the Ontario Municipal Board that the City of Hamilton and Paletta International Inc. have settled a portion of Paletta International Corporation's appeal of the Urban Hamilton Official Plan on the basis of the recommendations contained in Appendix "A" to Report LS13010, including the revised modification to policy C.2.3.3.;
- (d) That staff be directed to advise the Ontario Municipal Board that the amendments and modifications contained in Appendix "B" to Report LS13010 should be included in the Urban Hamilton Official Plan;
- (e) That Report LS13010, Urban Hamilton Official Plan Proposed Settlement of Part of Appeal by Paletta International Corporation and Legal Direction, and its Appendix "C" remain confidential;
- (f) That Appendix "A" to Report LS13010, Urban Hamilton Official Plan Proposed Settlement of Part of Appeal by Paletta International Corporation and Legal Direction, remain confidential, but be made public in the event that a settlement is reached with the appellant;
- (g) That Appendix "B" to Report LS13010, Urban Hamilton Official Plan Proposed Settlement of Part of Appeal by Paletta International Corporation and Legal Direction, remain confidential, but be made public upon Council approval of recommendation (b) when the Additional Staff Recommended Changes contained in Appendix "B" are approved as the position of the City in respect of those matters set out in Appendix "B" to Report LS13010.

**AMENDMENT CARRIED  
MOTION AS AMENDED CARRIED**

**(Johnson/Pearson)**

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

**CARRIED**

<b>GENERAL ISSUES COMMITTEE REPORT 13-009</b>
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**(Jackson/Collins)**

That Information Item (j)(ii) of General Issues Committee Report 13-009, respecting Proposed Settlement of the Ontario Municipal Board (OMB) Appeals of Development Charges By-laws 09-143/09-144/11-173/11-174/11-175 – Hamilton Halton Homebuilders' Association and Losani Homes (1998) Ltd. – OMB File No's. DC090025 and DC110008 be lifted from the Information Section and referred to the Closed Session portion of the agenda.

**CARRIED**

**(Whitehead/Johnson)**

That Information Item (j)(ii) of General Issues Committee Report 13-009, respecting Proposed Settlement of the Ontario Municipal Board (OMB) Appeals of Development Charges By-laws 09-143/09-144/11-173/11-174/11-175 – Hamilton Halton Homebuilders' Association and Losani Homes (1998) Ltd. – OMB File No's. DC090025 and DC110008 be added as Item 14 to the General Issues Committee Report 13-009, to read as follows:

**14. Proposed Settlement of Ontario Municipal Board (OMB) Appeals of Development Charges By-laws 09-143/09-144/11-173/11-174/11-175 – Hamilton Halton Homebuilders' Association and Losani Homes (1998) Ltd. OMB File No's. DC 090025 and DC110008 (LS13009) (City Wide) (Item 12.3)**

- (a) That Report LS13009 respecting the Proposed Settlement of the Ontario Municipal Board (OMB) Appeals of Development Charges By-laws 09-143/09-144/11-173/11-174/11-175 – Hamilton Halton Homebuilders' Association and Losani Homes (1998) Ltd., OMB File No's. DC090025 and DC110008, be received;
- (b) That Report LS13009, respecting the Proposed Settlement of the Ontario Municipal Board (OMB) Appeals of Development Charges By-laws 09-143/09-144/11-173/11-174/11-175 – Hamilton Halton Homebuilders' Association and Losani Homes (1998) Ltd., OMB File No's. DC090025 and DC110008 together with Appendices "A" and "B" attached thereto, remain confidential;
- (c) That Appendices "C" and "D" to Report LS13009, respecting the Proposed Settlement of the Ontario Municipal Board (OMB) Appeals of Development Charges By-laws 09-143/09-144/11-173/11-174/11-175 – Hamilton Halton Homebuilders' Association and Losani Homes (1998) Ltd., OMB File No's. DC090025 and DC110008, be released to the public after Council approval thereof;
- (d) That staff be directed to settle the Ontario Municipal Board appeals of Development Charges By-laws 09-143/09-144/11-173/11-174/11-175 – Hamilton Halton Homebuilders' Association and Losani Homes (1998) Ltd., in accordance with the Minutes of Settlement attached as Appendices "C" and "D" to Report LS13009;

- (e) That the City Solicitor, or designate, be authorized to execute the said Minutes of Settlement on behalf of the City, respecting the Proposed Settlement of the Ontario Municipal Board (OMB) Appeals of Development Charges By-laws 09-143/09-144/11-173/11-174/11-175 – Hamilton Halton Homebuilders' Association and Losani Homes (1998) Ltd., OMB File No's. DC090025 and DC110008.
- (f) That the City communicate the fact of the rebates to the Hamilton-Halton Homebuilders' Association members, to non-member recipients, and the public to bring the matter of the rebates to the attention of potentially affected purchasers.

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

Yeas: Ferguson, Whitehead, Morelli, McHattie, Johnson, Pearson, Pasuta  
Total: 7  
Nays: Jackson, Duvall, Collins, Merulla  
Total: 4  
Absent: Bratina, Powers, Farr, Partridge, Clark  
Total: 5

**(Johnson/Pearson)**

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

**CARRIED**

<b>PUBLIC WORKS COMMITTEE REPORT 13-005</b>
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**(Whitehead/Duvall)**

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

**CARRIED**

<b>BOARD OF HEALTH REPORT 13-003</b>
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**(Bratina/Partridge)**

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

**CARRIED**

**(Johnson/Pearson)**

That the Committee of the Whole Rise and Report.

**CARRIED**

<b>MOTIONS</b>
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**7.1 Special Occasion Permit - Bailun Cowell Fundraiser – May 25, 2013**

**(Farr/McHattie)**

WHEREAS, City Council has received Notice from Tishanne Dupuis that she wishes to obtain a Special Occasion Permit to sell alcohol during the Bailun Cowell Fundraiser on May 25, 2013;

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

THEREFORE, BE IT RESOLVED:

- (a) That the City of Hamilton hereby deems the Bailun Cowell Fundraiser on May 25, 2013 as municipally significant;
- (b) That the Applicant be provided a copy of this resolution for inclusion with their application to the Alcohol & Gaming Commission of Ontario.

**CARRIED**

**7.2 Re-Affirmation of Council's Position respecting B-Line Light Rail Transit (LRT) on King Street**

**(McHattie/Ferguson)**

WHEREAS, City of Hamilton staff and City Council have been working on a detailed plan for a B-Line Light Rail Transit (LRT) for several years in partnership with Metrolinx and the Province of Ontario;

AND WHEREAS, while there are a variety of important transit needs in Hamilton, including extending GO service to east Hamilton, and implementing a fully-functioning A-Line transit service, City Council has previously provided direction to City staff to prioritize a design for a B-Line LRT project;

AND WHEREAS, on February 27, 2013, City Council voted unanimously to request 100% funding from the Province of Ontario for a B-Line LRT on King Street (Item 1 of General Issues Committee Report 13-006);

AND WHEREAS, the Chamber of Commerce's Light Rail Transit Task Force (members including Councillors Farr, Ferguson, McHattie, and Mayor Bratina) has been working diligently to promote a B-Line LRT on King Street, in support of Council's position, and in conjunction with many other individuals and organizations in Hamilton;

AND WHEREAS, it is critical that Hamilton communicate clearly with the Province of Ontario on Council's LRT transit priority;

THEREFORE BE IT RESOLVED:

- (a) That Council's February 27, 2013 decision requesting 100% Provincial capital funding from the Province of Ontario for a B-Line Light Rail Transit on King Street, be re-affirmed;
- (b) That the Mayor be directed to represent City Council's position on a B-Line Light Rail Transit on King Street to other government agencies and the private sector.
- (c) That the Mayor be directed to include Councillors Farr, Ferguson and McHattie when communicating on Council transit priorities with the Province of Ontario.
- (d) That a copy of Council's February 27, 2013 resolution respecting a B-Line Light Rail Transit on King Street, and a copy of this motion, be forwarded to the Premier, Minister of Transportation and Hamilton area MPP's.

**(Farr/Merulla)**

That subsection (a) of Item 7.2, respecting Re-Affirmation of Council's Position respecting B-Line Light Rail Transit (LRT) on King Street, be amended by adding the words "priority project" after the word "Street", to read as follows:

- (a) That Council's February 27, 2013 decision requesting 100% Provincial capital funding from the Province of Ontario for a B-Line Light Rail Transit on King Street *priority project*, be re-affirmed;

The above amendment CARRIED, on a Standing Recorded vote, as follows:

Yeas: Whitehead, Jackson, Collins, Merulla, Morelli, Farr, McHattie,  
Ferguson, Partridge  
Total: 9  
Nays: Bratina, Clark, Pearson, Johnson, Pasuta, Duvall  
Total: 6  
Absent: Powers  
Total: 1

**(Johnson/McHattie)**

That the motion, respecting the Re-Affirmation of Council's Position respecting B-Line Light Rail Transit (LRT) on King Street, be referred to the Clerk's Office for review to determine the appropriate wording in order to avoid any conflicts with the Rapid Ready Document that was submitted to the Province; and, to advise whether or not a reconsideration of Council is required to move forward with that motion.

**CARRIED**

<b>NOTICES OF MOTION</b>
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Councillor B. McHattie introduced the following Notice of Motion:

**8.1 Re-Affirmation of Council's Position respecting B-Line Light Rail Transit (LRT) on King Street**

WHEREAS, City of Hamilton staff and City Council have been working on a detailed plan for a B-Line Light Rail Transit (LRT) for several years in partnership with Metrolinx and the Province of Ontario;

AND WHEREAS, while there are a variety of important transit needs in Hamilton, including extending GO service to east Hamilton, and implementing a fully-functioning A-Line transit service, City Council has previously provided direction to City staff to prioritize a design for a B-Line LRT project;

AND WHEREAS, on February 27, 2013 City Council voted unanimously to request 100% funding from the Province of Ontario for a B-Line LRT on King Street (Item 1 of General Issues Committee Report 13-006);

AND WHEREAS, the Chamber of Commerce's Light Rail Transit Task Force (members including Councillors Farr, Ferguson, McHattie, and Mayor Bratina) has been working diligently to promote a B-Line LRT on King Street, in support of Council's position, and in conjunction with many other individuals and organizations in Hamilton;

AND WHEREAS, it is critical that Hamilton communicate clearly with the Province of Ontario on Council's LRT transit priority;

THEREFORE BE IT RESOLVED:

- (a) That Council's February 27, 2013 decision requesting 100% Provincial capital funding from the Province of Ontario for a B-Line Light Rail Transit on King Street be re-affirmed;
- (b) That the Mayor be directed to represent City Council's position on a B-Line Light Rail Transit on King Street to other government agencies and the private sector.
- (c) That the Mayor be directed to include Councillors Farr, Ferguson and McHattie when communicating on Council transit priorities with the Province of Ontario.
- (d) That a copy of Council's February 27, 2013 resolution respecting a B-Line Light Rail Transit on King Street, and a copy of this motion, be forwarded to the Premier, Minister of Transportation and Hamilton area MPP's.

**(McHattie/Ferguson)**

That the Rules of Order be waived in order to allow for the introduction of a motion, respecting Re-Affirmation of Council's Position respecting B-Line Light Rail Transit (LRT) on King Street.

**CARRIED**

For disposition of this matter refer to Item 7.2 above.

**8.2 Personnel Matter**

Councillor S. Merulla introduced the following Notice of Motion:

That Council meet in Closed Session, pursuant to Section 8.1, Sub-section (b) of the City's Procedural By-law 10-053, and Section 239, Sub-section (b) 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; to discuss the verbal exchange between the Mayor and the City Manager during a side bar conversation at the April 24, 2013 meeting of Council.

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

<b>PRIVATE AND CONFIDENTIAL</b>
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**10.1 Closed Session Minutes – April 10, 2013**

As Council determined that no discussion, respecting the Closed Session Minutes of April 10, 2013, meeting of the Council was required, the Minutes were approved in Open Session, as shown below:

**(Whitehead/Ferguson)**

- (a) That the Closed Session Minutes of the April 10, 2013, meeting of the Council be approved, as presented.
- (b) That the Closed Session Minutes of the April 10, 2013 meeting of the Council, remain confidential and restricted from public disclosure.

**CARRIED**

**(Johnson/Whitehead)**

That Section 5.6(2) of the City's Procedural By-law, which provides that a minimum of 48 hours shall pass before a Standing Committee Report is presented to Council, be waived in order to consider Selection Committee Report 13-002, dated Tuesday, April 23, 2013.

**CARRIED**

## 10.2 Selection Committee Report 13-002 – April 23, 2013

As Council determined that no discussion, respecting the Selection Committee Report 13-002 was required, the Report was approved in Open Session, as shown below:

**(Johnson/Whitehead)**

That the following citizen be appointed to the Hamilton Library Board for a term commencing April 25, 2013 and to expire with the current term of Council or until such time as a successor is appointed:

- (i) Clare Wagner

**CARRIED**

## 10.3 Information Item (j)(ii), respecting the Proposed Settlement of Ontario Municipal Board (OMB) Appeals of Development Charges By-laws 09-143/09-144/11-173/11-174/11-175 – Hamilton Halton Homebuilders' Association and Losani Homes (1998) Ltd. OMB File No's. DC 090025 and DC110008 (LS13009) (City Wide) (Item 12.3)

**(Pasuta/Pearson)**

That Council move into Closed Session, at 8:41 p.m., respecting the Proposed Settlement of the Ontario Municipal Board (OMB) Appeals of Development Charges By-laws 09-143/09-144/11-173/11-174/11-175 – Hamilton Halton Homebuilders' Association and Losani Homes (1998) Ltd. OMB File No's. DC 090025 and DC110008, pursuant to Section 8.1, Sub-sections (e) and (f) of the City's Procedural By-law 10-053, and Section 239, Sub-sections (e) and (f) of the Ontario Municipal Act, 2001, as amended, as the subject matter pertains to litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board; and, the receiving of advice that is subject to solicitor-client privilege, including communications necessary for that purpose.

**CARRIED**

Council reconvened in Open Session at 9:19 p.m.

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

That Bills No. 13-101 to 13-115 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.**

- 101** To Amend By-law No. 01-215, To Regulate Traffic:  
Schedule 2 – Speed Limits
- 102** To Amend By-law No. 01-215, To Regulate Traffic:  
Schedule 2 Speed Limits

**By- Law No.**

- 103** To Amend By-law No. 01-218, as amended, To Regulate On-Street Parking:  
Schedule 5 – Parking Meters  
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  
Schedule 16 – Taxi Zones  
Schedule 20 – School Bus Loading Zones
- 104** To Incorporate City Land Designated as Block 86 on Plan 62M-1167 into Bousfield Rise
- 105** To Incorporate City Land Designated as Block 84 on Plan 62M-1167 into Gunby Boulevard
- 106** To Incorporate City Land Being Part of Block 16 on Plan 62M-989, Designated as Part 40 on Plan 62R-19312 into Jessica Street
- 107** To Incorporate City Land Designated as Block 81 on Plan 62M-1167 into Painter Terrace
- 108** To Incorporate City Land Designated as Blocks 80 and 83 on Plan 62M-1167 into Sadielou Boulevard
- 109** To Incorporate City Land Designated as Blocks 77 and 79 on Plan 62M-1167 into Rusk Terrace
- 110** Respecting Removal of Part Lot Control, A Portion of Block 19, Registered Plan No. 62M-1170 “Trillium Gardens – Phase 2”, 3 – 107 Padua Crescent (Stoney Creek)
- 111** To Amend Zoning By-law No. 3692 -92 (Stoney Creek), Respecting the Lands Located at 259 Dewitt Road
- 112** To Amend Zoning By-law No. 05-200, Respecting Lands Located at 259 Dewitt Road (Stoney Creek)
- 113** To Adopt Official Plan Amendment No. 175 to the former City of Stoney Creek Official Plan Respecting: Lands Located on the north side of Highway No. 8, known municipally as 303 Highway No. 8, Stoney Creek
- 114** To Amend Zoning By-law No. 3692-92 (Stoney Creek), Respecting Lands Located at 303 Highway No. 8
- 115** To Confirm the Proceedings of City Council

**CARRIED**

**(Pearson/Jackson)**

That, there being no further business, the City Council meeting be adjourned at 9:33 p.m.

**CARRIED**

Respectfully submitted,

Mayor B. Bratina

R. Caterini, B. Comm., AMCT  
City Clerk  
Office of the City Clerk



## **AUDIT, FINANCE & ADMINISTRATION COMMITTEE REPORT 13-004**

9:30 a.m.

Monday, April 15, 2013

Council Chambers

Hamilton City Hall

71 Main Street West

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**Present:** Councillors M. Pearson (Chair), R. Powers (Vice Chair),  
B. Johnson and B. Morelli

**Absent with  
Regrets:** Councillor B. Clark - Illness

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### **THE AUDIT, FINANCE & ADMINISTRATION COMMITTEE PRESENTS REPORT 13-004 AND RESPECTFULLY RECOMMENDS:**

**1. 2012 Insurance Claims Review (FCS13037) (City Wide) (Item 5.1)**

That Report FCS13037, respecting the 2012 Insurance Claims Review, be received.

**2. Monthly Status Report of Tenders and Requests for Proposals for February 16, 2013 to March 8, 2013 (FCS13016(a)) (City Wide) (Item 5.2)**

That Report FCS13016(a), respecting the Monthly Status Report of Tenders and Requests for Proposals for February 16, 2013 to March 8, 2013, be received.

**3. Annual Performance Reporting – Savings Generated from the Management of Information Services Contracts (FCS13018) (City Wide) (Item 5.3)**

That Report FCS13018, respecting the Annual Performance Reporting – Savings Generated from the Management of Information Services Contracts, be received.

**4. Tax Appeals under Section 357 and 358 of the *Municipal Act* (2001) FCS13027(a) (City Wide) (Item 5.4)**

- (a) That Appendix “A” attached to Report 13-004, respecting the “Tax Appeals processed under Section 357 of the *Municipal Act*, 2001”, in the amount of \$165,235, be approved; and,
- (b) That Appendix “B” attached to Report 13-004, respecting the “Tax Appeals due to a Gross or Manifest Clerical Error, Pursuant to Section 358 of the *Municipal Act*, 2001”, in the amount of \$16,605, be approved.

**5. Succession Management and Leadership Development (HUR12017(a)) (City Wide) (Item 7.1)**

- (a) That the City Manager be directed to continue to work with Human Resources staff and the Senior Management Team to establish a corporate learning and Succession Development Program tailored to the current and emerging workforce development needs of the City;
- (b) That the City Manager be directed to allocate the resources necessary to evolve the City’s Succession Development Program over the next 2 to 3 years from within existing departmental budgets and current FTE complement across the corporation;
- (c) That the City Manager be directed to engage professional organizations and educational institutions, including local community educational institutions, with the requisite local government expertise as partners in the design and delivery of the City’s Succession Development Program; and,
- (d) That staff be directed to provide the Audit, Finance & Administration Committee with an annual progress report on the City’s Succession Development Program.

