



## CITY COUNCIL MINUTES 18-006

5:00 p.m.  
Wednesday, April 11, 2018  
Council Chamber  
Hamilton City Hall  
71 Main Street West

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

**Absent with  
Regrets:** D. Conley - Medical

Mayor Eisenberger called the meeting to order and recognized that Council is meeting on the traditional territories of the Mississauga and Haudenosaunee nations, and within the lands protected by the “Dish with One Spoon” Wampum Agreement.

The Mayor called upon Dr. Nadia Rosa a Hamilton Jewish Foundation Holocaust Survivor, to provide the invocation. Dr. Rosa spoke about the importance of remembering the tragic events and those that lost their lives during the Holocaust.

The Mayor called for a moment of silence to remember the victims of the Rwandan Genocide, as April 7<sup>th</sup> marked the somber anniversary where an estimated one million Rwandans were slaughtered.

Councillor Whitehead spoke to the Humboldt tragedy and gave his condolences to all those affected by the loss.

Councillor Jackson also addressed Committee about the anniversary of the Armenian Genocide on April 24<sup>th</sup>, which is also known as the Armenian Holocaust.

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

### 1. **CORRESPONDENCE (Item 5)**

- 5.4 Correspondence from Conservation Halton respecting the 2018 Budget Municipal Funding Apportionment

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

- 5.5 Correspondence from the Hamilton Beach Community Council respecting Zoning By-law 05-200 (PED18064)

Recommendation: Be received and referred to the consideration of Item 6 of the Planning Committee Report 18-005.

- 5.6 Correspondence from Gabriel Nicholson respecting Item 8 of the Audit, Finance and Administration Committee Report 18-004.

Recommendation: Be received and referred to the consideration of Item 8 of the Audit, Finance and Administration Committee Report 18-004.

## **2. MOTIONS (Item 7)**

- 7.4 CityHousing Development Strategy - WITHDRAWN

## **3. NOTICES OF MOTION (Item 8)**

- 8.2 Renovations at 430 Cumberland Avenue, Hamilton
- 8.3 Hamilton Specialty Bar Tax Program
- 8.4 Sidewalk and Mountable Curb Repairs (Ward 8)

**(Green/A. Johnson)**

That the agenda for the April 11, 2018 meeting of Council be approved, as amended.

**CARRIED**

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

<b>APPROVAL OF MINUTES OF PREVIOUS MEETING</b>
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- 4.1 March 28, 2018

**(Ferguson/Pearson)**

That the Minutes of the March 28, 2018 meeting of Council be approved, as presented.

**CARRIED**

<b>COMMUNICATIONS</b>
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**(Partridge/Jackson)**

That Council Communications 5.1 to 5.6 be approved, as presented, as follows:

- 5.1 Correspondence from the Federation of Canadian Municipalities respecting the 2018-2019 Membership Invoice - Optional Legal Defense Fund.

Recommendation: Be approved and funded through the 2018 Corporate Financials Program and that the funds for the 2019-2020 Membership Invoice - Optional Legal Defense Fund be included in the 2019 Legislative Budget.

- 5.2 Correspondence from Phil Verster, President & CEO, Metrolinx in response on behalf of the Province and Metrolinx to the December 18, 2017 motion regarding the procurement model for the Hamilton Light Rail Transit (LRT) system.

Recommendation: Be received and referred to the Light Rail Transit Sub Committee.

- 5.3 An invitation to participate in the first public meeting for the Development of the Borer's Falls - Rock Chapel and Cootes Paradise Heritage Lands.

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

- 5.4 Correspondence from Conservation Halton respecting the 2018 Budget Municipal Funding Apportionment

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

- 5.5 Correspondence from the Hamilton Beach Community Council respecting Zoning By-law 05-200 (PED18064)

Recommendation: Be received and referred to the consideration of Item 6 of the Planning Committee Report 18-005.

- 5.6 Correspondence from Gabriel Nicholson respecting Item 8 of the Audit, Finance and Administration Committee Report 18-004.

Recommendation: Be received and referred to the consideration of Item 8 of the Audit, Finance and Administration Committee Report 18-004.

**CARRIED**

**(Merulla/Collins)**

That Council move into Committee of the Whole to consider the Committee Reports.

**CARRIED**

**PLANNING COMMITTEE REPORT 18-005**

- 6. Proposed Official Plan Amendment and Amendment to Hamilton Zoning By-law No. 05-200 to rezone Industrial Zones for the Port Lands, Certain Remnant Industrial Zoned Lands, and Institutional and Open Space Zones, and Amendment to Hamilton Zoning By-law No. 6593 to delete Harbour Zones (Wards 2, 3, 4 and 5) (PED18064) (Item 6.6)**

**(Pearson/Green)**

That Item 6 of Planning Committee Report 18-005 respecting Proposed Official Plan Amendment and Amendment to Hamilton Zoning By-law No. 05-200 to rezone Industrial Zones for the Port Lands, Certain Remnant Industrial Zoned Lands, and Institutional and Open Space Zones, and Amendment to Hamilton Zoning By-law No. 6593 to delete Harbour Zones be amended as outlined below:

- (a) *That Appendix “A” to Report PED18064 referenced in subsection (a)(i) be amended by adding an Urban Site Specific Policy for lands located at Nos. 440 Victoria Avenue North, 3-28 Studebaker Place, 341, 345, and 349 Ferrie Street East, and lands on the north side of Mars Avenue:***
- 1. *To add Urban Site Specific Policy (UHE-8) to permit the following commercial uses on the subject lands:***
    - *Commercial Recreation; and,***
    - *Commercial School.***
  - 2. *To update Volume 3 Map 2 – Urban Site Specifics Key Map to identify the subject lands as UHE-8.***
- (b) *That Appendix “C” to Report PED18064 referenced in subsection (c)(iii) be amended with respect to the property located at Nos. 440 Victoria Avenue North, 3-28 Studebaker Place, 341, 345, and 349 Ferrie Street East, and lands on the north side of Mars Avenue:***
- 1. *To add the following new uses:***
    - *animal shelter,***
    - *biomedical establishment***
    - *landscape contracting establishment,***
    - *commercial motor vehicle washing establishment,***
    - *commercial recreation,***
    - *commercial school,***
    - *pharmaceutical and medical establishment***
    - *science and technology establishment***
    - *microbrewery;***
  - 2. *To include additional technical changes related to:***
    - *municipal number addressing,***
    - *lot areas and widths,***
    - *landscaping/setbacks abutting parts of Ferrie Street East and Mars Avenue,***

- *allow training facilities on the north side of Studebaker Place to have outdoor training,*
- *maximum accessory retail of 25% of gross floor area of building instead of 25% of gross floor area or 500 square metres whichever is the lesser,*
- *office size 4,000 square metres instead of 3,500 square metres*

**(c) *That the draft Official Plan Amendment attached as Appendix “A” to Report PED18064 be replaced with the draft Official Plan Amendment hereto attached and be enacted by Council***

**(d) *That the draft by-law attached as Appendix “C” to Report PED18064 be replaced with the draft by-law hereto attached and be enacted by Council Amendment, CARRIED***

- 6. Proposed Official Plan Amendment and Amendment to Hamilton Zoning By-law No. 05-200 to rezone Industrial Zones for the Port Lands, Certain Remnant Industrial Zoned Lands, and Institutional and Open Space Zones, and Amendment to Hamilton Zoning By-law No. 6593 to delete Harbour Zones (Wards 2, 3, 4 and 5) (PED18064) (Item 6.6)**

**(Collins/Merulla)**

That Item 6 of Planning Committee Report 18-005 respecting Proposed Official Plan Amendment and Amendment to Hamilton Zoning By-law No. 05-200 to rezone Industrial Zones for the Port Lands, Certain Remnant Industrial Zoned Lands, and Institutional and Open Space Zones, and Amendment to Hamilton Zoning By-law No. 6593 to delete Harbour Zones be amended as outlined below:

**(a) *That Appendix “B” to Report PED18064 referenced in subsection (b)(i) be amended by deleting the words “tarpaulin or other materials” from Subsection 9.13.3i)ii) of the Shipping and Navigation (Port Lands) (M13) Zone and Subsection 9.14.3.i)ii) of the Shipping and Navigation (East Port) (M14) Zone.***