**6. Wi-Fi in Municipal Buildings and City Wide Parks (FCS13033) (City Wide) (Item 8.1)**

- (a) That the following be referred to the 2014 Budget Capital Budget process for consideration:
  - (i) That public facing Wi-Fi be installed in 26 City Recreation Centres, Community Centres and Arenas at a one-time implementation cost of \$128,000 with an annual operating impact of \$39,000 and 0.25 FTE;

- (b) That public facing Wi-Fi be installed in all Municipal Service Centres at a one-time implementation cost of \$7,000 to be funded from existing capital project number 2050757701; and,
- (c) That all City installed public facing Wi-Fi be branded and marketed as a service offered by the City of Hamilton and promoted in all suitable City promotional publications, at a one-time cost not to exceed \$3,000 for marketing and branding, to be funded from existing capital project number 2050757701;
- (d) That staff be directed to investigate the feasibility of establishing a citizen committee to build a mesh (wireless) network and report back to the Audit, Finance & Administration Committee.

**7. Initial Performance Audit Projects (AUD13015) (City Wide) (Item 8.2)**

That Appendix "C" attached to Report 13-004, respecting Initial Performance Audit Projects, be approved.

**8. Grants Sub-Committee Report 13-002 (Item 8.3)**

**(a) Community Partnership Program - Police Costs (GRA13004) (City Wide) (Item 4.2)**

That Report GRA13004, respecting the Community Partnership Program Police Costs, be received.

**(b) Rotary Club of Dundas - 2012 Canada Day Pancake Breakfast (Item 5.1)**

That the 2012 grant request from the Rotary Club of Dundas, in the amount of \$1,079, for their 2012 Canada Day Pancake Breakfast to be funded from the Community Partnership Program Reserve Account #112230, be approved.

**9. Watercourse No. 9 Drainage Liabilities (Item 10.1)**

- (a) That the accumulated interest for the drainage works completed for Watercourse No. 9; specifically as it relates to 1119 Barton Street East, Stoney Creek (\$60,000); and, 1103 Barton Street East, Stoney Creek (\$45,000), be waived;
- (b) That, on a go forward basis, no additional interest be added to the principle amounts of the outstanding Watercourse No. 9 drainage liabilities

for 1119 Barton Street East, Stoney Creek (\$176,149); and, 1103 Barton Street East, Stoney Creek (\$132,814); and,

- (c) That, should the land use for the property located at 1119 Barton Street East, Stoney Creek or the property located at 1103 Barton Street East, Stoney Creek change or either property be sold, interest on the outstanding balance for the drainage work completed would begin to accrue at that time.

**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 4.1 – a Delegation Request from Joey Coleman, respecting Item 8.1, Report FSC13033 – Wi-Fi in Municipal Buildings and City Wide Parks
- (ii) Added as Item 8.3 – Grants Sub-Committee Report 13-002, dated April 9, 2013
- (iii) Added as Item 10.1 – a Notice of Motion from Councillor Johnson, respecting Watercourse No. 9 Drainage Liabilities

The agenda for the April 15, 2013 Audit, Finance & Administration Committee meeting was approved, as amended.

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

There were no declarations of interest.

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

**(i) March 25, 2013 (Item 3.1)**

The Minutes of the March 25, 2013 meeting of the Audit, Finance and Administration Committee were approved, as presented.

**(d) DELEGATION REQUESTS (Item 4.1)**

**(i) Joey Coleman, respecting Item 8.1, Report FSC13033 – Wi-Fi in Municipal Buildings and City Wide Parks (Item 4.1)**

Mr. Coleman addressed Committee respecting Report FSC13033 – Wi-Fi in Municipal Buildings and City Wide Parks. Mr. Coleman's comments included, but were not limited to, the following:

- This report is a good step, but it does not push innovation.
- Public engagement is necessary and there are people that want to help and be engaged.
- With regard to Wi-Fi in City parks, the City needs to consider a comprehensive review of public Wi-Fi in Hamilton.
- Requesting that the City establish a citizen committee to build a mesh (wireless) network.

The presentation from Joey Coleman, respecting Wi-Fi in Municipal Buildings and City Wide Parks, was received.

**(e) PRESENTATIONS (Item 7)**

**7.1 Succession Management and Leadership Development (HUR12017(a)) (City Wide) (Item 7.1)**

Chris Murray, City Manager, provided a PowerPoint presentation respecting Report HUR12017(a) - Succession Management and Leadership Development. The presentation included, but was not limited to, the following:

- Succession planning focuses on leadership and other critical roles that have the greatest impact on business strategy. The purpose is to build bench strength and groom talent over 6 months – 3 years.
- Challenges:
  - We have an aging workforce - Directors, Managers and Supervisors are aging together; average age of retirement is 61 years.
  - In 2012, 308 permanent employees left organization, 43% of this turnover was due to retirements.
  - By 2015, projections are 387 retirements, approximately 130 per year; 65 of these will be managers and above.

- Management hires are more competitive, taking longer, business continuity is disrupted, on-boarding takes 6 months to 2 years.
- External hires are more costly than internal hires.
- Barriers for the current talent pool to advance.
- It is important that this program is not only focused on replacing General Managers and Directors, but must be focused on all levels of the organizations.

The presentation, respecting Report HUR12017(a) – Succession Management and Leadership Development, was received.

A full copy of the presentation is available on line at [www.hamilton.ca](http://www.hamilton.ca) or through the Office of the City Clerk.

**(f) Grants Sub-Committee Report 13-002 (Item 8.3)**

Information Item (e) of the Grants Sub-Committee Report 13-002, was amended by deleting the acronyms “ERCS” and “CPP”, the words “and Policy” and by adding the words “Special Events Advisory Team (SEAT)” before the word “Guidelines” to read as follows:

**(e) Event Road Closure Services (Item 5.3)**

Staff was directed to review, with the General Manager of Public Works, the reasons why the event road closure services were downloaded to the Community Partnership Program applicants and to determine the feasibility of amending the Special Events Advisory Team (SEAT) Guidelines to return those services to the Public Works Department for processing, and report back to the Grants Sub-committee.

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

Councillor B. Johnson introduced the following Notice of Motion:

**(i) Watercourse No. 9 Drainage Liabilities (Item 10.1)**

- (a) That the accumulated interest for the drainage works completed for Watercourse No. 9; specifically as it relates to 1119 Barton Street

**Council – April 24, 2013**

East, Stoney Creek (\$60,000); and, 1103 Barton Street East, Stoney Creek (\$45,000), be waived.

- (b) That, on a go forward basis, no additional interest be added to the principle amounts of the outstanding Watercourse No. 9 drainage liabilities for 1119 Barton Street East, Stoney Creek (\$176,149); and, 1103 Barton Street East, Stoney Creek (\$132,814).
- (c) That, should the land use for the property located at 1119 Barton Street East, Stoney Creek or the property located at 1103 Barton Street East, Stoney Creek change or either property be sold, interest on the outstanding balance for the drainage work completed would begin to accrue at that time.

The Rules of Order were waived to allow for the introduction of a Motion respecting Watercourse No. 9 Drainage Liabilities.

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

**(i) Various Advisory Committee Minutes (Item 11.1):**

The following Advisory Committee minutes were received:

- 1. Immigrant & Refugee Advisory Committee Meeting Minutes, January 10, 2013 (Item 11.1(a))
- 2. Immigrant & Refugee Advisory Committee Meeting Minutes, February 14, 2013 (Item 11.1(b))
- 3. Lesbian, Gay, Bisexual, Transgender & Queer Advisory Committee Meeting Minutes, January 17, 2013 (Item 11.1(c))
- 4. Committee Against Racism Meeting Minutes, January 22, 2013 (Item 11.1(d))
- 5. Committee Against Racism Meeting Minutes, February 26, 2013 (Item 11.1(e))
- 6. Hamilton Mundialization Committee Meeting Minutes, February 20, 2013 (Item 11.1(f))
- 7. Status of Women Committee Meeting Minutes, February 28, 2013 (Item 11.1(g))

**(ii) Advisory Committee Resignations (Item 11.2):**

The following Advisory Committee resignations were received:

11.2(a) Dustin Rouse, Immigrant & Refugee Advisory Committee

11.2(b) Mimoza Kajtazi, Committee Against Racism

**(ii) Amendments to the Outstanding Business List (Item 11.3)**

The following items were removed from the Outstanding Business List:

(i) Item “N” – Succession Management and Leadership Development

(ii) Item “R” – Wi-Fi in Municipal Buildings and City Wide Parks

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

There being no further business, the Audit, Finance & Administration Committee, adjourned at 10:27 a.m.

Respectfully submitted,

Councillor M. Pearson, Chair  
Audit, Finance & Administration Committee

Stephanie Paparella  
Legislative Coordinator  
Office of the City Clerk

Appendix "A" to Item 4 of AFA Report 13-004

Page 1 of 1

City of Hamilton  
Corporate Services Department  
Taxation Division  
Section "357" Appeals of the Municipal Act, 2001

Appeal No.	Property Address	Roll Number	Explanation	YEAR	Amount
357-12-118	695 Arvin Ave	003130147000000	Tax Class Conversion now mainly commercial with one industrial tenant	2012	-20,955.10
357-12-235	11 Teal Ave	003140300000000	Tax Class Conversion does not meet criteria for GTN tax class	2012	0.00
357-12-237	165-167 Highway 8	003290374000000	Gross or Manifest Error zoning of property did not change after consolidation	2012	-3,006.40
357-12-224	13 King St E	003355124000000	Demolition of all structures now commercial vacant land	2012	-174.53
357-12-204	777 Green Mountain Rd	003510202000000	Gross or Manifest Error Section 40 MOS signed for 2012	2012	0.00
357-12-238	166 Green Mountain Rd	003610706000000	Demolition of main building one structure still standing	2012	-235.54
357-12-141	9 Azalea Ct	003655112720000	Gross or Manifest Error incorrect square footage of garage	2012	-206.70
357-12-207	502 Bay St N	020113013300000	Tax Class Conversion now all residential	2012	-192.24
357-12-189	60 Mary St	020154046800000	Tax Class Conversion now all residential	2012	-2,445.07
357-12-243	231 Burlington St E	020171082400000	Gross or Manifest Error denied - Section 33 filed	2012	0.00
357-12-208	405 King St E	030212017800000	Fire Dec13 building demolished due to tax class change from RT to CX no change	2012	0.00
357-12-209	403 King St E	030212018100000	Fire Dec 13 building damaged unusable	2012	-121.35
357-12-065	460 Barton St E	030215016000000	Tax Class Conversion 2nd floor now residential	2012	-3,751.89
357-11-250	548 Barton St E	030237506400000	Tax Class Conversion now all residential	2011	-1,060.56
357-12-248	156 Sanford Ave S	030243005800000	Major Renovations on second level apartments	2012	-513.12
357-12-249	15 Sherman Ave S	030261039200000	Major Renovations on 3 of the 4 units	2012	-413.36
357-11-231	3 Beach Rd	030271049100000	Tax Class Conversion processing plant sold remainder is storage and administration	2011	-4,913.31
357-12-007	3 Beach Rd	030271049100000	Tax Class Conversion processing plant sold remainder is storage and administration	2012	-9,659.77
357-12-211	29 Lincoln St	040286032100000	Fire buidling demolished	2012	-573.98
357-12-192	86 London St N	040311043100000	Gross or Manifest Error remove value of garage that was demolished 20 years ago	2012	-28.51
357-12-251	139 Windermere Rd	050391091000000	Tax Class Conversion property now being used for a commercial operation	2012	-65,384.75
357-12-110	1212 Leaside Rd	050403090900000	Tax Class Conversion now all residential	2012	-1,389.73
357-12-212	30 Hollydene Pl	050462081000000	Demolition of inground pool	2010	-36.45
357-12-+074	304 Grays Rd	050471032700000	Tax Class Conversion samll portion hair salon the rest residential	2012	-3,728.73
357-12-194	300 Lake Ave N	050481076300000	Demolition of structures in 2010 buidling still assessed on the roll	2012	-341.49
357-12-256	999 Upper Wentworth St	070652060100000	Demolition of the village court units	2012	-31,557.92
357-12-261	60 Martindale Cres	140280520000000	Major Renovations denied under Schedule 26 of Bill 187	2012	0.00
357-12-263	7 Huntsman Gate	303930230000000	Gross or Manifest Error incorrect pool size	2012	-48.28
357-12-223	2501-2525 Highway 56	901310708000000	Demolition of original structure	2012	-14,496.34
<b>TOTAL</b>					<b>-165,235.12</b>

# Appendix "B" to Item 4 of AFA Report 13-004

Page 1 of 1

City of Hamilton  
Corporate Services Department  
Taxation Division  
Section "358" Appeals of the Municipal Act, 2001  
Realty Tax Applications for overcharges

B- overcharge (Assessment Roll)  
B1 -overcharged-application denied  
E - Exempt

Appeal No.	Property Address	Roll Number	Reason	Explanation	Year	Amount
358-12-057	9 Azalea Ct	003655112720000	B	incorrect square footage above garage	2011	-158.74
358-12-076	502 Bay St N	020113013300000	B	no commercial activity in years - just came to owners attention	2011	-192.02
358-12-077	502 Bay St N	020113013300000	B		2010	-192.21
358-12-032	460 Barton St E	030215016000000	B	the second floor incorrectly assessed as commercial changed to residential	2011	-3588.55
358-12-033	460 Baftron St E	030215016000000	B		2010	-3416.09
358-11-136	548 Barton St E	030237506400000	B	garage was used residentially in 2010	2010	-1057.24
358-13-001	150 Hillyard St	031247002000000	B	to correct the supplementary billings on tenant #0200 incorrect area and therefore assessment was used	2011	-1118.96
358-13-002	150 Hillyard St	031247002000000	B		2010	-1104.49
358-13-003	150 Hillyard St	031247002000000	B		2009	-1086.42
358-12-070	86 London St N	040311043100000	B	garage was demolished years ago and never reported	2011	-28.31
358-12-071	86 London St N	040311043100000	B		2011	-28.10
358-12-034	304 Grays Rd	050471032700000	B	adjust CT/RT split a small hair salon on premises	2011	-3544.51
358-12-073	300 Lake Ave N	050481076300000	B	structure demolished in 2010 still on the 2011 roll	2011	-25.57
358-12-096	7 Huntsman Gate	303930230000000	B	incorrect pool size was recorded listed at 800 sq ft but is only 576 sq ft	2010	-26.40
358-12-095	7 Huntsman Gate	303930230000000	B		2011	-37.79
					<b>Total</b>	<b>-15,605.40</b>

**APPENDIX "A"**  
**CITY OF HAMILTON**  
**PROPOSED INITIAL PERFORMANCE AUDIT PROJECTS**

Audit Project	Project Description
Cheques	The City incurs more cost to issue a cheque payment as opposed to an electronic fund transfer (EFT) for low dollar value cheques. Cost savings may be realized if cheque payments were replaced using EFTs. A cheque listing will be extracted from the financial system and analyzed to determine when it is more efficient to issue an EFT payment. Related cost savings will be calculated.
License Revenue	Most businesses in Hamilton require a license to operate legally. Additional revenue may be realized by identifying unlicensed businesses. This project will entail identifying unlicensed businesses and calculating the related license revenue.
Employer Paid Parking	Employees who use their vehicle for City business at least three times per week are eligible for employer paid parking under the <i>Employee Parking Policy (Downtown)</i> . The <i>Employer Paid Parking Procedure for Confirming Continued Eligibility</i> contains a trip analysis to evaluate whether employees remain eligible to receive employer paid parking. Cost savings may be realized if the parking is no longer provided to employees who do not validate their continued eligibility. An analysis will be performed to identify ineligible employees and the related cost savings.
Global Positioning System Analysis	Various City vehicles are equipped with Global Positioning System (GPS) technology. Management may use recorded GPS travel information to assess employee productivity. This project will entail comparing GPS records to documented work assignments in order to identify areas where productivity and efficiencies may be gained.



## **PLANNING COMMITTEE REPORT 13-007**

**AS AMENDED BY COUNCIL ON MAY 8, 2013**

**9:30 am**

**Tuesday, April 30, 2013  
Council Chambers  
Hamilton City Hall  
71 Main Street West**

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

**Absent with Regrets:** Councillor L. Ferguson - vacation

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### **THE PLANNING COMMITTEE PRESENTS REPORT 13-007 AND RESPECTFULLY RECOMMENDS:**

**1. Expansion of Automatic Vehicle Location (AVL) Devices to Parking Operations and Maintenance Vehicles (PED13083) (City Wide) (Item 5.1)**

That the procurement of Automatic Vehicle Location (AVL) devices (through Corporate Contract VOR-1021) for use in Parking Operations and Maintenance vehicles be funded from the Parking Reserve Account No.108021 in an amount not to exceed \$20,000.

**2. Hamilton Municipal Heritage Committee – Minutes 13-003 (Item 5.2)**

That the Hamilton Municipal Heritage Committee Minutes 13-003, be received.

**3. Applications for Amendments to the City of Stoney Creek Official Plan and Hamilton Zoning By-law No. 05-200 for Lands Located at 1361 Barton Street (Stoney Creek) (PED13073) (Ward 11) (Item 6.2)**

- (a) That approval be given to **Official Plan Amendment Application OPA-12-019, by the Hamilton Wentworth Catholic District School Board, Owner**, for Amendment No. [REDACTED] to the Stoney Creek Official Plan, to amend Schedule “A” General Land Use Plan to re-designate lands from “Special Policy Area ‘F’ - Parcel ‘A’” to “Institutional”, for the lands located at 1361 Barton Street, (Stoney Creek), as shown on Appendix “A” to Report PED13073, on the following basis:
  - (i) That the draft Official Plan Amendment, attached as Appendix “B” to Report PED13073, be adopted by Council;
  - (ii) That the proposed Official Plan Amendment is consistent with the Provincial Policy Statement, and conforms to the Growth Plan for the Greater Golden Horseshoe and the Hamilton-Wentworth Official Plan.
- (b) That approval be given to **Zoning Application ZAC-12-050, by the Hamilton Wentworth Catholic District School Board, Owner**, for the addition of lands to Zoning By-law No. 05-200 to the Neighbourhood Institutional (I1, H51) Holding Zone, as shown on Schedule “A” to Report PED13073, on the following basis:
  - (i) That the draft By-law, attached as Appendix “C” to Report PED13073, 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 “A”, Map No. 1312, of Zoning By-law No. 05-200;
  - (iii) That the proposed change in zoning is in conformity with the Hamilton-Wentworth Official Plan, and will be in conformity with the City of Stoney Creek Official Plan upon finalization of Official Plan Amendment No. [REDACTED].
- (c) That the Ward Councillor meet with the Winona Peach Festival and Hamilton-Wentworth Catholic District School Board to discuss reciprocal use of parking lots;
- (d) That the Ward Councillor meet with Hamilton-Wentworth Catholic District School Board to discuss use of space for recreational programming;

- (e) That a copy of this resolution be forwarded to the Hamilton-Wentworth Catholic District School Board.