**(b) *That the draft by-law attached as Appendix “B” to Report PED18064 be replaced with the draft by-law hereto attached and be enacted by Council.***

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

**7. Community Energy Plan Terms of Reference (City Wide) (PED18057) (Item 8.1)****(A. Johnson/Farr)**

That in order to identify the funding source, Item 7 of Planning Committee Report 18-005 respecting Community Energy Plan Terms of Reference be amended by:

- (a) adding the following subsection (d) and re-lettering the balance:
  - (d) ***That the budget for the Community Energy Plan (CEP) be set at \$180,000 and that funding be appropriated from: the Development Charges Study and Grids Update Account 8121655602; the Hamilton Growth Management Review Account 8141555600; and the Community Planning Studies Account 8120955900.***
- (b) adding the words ***“and directed to transfer any funding received through these grant projects back to the Development Charges Study and Grids Update Account 8121655602; the Hamilton Growth Management Review Account 8141555600; and the Community Planning Studies Account 8120955900”*** to subsection (e);

The amended Item 7 to read as follows:

- (a) That the City of Hamilton Community Energy Plan (CEP) Terms of Reference, attached as Appendix “A” to Report PED18057, be received for information;
- (b) That staff be directed to undertake a process to develop a Community Energy Plan in accordance with the Community Energy Plan (CEP) Terms of Reference as set out in Appendix “A” to Report PED18057;
- (c) That staff be directed and authorized to prepare a Request for Proposal (RFP) to retain a consultant to prepare the Community Energy Plan (CEP);
- (d) ***That the budget for the Community Energy Plan (CEP) be set at \$180,000 and that funding be appropriated from: the Development Charges Study and Grids Update Account 8121655602; the Hamilton Growth Management Review Account 8141555600; and the Community Planning Studies Account 8120955900.***
- (e) That staff be authorized to submit an application to the Federation of Canadian Municipalities’ Green Municipal Fund or the Province of Ontario’s Municipal Energy Plan Program to obtain additional funding sources for the project ***and directed to transfer any funding received through these grant projects back to the Development Charges Study and Grids Update Account 8121655602; the Hamilton Growth Management Review Account 8141555600; and the Community Planning Studies Account 8120955900;***

- (f) That should the City be successful in an application for funding, from the Federation of Canadian Municipalities' Green Municipal Fund and/or the Province of Ontario's Municipal Energy Plan Program, the Mayor and Clerk be authorized and directed to execute the Agreement together with any ancillary documentation, in a form satisfactory to the City Solicitor.

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

**(Farr/Green)**

That Information Item (e)(iii) of the Planning Committee Report 18-005, respecting Support for Changing the By-law to Allow for Backyard Hens in Hamilton (which was defeated) be lifted from the Information Section and added as Item 9 for discussion.

**9. Support for Changing the By-law to Allow for Backyard Hens in Hamilton**

WHEREAS; since a 2012 Backyard Hens report to Council, it appears that all of Hamilton's neighboring communities now allow backyard hens;

WHEREAS; since 2012 Backyard Hens report to Council, ticks have become a major health concern in the City of Hamilton;

WHEREAS; it is suggested that chicken poop out nitrogen-rich fertilizer which may be composted with yard waste;

WHEREAS; backyard hens address the issue of food security; and

WHEREAS; a chicken makes a great pet;

THEREFORE, BE IT RESOLVED:

- (a) That the appropriate staff be requested to provide PED Committee with an update related to their 2012 Backyard Hens Report;
- (b) That the staff update include an analysis of previously identified issues that included, but are not limited to, health, odor, nuisance, etc.
- (c) That by-laws respecting the permissions of backyard hens in all neighboring municipalities be considered in the staff report;
- (d) That the report be considered in informing a potential pilot for Wards 1, 2 and 3.

**CARRIED**

Councillors Pearson, Collins, and Partridge wish to be recorded as OPPOSED.

9. **Support for Changing the By-law to Allow for Backyard Hens in Hamilton**

**(Farr/Green)**

WHEREAS; since a 2012 Backyard Hens report to Council, it appears that all of Hamilton's neighboring communities now allow backyard hens;

WHEREAS; since 2012 Backyard Hens report to Council, ticks have become a major health concern in the City of Hamilton;

WHEREAS; it is suggested that chicken poop out nitrogen-rich fertilizer which may be composted with yard waste;

WHEREAS; backyard hens address the issue of food security; and

WHEREAS; a chicken makes a great pet;

THEREFORE, BE IT RESOLVED:

- (a) That the appropriate staff be requested to provide PED Committee with an update related to their 2012 Backyard Hens Report;
- (b) That the staff update include an analysis of previously identified issues that included, but are not limited to, health, odor, nuisance, etc.
- (c) That by-laws respecting the permissions of backyard hens in all neighboring municipalities be considered in the staff report;
- (d) That the report be considered in informing a potential pilot for Wards 1, 2 and 3.

Councillor Farr requested a Standing Recorded Vote.

The Motion was DEFEATED on the following Standing Recorded Vote:

Yeas:	Farr, Green, Merulla, VanderBeek, A. Johnson
Total:	5
Nays:	Eisenberger, Collins, Jackson, Skelly, Whitehead, Partridge, Pasuta, Ferguson, B. Johnson, Pearson
Total:	10
Absent:	Conley
Total:	1

**(A. Johnson/Farr)**

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

**CARRIED**



**GENERAL ISSUES COMMITTEE REPORT 18-008****(Mayor Eisenberger/Pasuta)**

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

**CARRIED****AUDIT, FINANCE & ADMINISTRATION COMMITTEE REPORT 18-004**

8. **Ward-Specific Funding Initiatives - Area Rating Special Capital Re-investment Reserves, Discretionary Spending, Cell Tower and Minor Maintenance Council Priority Capital Projects Update as of December 31, 2017 (FCS18014) (City Wide) (Outstanding Business List Item) (Item 8.3)**

**(Collins/Merulla)**

- (e) That Appendix "C" to AF&A Report 18-004, detailing the balance and projects funded from the Wards 1 to 8 Area Rating Special Capital Re-investment Reserves as of December 31, 2017 *as amended, with the removal of the Riverdale Salad Bowl from the Ward 5 Community Events Section (Page 6 of 9) as the funding was for a community garden fence located on City property*, be received;

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

9. **Commercial Relationship Between City of Hamilton and M.J. Dixon Construction Limited (LS13018(b) / FCS13041(b)) (City Wide) (Item 12.1)**

**(B. Johnson/Collins)**

That the recommendation of Item 9 of Audit, Finance and Administration Committee Report 18-004 respecting the Commercial Relationship Between City of Hamilton and M.J. Dixon Construction Limited (LS13018(b)/ FCS13041(b)), be deleted in its entirety and the following be inserted therein:

~~That the recommendations of Report LS13018(b)/FCS13041(b), respecting "Commercial Relationship Between City of Hamilton and M.J. Dixon Construction Limited" be approved and the recommendations remain private and confidential until approved by Council.~~

- (a) That, due to the impairment of the commercial relationship between the City of Hamilton and M.J. Dixon Construction Limited ("M.J. Dixon") that has resulted from litigation and the difficulties in implementing a settlement, staff be directed to reject any current and future bids, proposals or quotations received from M.J. Dixon or any of its related corporate or individual entities, until December 8, 2022;

- (b) That the City of Hamilton not enter into any contract with M.J. Dixon or any of their related corporate or individual entities until and including December 8, 2022;
- (c) That staff be directed to review the operations of M.J. Dixon Construction Limited, in the 5<sup>th</sup> year of the bid, proposal and quotation ban, and report back to the Audit, Finance & Administration Committee.
- (d) That Report LS13018(b)/FCS13041(b) respecting the Commercial Relationship Between City of Hamilton and M.J. Dixon Construction Limited, remain confidential.

**CARRIED**

**(VanderBeek/Pasuta)**

That the FOURTH Report of the Audit, Finance & Administration Committee be adopted, **as amended**, and the information section received.

**CARRIED**

<b>HEALTHY &amp; SAFE COMMUNITIES COMMITTEE REPORT 18-003</b>
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**(Merulla/Collins)**

That the THIRD Report of the Healthy & Safe Communities Committee be adopted, as presented, and the information section received.

**CARRIED**

**(Merulla/Collins)**

That Committee Rise and Report.