**4. Application for Amendments to the City of Hamilton Zoning By-law No. 6593, Draft Plan of Subdivision, and Draft Plan of Condominium for Lands Located at 1155 West 5th Street (Hamilton) (PED13080) (Ward 8) (Item 6.3)**

- (a) That approval be given to Amended Zoning Application ZAC-12-005, by Sonoma Homes, Owners, for a change in zoning from the “AA” (Agricultural) District to the “RT-30/S-1667” (Street Townhouse) District, Modified, with a Special Exception, to permit the development of up to 18 townhouses fronting onto a public road (Block 1), and up to 121 townhouses fronting onto an internal private condominium road as parcels of tied land (Block 2), on lands located at 1155 West 5th Street (Hamilton), as shown on Appendix “A” to Report PED13080, on the following basis:
  - (i) That the draft By-law, attached as Appendix “C” to Report PED13080, 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 “A”, Map No. W9d, of Zoning By-law No. 6593;
  - (iii) That the proposed changes in zoning are in conformity with the Hamilton-Wentworth and City of Hamilton Official Plans;
  - (iv) That upon finalization of the implementing By-law, the Mewburn Neighbourhood Plan be amended to revise the road pattern, as shown on Appendices “B” and “D”, and change the designation of the westerly portion of the subject lands from “Single and Double Residential” to “Attached Housing”.
- (b) That approval be given to Draft Plan of Subdivision Application 25T-201202, by Sonoma Homes, Owners, to establish a draft plan of subdivision, on lands located at 1155 West 5th Street (Hamilton), as shown on Appendix “D” to Report PED13080, subject to the following conditions, all in accordance with the financial Policies for Development and the City’s Parkland Dedication By-law, as approved by Council:
  - (i) That this approval apply to 25T-201202, prepared by Wellings Planning Consultants Inc., and certified by Bryan Jacobs, O.L.S., Revision 5, dated March 15, 2013, as red-line revised, showing 1 group townhouse block (Block 1), 3 blocks for a temporary stormwater management pond/future street townhouse blocks (Blocks 2, 3, 5), 1 block for a temporary stormwater management

- pond/future public road (Block 4), a public road (Street "A"), 1 block for road widenings along West 5th Street (Block 6), and a 0.3m reserve block along the frontage of Blocks 2 and 3, attached as Appendix "D" to Report PED13080, subject to the owner entering into a Standard Form Subdivision Agreement, as approved by City Council, and with the Special Conditions attached as Appendix "E" to Report PED13080;
- (ii) That Condition 16 in Appendix "E" to Report PED13080, be amended by deleting the words, "temporary turning circle";
  - (iii) That Appendix "D" to Report PED13080 be amended to remove the reference to a temporary turning circle block from the Proposed Revised Plan of Subdivision;
  - (iii) That payment of Cash-in-Lieu of Parkland will be required, pursuant to Section 42 of the Planning Act, prior to the issuance of each Building Permit. The Cash-in-lieu payment will be calculated at a rate of 1 hectare for each 300 dwelling units proposed, to which payment shall be based on the value of the land on the day prior to the issuance of the first Building Permit for each said block;
  - (iv) Acknowledgement that there will be no City share for any municipal works associated with this development;
- (c) That approval be given to Condominium Application 25CDM-201201, by Sonoma Homes, Owners, to establish a draft plan of condominium (Common Elements Condominium) to create a condominium road, parking, and amenity area for a 121 unit townhouse development, on a portion of the lands located at 1155 West 5th Street (Block 2 on Appendix "A"), in the former City of Hamilton, as shown on Appendix "F" to Report PED13080, subject to the following conditions:
- (i) That this approval applies to the plan prepared by Wellings Planning Consultants Inc., and certified by Bryan Jacobs, O.L.S., dated March 15, 2013, as red-lined revised, showing the condominium road, parking, and amenity area, attached as Appendix "F" to Report PED13080;
  - (ii) That the Final Plan of Condominium complies with all of the applicable provisions of Zoning By-law No. 6593;
  - (iii) That the owner enters into a Development Agreement to ensure that the tenure of each of the proposed freehold units has legal interest, in common, to the Common Elements Condominium, to the satisfaction of the City Solicitor;

- (iv) That the owner receives final approval of a Part Lot Control Application, and the implementing By-law, to the satisfaction of the Director of Planning;
- (v) That the owner includes the following warning clauses in the Development Agreement, all Purchase and Sale Agreements, and any rental or lease agreements required for occupancy:

“Purchasers are advised that the City of Hamilton will not be providing maintenance or snow removal service for the private condominium road.”

“Purchasers are advised that owners of lots located at the end of dead-end lanes may not receive curb-side collection of waste, but will instead be required to place their waste at the nearest intersection on waste collection days.”

- (vi) That the owner includes the following clause in the Development Agreement, all Purchase and Sale Agreements, and any rental or lease agreements required for occupancy:

“The garages provided are intended for use as parking by owners. Owners/occupants are responsible for ensuring that parking provided for their lot will meet their needs. There is no opportunity for on-street overflow parking on West 5th, and visitor parking is intended strictly for visitors”.

- (vii) That the owner agrees to register a common element drainage easement, to the satisfaction of the Senior Director of Growth Management Division;
- (viii) That the owner provides the Director of Development Engineering with evidence that satisfactory arrangements, financial or 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;
- (ix) That the owner satisfies any conditions, financial or otherwise, of the City of Hamilton.

**5. Enforcement of Blocked Swales (PED13084) (City Wide) (Item 8.2)**

- (a) That in accordance with the February 13, 2013 City Council directive to undertake a two year pilot program to enforce the Property Standards By-law to restore swales where there is an easily identifiable obstruction:
  - (i) That the Terms of Reference for the pilot program, as detailed in Appendix “A”, attached hereto, be approved;
  - (ii) That one temporary Drainage Enforcement Officer (1 FTE), estimated at \$95,000 annually, and one vehicle and equipment, with a one time \$40,000 Capital cost, be funded from the Parking Reserve (Account No. 108021);
  - (iii) That any proceeds from associated fees and charges be directed back to the Parking Reserve (Account No. 108021) to offset the cost;
  - (iv) That the Property Standards By-law No. 10-221 be amended to facilitate enforcement of blocked swales where there is an easily identifiable obstruction, and that the draft by-law, attached as Appendix “B” to Report PED13084, prepared in a form satisfactory to the City Solicitor, be enacted;
- (b) That a temporary student (1/3 FTE), estimated at \$14,000 annually, be funded from the Development Fee Stabilization Reserve (Account No. 110086) to assist in scanning paper copies of previously approved grading plans.

**6. Proposed Official Plan Amendment and Zoning By-law Amendment for Property at 257, 261, 263, 267 Parkside Drive (Flamborough) (Ward 15) (PED13043) (Item 8.3)**

- (a) That Amended Official Plan Amendment Application OPA-12-006, by Branthaven Rosart Development Corporation, Owner, for Official Plan Amendment No. [REDACTED], to the former Town of Flamborough Official Plan, to amend the Waterdown North Secondary Plan to include and designate the subject lands “Medium Density Residential 1”, and to add Site-Specific Area No. [REDACTED] to limit the maximum density to 55 units per net residential hectare, for the development of 44 townhouse dwelling units, on lands located at 257, 261, 263, and 267 Parkside Drive, as shown on Appendix “A” to Report PED13043, be approved on the following basis:
  - (i) That the draft Official Plan Amendment, attached as Appendix “B” to Report PED13043, be adopted by Council.

- (ii) That the proposed Official Plan Amendment is consistent with the Provincial Policy Statement, and conforms to the Places to Grow Growth Plan and Hamilton-Wentworth Official Plan.
- (b) That **Urban Hamilton Official Plan Amendment No. by Branthaven Rosart Development Corporation, Owners**, to permit the lands located at 257, 261, 263, and 267 Parkside Drive to be adopted into the Waterdown North Secondary Plan, designated Medium Density Residential 3, and identified as a Area Specific Policy - Area [REDACTED], to permit 44 townhouse dwelling units with a maximum density of 55 units per net residential hectare, as shown on Appendix "C" to Report PED13043, be received and held in abeyance until such time as the relevant sections of the Urban Hamilton Official Plan come into force and effect; and when the relevant sections of the Urban Hamilton Official Plan come into force and effect, that Planning and Economic Development Department staff be directed and authorized to hold a Public Meeting, pursuant to the provisions of the Planning Act, to consider the proposed Urban Hamilton Official Plan Amendment.
- (c) That **Amended Zoning Application ZAC-12-15, by Branthaven Rosart Development Corporation, Owner**, for a change in zoning from the Urban Residential "R1-6" Zone to the Medium Density Residential "R6-26-H" Zone, with a Special Exception and Holding provision, to permit the development of 44 townhouse dwelling units, on lands located at 257, 261, 263, and 267 Parkside Drive, as shown on Appendix "A" to Report PED13043, be approved on the following basis:
  - (i) That the Draft By-law, attached as Appendix "D" to Report PED13043, which has been prepared in a form satisfactory to the City Solicitor, be enacted by Council.
  - (ii) That the amending By-law be added to Schedule "A" of Zoning By-law No. 90-145-Z.
  - (iii) That the proposed change in Zoning conforms to the Hamilton-Wentworth Official Plan.
  - (iv) That the proposed change in Zoning will be in conformity with the Town of Flamborough Official Plan upon approval of Official Plan Amendment No. [REDACTED].
  - (v) That Recommendation (c) of Report PED 13043 be amended to permit a maximum of 44 townhouse dwelling units with the following additional modifications:

- (aa) No vehicular access from the subject lands to Truedell Circle and Centre Road shall be permitted; and
  - (bb) To establish a site specific parking requirement of 2 parking spaces per unit plus 0.4 visitor parking spaces (18 spaces for the proposed 44 units) be provided and maintained.
- (d) That staff be directed to ensure that the site plan provides:
  - (i) A private pedestrian connection from the subject lands to the future extension of Truedell Circle;
  - (ii) That the applicant enter into an external works agreement with the City of Hamilton to provide for the design and installation, at the applicant's cost, for the provision of a median island and signage within the Parkside Road allowance to prevent left turn movements to and from the site from the easterly right-in/right-out driveway as shown on the concept plan. The median island is to be installed prior to occupancy;
  - (iii) That the access driveway be located at the westerly limits of the subject lands to align centerline-to-centreline with the existing driveway on the lands to the south.
- (e) That staff be directed and authorized to amend the implementing Official Plan Amendments and Zoning By-laws, as attached as Appendices "B", "C" and "D" to Report PED 13043, for presentation to City Council;
- (f) That pursuant to Section 34(17) of the Planning Act, the proposed changes to the by-law do not require that any further notice be given because the changes are a result of the comments received during the consideration of this matter by the City of Hamilton.

## **7. Off-Site Standing Committee Meetings**

That the Governance Review Sub-Committee investigate and report back to the General Issues Committee with a template/policy that seeks to address requests to host Standing Committee meetings at locations other than Hamilton City Hall.

**8. Urban Hamilton Official Plan Proposed Settlement of Part of Appeal by Gino and Olindo DalBello and Legal Direction (LS13011) (City Wide) (Item 12.2)**

- (a) That Report LS13011 remain confidential, but that the appendices be made public in the event that a settlement is reached with the appellant;
- (b) That the amendments and modifications described in the recommendations contained in Appendix "A" to Report LS13011 be approved as the basis of a settlement of the appeal of the Urban Official Plan by Gino and Olindo DalBello as identified in Appendix "A" to Report LS13011; and,
- (c) That staff be directed to advise the Ontario Municipal Board that the City of Hamilton and Gino and Olindo DalBello have settled the DalBellos' appeal of the Urban Hamilton Official Plan on the basis of the recommendations contained in Appendix "A" to Report LS13011.

**9. Urban Hamilton Official Plan Proposed Settlement of Part of Appeal by Norman Vartanian (LS13012) (City Wide) (Item 12.3)**

- (a) That Report LS13012 remain confidential, but that Appendix "A" to Report LS13012, be made public in the event that a settlement is reached with the appellant;
- (b) That the amendments and modifications described in the recommendations contained in Appendix "A" to Report LS13012 be approved as the basis of a settlement of Norman Vartanian's appeal; and,
- (c) That staff be directed to advise the Ontario Municipal Board that the City of Hamilton and Norman Vartanian have settled the Vartanian appeal of the Urban Hamilton Official Plan on the basis of the recommendations contained in Appendix "A" to Report LS13012.

**10. Ancaster Wilson Street Secondary Plan (OPA 143) Proposed Settlement of the Appeal of Family Practice (Dixie) Ltd. (Dr. Allen Greenspoon) (LS13016) (Ward 12 - Ancaster) (Item 12.4)**

- (a) That Report LS13016 remain confidential, but that Appendix "A" to Report LS13016 be made public in the event that a settlement is reached with the appellant;
- (b) That the amendments and modifications described in the recommendations contained in Appendix "A" to Report LS13016 be

approved as the basis of a settlement of Family Practice (Dixie) Ltd.'s appeal of Official Plan Amendment 43, the Ancaster Wilson Street Secondary Plan; and,

- (c) That staff be directed to advise the Ontario Municipal Board that the City of Hamilton and Family Practice (Dixie) Ltd. have settled the Family Practice (Dixie) Ltd. appeal of Official Plan Amendment 143, the Ancaster Wilson Street Secondary Plan, on the basis of the recommendations contained in Appendix "A" to Report LS13016.

**FOR THE INFORMATION OF COUNCIL:**

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

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

**1. DELEGATION REQUESTS**

- 4.1 Delegation request from John Ariens respecting Item 8.1, Proposed Niagara Escarpment Plan Amendment (PED11052(a)), on today's agenda.
- 4.2 Delegation request from David Tang respecting Item 6.3, Application for Amendments to the City of Hamilton Zoning By-law No. 6593, Draft Plan of Subdivision, and Draft Plan of Condominium for Lands Located at 1155 West 5th Street (Hamilton) (PED13080), on today's agenda.

**2. DISCUSSION ITEMS**

- 8.3 Motion – Revised recommendations for Report PED13043, Proposed Official Plan Amendment and Zoning By-law Amendment for Property at 257, 261, 263, 267 Parkside Drive.

Proposed Official Plan Amendment and Zoning By-law Amendment for Property at 257, 261, 263, 267 Parkside Drive (Flamborough) (Ward 15) (PED13043) (*Tabled from the March 19, 2013 Planning Committee Meeting*)

The Agenda for the April 30, 2013 meeting of the Planning Committee was approved, as amended.

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

None.

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

**(i) April 16, 2013**

The Minutes of the April 16, 2013 Planning Committee meeting were approved.

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

**(i) Delegation request from John Ariens respecting Item 8.1, Proposed Niagara Escarpment Plan Amendment (PED11052(a)), on today's agenda (Item 4.1)**

The delegation request from John Ariens respecting Item 8.1, Proposed Niagara Escarpment Plan Amendment (PED11052(a)), for today's agenda, was approved.

**(ii) Delegation request from David Tang respecting Item 6.3, Application for Amendments to the City of Hamilton Zoning By-law No. 6593, Draft Plan of Subdivision, and Draft Plan of Condominium for Lands Located at 1155 West 5th Street (Hamilton) (PED13080), on today's agenda (Item 4.2)**

The delegation request from David Tang respecting Item 6.3, Application for Amendments to the City of Hamilton Zoning By-law No. 6593, Draft Plan of Subdivision, and Draft Plan of Condominium for Lands Located at 1155 West 5th Street (Hamilton) (PED13080), for today's agenda, was approved.

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

**(i) Delegation from Kim Houtmeyers respecting regulations for ornamental ponds (Item 6.1)**

Ms. Houtmeyers provided an overview of her presentation with the aid of a PowerPoint presentation. A copy of the presentation has been included in the public record.

The presentation from Kim Houtmeyers respecting regulations for ornamental ponds, was received.

- (a) Staff were directed to provide a report on the City of Hamilton's current rural and urban by-laws for the regulation of ornamental ponds;
- (b) Staff are to provide a definition of ornamental ponds;
- (c) Staff are to provide a review of other municipalities by-laws and provincial legislation with respect to regulation of ornamental ponds;
- (d) Staff are to review and provide recommendations based on the concerns provided in Kim Houtmeyers' presentation.

**(ii) Applications for Amendments to the City of Stoney Creek Official Plan and Hamilton Zoning By-law No. 05-200 for Lands Located at 1361 Barton Street (Stoney Creek) (PED13073) (Ward 11) (Item 6.2)**

In accordance with the provision of the Planning Act, Chair J. Farr 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 amendment and zoning by-law amendments, the person or public body is not entitled to appeal the decision of the Council of the City of Hamilton to the Ontario Municipal Board, and the person or public body may not be added as a party to the hearing of an appeal before the Ontario Municipal Board unless, in the opinion of the Board, there are reasonable grounds to do so.

Joe Muto, 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 staff presentation respecting Report PED13073, Applications for Amendments to the City of Stoney Creek Official Plan and Hamilton Zoning By-law No. 05-200 for Lands Located at 1361 Barton Street (Stoney Creek), was received.

James Webb, planning consultant, provided an overview of the report and agreed with the recommendations from staff and confirmed that the owner is communicating with the Winona Peach Festival representatives to avoid and conflict during the festival.

The agent's presentation respecting Report PED13073, Applications for Amendments to the City of Stoney Creek Official Plan and Hamilton Zoning By-law No. 05-200 for Lands Located at 1361 Barton Street (Stoney Creek), was received.

**Public Speaker:**

1. Georgina Beattie – PO Box 10002, Winona, ON L8P 5R1

Ms. Beattie expressed concerns with the possibility of the school becoming a secondary school, rather than elementary and what the process would be, that parking on site should be extended for parents, the number of buses, and that the traffic study include Fifty Road. Also that the owner, Ward Councillor and the Winona Peach Festival organizers all work cooperatively.

The public presentations respecting Report PED13073, Applications for Amendments to the City of Stoney Creek Official Plan and Hamilton Zoning By-law No. 05-200 for Lands Located at 1361 Barton Street (Stoney Creek), were received.