**CARRIED**

<b>MOTIONS</b>
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**7.1 Area Rating Special Capital Re-Investment Reserve Funded Projects – Upper Sherman Street (Ward 7)**

**(Skelly/Jackson)**

WHEREAS, modern winters appear to have accelerated the deterioration of Upper Sherman from Limeridge Road to Fennell Avenue, as a result of increased frequency of freeze/thaw cycles and more extreme variability of temperatures; and,

WHEREAS, Upper Sherman from the LINC to Mohawk is identified within the Road Capital program for rehabilitation in 2027, and,

WHEREAS, given current resources along with the time needed to complete a tender and award process, road improvements cannot be addressed within our normal process manner during the 2018 construction season,

THEREFORE BE IT RESOLVED:

- (a) That Upper Sherman Street (from Limeridge Road to Fennell Avenue) be rehabilitated using asset preservation practices, with the work to include the rehabilitation of the existing asphalt, complete base repairs, along with high risk concrete curb and sidewalk repairs and re-paving and;
- (b) That \$1,370,000 from Reserve #108057 – Ward 7 Area Rating Special Capital Reinvestment Reserve – be utilized to fund the asset preservation of Upper Sherman Street, and;
- (c) That the Ward 7 allocation, in the amount of \$900,000 and previously approved from the Investment Stabilization Reserve Account (No. 4031811807), be utilized to fund the asset preservation of Upper Sherman Street, and;
- (d) That the rules of procurement rules be waived, and;
- (e) That the General Manager of Public Works and/or his designate to award the work on sole source negotiated price basis as per the policy 10 protocol.

**CARRIED**

## **7.2 Corktown Neighbourhood Association Grant**

### **(Farr/Green)**

WHEREAS, the Ward 2 Revenue (cell tower) project No. 3301609602 has available funds to provide financial support to community led projects and initiatives that benefit Ward 2;

THEREFORE BE IT RESOLVED:

- (a) That the Corktown Neighbourhood Association be provided a grant, in the amount of \$6,500, to support community events and engagement through projects to include, but not be limited to, community mail-outs, a public skating rink, facility rental fees and applicable insurance, to be funded through the Ward 2 Revenue (Cell Tower) project No. 3301609602; and,
- (b) That the Mayor and City Clerk be authorized and directed to execute any required agreement(s) and ancillary documents, to give effect to the grant to the Corktown Neighbourhood Association, in the amount of \$6,500, with such terms and conditions in a form satisfactory to the City Solicitor.

**CARRIED**

### 7.3 Funding for Public Art Installations within the Concession Street BIA (Ward 7)

#### (Skelly/Whitehead)

That the following motion be TABLED until clarification from staff can be provided as to whether beautification projects on streets within Business Improvement Areas qualify for the use of this funding:

WHEREAS, Concession Street is a vibrant shopping district on Hamilton's Mountain, known for its scenic location along the mountain brow;

WHEREAS, the Concession Street BIA has proposed that art installations be installed on six blank wall spaces within the Business Improvement Area, in order to further beautify the streetscape of Concession Street;

WHEREAS, the art installations would be printed onto panels, mounted onto the business walls, and include an anti-graffiti coating;

WHEREAS, the Concession Street BIA has obtained permission to use photos from I Fotograf Hamilton and the Mountain Heritage Society, and the images would be a combination of modern and historic photos of Hamilton; and,

WHEREAS, three tendered bids collected by the Concession Street BIA have identified a preferred candidate for this project;

THEREFORE IT BE RESOLVED:

- (a) That a maximum of \$15,000, to be funded from the Ward 7 Discretionary Project fund (Account No. 3301709700), be provided to the Concession Street BIA to assist in funding the installation of art on six blank wall spaces in the Concession Street BIA; and,
- (b) That the Mayor and City Clerk be authorized and directed to execute any required agreement(s) and ancillary documents, with such terms and conditions in a form satisfactory to the City Solicitor.

**CARRIED**

**7.4 Reconsideration of Item 11 of the General Issues Committee Report 16-017, respecting Report PED16141 - Desjardin Canal Hwy 403 Bridge Commemorative Public Art**

**(A. Johnson/Farr)**

WHEREAS, at its meeting of July 16, 2016, Council approved sub-sections (a) and (b) to Item 11 of the General Issues Committee Report 16-017, which read as follows:

**11. Desjardin Canal Hwy 403 Bridge Commemorative Public Art (PED16141) (City Wide) (Item 8.6) (attached hereto)**

- (a) That, pending the successful selective demolition of the existing east bound Highway 403 Bridge over the Desjardin Canal and capping of the ten remaining concrete columns by the Ministry of Transportation (MTO), the City of Hamilton take ownership of the columns for a future commemorative public art project;
- (b) That the Mayor and City Clerk be authorized and directed to execute an agreement between the City of Hamilton and Ministry of Transportation (MTO) for the City of Hamilton to take ownership of the remaining bridge columns at the 403 Bridge over the Desjardin Canal, in a form satisfactory to the City Solicitor;

WHEREAS, after further consideration, the Ministry of Transportation (MTO) no longer wishes to enter into an agreement with the City of Hamilton (City) to take ownership of the ten capped-columns that will remain, subsequent to the successful demolition of the existing east-bound Highway 403 bridge over the Desjardin Canal;

WHEREAS, the MTO has advised that as it allows for flexibility in the event of a future widening of Highway 403; and, would provide clarity for ongoing responsibilities between the MTO and City with respect to the existing trail and public art on the Hwy 403 right-of-way, a agreement for the City of Hamilton to take over the maintenance of the remaining bridge columns at the 403 Bridge over the Desjardin Canal and the Waterfront Trail through the Hwy 403 right of way, is the only available option at this time;

THEREFORE BE IT RESOLVED:

That sub-sections (a) and (b) to Item 11 of the General Issues Committee Report 16-017, respecting Report PED16141 - Desjardin Canal Hwy 403 Bridge Commemorative Public Art, be reconsidered.

**CARRIED on a 2/3rds Majority**

(A. Johnson/Farr)

11. Desjardin Canal Hwy 403 Bridge Commemorative Public Art (PED16141)  
(City Wide) (Item 8.6)

- (a) That subsection (a) to Item 11 of the General Issues Committee Report 16-017 be amended by deleting the words “take ownership” and replacing them with the words “**take over the maintenance**”; and, by adding the words “**and the Waterfront Trail through the Hwy 403 right of way**” to read as follows:
  - (a) That, pending the successful selective demolition of the existing east bound Highway 403 Bridge over the Desjardin Canal and capping of the ten remaining concrete columns by the Ministry of Transportation (MTO), the City of Hamilton **take over the maintenance** of the columns, for a future commemorative public art project, **and the Waterfront Trail through the Hwy 403 right of way**;
- (b) That subsection (b) to Item 11 of the General Issues Committee Report 16-017, be amended by deleting the word “ownership” and replacing it with the words “**take over the maintenance**”; and, by adding the words “**and ancillary documents**”, “**and the Waterfront Trail through the Hwy 403 right of way**” and “**with content acceptable to the General Manager of Public Works and the General Manager of Planning and Economic Development**”, to read as follows:
  - (b) That the Mayor and City Clerk be authorized and directed to execute any agreements **and ancillary documents**, between the City of Hamilton and Ministry of Transportation (MTO), for the City of Hamilton to **take over the maintenance** of the remaining bridge columns at the 403 Bridge over the Desjardin Canal **and the Waterfront Trail through the Hwy 403 right of way, with content acceptable to the General Manager of Public Works and the General Manager of Planning and Economic Development**, in a form satisfactory to the City Solicitor;

CARRIED

7.5 Renovations at 430 Cumberland Avenue, Hamilton

(Green/Collins)

WHEREAS, Hamilton is a safe and supportive city where people are active, healthy, and have a high quality of life;

WHEREAS, investments in affordable housing are necessary to build a vibrant community where all can work, live and age successfully;

WHEREAS, safe and dignified housing is a human right; and,

WHEREAS, interior maintenance of 430 Cumberland has been deferred including painting for 7 years, and carpet replacement for the past 21 years and these repairs are badly needed to further improve tenant quality of life and pest control.