The public meeting respecting Report PED13073, Applications for Amendments to the City of Stoney Creek Official Plan and Hamilton Zoning By-law No. 05-200 for Lands Located at 1361 Barton Street (Stoney Creek), was closed.

The recommendations contained in PED13073, Applications for Amendments to the City of Stoney Creek Official Plan and Hamilton Zoning By-law No. 05-200 for Lands Located at 1361 Barton Street (Stoney Creek), were amended by adding new sub-sections (c), (d) and (e), to read as follows:

- (c) That the Ward Councillor meet with the Winona Peach Festival and Hamilton-Wentworth Catholic District School Board to discuss reciprocal use of parking lots;
- (d) That the Ward Councillor meet with Hamilton-Wentworth Catholic District School Board to discuss use of space for recreational programming;
- (e) That a copy of this resolution be forwarded to the Hamilton-Wentworth Catholic District School Board.

- (f) Staff were directed to have formal discussions with CN regarding any/all improvements including a grade separation at the Fifty Road Crossing;
- (g) Staff are to report back on the timeline of the improvements on Fifty Road including the Barton Street intersection to accommodate current and future developments.

For disposition on this Item, refer to item 3.

**(iii) Application for Amendments to the City of Hamilton Zoning By-law No. 6593, Draft Plan of Subdivision, and Draft Plan of Condominium for Lands Located at 1155 West 5th Street (Hamilton) (PED13080) (Ward 8) (Item 6.3)**

In accordance with the provision of the Planning Act, Chair J. Farr 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 amendment, draft plan of subdivision and draft plan 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.

Chris Bell, 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 staff presentation respecting Report PED13080, Application for Amendments to the City of Hamilton Zoning By-law No. 6593, Draft Plan of Subdivision, and Draft Plan of Condominium for Lands Located at 1155 West 5th Street (Hamilton), was received.

**Public Speaker:**

1. David Tang – 1 First Canadian Place, 100 King St. W., Suite 1600, Toronto, ON M5X 1G5

Mr. Tang expressed concerns as outlined in the item of correspondence presented at this meeting. A copy of the correspondence has been included in the public record.

2. Steven Zakem – Brookfield Place, 181 Bay St., Suite 1800, Box 754, Toronto, ON M5J 2T9

Mr. Zakem expressed concerns as outlined in the item of correspondence presented at this meeting. A copy of the correspondence has been included in the public record.

The public presentations respecting Report PED13080, Application for Amendments to the City of Hamilton Zoning By-law No. 6593, Draft Plan of Subdivision, and Draft Plan of Condominium for Lands Located at 1155 West 5th Street (Hamilton), was received.

Glenn Wellings, agent, expressed agreement with the recommendations, but did have concern with the temporary turning circle.

The agent's presentation respecting Report PED13080, Application for Amendments to the City of Hamilton Zoning By-law No. 6593, Draft Plan of Subdivision, and Draft Plan of Condominium for Lands Located at 1155 West 5th Street (Hamilton), was received.

The correspondence respecting Report PED13080, Application for Amendments to the City of Hamilton Zoning By-law No. 6593, Draft Plan of Subdivision, and Draft Plan of Condominium for Lands Located at 1155 West 5th Street (Hamilton), was received.

The public meeting respecting Report PED13080, Application for Amendments to the City of Hamilton Zoning By-law No. 6593, Draft Plan of Subdivision, and Draft Plan of Condominium for Lands Located at 1155 West 5th Street (Hamilton), was closed.

The recommendations contained in Report PED13080, Application for Amendments to the City of Hamilton Zoning By-law No. 6593, Draft Plan of Subdivision, and Draft Plan of Condominium for Lands Located at 1155 West 5th Street (Hamilton), were amended by deleting the words, "a temporary turning circle block," in recommendation (b)(i), and by adding new sub-sections (b)(ii) and (b)(iii) and renumbering the remaining, to read as follows:

"(b)(ii) That Appendix "E" to Report PED13080, be amended by deleting Condition 16 respecting turnarounds;

(b)(iii) That Appendix "D" be amended to remove the reference to a temporary turning circle block;"

For disposition on this Item, refer to item 4.

**(f) DISCUSSION ITEMS (Item 8)****(i) Proposed Niagara Escarpment Plan Amendment No. 179 (February 21, 2013) - Pleasantview Lands (PED11052(a)) (Ward 13) (Item 8.1)**

John Ariens, provided an overview of his client's concerns with the aid of a PowerPoint presentation. A copy of the presentation has been included in the public record.

The public presentation respecting PED11052(a), Proposed Niagara Escarpment Plan Amendment No. 179 (February 21, 2013) - Pleasantview Lands, was received.

Report PED11052(a), Proposed Niagara Escarpment Plan Amendment No. 179 (February 21, 2013) - Pleasantview Lands, was tabled to the May 14, 2013 Planning Committee meeting to allow for ongoing consultation.

**(ii) Enforcement of Blocked Swales (PED13084) (City Wide) (Item 8.2)**

(v) That staff be directed to report back to the Planning Committee prior to the conclusion of the pilot program, detailing key performance measures including:

- (1) Success rates in dealing with complaints about blocked swales and achieving compliance where there are easily identifiable obstructions;
- (2) Number of complaints received about blocked swales which were deemed to be of a more complex nature (i.e. no easily identifiable obstruction);
- (3) Cost recovery from enforcement fines and through Court actions;
- (4) Number of complaints driven by neighbor disputes such that mediation was appropriate;

**(iii) Proposed Official Plan Amendment and Zoning By-law Amendment for Property at 257, 261, 263, 267 Parkside Drive (Flamborough) (Ward 15) (PED13043) (Item 8.3)**

Report PED13043, Proposed Official Plan Amendment and Zoning By-law Amendment for Property at 257, 261, 263, 267 Parkside Drive (Flamborough) (Ward 15), was lifted from the table.

Recommendations contained in Report PED13043 were amended, as follows:

- “(1) That Recommendations (a) and (b) of Report PED13043 be amended to limit the maximum density permitted in the proposed Official Plan Amendments to 55 units per net residential hectare to allow for the development of 4445 townhouse dwelling units.
- (2) That Recommendation (c) of Report PED 13043 be amended to permit a maximum of 44 townhouse dwelling units with the following additional modifications:
  - a. No vehicular access from the subject lands to Truedell Circle and Centre Road shall be permitted; and
  - b. To establish a site specific parking requirement of 2 parking spaces per unit plus 0.4 visitor parking spaces (18 spaces for the proposed 44 units) be provided and maintained.
- (3) That new subsections (d), (e) and (f) be added, to read as follows:
  - “(d) That staff be directed to ensure that the site plan provides:
    - (i) A private pedestrian connection from the subject lands to the future extension of Truedell Circle;
    - (ii) That the applicant enter into an external works agreement with the City of Hamilton to provide for the design and installation, at the applicant’s cost, for the provision of a median island and signage within the Parkside Road allowance to prevent left turn movements to and from the site from the easterly right-in/right-out driveway as shown on the concept plan. The median island is to be installed prior to occupancy;
    - (iii) That the access driveway be located at the westerly limits of the subject lands to align centerline-to-centreline with the existing driveway on the lands to the south.
  - (e) That staff be directed and authorized to amend the implementing Official Plan Amendments and Zoning By-laws, as attached as Appendices “B”, “C” and “D” to Report PED 13043, for presentation to City Council;

- (f) That pursuant to Section 34(17) of the Planning Act, the proposed changes to the by-law do not require that any further notice be given because the changes are a result of the comments received during the consideration of this matter by the City of Hamilton.””

For disposition on this Item, refer to item 6.

**(g) MOTIONS (Item 9)**

**(i) Stoney Creek Urban Boundary Expansion (SCUBE) Public Meeting**

Whereas the Stoney Creek Urban Boundary Expansion (SCUBE) is a very large secondary planning process that will increase the population of the area by an estimated 17,000 residents,

And Whereas this secondary planning process was started before amalgamation by the former City of Stoney Creek.

And Whereas a very large number of residents of Stoney Creek and Winona have expressed a concern to attend the public meetings and also be included in the process,

And Whereas a precedent has been set to hold public meetings in the Community if large numbers of residents are expected to attend.

Therefore be it Resolved:

That, as the local Councillor, I request that the Planning Committee hold a special public meeting at the Stoney Creek Municipal Building, 777 Hw #8, Stoney Creek, to accommodate the discussion and public hearing for the Stoney Creek Urban Boundary Expansion report.

The motion was DEFEATED on the following vote:

Yeas: M. Pearson, B. Johnson, C. Collins

Total: 3

Nays: J. Partridge T. Whitehead, J. Farr, R. Pasuta

Total: 4

Absent: B. Clark, L. Ferguson

Total: 2

**(ii) Off-Site Standing Committee Meetings**

That the Governance Review Sub-Committee investigate and report back to the General Issues Committee with a template/policy that seeks to address requests to host Standing Committee meetings at locations other than Hamilton City Hall.

For disposition on this Item, refer to item 7.

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

Councillor Johnson introduced the following Notice of Motion:

**(i) Stoney Creek Urban Boundary Expansion (SCUBE) Public Meeting**

Whereas the Stoney Creek Urban Boundary Expansion (SCUBE) is a very large secondary planning process that will increase the population of the area by an estimated 17,000 residents,

And Whereas this secondary planning process was started before amalgamation by the former City of Stoney Creek.

And Whereas a very large number of residents of Stoney Creek and Winona have expressed a concern to attend the public meetings and also be included in the process,

And Whereas a precedent has been set to hold public meetings in the Community if large numbers of residents are expected to attend.

Therefore be it Resolved:

That, as the local Councillor, I request that the Planning Committee hold a special public meeting at the Stoney Creek Municipal Building, 777 Hw #8, Stoney Creek, to accommodate the discussion and public hearing for the Stoney Creek Urban Boundary Expansion report.

The rules were waived to allow for a motion respecting Stoney Creek Urban Boundary Expansion (SCUBE) Public Meeting.

For disposition on this Item, refer to item (g).

Councillor Farr introduced the following Notice of Motion:

**(ii) Discarded Cigarette Butts around Hamilton Hospitals**

That staff from Property Standards be requested to report back to committee on the maintenance methods our hospitals undertake in addressing the issue of discarded cigarette butts on the perimeter of their property(s) including city side-walks and roads.

**(i) 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: Pleasantview, Dundas, divesting of four properties (PED11052)  
Current Due Date: April 30, 2013  
Proposed Due Date: November 19, 2013
- (bb) Item S: Regulation of Rental Housing  
Current Due Date: May 14, 2013  
Proposed Due Date: June 4, 2013
- (cc) Item F: Racing Pigeons  
Current Due Date: April 30, 2013  
Proposed Due Date: June 4, 2013
- (dd) Item G: By-law 05-200, to Modify General Commercial "C3-116" and "C3-117" Zone and add Site Specific General Commercial "C3-275" Zone to the Glanbrook Zoning By-law No. 464  
Current Due Date: April 30, 2013  
Proposed Due Date: July 9, 2013
- (ee) Item U: Parking on One-Way Streets  
Current Due Date: April 30, 2013  
Proposed Due Date: June 4, 2013

The following items were removed from the Outstanding Business List:

- (aa) Item W: Enforcement of Blocked Swales
- (bb) Item Z: Proposed Official Plan Amendment and Zoning By-law Amendment for Property at 257, 261, 263, and 267 Parkside Drive (Flamborough) (Ward 15) (PED13043)

**(ii) News from the General Manager (Item 11.2)**

The General Manager provided updates of current events and initiatives within the department.

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

**(i) Closed Session Minutes – April 16, 2013 (Item 12.1)**

The Closed Session Minutes of April 16, 2013 were approved as presented and remain confidential.

At 12:54 p.m., Committee move into Closed Session to consider item 12.2, 12.3 and 12.4 which are subject to Section 239.2 (e) and (f) of the *Municipal Act* and Section 8.1(e) and (f) of the Procedural Bylaw as the subject matter of this item pertains to:

- litigation or potential litigation, including matters before administrative tribunals affecting the City, and
- the receiving of advice that is subject to solicitor-client privilege, including communications necessary for that purpose.

The Planning Committee reconvened in Open Session at 1:26 p.m.

**(ii) Urban Hamilton Official Plan Proposed Settlement of Part of Appeal by Gino and Olindo DalBello and Legal Direction (LS13011) (City Wide) (Item 12.2)**

For disposition on this Item, refer to item 8.

**(iii) Urban Hamilton Official Plan Proposed Settlement of Part of Appeal by Norman Vartanian (LS13012) (City Wide) (Item 12.3)**

For disposition on this Item, refer to item 9.

**(iv) Ancaster Wilson Street Secondary Plan (OPA 143) Proposed Settlement of the Appeal of Family Practice (Dixie) Ltd. (Dr. Allen Greenspoon) (LS13016) (Ward 12 - Ancaster) (Item 12.4)**

For disposition on this Item, refer to item 10.

**(k) ADJOURNMENT**

There being no further business, the Planning Committee adjourned at 2:45 p.m.

Respectfully submitted,

Councillor J. Farr  
Chair, Planning Committee

Vanessa Robicheau  
Legislative Coordinator  
Office of the City Clerk

## **TERMS OF REFERENCE**

**For a pilot program of enforcing the Property Standards By-law 10-221 to restore swales where there is an easily identifiable obstruction that prevents draining:**

### **1.0 Background:**

City Council, on February 13, 2013 approved a two year pilot program, to commence in the Spring of 2013, to enforce the Property Standards By-law to restore swales where there is an easily identifiable obstruction that prevents draining as per the originally approved grading plans.

### **2.0 Objectives:**

To assess the effectiveness of enforcement and resources required in responding to complaints about obstructed swales where there is an easily identifiable obstruction that prevents draining as per the originally approved grading plans.

### **3.0 Implementation Timetable:**

To commence in the Spring of 2013 and end in the Spring of 2015.

### **4.0 Scope of Work:**

Reporting to the Superintendent of Municipal Law Enforcement, the Drainage Enforcement Officer will investigate and enforce, on a reactive basis only, complaints of standing water resulting from obstructed swales.

### **5.0 General Enforcement Practice:**

The following is intended to provide a general overview of enforcement practices related to the enforcement of blocked swales where there is an easily identifiable obstruction, and is in no way intended to eliminate any discretion on the part of an investigating Officer or to dictate enforcement process where other remedies might be prudent or necessary:

- complaint received by Municipal Law Enforcement; logged and assigned to Drainage Enforcement Officer case load;
- preliminary investigation undertaken by Drainage Enforcement Officer to determine if complaint is related to a property:
  - o in a development with approved grading plan, or;

- is not in a subdivision that is under construction (if this is the case, grading issues will be referred to the Growth Management Division);
- Drainage Enforcement Officer visits site to determine type of infraction and either:
  - commences enforcement by issuing an Order to remove a simple obstruction to restore functionality to a swale, or;
  - refers the complaint to the Residential Drainage Assistance Program (RDAP) (i.e. where no grading plan exists and drainage patterns are disrupted by settlement, tree growth or, more commonly, by fences, sheds, pools, gardens, retaining walls etc.), or;
  - offers mediation to the affected parties;
- Homeowner must comply within allotted time to restore to previously approved condition or to retain a professional engineer to recommend alternative solutions and then to implement such a solution;
- Homeowner required to submit revised plans for approval plus review fee to Growth Management Division (GM);
- Growth Management Division will approve or deny alternative and notify homeowner of decision;
- Work is completed within the allotted time or, should the homeowner fail to comply, the City may:
  - undertake the work and place costs on the property tax roll;
  - issue a Provincial Offense Notice (PON) or Part I charge or Part III summons, or;
  - register the order on title;
- File closed (compliance is achieved).

## **6.0 Reporting and Evaluation:**

Staff will report to the Planning Committee with an interim assessment of the pilot program after one year, and with a final report before the conclusion of the pilot program. The reports will include information about and an evaluation of the pilot program including:

- success rates in dealing with complaints about blocked swales and achieving compliance where there are easily identifiable obstructions;
- number of complaints received about blocked swales which were deemed to be of a more complex nature (i.e. no easily identifiable obstruction);
- cost recovery from fines and other charges;
- number of complaints driven by neighbour disputes such that mediation was appropriate;
- the following enforcement effectiveness measures:
  - o rate of compliance with the Property Standards By-law (i.e. obstruction removed) upon notice to property owner/occupant (i.e. no by-law charges);
  - o rate of compliance with the Property Standards By-law (i.e. obstruction removed) through by-law charges and/or using City contractors to do the work;
  - o number and disposition of appeals to the Property Standards Committee;
- assessment of the extent to which the pilot program is meeting the need for which it was intended and recommendations for continuing to respond to complaints about obstructed swales where there is an easily identifiable obstruction that prevents draining as per the originally approved grading plans.

## **7.0 Financing:**

All costs associated with the pilot are to be funded from the Parking Reserve (Account No. 108021), with any proceeds from associated fees and charges being directed back to the Parking Reserve (Account No. 108021) to offset the actual gross cost.

## Appendix 'B' - Additional Staff Recommended Changes

Appendix 'B' to Report LS13010  
Page 1 of 7

NOTE: As a result of negotiations, there are changes proposed by the City which both satisfy the concern of the appellant and also improve the policies in the UHOP. Many of those changes have been accepted by the appellant and are indicated in Table 1 of Appendix 'A' to Report LS12010. Some changes were not accepted by the appellant but are recommended in any event as they strengthen the UHOP. This table presents these additional staff recommended changes to policies with outstanding issues in these policies highlighted.

Policy Appealed	Existing Policy	Proposed Changes
<b>VOLUME 1</b>		
C.2.5.8	<p><i>New development or site alteration</i> subject to Policies C.2.5.3 to C.2.5.7 requires, prior to approval, the submission and approval of an Environmental Impact Statement which demonstrates to the satisfaction of the City and the relevant Conservation Authority that:</p> <ul style="list-style-type: none"> <li>a) There shall be no <i>negative impacts</i> on the <i>Core Areas</i> or their <i>ecological functions</i>.</li> <li>b) <i>Connectivity</i> between <i>Core Areas</i> shall be maintained, or where possible, enhanced for the movement of surface and ground water, plants and wildlife across the landscape.</li> <li>c) The removal of other natural features shall be avoided or minimized by the planning and design of the proposed use or <i>site alteration</i> wherever possible.</li> </ul>	<p><i>New development or site alteration</i> subject to Policies C.2.5.3 to C.2.5.7 requires, prior to approval, the submission and approval of an Environmental Impact Statement which demonstrates to the satisfaction of the City <del>and the relevant Conservation Authority</del> that:</p> <ul style="list-style-type: none"> <li>a) There shall be no <i>negative impacts</i> on the <i>Core Areas</i> or their <i>ecological functions</i>.</li> <li>b) <i>Connectivity</i> between <i>Core Areas</i> shall be maintained, or where possible <b>and deemed feasible to the satisfaction of the City</b>, enhanced for the movement of surface and ground water, plants and wildlife across the landscape.</li> <li>c) The removal of other natural features shall be avoided or minimized by the planning and design of the proposed use or <i>site alteration</i> wherever possible <b>and deemed feasible to the satisfaction of the City</b>.</li> </ul>
C.2.5.10	Where <i>vegetation protection zone</i> widths have not been specified by <i>watershed</i> and sub-watershed <i>plans</i> , secondary or rural settlement area plan policies, Environmental assessments and other studies, the following	Where <i>vegetation protection zone</i> widths have not been specified by watershed and sub-watershed plans, secondary <del>or rural settlement area plans</del> policies, Environmental assessments and other studies, the following

## Appendix 'B' - Additional Staff Recommended Changes

Appendix 'B' to Report LS13010  
Page 2 of 7

Policy Appealed	Existing Policy	Proposed Changes
	<p>minimum <i>vegetation protection zone</i> width objectives shall be evaluated and addressed by Environmental Impact Statements. Other agencies, such as Conservation Authorities, may have greater vegetation protection zone requirements.</p> <ul style="list-style-type: none"> <li>a) Coldwater Watercourse and Critical Habitat – 30-metre vegetation protection zone on each side of the watercourse, measured from the bankfull channel.</li> <li>b) Warmwater Watercourse and Important and Marginal Habitat – 15-metre vegetation protection zone on each side of the watercourse, measured from the bankfull channel.</li> <li>c) Provincially Significant Wetlands and Locally Significant Wetlands (all evaluated wetlands) – 30-metre vegetation protection zone, measured from the boundary of the wetland, as approved by the Conservation Authority or Ministry of Natural Resources.</li> <li>d) Unevaluated wetlands – Unevaluated wetlands greater than 2 hectares in size require a 30-metre vegetation protection zone, measured from the boundary of the wetland, as approved by the Conservation Authority or Ministry of Natural Resources. Unevaluated wetlands 2 hectares or less in size require a 30-metre vegetation protection zone, unless an Environmental Impact Statement recommends a more appropriate vegetation protection zone.</li> <li>e) Woodlands – 10-metre vegetation protection zone, measured from the edge (drip line) of the woodland.</li> </ul>	<p><del>minimum</del> vegetation protection zone widths objectives shall be evaluated and addressed by Environmental Impact Statements. Other agencies, such as Conservation Authorities, may have greater <b>different</b> vegetation protection zone requirements.</p> <ul style="list-style-type: none"> <li>a) Coldwater Watercourse and Critical Habitat – 30-metre vegetation protection zone on each side of the watercourse, measured from the bankfull channel.</li> <li>b) Warmwater Watercourse and Important and Marginal Habitat – 15-metre vegetation protection zone on each side of the watercourse, measured from the bankfull channel.</li> <li>c) Provincially Significant Wetlands and <del>Locally Significant Wetlands (all evaluated wetlands)</del> – 30-metre vegetation protection zone, measured from the boundary of the wetland, as approved by the Conservation Authority or Ministry of Natural Resources.</li> <li>d) Unevaluated wetlands – Unevaluated wetlands <b>and locally significant wetlands</b> <del>greater than 2 hectares in size</del> require a <b>15</b> 30-metre vegetation protection zone, measured from the boundary of the wetland, as approved by the Conservation Authority or Ministry of Natural Resources. <del>Unevaluated wetlands 2 hectares or less in size require a 30-metre vegetation protection zone, unless an Environmental Impact Statement recommends a more appropriate vegetation protection zone.</del></li> <li>e) Woodlands – 10-metre vegetation protection zone, measured from the edge (drip line) of the woodland.</li> <li>f) Significant woodlands – 15-metre vegetation protection zone,</li> </ul>

## Appendix 'B' - Additional Staff Recommended Changes

Appendix 'B' to Report LS13010  
Page 3 of 7

Policy Appealed	Existing Policy	Proposed Changes
	<p>f) Significant woodlands – 15-metre vegetation protection zone, measured from the edge (drip line) of the significant woodland.</p> <p>g) Areas of Natural and Scientific Interest (ANSI) – Life and Earth Science ANSIs require a 15-metre vegetation protection zone.</p> <p>h) Significant Valleylands – As required by the relevant Conservation Authority. [Mod 13(a)]</p> <p>i) Significant Habitat of Threatened or Endangered Species and Significant Wildlife Habitat: the minimum <i>vegetation protection zone</i> shall be determined through Environmental Impact Statements, dependent on the sensitivity of the feature. [Mod 13(b)]</p>	<p>measured from the edge (drip line) of the significant woodland.</p> <p>g) Areas of Natural and Scientific Interest (ANSI) – Life and Earth Science ANSIs require a 15-metre vegetation protection zone.</p> <p>h) <u>Significant Valleylands – As required by the relevant Conservation Authority. [Mod 13(a)]</u></p> <p>i) Significant Habitat of Threatened or Endangered Species and Significant Wildlife Habitat: the minimum vegetation protection zone shall be determined through Environmental Impact Statements, dependent on the sensitivity of the feature. [Mod 13(b)]</p>
C.2.7	<p>Linkages</p> <p>Linkages are natural areas that connect Core Areas. Connections between natural areas provide opportunities for plant and animal movement, hydrological and nutrient cycling, and maintain ecological health and integrity of the overall Natural Heritage System. The City recognizes the importance of Linkages shown on Schedule B –Natural Heritage System in reducing the adverse impacts of habitat fragmentation on natural areas. Habitat fragmentation results in loss of species diversity and reduced ecosystem health and resilience. It is the intent of this policy that Linkages be protected and enhanced to sustain the Natural Heritage System wherever possible. In addition, there may be areas where a natural area is degraded, presenting an opportunity to restore or enhance a Linkage.</p>	<p>Linkages</p> <p>Linkages are natural areas within the landscape that <b>ecologically</b> connect Core Areas. Connections between natural areas provide opportunities for plant and animal movement, hydrological and nutrient cycling, and maintain ecological health and integrity of the overall Natural Heritage System. The City recognizes the importance of Linkages shown on Schedule B –Natural Heritage System in reducing the adverse impacts of habitat fragmentation on natural areas. Habitat fragmentation results in loss of species diversity and reduced ecosystem health and resilience. It is the intent of this policy that Linkages be protected, <b>restored</b>, and enhanced to sustain the Natural Heritage System <u>wherever possible</u>. In addition, there may be areas where a natural area is degraded, presenting an opportunity to <del>recreate</del> <b>restore</b> or enhance a Linkage.</p>

## Appendix 'B' - Additional Staff Recommended Changes

Appendix 'B' to Report LS13010

Page 4 of 7

Policy Appealed	Existing Policy	Proposed Changes
C.2.7.8	<p>In addition to the Linkages identified on Schedule B – Natural Heritage System, there may be Hedgerows that are worthy of protection, especially where:</p> <ul style="list-style-type: none"> <li>a) they link Core Areas;</li> <li>b) there is evidence that wildlife regularly use them as movement corridors or habitat;</li> <li>c) they are composed of mature, healthy trees and generally provide a wide, unbroken linkage between Core Areas;</li> <li>d) they contain trees which are rare, unique, culturally important, or old (more than 100 years); or,</li> <li>e) they represent an important cultural feature and contribute to the aesthetics of the landscape, particularly adjacent to the Niagara Escarpment.</li> </ul>	<p>In addition to the Linkages identified on Schedule B – Natural Heritage System, there may be Hedgerows that are worthy of protection, especially where:</p> <ul style="list-style-type: none"> <li>a) <b>they link Core Areas; they are composed of mature, healthy trees and generally provide a wide, unbroken linkage between Core Areas;</b></li> <li>b) there is evidence that wildlife regularly use them as movement corridors or habitat;</li> <li>c) <b>they are composed of mature, healthy trees and generally provide a wide, unbroken linkage between Core Areas; they contain tree species which are threatened, endangered, special concern, provincially or locally rare; or,</b></li> <li>d) <b>they contain trees which are rare, unique, culturally important, or old (more than 100 years) groupings of trees which are greater than 100 years old.</b></li> <li>e) <b>they represent an important cultural feature and contribute to the aesthetics of the landscape, particularly adjacent to the Niagara Escarpment.</b></li> </ul>
Glossary	<p>Key Hydrologic Features (KHF): these features include:</p> <ul style="list-style-type: none"> <li>a) Permanent and <i>intermittent streams</i>;</li> <li>b) Lakes (and their <i>littoral zones</i>);</li> <li>c) <i>Seepage areas and springs</i>; and,</li> <li>d) <i>Wetlands</i> (Greenbelt Plan, 2005)</li> </ul>	<p>Key Hydrologic Features (KHF): these features include <b>mean</b>:</p> <ul style="list-style-type: none"> <li>a) Permanent and <i>intermittent streams</i>;</li> <li>b) Lakes (and their <i>littoral zones</i>);</li> <li>c) <b>seepage areas and springs</b>; and</li> <li>d) <b>Wetlands</b> (Greenbelt Plan, 2005)</li> </ul>

# Appendix 'B' - Additional Staff Recommended Changes

Appendix 'B' to Report LS13010  
Page 5 of 7

Policy Appealed	Existing Policy	Proposed Changes																																				
Glossary	<p>Significant Woodland: means an area which is ecologically important in terms of:</p> <ul style="list-style-type: none"><li>a) Features such as species composition, age of trees, stand history;</li><li>b) Functionally important due to its contribution to the broader landscape because of its location, size, or due to the amount of forest cover in the planning area; and</li><li>c) Economically important due to site quality, species composition or past management history. (PPS, 2005)</li></ul> <p>In the City of Hamilton, significant woodlands must meet two or more of the following criteria:</p> <table><tr><th>Criterion</th><th>Description</th></tr><tr><td rowspan="7">Size</td><td>All woodlands that meet the minimum size criteria (below) are significant.</td></tr><tr><td>Forest Cover (by planning unit)</td><td>Minimum patch size for significance</td></tr><tr><td>&lt; 5 %</td><td>1 ha.</td></tr><tr><td>5-10 %</td><td>2 ha.</td></tr><tr><td>11-15 %</td><td>4 ha.</td></tr><tr><td>16-20 %</td><td>10 ha.</td></tr><tr><td>21-30 %</td><td>15 ha.</td></tr><tr><td>Interior Forest</td><td>Any woodland with interior forest habitat (defined as 100 metres from edge) is considered significant..</td></tr></table>	Criterion	Description	Size	All woodlands that meet the minimum size criteria (below) are significant.	Forest Cover (by planning unit)	Minimum patch size for significance	< 5 %	1 ha.	5-10 %	2 ha.	11-15 %	4 ha.	16-20 %	10 ha.	21-30 %	15 ha.	Interior Forest	Any woodland with interior forest habitat (defined as 100 metres from edge) is considered significant..	<p><b>Significant Woodland:</b> means an area which is ecologically important in terms of:</p> <ul style="list-style-type: none"><li>a) Features such as species composition, age of trees, stand history;</li><li>b) Functionally important due to its contribution to the broader landscape because of its location, size, or due to the amount of forest cover in the planning area; and</li><li>c) Economically important due to site quality, species composition or past management history. (PPS, 2005)</li></ul> <p>In the City of Hamilton, significant woodlands must meet two or more of the following criteria:</p> <table><tr><th>Criterion</th><th>Description</th></tr><tr><td rowspan="7">Size</td><td>All woodlands that meet the minimum size criteria (below) are significant.</td></tr><tr><td>Forest Cover (by planning unit)</td><td>Minimum patch size for significance</td></tr><tr><td>&lt; 5 %</td><td>1 ha.</td></tr><tr><td>5-10 %</td><td>2 ha.</td></tr><tr><td>11-15 %</td><td>4 ha.</td></tr><tr><td>16-20 %</td><td>10 ha.</td></tr><tr><td>21-30 %</td><td>15 ha.</td></tr><tr><td colspan="2">Woodlands shall meet a minimum average width of 40 metres.</td></tr></table>	Criterion	Description	Size	All woodlands that meet the minimum size criteria (below) are significant.	Forest Cover (by planning unit)	Minimum patch size for significance	< 5 %	1 ha.	5-10 %	2 ha.	11-15 %	4 ha.	16-20 %	10 ha.	21-30 %	15 ha.	Woodlands shall meet a minimum average width of 40 metres.	
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## Appendix 'B' - Additional Staff Recommended Changes

Appendix 'B' to Report LS13010  
Page 6 of 7

Policy Appealed	Existing Policy		Proposed Changes	
	Proximity/Connectivity	Woodlands that are located within 50 metres of a significant natural area (defined as <i>wetlands</i> 0.5 hectares or greater in size, <i>ESAs</i> , <i>PSWs</i> , and <i>Life Science ANS/s</i> ) are significant.	Interior Forest	<del>Any woodland with interior forest habitat (defined as 100 metres from edge) is considered significant.</del> <b>Woodlands that contain interior forest habitat. Interior forest habitat is defined as 100 metres from edge.</b>
	Proximity to Water	Woodlands are considered significant if any portion is within 30 metres of any hydrological feature, including all streams, headwater areas, <i>wetlands</i> , and <i>lakes</i> .	Proximity/Connectivity	Woodlands that are located within 50 metres of a significant natural area (defined as <i>wetlands</i> 0.5 hectares or greater in size, <i>ESAs</i> , <i>PSWs</i> , and <i>Life Science ANS/s</i> ) <del>are significant.</del>
	Age	Woodlands with trees of 100 years or more in age. Age will be determined initially using FRI mapping and can be verified during the EIS.	Proximity to Water	<del>Woodlands are considered significant</del> if <b>where</b> any portion is within 30 metres of any hydrological feature, including all streams, headwater areas, <i>wetlands</i> , and <i>lakes</i> .
	Rare Species	Any woodland containing threatened, endangered, special concern, provincially or locally rare plant or wildlife species.	Age	<del>Woodlands with trees of 100 years or more in age are significant. Age will be determined initially using FRI mapping and can be verified during the EIS.</del> <b>Woodlands with 10 or more native trees/hectare greater than 100 years old.</b>
				Any woodland containing threatened, endangered, special concern, provincially or <b>locally rare</b> plant or <b>wildlife species</b> <del>is significant.</del>

## Appendix 'B' - Additional Staff Recommended Changes

Appendix 'B' to Report LS13010  
Page 7 of 7

Policy Appealed	Existing Policy	Proposed Changes
Glossary		<p>Add the following new definition:</p> <p><b>Locally Rare Species:</b> means species found in the City of Hamilton which have been identified as locally rare in the Hamilton Natural Heritage Database, updated annually. These species are identified based on the rarity thresholds described in the Hamilton Nature Counts Project Reports, as amended from time to time.</p>
Glossary		<p>Add the following new definition:</p> <p><b>Wildlife Habitat:</b> means <u>areas</u> where plants, animals and other organisms live, and find adequate amounts of food, water, shelter, and space needed to sustain their populations. Specific wildlife habitats of concern may include areas where species concentrate at a vulnerable point in their annual or life cycle; and areas which are important to migratory or non-migratory species. (PPS, 2005)</p>



## **GENERAL ISSUES COMMITTEE**

### **REPORT 13-010**

**(approved, as amended, by Council on May 8, 2013)**

**9:30 a.m.**

**Wednesday, May 1, 2013**

**Council Chambers**

**Hamilton City Hall**

**71 Main Street West**

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<b>Present:</b>	Deputy Mayor T. Whitehead (Chair) Mayor R. Bratina Councillors B. Clark, C. Collins, S. Duvall, J. Farr, T. Jackson, B. Johnson, B. McHattie, S. Merulla, B. Morelli, J. Partridge, R. Pasuta, M. Pearson,
<b>Absent with Regrets:</b>	Councillor R. Powers – City Business (AMO) Councillor L. Ferguson – Vacation

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### **THE GENERAL ISSUES COMMITTEE PRESENTS REPORT 13-010 AND RESPECTFULLY RECOMMENDS:**

1. **Hamilton Tax Increment Grant Program (HTIGP) – 407 Wilson Street, Ancaster – HTIGP 13/06 (PED13077) (Ward 12) (Item 5.2)**
  - (a) That the Hamilton Tax Increment Grant Program (HTIGP) application submitted by Glendale Services (Ancaster) Ltd. (Douglas Kloet and Peter Boeringa), owner of the property at 407 Wilson Street East, Ancaster, for a HTIGP grant estimated at \$27,817.45 over a maximum of a five (5) year period and based upon the incremental tax increase attributable to the redevelopment of 407 Wilson Street East, Ancaster, be authorized and approved in accordance with the terms and conditions of the Program;
  - (b) That the Mayor and City Clerk be authorized and directed to execute the Grant Agreement, attached as Appendix “A” to Report PED13077, in a form satisfactory to the City Solicitor.

**2. Conveyance of Temporary Easement to Bell Mobility Inc. – Part of 115 Cole Street, Waterdown (PED13078) (Ward 15) (Item 5.3)**

- (a) That the Real Estate Section of the Economic Development Division of the Planning and Economic Development Department be authorized and directed to convey a temporary easement in accordance with Procedural By-law 04-299, over Block 169, Plan 62M-1125, Town of Flamborough, identified as PIN 17511-0343, (Waterdown Water Tower) described as Parts 2, 3 and 4 on Survey Plan W3693, prepared by J. D. Barnes Limited dated July 12, 2012, covering an area of approximately 272.3 square metres (2,931 square feet) as shown on Appendix “A” attached to Report PED13078;
- (b) That the Real Estate Section of the Economic Development Division of the Planning and Economic Development Department be authorized and directed to convey the temporary easement described in Recommendation (a) of Report PED13078 to Bell Mobility Inc. for the nominal consideration of \$2, exclusive of HST;
- (c) That any applicable HST be collected by the City and credited to Account No. 22828 009000 (HST Payable);
- (d) That the sale proceeds be credited to the Waterdown Reserve Fund Account 108032;
- (e) That the term of the proposed easement run concurrently with the term of the License Agreement between the City and Bell Mobility Inc. approved by Council on March 28, 2012 (Report PED12024), for use of the Waterdown Water Tower as a cell tower location;
- (f) That the Mayor, General Manager of Finance and Corporate Services, and City Clerk be authorized and directed to execute the Offer to Purchase (Temporary Easement) Agreement in a form satisfactory to the City Solicitor.

**3. Consent to Register Trademark (LS13013) (City Wide) (Item 5.4)**

- (a) That the City of Hamilton consent to 0920380 B.C. Ltd. registering their trademarks “LIFE MAID EASY” and “LIFE MAID EASY HOME CLEANING SERVICES” for house cleaning services in the Province of British Columbia with the Trademarks Office;
- (b) That the City Solicitor be authorized and directed to execute, on behalf of the City of Hamilton, all necessary documents to implement subsection (a), in a form satisfactory to the City Solicitor.

**4. Metrolinx – Regional Funding Tools (FCS13002) (City Wide) (Item 7.1)**

- (a) That the Provincial and Federal Governments continue to fund 100% of the cost of the Big Move Metrolinx projects in the manner that the first wave of projects valued at \$16 billion were funded;
- (b) That Report FCS13002 respecting Metrolinx – Regional Funding Tools, be forwarded to Metrolinx, the Premier and the Minister of Finance for consideration in their Big Move Investment Strategy.

**5. Comments respecting Metrolinx Regional Funding Tools (New Business)**

That staff be directed to prepare comments for submission to Metrolinx and the Minister of Finance on the specific regional funding tool proposals to clearly convey the City's concerns, including debt allocation.

The following item was referred back to the General Issues Committee:

**6. Feasibility Study and Business Case for the Development of a Tourism Gateway Centre and Declaration of Surplus Property and Sale of Land – 1400 Baseline Road, Stoney Creek (PED12228) (Ward 11) (Item 8.1)**

That Report PED12228 respecting Feasibility Study and Business Case for the Development of a Tourism Gateway Centre and Declaration of Surplus Property and Sale of Land – 1400 Baseline Road, Stoney Creek, be received.

**7. 2013 Tax Policies and Area Rating (FCS13023) (City Wide) (Item 8.2)**

- (a) That the following optional property classes be continued for the 2013 taxation year:
  - New Multi-Residential
  - Parking Lot and Vacant Land
  - Large Industrial
- (b) That, based on the 2013 final approved tax operating budget, the following final tax ratios be established for the 2013 taxation year:

• Residential	1.0000
• Multi-Residential	2.7400
• New Multi-Residential	1.0000
• Commercial (residual)	1.9800
• Parking Lot & Vacant Land	1.9800

• Industrial (residual)	3.2078
• Large Industrial	3.7615
• Pipeline	1.7367
• Farm	0.1927
• Managed Forest	0.2500

- (c) That the following tax reductions be established for the 2013 taxation year:

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

- (d) That the existing property tax relief deferral program for low-income seniors and disabled persons be continued for the 2013 taxation year;

- (e) That the existing 40% tax rebate for eligible charities and similar organizations be continued for the 2013 taxation year;

- (f) That the existing 30% vacancy rebate for eligible commercial and industrial properties be continued for the 2013 taxation year;

- (g) That the existing 100% tax rebate for Veteran's Clubhouses and Legion Halls be continued for the 2013 taxation year;

- (h) That the existing Seniors' (65+) Tax Rebate Program be continued, with the following criteria updated for the 2013 taxation year:

- (i) **Income threshold (150% of GIS couple)** increased to \$32,832 (\$32,472 in 2012);
- (ii) **Assessment cap (120% of city-wide average)** increased to \$344,200 (\$333,600 in 2012);
- (iii) **Rebate** increased by the CPI index to \$172 (\$170 in 2012);

- (i) That, for the 2013 taxation year, the tax capping percentage for any assessment-related tax increases in the Commercial, Industrial and Multi-Residential property classes be set at the maximum allowable of 10%;

- (j) That, for the 2013 taxation year, any capped property in the Commercial, Industrial and Multi-Residential property classes that is within \$250 of its Current Value Assessment (CVA) taxes in 2013, be moved directly to its full Current Value Assessment (CVA) taxes;
- (k) That, for the 2013 taxation year, the minimum percentage of Current Value Assessment (CVA) taxes for properties eligible for the new construction/new to class treatment be set at 100% of Current Value Assessment (CVA) taxes;
- (l) That for the 2013 taxation year, any property in the Commercial, Industrial and Multi-Residential property class which paid full Current Value Assessment (CVA) taxes in 2012, no longer be eligible for capping protection in 2013 and future years;
- (m) That, for the 2013 taxation year, all properties eligible for a tax reduction under the existing capping program receive the full decrease, funded from the approved capping program operating budget;
- (n) That for the 2013 taxation year, the Area Rated Levies be approved as identified in Appendix "A" attached hereto;
- (o) That the City Solicitor & Corporate Counsel be authorized and directed to prepare all necessary by-laws, for Council approval, for the purposes of establishing the tax policies and tax rates for the 2013 taxation year.

**8. Report 13-003 of the Advisory Committee for Persons with Disabilities – April 9, 2013 (Item 8.3)**

**Transportation Sub-committee - Report March 26, 2013**

That staff be requested to provide a status update on the deficiencies of the McNab Street Terminal (Appendix "B" to Advisory Committee for Persons with Disabilities Report 13-003) and to provide potential remedies to these deficiencies along with projected timeline to the General Issues Committee.

**9. Resolution Urging the Federal Government to Establish a National Department of Peace (Item 9.1)**

WHEREAS during the course of the 20th century, more than 100,000,000 people perished in wars, and continuing into the 21st century, violence seems to be an overarching theme in the world;

AND WHEREAS such conflict is often unquestionably seen as a reflection of the human condition;

AND WHEREAS the citizens of Hamilton have been, and are, adversely affected by war and violence, whether through the personal loss of loved ones, or through the diversion of public resources that could be used to promote and support healthier and more secure lives;

AND WHEREAS the City of Hamilton has declared itself a nuclear weapons-free zone;

AND WHEREAS the City of Hamilton is a member of the international organization Mayors for Peace;

AND WHEREAS the proposed Federal Department of Peace will benefit the City of Hamilton by working to support existing programs and developing new programs to address and reduce the number and frequency of incidents related to domestic violence, child and spousal abuse, school violence, gang violence, gun violence, and hate crimes;

AND WHEREAS promoting a culture of peace has been recognized by the United Nations Educational, Scientific and Cultural Organization (UNESCO) through passage of a resolution declaring an International Decade for a Culture of Peace and Non-Violence for the Children 2001- 2010;

AND WHEREAS it is our collective responsibility to create institutions that foster the development of a culture of peace in our neighbourhoods, city and nation;

AND WHEREAS communities across North America have recently experienced tragic incidents of extreme violence.

Now Therefore Be It Resolved:

- (a) That the City of Hamilton hereby re-affirms its support for legislation to establish a Federal Department of Peace, and urges our members of Parliament to support such legislation;
- (b) That this Department of Peace work collaboratively with the Department of National Defense to reduce violence domestically and promote peace internationally;
- (c) That a copy of this resolution be forwarded to the Federation of Municipalities of Ontario and local Members of Parliament.

**10. Hamilton Waterfront Trust 2013 Capital Funding (Item 9.2)**

That the \$1 million in unallocated West Harbour and Waterfront Initiatives Capital Funding contained within the Council-approved 2013 Tax-Supported Capital Budget (FCS12096) be allocated to the Hamilton Waterfront Trust, subject to the following:

- (a) That the funding be used for the projects contained in Appendix “B” attached hereto;
- (b) That the Hamilton Waterfront Trust provide the City with a detailed transaction listing related to all claims.

**11. Area Rating Special Capital Re-Investment Reserve Funded Projects (Item 9.3)**

- (a) That \$150,000 from Reserve #108058 – Ward 8 Area Rating Special Capital Reinvestment Reserve – be utilized to partially fund the purchase of 220 Cranbrook Drive/20 Gemini Drive (St. Catherine of Siena Catholic Elementary School) and be transferred to Reserve #104090 – Parkland Dedication Fee to facilitate such purchase;
- (b) That \$115,000 from Reserve #108058 – Ward 8 Area Rating Special Capital Reinvestment Reserve – be utilized to fund design work required for the installation of a splash pad at Buchanan Park;
- (c) That \$200,000 from Reserve #108058 – Ward 8 Area Rating Special Capital Reinvestment Reserve – be utilized to fund sidewalk replacement in various locations throughout Ward 8;
- (d) That the operating impacts relating to Buchanan Splash Pad referenced in sub-section (b), amounting to \$6,000 annually when fully implemented, be approved and incorporated into future Tax-Supported Operating Budgets;
- (e) That the General Manager of Public Works be authorized to prepare, advertise and award tenders as required for the above-noted works.

**12. Provincial Funding Cuts – Children’s Aid Society and Catholic Children’s Aid Society (New Business)**

That the City correspond with the Province expressing concern about the impact of funding cuts to the Children’s Aid Society (CAS) and Catholic Children’s Aid Society (CCAS) on the children and citizens of Hamilton.

**FOR THE INFORMATION OF COUNCIL:**

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

The Clerk advised of the following changes:

**ADDED NOTICE OF MOTION**

- (i) Resolution respecting “Request for Balance of Start-up Grant for Locke Street Farmers’ Market” (Added Item 10.2)

**ADDED PRIVATE AND CONFIDENTIAL**

- (ii) Personal Matter about Identifiable Individuals (No Copy) (Added Item 12.4)

The agenda was approved as amended.

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

**Item 4.1/6.3 Presentation by Mrs. Louise Rogers respecting Federal Military Spending Effects on Municipalities**

Councillor B. Johnson declared an interest in this item as she has a family member enlisted in the military.

Councillor R. Pasuta declared an interest in this item as he has a family member enlisted in the military.

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

The Minutes of the General Issues Committee Meeting held on April 17, 2013, were approved as presented.

**(d) DELEGATION REQUEST**

That the delegation request from Mrs. Louise Rogers respecting Federal Military Spending Effects on Municipalities was approved, and the rules of order were suspended in order to allow Mrs. Rogers to address the Committee at today’s meeting.

**(e) CONSENT AGENDA**

**(i) Minutes of Various Sub-Committees**

The March 12, 2013 Minutes of the Advisory Committee for Persons with Disabilities were received.

**(f) PUBLIC HEARINGS/DELEGATIONS**

**(i) Ms. Maria Ahmed, McMaster University, respecting On-Campus Polling Stations at McMaster University and Mohawk College (Item 6.1)**

Maria Ahmed and Ibrahim Kareemi, Political Science students at McMaster, appeared before the Committee to request re-instatement of on-campus polling stations at McMaster University and Mohawk College.

A written submission of their comments (Appendix “C” attached hereto) was submitted to the Clerk for the public record, together with Letters of Support from Andrea Horwath, M.P.P., Hamilton Centre, the McMaster Students’ Union, the Graduate Students’ Association, the Council of Canadians, Hamilton Chapter, and the Hamilton Civic League.

The presentation from Maria Ahmed and Ibrahim Kareemi, McMaster University, respecting On-Campus Polling Stations at McMaster University and Mohawk College, was received.

**(ii) Mrs. Louise Rogers respecting Federal Military Spending Effects on Municipalities (Item 4.1/6.3)**

Louise Rogers appeared before the Committee to express concerns with respect to the federal military spending effects on municipalities and requested the Committee to consider forwarding correspondence to the Prime Minister and the Association of Municipalities of Ontario with the request that military expenditures be reduced in order to help meet critical needs in many municipalities.

A written submission of Mrs. Rogers’ comments (Appendix “D” attached hereto) was submitted to the Clerk for the public record.

The presentation from Louise Rogers respecting Federal Military Spending Effects on Municipalities, was received.

**(iii) Christopher Cutler, on behalf of The Canadian Peace Initiative – Hamilton Chapter, respecting the Concept of a Canadian Department of Peace (Item 6.2)**

Mr. Christopher Cutler, on behalf of The Canadian Peace Initiative – Hamilton Chapter, appeared before the Committee to request Council’s support for the concept of the Department of Peace. In his comments, Mr. Cutler recognized the efforts of countless community citizens toward the cause of peace.

A written copy of Mr. Cutler's comments (Appendix "E" attached hereto) was submitted to the Clerk for the public record.

The presentation from Christopher Cutler, on behalf of The Canadian Peace Initiative – Hamilton Chapter, respecting the Concept of a Canadian Department of Peace, was received.

**(g) PRESENTATIONS**

**(i) Metrolinx – Regional Funding Tools (FCS13002) (City Wide)  
(Item 7.1)**

Mike Zegarac, Acting General Manager of Finance and Corporate Services, provided a PowerPoint presentation respecting "Metrolinx – Regional Funding Tools", and spoke to the following:

- Objectives
- Metrolinx Regional Transportation Plan (RTP)
- Cost of Regional Transportation Plan
- Current Projects
- Next Wave – Proposed Next Wave of Projects
- New Funding Required for Next Wave of Projects
- The RTP Investment Strategy
- Metrolinx – 25 Potential Revenue Tools
- Four Key Principles in Determining Shorter List
- Potential Short List – 7 Big Investment Tools
- Potential Short List – 4 Smaller Investment Tools
- Employer Payroll Tax/Fuel Tax/Highway Tolls
- Parking Space Levy
- Property/Sales Tax
- Vehicle Kilometres Travelled Fee
- Development Charges
- High Occupancy Toll (HOT) Lanes
- Land Value Capture
- Transit Fare Increase
- Other Transportation
- Staff Recommendations

The presentation respecting Metrolinx – Regional Funding Tools, was received.

That the recommendations contained in Report FCS13002 were amended as follows:

- (i) By deleting sub-section (a) in its entirety and replacing it with the following in lieu thereof:

“(a) That the Provincial and Federal Governments continue to fund 100% of the cost of the Big Move Metrolinx projects in the manner that the first wave of projects valued at \$16 billion were funded.”

- (ii) By deleting sub-sections (b), (c) and (d);

- (iii) By amending sub-section (e) to include “the Premier and the Minister of Finance” following the word, “Metrolinx”.

The Amendment CARRIED on the following Standing Recorded Vote:

Yeas:	Bratina, Farr, Morelli, Merulla, Collins, Jackson, Duvall, Whitehead, Partridge, Pasuta, Johnson, Pearson, Clark
Total Yeas:	13
Nays:	McHattie
Total Nays:	1
Absent:	Powers, Ferguson
Total Absent:	2

**(h) DISCUSSION ITEMS**

- (i) Feasibility Study and Business Case for the Development of a Tourism Gateway Centre and Declaration of Surplus Property and Sale of Land – 1400 Baseline Road, Stoney Creek (PED12228) (Ward 11) (Item 8.1)**

The Outstanding Business Item respecting Tourism Gateway Centre was lifted from the table.

Please refer to Item 6 for the disposition of this item.

- (ii) Children’s Aid Society and Catholic Children’s Aid Society – Provincial Government Funding Cuts (New Business)**

The Medical Officer of Health was directed to bring a report to the May 8, 2013 Council meeting outlining the impacts of the provincial funding cuts to the Children’s Aid Society and Catholic Children’s Aid Society and how the City can express concerns to the Province.

**(i) MOTIONS**

**(i) Area Rating Special Capital Re-Investment Reserve Funded Projects (Item 9.3)**

Sub-section (d) was amended to delete the words, “and .33 FTE’s”.

The Amendment CARRIED and the Motion as amended, CARRIED.

**(j) NOTICES OF MOTION**

The following Notices of Motion will be placed on the May 15, 2013 agenda of the General Issues Committee:

**(i) Establishment of a Music Working Group (Item 10.1)**

Whereas, the City of Hamilton is participating in the provincial music industry working group;

And Whereas, the City of Toronto is in the final stages of establishing a music office, branded on “Toronto connects you to a world of music” and “music as the currency of cool”;

And Whereas, Hamilton has a unique and vibrant music scene with clear advantages such as scale and affordability;

And Whereas, it is important that Hamilton establish itself as a key music destination for musicians, music industry players, and music tourists.

Therefore be it resolved:

That the Economic Development Department establish a Hamilton Music Working Group and report back on a Hamilton music strategy and the possibility of establishing a Hamilton Music Office.

**(ii) Request for Balance of Start-up Grant for Locke Street Farmers’ Market (Item 10.2)**

Whereas, the Locke Street Farmers’ Market had requested a \$10,000 start-up grant in May 2011;

And Whereas on May 25, 2011, City Council approved a grant of \$5,000 (Item 5 of General Issues Committee Report 11-013(a)) with a recommendation included that the group come back to City Council for the second \$5,000 once the Market had advanced further;

And Whereas, the Locke Street Farmers' Market has now been in place for two years and is expanding, growing from five vendors in 2012 to eight vendors in 2013.

Therefore Be It Resolved:

That the outstanding balance of the start-up costs in the amount of \$5,000 be approved for the Locke Street Farmers' Market, to be funded from the Economic Development Investment Fund Account No. 3620908900.

**(i) GENERAL INFORMATION/OTHER BUSINESS (Item 11.1)**

**(i) Outstanding Business Items List**

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

Item G: Metrolinx Investment Strategy Consultation and Regional Transportation Funding Option (Item 7.1)

Item FF: Tourism Gateway Centre (Item 8.1)

**(j) PRIVATE & CONFIDENTIAL**

**(i) Closed Session Minutes – April 17, 2013 (Item 12.1)**

The Minutes of the Closed Session Meeting of the General Issues Committee held on April 17, 2013, were approved. These Minutes will remain confidential and restricted from public disclosure.

The Committee move into closed session at 2:32 p.m. pursuant to sub-sections (b), (e) and (f) of the City's Procedural By-law and Section 239(2) of the Municipal Act as the subject matters pertained to:

- (e) litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board;
- (f) the receiving of advice that is subject to solicitor-client privilege, including communications necessary for that purpose,

respecting Canadian Ballet Youth Ensemble (LS13014) (Item 12.2); and,

- (b) personal matters about an identifiable individual(s), including municipal or local board employees,

respecting Performance Review – Senior Management Team (Item 12.3) and On-Going Investigation (Item 12.4)

The Committee reconvened in Open Session at 4:43 p.m.

**(ii) Canadian Ballet Youth Ensemble (LS13014) (Item 12.2)**

No action to be reported.

**(iii) Performance Review – Senior Management Team (Item 12.3)**

This item was deferred to the May 15, 2013 General Issues Committee meeting.

**(iv ) On-going Investigation (Item 12.4)**

No action to report.

**(k) ADJOURNMENT**

There being no further business, the Committee adjourned at 4:47 p.m.

Respectfully submitted

Councillor T. Whitehead  
Deputy Mayor

Carolyn Biggs  
Legislative Co-ordinator  
Office of the City Clerk

## METROLINX - \$16 BILLION - CURRENT PROJECTS UNDERWAY

Wednesday, April 10, 2013

	CONTRIBUTIONS - MILLIONS				
	FEDERAL	PROVINCIAL	MUNICIPAL	REGIONAL	TOTAL
<b>Toronto-York Spadina Subway Extension :</b> Description: 8.6 kms extension of the Yonge-Spadina subway line from Downsview subway station in Toronto to Vaughan Metropolitan Centre	\$697 Building Canada Fund (2007)	\$870	\$526 Toronto	\$352 York	\$2,445
<b>Union Pearson Express:</b> Description: 25 minute express rail service between Union Station to Toronto Pearson Airport	\$0	\$456	\$0	\$0	\$456
<b>York Region vivaNext Rapidways:</b> Description: 41 kms of rapid transit in York Region	\$85	\$1,230	\$0	\$85 York	\$1,400
<b>Eglinton Crosstown LRT:</b> Description: 19 kms of new light rail transit along Eglinton Avenue	\$0	\$4,900	\$0	\$0	\$4,900
<b>Mississauga BRT Project:</b> Description: 18 kms of two-lane, grade-separated road along Highway 403 from Winston Churchill Blvd to Renforth Drive	\$83 Canada Strategic Infra. Fund	\$113 Includes \$48M of GO Transit Investments	\$63 Mississauga	\$0	\$259
<b>Scarborough Rapid Transit Extension:</b> Description: Upgrade and extension of the Scarborough RT along Progress Avenue	\$0	\$1,800	\$0	\$0	\$1,800
<b>Finch West LRT:</b> Description: 11 kms of light rail transit along Finch Avenue	\$0	\$1,000	\$0	\$0	\$1,000
<b>Georgetown South Project:</b> Description: an additional 10 GO trains on the Kitchener Line and 140 shuttles will operate on the new Union Pearson Express.	\$55.3 Infra. Stimulus Fund = \$8.3 Canada Strategic Infra. Fund = \$47	\$1,145	\$0	\$0	\$1,200
<b>Sheppard East LRT:</b> Description: 13 kms of light rail transit along Sheppard Avenue from Don Mills subway station to east of Morningside Avenue	\$333	\$667	\$0	\$0	\$1,000
<b>Union Station - Train Shed Revitalization:</b> Description: train shed roof replaced with glass atrium, replacing the tracks, new stairs and elevators etc.	\$0	\$250 GO Transit Capital Infra. Fund	\$0	\$0	\$250
<b>TOTALS</b>	<b>\$1,253</b>	<b>\$12,431</b>	<b>\$589</b>	<b>\$437</b>	<b>\$14,710</b>
	FEDERAL	PROVINCIAL	MUNICIPAL	REGION	TOTAL

Document Name: 7.1 - FCS13002 Appendix A \$16BILLION PROJECTS UNDERWAY

Document Number: 436699

Document Author: CBIGGS

Document Type: CLK\_LEGISL

Abstract:

Application: MS EXCEL

### **Appendix to Motion - Hamilton Waterfront Trust 2013 Capital Budget**

1. Building Addition Budget increase (Warm-up area and washrooms for rink and restaurant, City Building leased to HWT) – (Original Budget approved in May 2012, \$1.4m)
  - Original Budget estimate didn't factor in complexities re; addition to an angled building, hydro, electrical and construction
  - \$150,000 required (\*Note 1)
2. Ice Rink Lighting
  - Foundations are in place
  - 12 lights in total
  - Aluminum poles 9 m tall
  - \$ 55,000
3. Stage / Ice Rink Sound System
  - Speakers mounted on stage roof
  - Speakers mounted on 6 ice rink light poles
  - System operated from Mechanical Building
  - \$ 40,000
4. Winter Light Display
  - Setup organization (volunteer) to operate/manage winter waterfront light display
  - Increase the number of light displays from 7 in 2008/9
  - Improve infrastructure to facilitate light display
  - \$ 70,000
5. Site Improvements
  - Replace and add new signage
  - Replace & add new site furniture (benches & receptacles)
  - \$ 40,000
6. Parking Area Improvements (City Lands (Adjacent to Parks Canada Building) – Not included in City's 10-year Capital Forecast)
  - Improve gravel parking & garbage area
  - Improve pedestrian access
  - \$ 70,000 (\*Note 2)
7. Engineering Design for Sewage System (Pier 7 & 8)
  - \$ 150,000
8. Construction of Sewage Station and connection to existing Sewers on pier 8 (Phase 1)
  - \$ 425,000
  - (Phase 2 = \$1,075,000, Total both phases = \$1,500,000)
  - Phase 2 to be completed as additional funding becomes available. Currently scheduled for 2014 but can be completed earlier if additional funding (>\$425k) becomes available.

Total \$1,000,000 (Notes 1 & 2 denote additional projects to Appendix D which was received by Council during Capital Budget deliberations on December 11, 2012 (FCS12096))

**Ibrahim:** Respected City members, my name is Ibrahim Kareemi, and I am a Political Science student at McMaster University.

**Maria:** My name is Maria Ahmed and I am also a Political Science student at McMaster University.

**Maria:** We are here today to request the reinstatement of on-campus polling stations at McMaster University and Mohawk College. As a group of McMaster University students in Political Science, we feel that on campus polling stations would allow us to exercise our democratic rights to vote in municipal elections. This is crucial to the development of our political interests as well as our participation in the City of Hamilton.

**Ibrahim:** We are aware of the fact that on-campus polling stations were removed from McMaster University and Mohawk College prior to the 2010 municipal election. Due to the low voter turnout of the 2006 municipal election, the City of Hamilton felt that resources could be better used elsewhere.

**Maria:** It is important to note, however, that there were a total of about 21,000 full-time undergraduate students and about 3,000 part-time undergraduate students enrolled at McMaster University for the 2012/2013 year. Of the total number of students who live on campus, 48 percent of these students are first year students while about 17 percent make up the total undergraduate population living on campus.

**Ibrahim:** While there is the possibility of first year students who are ineligible to vote due to their age, it must be noted that the majority of these students enter university at the age of eighteen. This means that about 83 percent of first year students are eligible to vote on-campus which is quite high considering the fact that the majority of students living on-campus are first year students.

**Maria:** McMaster University Residence Life excels at mobilizing first year students living on campus to participate in various events and activities. This could easily translate into increasing voter turnout for the upcoming municipal election in 2014, as the Residence Life Coordinator has promised to encourage on-campus students to vote while stressing the ease of voting on-campus. Having students participate in municipal elections early in their undergraduate career would encourage habitual participation for future elections.

**Ibrahim:** One of the most beneficial outcomes of increasing political participation amongst McMaster and Mohawk students would be fostering a stronger relationship between the City of Hamilton and our institutions of learning. If McMaster University and Mohawk College students feel that the city is investing its time and resources to their educational experience, they may be more inclined to permanently reside in Hamilton and contribute to the growth of the city as well as the university.

**Maria:** We have already gained support from the Dean of Students at McMaster University with respect to reinstating on-campus polling stations and he also believes that the Residence Life Team and McMaster Students Union can increase the voter turnout rate for the next municipal election. Already, the McMaster Students Union has excelled at increasing the voter turnout rate for the most recent Federal election by mobilizing 700 McMaster University students to vote. We believe that the same method can be used to mobilize voters and increase the voter turnout rate for the municipal elections.

**Ibrahim:** We have also received support for the reinstatement of on-campus polling stations from NDP Leader, Andrea Horwath, the Council for Canadians, and the McMaster Graduate Students Association. Furthermore, in the case that on campus polling stations are reinstated for the October 2014 election, the Hamilton Liberal riding has also expressed interest in supporting the mobilization of students to vote on-campus. Please refer to the portfolio that we have provided which includes the signed letters of support from the various key stakeholders.

**Maria:** Overall, we are aware of the legal implications surrounding the subject of special polling stations on campus at McMaster University and Mohawk College. At the same time, however, we have concluded that there is a necessity for reinstating these polling stations on campus in order to promote political engagement among young voters. Voter turnout can definitely be increased through support from the various stakeholders previously mentioned and on-campus polling stations would prove to be an asset for students' political participation.

**Ibrahim:** The City of Hamilton has the power to show students that there are opportunities to become active community members and more involved within the city's political sphere. We appreciate your time and attention to this issue and encourage you to reconsider reinstating polling stations on campus at McMaster University and Mohawk College for the next municipal election in October 2014.

DRAFT

Good morning, Chair and Members of Committee:

I'm here with the support of other peace groups, including the UN Culture of Peace, Hamilton and the Department of Peace Initiative.

There have been two date changes and a change of actual committee I to whom I would present since I first approached City Hall to speak on a subject I care very much about.

Had the April 15th meeting of the Emergency & Community Services Committee not been cancelled, I would have begun by saying "Today is GDAMS day--that is, Global Day of Action on Military Spending." You may, or may not, have heard something about this day of action from the media. On April 15 the Stockholm International Peace Research Institute, or SIPRI, brought out its figures for 2012 for worldwide military spending (\$1.75 trillion) and gave a breakdown for each country. According to SIPRI Canada's figures for 2012 totalled \$22.5 billion dollars., no small sum for a country that doesn't have an enemy in sight! Canada is listed in the top 15 biggest military spenders.

The backprinted handout attached to your agenda shows an obscenely higher dollar figure and percentage spent on the Canadian military compared to amounts spent on administrative and life-enhancing areas such as health, the environment and agriculture, areas which affect, obviously, even us Hamiltonians. You will notice that the figures from Public Accounts of Canada corroborates SIPRI's figures for 2012 and the minuscule amount spent on the environment. I personally feel enraged to learn, for example, of the lack of clean drinking water on our local Six Nations Reserve, when the military establishment is so flush with cash.

Back to Global Day of Action on Military Spending: Since Hamilton was declared a Nuclear Weapons Free Zone 30 years ago this month, and Mayor Morrow officially announced August 6 and 9, yearly, to be Hiroshima and Nagasaki Days in Hamilton, and since Hamilton has joined Mayors for Peace--whose numbers currently stand at

over 5,000 cities, it seemed appropriate to bring the yearly Global Day of Action on Military Spending to your notice.

Some people say that mentioning military expenditures to a municipal body is out of sync with the way things work in Canada. However, funding is handed down from Federal to Provincial to municipal levels and currently the total sum is nowhere near sufficient to meet Hamilton's needs, is it?

The Department of National Defence has estimated 2012-13 military expenditures at \$21.1 billion. However, the Federal government plans to spend, over the next 20 years, some \$475 billion for new equipment, according to something called *Canada First Defence Strategy*.

With this scenario, it doesn't look like municipalities are going to get sufficient funding any time soon.

Would this committee consider asking the Association of Municipalities Ontario write a letter to our Prime Minister requesting that military expenditures be reduced--you state by what amount-- in order to help meet critical needs in many municipalities? If the letter goes and the government does not respond, perhaps councillors would join a GDAMS protest in April next year.

Thank you.

## **Remarks to the General Issues Committee of Wednesday May 1, 2013**

I appreciate this opportunity to speak this morning to Council at today's General Issues Committee.

*I appear before you wearing an altogether hat than perhaps you are used to seeing or hearing me and I hope you will receive me in that spirit.*

I speak to you today as the Chair of the Hamilton Chapter of the Canadian Peace Initiative. I had the distinct honour of having been elected as co-chair of the national board of directors of the Canadian Peace Initiative at our National AGM last November in Ottawa. I am a recipient of the YMCA peace medal and the Gandhi Peace Festival Community Service Award. And I am a Quaker by conviction, one of the four historic peace churches

And I assure you that my efforts pale in comparison to the contributions of many Hamiltonians in the cause of peace. Many of you may know that the City of Hamilton is known as a centre of peace activism right across this country.

I think of the contributions of Joy and Gary Warner, of Dr. Rama Singh and Khursheed Ahmed and the Canada-India Society and their role in making Hamilton's Annual Gandhi peace festival held in the forecourt of this building every year on the anniversary of Gandhi's birth perhaps the most significant event of its kind in Canada. I think of Dr. Dick Preston a Korean War veteran and a giant both literally and figuratively in this City's peace movement. I think of Gail Rappolt who has shepherded the Culture of Peace movement in this city for more than a decade now. Dr. Anne Pearson at McMaster University and prominent in interfaith efforts who is the grand-daughter of Lester B Pearson our former Prime Minister and recipient of the Nobel Peace Prize. Indeed Pearson completed his Grade 13 here in our city.

Every year we mark solemnly the dropping of the atomic bomb on Nagasaki in this very chamber.

I think of Dr. Graeme McQueen who was a founder of the McMaster Peace Studies program and the Peace through Health program that preceded our troops

into Afghanistan by a couple of decades and of Dr. Mark Vorobej a successor as Program Director there. And of course of 92 year old Ray Cunningham, here in the gallery today who is still writing op-eds on peace in the Hamilton Spectator. I think you grasp the picture

I think of your generous support as a council and as individuals of the Strengthening Hamilton Community Initiative, a bold and creative response by Hamilton to the aftermath of 9-11 and in particular the burning of the Hindu temple in our city. Your continued support as council of the Hamilton Centre for Civic Inclusion (HCCI) bears witness to your collective and individual resolve to support and promote peace, harmony and understanding in our community.

The Department of Peace Bill, C-373, passed First reading in the House of Commons, November 30, 2011, moved by Alex Atamanenko (NDP), seconded by Elizabeth May (Green Party) and Jim Karygiannis (Liberal).

The previous Department of Peace Bill, C-447, passed First reading in the House of Commons, September 30, 2009, moved by Bill Siksay (NDP) and seconded by Jim Karygiannis (Liberal).

The CDPI is committed to the establishment of a Cabinet-level Minister of Peace and Department of Peace within the Government of Canada, as well as other peace building activities within the federal government. In support of this initiative, there are now chapters in most major cities across Canada, and the endorsement of many prominent individuals, including two of Canada's foremost peace builders, the Hon. Lloyd Axworthy and the Hon. Doug Roche. More than 30 peace and justice organizations in civil society have endorsed the CDPI, representing a million Canadians.

We are also part of a growing international movement for departments of peace, the Global Alliance for Ministries and Departments of Peace, [www.mfp-dop.org](http://www.mfp-dop.org), numbering more than 35 countries.

Nepal has declared a Minister of Peace and Reconstruction in 2007 and Costa Rica declared a Minister of Justice and Peace, September, 2009.

The mandate envisioned for the Minister of Peace is to reinvigorate Canada's role as a peacekeeper and peace builder as follows:

Develop early detection and rapid response processes to deal with emerging conflicts and establish systemic responses to post-conflict demobilization, reconciliation and reconstruction.

Lead internationally to abolish nuclear, biological, chemical weapons, to reduce conventional weapon arsenals and to ban the weaponization of space

Implement the UN Declaration and Programme of Action on a Culture of Peace (1999) to safeguard human rights and enhance the security of persons and their communities

Implement UN Resolution 1325 on the key role played by women in the wide spectrum of peace building work

Establish a Civilian Peace Service that, with other training organizations, will recruit, train and accredit peace professionals and volunteers to work at home and abroad, as an alternative to armed intervention

Address issues of violence in Canada by promoting nonviolent approaches that encourage community involvement and responsibility such as Restorative Justice, Nonviolent Communication (NVC) and Alternate Dispute Resolution (ADR)

Support the development of peace education at all levels including post-secondary peace and conflict studies

Promote the transition from a war-based to a peace-based economy.

We are dedicated to generating the political will for this initiative by reaching out, not only to politicians, but to the broad spectrum of our citizens including peace and justice organizations, faith communities, artists, choirs, healthcare professionals, teachers, service clubs, cultural communities and businesses. Eight chapters presently exist in Victoria, Vancouver, Calgary, London, Hamilton, Toronto, Ottawa and Montréal. Canada is a founding member of the Global

Alliance for Ministries and Departments of Peace [www.mfp-dop.org](http://www.mfp-dop.org) of over 30 countries promoting departments **of peace**.

So now we ask you to vote once again to support peace and to do so for by supporting the concept of a department of peace.

A municipal strategy involving communities across Canada and eventually the Federation of Canadian Municipalities (FCM), moving motions similar to this is an important part of mobilizing a broad cross section of Canadians in the cause of peace through the concept of a Canadian Department of Peace

**Living free from the threat of armed violence is a basic human need. It is a precondition for human development, dignity and well-being. Providing for the human security of their citizens is a core responsibility of governments.**

**— The Geneva Declaration on Armed Violence and Development, 2007**



## PUBLIC WORKS COMMITTEE

### REPORT 13-005

9:30 a.m.

Monday, April 22, 2013

Council Chambers

Hamilton City Hall

71 Main Street West

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

**Also in Attendance:** Councillor B. Clark

**Absent with Regrets:** Councillor R. Pasuta – City Business  
Councillor B. McHattie – Personal

### THE PUBLIC WORKS COMMITTEE PRESENTS REPORT 13-005 AND RESPECTFULLY RECOMMENDS:

#### 1. Intersection Control List (PW13001)(Wards 8, 11 & 15) (Item 5.4)

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

Intersection			Stop Direction		Class	Location/ Comments/ Petition	Ward
Street 1		Street 2	Existing	Requested			
a	Gunby Blvd.	Painter Terrace	NC	EB	A	N. of Parkside Dr., E. of Hwy 6	15
b	Lupo Dr.	Fellowes Cres.	NC	NB	A	S. of Parkside Dr., E. of Centre Rd.	15
c	Lupo Dr.	Spring Creek Dr.	NC	EB	B	S. of Parkside Dr., E. of Centre Rd.	15
d	Mosaic Dr.	Parkside Dr.	NC	SB	C	N. of Parkside Dr., E. of Hwy 6	15
e	Painter Terrace	Mosaic Dr.	NC	WB	B	N. of Parkside Dr., E. of Hwy 6	15
f	Painter Terrace	Springview Dr.	NC	NB	B	N. of Parkside Dr., E. of Hwy 6	15
g	Springview Dr.	Painter Terrace	NC	NB	B	N. of Parkside Dr., E. of Hwy 6	15
h	Springview Dr.	Mosaic Dr.	NC	WB	B	N. of Parkside Dr., E. of Hwy 6	15
i	Alden St.	Keystone Cres.	NC	WB	A	S. of Rymal Rd., E. of Fletcher Rd.	11

	<i>Intersection</i>		<i>Stop Direction</i>		<i>Class</i>	<i>Location/ Comments/ Petition</i>	<i>Ward</i>
	<i>Street 1</i>	<i>Street 2</i>	<i>Existing</i>	<i>Requested</i>			
j	Bellagio Ave.	Fletcher Rd.	NC	WB	C	S. of Rymal Rd., E. of Fletcher Rd.	11
k	Boulder Cres. (E.Leg)	Bellagio Ave.	NC	SB	B	S. of Rymal Rd., E. of Fletcher Rd.	11
l	Boulder Cres. (W.Leg)	Bellagio Ave.	NC	SB	B	S. of Rymal Rd., E. of Fletcher Rd.	11
m	Celestial Cres. (E.Leg)	Bellagio Ave.	NC	SB	B	S. of Rymal Rd., E. of Fletcher Rd.	11
n	Celestial Cres. (W.Leg)	Bellagio Ave.	NC	SB	B	S. of Rymal Rd., E. of Fletcher Rd.	11
o	Charleswood Cres. (E.Leg)	Bellagio Ave.	NC	SB	B	S. of Rymal Rd., E. of Fletcher Rd.	11
p	Charleswood Cres. (W.Leg)	Bellagio Ave.	NC	SB	B	S. of Rymal Rd., E. of Fletcher Rd.	11
q	Keystone Cres.	Bellagio Ave.	NC	NB	B	S. of Rymal Rd., E. of Fletcher Rd.	11
r	Davinci Blvd.	Medici Ln.	NC	SB	B	S. of Rymal Rd., W. of Garth St.	8
s	Madonna Dr.	Garth St.	NC	EB	C	S. of Rymal Rd., W. of Garth St.	8
t	Madonna Dr.	Medici Ln.	NC	WB	B	S. of Rymal Rd., W. of Garth St.	8
u	Medici Ln.	Davinci Blvd.	NC	EB	B	S. of Rymal Rd., W. of Garth St.	8
v	Waterbridge St. (E.Leg)	Penny Ln.	NC	NB	A	S. of Mud St., W of Hwy 56	11
w	Waterbridge St. (W.Leg)	Penny Ln.	NC	WB	A	S. of Mud St., W of Hwy 56	11
x	Weathering Heights	Bellroyal Cres.	NC	NB	B	S. of Mud St., W of Hwy 56	11
y	Weathering Heights	Bellroyal Cres.	NC	SB	B	S. of Mud St., W of Hwy 56	11

**2. Through Street Identifications (PW13031/PED13076)(City Wide)(Item 5.4)**

That Report PW13031/PED13076 respecting Through Street Identifications be received.

**3. ROPA9 Transportation Master Plan Review (PW13032) (Wards 6, 9 & 11) (Item 8.1)**

- (a) That the ROPA9 Transportation Master Plan Review recommendations and projects listed in Table 1 of report PW13032 be approved;
- (b) That the General Manager, Public Works Department, be authorized and directed to file the "ROPA9 Transportation Master Plan Review" report for public review for a minimum period of thirty (30) days.
- (c) (i) That Public Works and Planning & Economic Development staff be directed to stage, implement and fund the following projects, included in *ROPA9 Transportation Master Plan Review (2013)*, with funds advanced from Capital Project Account No. (s) 4030980986 and 4030980984 (not to exceed the estimated costs):

1. Closure of Upper Mount Albion Road at Rymal Road at an estimated cost of \$81,000;
  2. Provision of a temporary traffic control signal at the intersection of Pritchard Road and Rymal Road at an estimated cost of \$79,000;
    - (aa) That staff be required to consult with the Ward Councillor prior to removal of the temporary control signal at Pritchard Road and Rymal Road.
  3. Provision of a paved shoulder along west side of Pritchard Road between trail and Stone Church Road and associated storm drainage works at an estimated cost of \$101,500;
  4. Provide an asphalt overlay on Pritchard Road at an estimated cost of \$106,200;
  5. Provision of permanent speed cushion on Second Road West, north of Rymal Road at an estimated cost of \$10,400.
- (ii) That the General Manager of Public Works be authorized and directed to single source any and all works noted in the above subsections 1 through 5 in order to complete the works within the required time frame.
- (iii) That funds advanced from Capital projects Accounts for the implementation of measures identified in the above subsections 1 through 5, be replaced in 2014 to accommodate previously approved Capital Works projects.
- (d) That the following permanent projects, recommended in *ROPA9 Transportation Master Plan Review*, be approved and staff be directed to schedule funding of the projects in an appropriate future Capital Budget:
- (i) Construct sidewalks along Second Road west, where required, at an estimated cost of \$76,000;
  - (ii) Reconfigure lane markings on Highland Road to provide on-road bicycle lanes between Winterberry Drive and Upper Centennial Parkway, at an estimated cost of \$97,000;
  - (iii) Provide sidewalks along the south side of Highland Road, where required for connectivity at an estimated cost of \$142,000.

**4. Shaver Trail Property Ownership (City Wide) (Item 9.1)**

- (a) That legal staff be directed to initiate proceedings to have the section of land, between the new parkland on Brooking Court to the existing subdivision on Tollgate Drive called Part of Lot 38, Concession 3, vested to the City of Hamilton on the following grounds:
  - (i) There have been no property taxes paid on the subject land;
  - (ii) Extensive searches have located no next of kin from whom to purchase the property;
  - (iii) The City of Hamilton requires the property for the project, that will serve the greater public good (creation of the pedestrian connection);
- (b) That legal costs associated with pursuing the vested ownership of the property be funded from Account # 4401256126.

**5. Installation of a Stop Control Park Street South and Bold Street (Added Item 10.2 & 9.3)**

- (a) That a two-way stop control be implemented at Park Street South and Bold Street in the Durand Neighbourhood;
- (b) That the appropriate amending By-law be passed.

**6. Installation of an All-way Stop Control Ferguson Avenue North and Kelly Street (Added Item 10.3)**

- (a) That an All-way stop be installed at the Intersection of Ferguson Avenue North and Kelly Street;
- (b) That the appropriate amending By-law be passed.

**FOR THE INFORMATION OF COUNCIL:**

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

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

- (i) Delegation Request from Taura Carosico respecting agenda item 8.1 ROPA9 Transportation Master Plan Review (item 4.1)
- (ii) Delegation Request from Margaret Reid respecting agenda item 8.1 ROPA9 Transportation Master Plan Review (item 4.2)
- (iii) That Item 8.1 on the agenda respecting the ROPA9 Transportation Master Plan Review, be moved up in the agenda to be heard prior to Presentations out of consideration for those in attendance.

The April 22, 2013 Public Works Committee Agenda was approved, as amended.

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

There were no declarations of interest.

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

**(i) April 8, 2013 (Item 3.1)**

The Minutes of the April 8, 2013 Public Works Committee meeting were approved as presented.

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

**(i) Delegation Request from Taura Carosico respecting agenda item 8.1 ROPA9 Transportation Master Plan Review (item 4.1)**

The Delegation Request from Taura Carosico, respecting agenda item 8.1 ROPA9 Transportation Master Plan Review, was approved to be heard today.

**(ii) Delegation Request from Margaret Reid respecting agenda item 8.1 ROPA9 Transportation Master Plan Review (item 4.2)**

The Delegation Request from Margaret Reid, respecting agenda item 8.1 ROPA9 Transportation Master Plan Review, was approved to be heard today.

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

**(i) Minutes of Various Sub-Committee (FOR INFORMATION PURPOSES ONLY) (Item 5.1)**

The following Advisory and Sub-committee Minutes were received for information:

- (a) Clean City Liaison Committee – February 19, 2013 (Item 5.1.1)

**(ii) Lake Erie Source Water Protection Committee (Item 5.2)**

The following Minutes of the Lake Erie Source Water Protection Committee were received for information:

- (a) November 1, 2012  
(b) December 6, 2012

**(iii) Halton-Hamilton Source Protection Committee – September 11, 2012 (Item 5.3)**

The Minutes of the September 11, 2012 meeting of the Halton-Hamilton Source Protection Committee, were received for information.

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

**(i) Delegation Request from Taura Carosico respecting agenda item 8.1 ROPA9 Transportation Master Plan Review (item 4.1)**

Tara Carosico addressed the Committee and read from a letter she prepared. A copy of the letter has been included in the Official Record.

The presentation from Taura Carosico respecting agenda item 8.1 ROPA9 Transportation Master Plan Review, and the attached letter of correspondence were received.

**(ii) Delegation Request from Margaret Reid respecting agenda item 8.1 ROPA9 Transportation Master Plan Review (item 4.2)**

Margaret Ried addressed the Committee and spoke in favour of the closure of Upper Mount Albion Road.

The presentation from Margaret Reid respecting agenda item 8.1 ROPA9 Transportation Master Plan Review, was received.

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

**(i) Summer Roads Program (No Copy)**

Darrell Smith, Manager, Roads & Maintenance, addressed the Committee with the aid of a Powerpoint presentation. A copy of the presentation, respecting Road Maintenance Services Overview, has been included in the official record.

On a Motion staff were directed to investigate the feasibility of increased street sweeping in industrial and the surrounding residential areas and report back to the Public Works Committee.

The presentation respecting the Summer Roads Program, was received.

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

**(i) ROPA9 Transportation Master Plan Review (PW13032) (Wards 6, 9 & 11) (item 8.1)**

Report PW13032 was amended through the addition of sub-sections (c) and (d) to read as follows:

- (c) Whereas the City of Hamilton completed a ROPA9 Transportation Master Plan in 2006 with a number of recommendations to address transportation needs as a result of continued growth in population and employment and changing travel patterns; and

Whereas recommendations from the 2006 Transportation Master Plan for improvements to the transportation network in the ROPA9 area have not been completely implemented; and

Whereas the land use plans for the Trinity East lands (lands east of Eramosa Karst) has changed; and

Whereas the City of Hamilton has undertaken a ROPA9 Transportation Master Plan Review, of the 2006 ROPA9 Transportation Master Plan to determine the status of the 2006 Transportation Master Plan and recommend updates to the plan as required; and

Whereas that in order to successfully implement recommendations from the *ROPA9 Transportation Master Plan Review (2013)* funds are required to be advanced from the 2014 Capital budgets.

Therefore be it resolved that:

- (i) Public Works and Planning & Economic Development staff be directed to stage, implement and fund the following projects, included in *ROPA9 Transportation Master Plan Review* (2013), with funds advanced from Capital Project Account No. (s) 4030980986 and 4030980984 (not to exceed the estimated costs):
  - 1. Closure of Upper Mount Albion Road at Rymal Road at an estimated cost of \$81,000;
  - 2. Provision of a temporary traffic control signal at the intersection of Pritchard Road and Rymal Road at an estimated cost of \$79,000;
  - 3. Provision of a paved shoulder along west side of Pritchard Road between trail and Stone Church Road and associated storm drainage works at an estimated cost of \$101,500;
  - 4. Provide an asphalt overlay on Pritchard Road, where needed, at an estimated cost of \$106,200;
  - 5. Provision of permanent speed cushion on Second Road West, north of Rymal Road at an estimated cost of \$10,400.
- (ii) That the General Manager of Public Works be authorized and directed to single source any and all works noted in the above subsections 1 through 5 in order to complete the works within the required time frame.
- (iii) That funds advanced from Capital projects Accounts for the implementation of measures identified in the above subsections 1 through 5, be replaced in 2014 to accommodate previously approved Capital Works projects.
- (d) That the following permanent projects, recommended in *ROPA9 Transportation Master Plan Review*, be approved and staff be directed to schedule funding of the projects in an appropriate future Capital Budget:
  - (i) Construct sidewalks along Second Road west, where required, at an estimated cost of \$76,000;

- (ii) Reconfigure lane markings on Highland Road to provide on-road bicycle lanes between Winterberry Drive and Upper Centennial Parkway, at an estimated cost of \$97,000;
- (iii) Provide sidewalks along the south side of Highland Road, where required for connectivity at an estimated cost of \$142,000.

Sub-section (c)(i)(2) was amended through the addition of a subsection (aa) to read as follows:

- (aa) That staff be required to consult with the Ward Councillor prior to removal of the temporary control signal at Pritchard Road and Rymal Road.

Sub-section (c)(i)(4) was amended through the deletion of the words "where needed" to read as follows:

- (4) Provide an asphalt overlay on Pritchard Road at an estimated cost of \$106,200

On a Motion staff were directed to investigate and Report back to the Public Works Committee with proposed methods for encouraging all City staff to proactively report on Public Works issues, such as litter, graffiti and road conditions, and to include within these considerations the introduction of an incentive program to reward those staff that regularly draw attention to issues outside of their area of oversight.

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

**(i) Shaver Trail Property Ownership (City Wide) (Item 9.1)**

For disposition on this Item refer to Item 4.

**(ii) Synergies between infrastructure Development and New School Openings (Added Item 10.1 & 9.2)**

- (a) Staff were directed to Report back to the Public Works Committee with:
  - (i) An investigation that assesses the contributing factors that create a lack of synergy and coordination between the development of City infrastructure and the opening of new schools;

- (ii) A proposed plan of action to prevent future scenarios where a school opens without adequate City infrastructure in place.
- (b) That a copy of the Motion be forwarded to the Joint City of Hamilton School Board Liaison Committee for information.

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

Councillor Merulla introduced the following Notice of Motion

**(i) Synergies between infrastructure Development and New School Openings (Added Item 10.1)**

- (a) That staff be directed to Report back to the Public Works Committee with:
  - (i) An investigation that assesses the contributing factors that create a lack of synergy and coordination between the development of City infrastructure and the opening of new schools;
  - (ii) A proposed plan of action to prevent future scenarios where a school opens without adequate City infrastructure in place.
- (b) That a copy of the Motion be forwarded to the Joint City of Hamilton School Board Liaison Committee for information.

The rules of order were waived to allow for the introduction of a Motion respecting synergies between infrastructure development and new school openings.

For disposition on this matter refer to Information Item (i)(ii)

Councillor Collins introduced the following Notice of Motion

**(ii) Installation of a Stop Control Park Street South and Bold Street (Added Item 10.2)**

Whereas the seniors of 155 Martinique have raised concerns that the crossing at Park Street South and Bold Street has become unsafe and cumbersome over time,

Therefore be it Resolved,

- (a) That a two-way stop be implemented at Park Street South and Bold Street in the Durand Neighbourhood;
- (b) That the appropriate amending By-law be passed.

The rules of order were waived to allow for the introduction of a Motion respecting the Installation of a Stop Control Park Street South and Bold Street.

For disposition on this matter refer to Item 5.

Councillor Whitehead introduced the following Notice of Motion

**(iii) Installation of an All-way Stop Control Ferguson Avenue North and Kelly Street (Added Item 10.3)**

- (a) That an All-way stop be installed at the Intersection of Ferguson Avenue North and Kelly Street;
- (b) That the appropriate amending By-law be passed.

The rules of order were waved to allow for the introduction of a Motion respecting the Installation of an All-way Stop Control Ferguson Avenue North and Kelly Street.

For disposition on this matter refer to Item 6.

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

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

- (a) Item Requiring Approval For Removal

The following item was approved for removal from the Outstanding Business List:

Item G – Improved Identification of Through Streets

- (b) Items Requiring Revised Due Dates:

The following Due Dates were revised:

Item D - Region of Halton Discussions for Processing of Source Separated Organics

Due Date: April 22, 2013

Revised Due Date: May 16, 2013

Item E - Correspondence Central Neighbourhood Association

Due Date: June 3, 2013

Revised Due Date: September 16, 2013

**(I) ADJOURNMENT (Item 13)**

There being no further business, the Public Works Committee adjourned at 11:48 a.m.

Respectfully submitted,

Councillor L. Ferguson Chair  
Public Works Committee

Andy Grozelle  
Legislative Coordinator  
Office of the City Clerk



**BOARD OF HEALTH  
REPORT 13-003  
1:30 p.m.  
Monday, April 22, 2013  
Council Chambers  
Hamilton City Hall**

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Present: Mayor B. Bratina, Chair  
Councillors B. McHattie, J. Farr, B. Morelli, S. Merulla, C. Collins,  
T. Jackson, S. Duvall, T. Whitehead, L. Ferguson, and J. Partridge

Absent with  
regrets: Councillor B. Clark – Personal Business  
Councillor B. Johnson – City Business  
Councillor R. Pasuta – Personal Business  
Councillor M. Pearson – Personal Business  
Councillor R. Powers – City Business

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**THE BOARD OF HEALTH PRESENTS REPORT 13-003 AND RESPECTFULLY  
RECOMMENDS:**

**1. 2013 West Nile Virus Program (BOH13017) (City Wide) (Item 5.1)**

That Report BOH13017, respecting 2013 West Nile Virus Program, be received.

**2. Child and Adolescent Services Budget (BOH13018) (City Wide) (Item 5.2)**

That the 2013-14 Child and Adolescent Services budget which is 100% funded by the Ministry of Children and Youth Services, the Youth Justice Sector and the Ministry of the Attorney General, as outlined in the report BOH13018.

**3. Community Food Security Stakeholders Sub-Committee – Minutes –  
February 6, 2013 (Item 5.3)**

That the minutes of the Community Food Security Stakeholders Sub-Committee dated February 6, 2013, be received.

**4. Oral Health Report (BOH13015) (City Wide) (Item 7.1)**

That Report BOH13015, respecting Oral Health, be received.

**5. Hamilton Central Health Link (BOH13016) (City Wide)(Item 8.1)**

That Report BOH13016, respecting Hamilton Central Health Link, be received.

**6. Correspondence (Item 11.1)**

- (a) Correspondence from the Ministry of Health and Long-Term Care respecting additional one-time funding for the 2012-13 funding year to support projects related to the delivery of mandatory and/or related public health programs.**

Recommendation: Be received

- (b) Correspondence from the Ministry of Health and Long-Term Care respecting the Healthy Babies Healthy Children program.**

Recommendation: Be received

- (c) Correspondence from the Ministry of Health and Long-Term Care respecting an Update on Performance Management Initiatives.**

Recommendation: Be received

- (d) Correspondence from Hastings & Prince Edward Counties Board of Health requesting funding to support free nicotine therapy (NRT) at smoking programs offered by boards of health.**

Recommendation: Be endorsed

- (e) Correspondence from the City of Ottawa Board of Health to the Honourable Deb Matthews and the Honourable Teresa Piruzz, respecting the Healthy Kids Panel report: No Time to Wait: The Healthy Kids Strategy.**

Recommendation: Be received

**FOR THE INFORMATION OF COUNCIL:****(a) CHANGES TO THE AGENDA (Item 1)**

The agenda was approved as presented.

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

None

**(c) MINUTES (Item 3)****(i) March 18, 2013 (Item 3.1)**

The minutes from the March 18, 2013 Board of Health meeting, were approved.

**(d) PRESENTATION (Item 7)****(i) Oral Health Report (BOH13015) (City Wide) (Item 7.1)**

Glenda McArthur, Director, Clinical & Preventive Services, presented to the Committee respecting Oral Health. A copy of the presentation was retained by the Clerk.

Ms. McArthur spoke to the importance of oral health and factors that lead to good oral health, among peoples of all ages. The presentation also touched upon dental programs that are offered by the province and City of Hamilton.

The presentation respecting the Oral Health Report, was received.

**(e) DISCUSSION ITEMS (Item 8)****(i) Hamilton Central Health Link (BOH13016) (City Wide) (Item 8.1)**

The Board discussed the objectives of the program, and the plan set out to administer and coordinate care plans for patients along with the sharing of information between health organizations.

Please refer to item 5 for disposition.

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

The Board of Health meeting adjourned at 3:25 p.m.

Respectfully submitted,

Mayor R. Bratina  
Chair, Board of Health

Christopher Newman  
Legislative Coordinator