THEREFORE BE IT RESOLVED:

- (a) That \$163,000 be provided to City Housing Hamilton for the following renovations at the property located at 430 Cumberland Avenue, Hamilton, to be funded from the Ward 3 Area Rating Account No. 108053.
  - (i) removal of carpet and replacement with vinyl flooring on floors 2 to 8;
  - (ii) patch and repair existing all existing drywall including the basement;
  - (iii) prime and paint all walls, baseboards, unit doors, all trim, etc., and other associated work; and,
  - (iv) refurbish the entranceway; and,
- (b) That the Mayor and City Clerk be authorized and directed to execute any required agreement(s) and ancillary documents, with such terms and conditions in a form satisfactory to the City Solicitor.

**CARRIED**

## **7.6 Hamilton Specialty Bar Tax Program**

### **(Green/Merulla)**

WHEREAS, the City of Hamilton has a long and very proud history of producing the steel that built this country's manufacturing sector with good jobs and the growth of related supporting businesses,

WHEREAS, in recent years our Steel sector has suffered losses of direct jobs, pensions, benefits as well as the impacts on the local small businesses associated to these plants, as a result of bankruptcies most notably with MANA and US Steel/Stelco.

WHEREAS, Hamilton Specialty Bar has produced high quality steel for over 100 years supporting the automotive industry with 3 generations of workers dating back 1910 and at present has the capacity to employ 250 workers when in full production,

WHEREAS, the extended deadline to save Hamilton Specialty Bar with an approved bidder has officially passed and the liquidation bidder American Iron & Metals has taken over the plant.

WHEREAS, interested bidders including KAL Advisory Partners LLC and the United Steel Workers are still working diligently to keep the viability of steel production and operations at the Hamilton Specialty Bar plant a "Going Concern"; and,

WHEREAS, on March 28, Hamilton City Council unanimously passed a motion calling for City Staff That the City Manager Chris Murray, the General Manager of Planning and Economic Development Jason Thorne, and the General Manager of Corporate Services Mike Zegarac be directed to meet the interested parties as appropriate, to explore any and all opportunities for City supports to keep Hamilton Specialty Bar a “Going Concern” with the continued production of specialty steel, the 250 related jobs and workers.

THEREFORE BE IT RESOLVED:

- a) That Council support, in principal, potential future owners/operators of the Hamilton Specialty Bar operations as it relates to potential property tax payment plans;
- b) That should the Hamilton Specialty Bar operations require future relief as it relates to property tax penalties and interest, that staff be directed to report back to Council with options, including potential support from the Province of Ontario;
- c) That the Mayor on behalf of Council correspond with the Premier the Honourable Kathleen Wynne and the Minister of Economic Development and Growth the Honourable Steven Del Duca to explore any and all avenues of emergency and long term support for the continued production at Hamilton Specialty Bar, the 250 related jobs, workers and pensioners.
- d) That the Mayor on behalf of Council correspond with the Prime Minister the Right Honourable Justin Trudeau and the Minister of International Trade the Honourable François-Philippe Champagne to explore any and all avenues of emergency and long term support for the continued production at Hamilton Specialty Bar, the 250 related jobs, workers, and pensioners.

**CARRIED**

## **7.7 Sidewalk and Mountable Curb Repairs (Ward 8)**

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

- (a) That Public Works staff be directed to repair/replace the deficient sidewalks & bay replacements in Ward 8 for 2018 utilizing a total of \$100,000.00 to be taken from Reserve # 108058 - Ward 8 Area Rating Special Capital Reinvestment Reserve; and,
- (b) That Public Works staff be directed to repair/replace mountable curbs in Ward 8 for 2018 utilizing a total of \$115,000.00 to be taken from reserve #108058- Ward 8 Area Rating Special Capital Reinvestment Reserve.

**CARRIED**



<b>NOTICES OF MOTION</b>
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**8.1 Reconsideration of Item 11 of the General Issues Committee Report 16-017, respecting Report PED16141 - Desjardin Canal Hwy 403 Bridge Commemorative Public Art**

Councillor A. Johnson introduced a Notice of Motion regarding the Reconsideration of Item 11 of the General Issues Committee Report 16-017, respecting Report PED16141 - Desjardin Canal Hwy 403 Bridge Commemorative Public Art.

**(A. Johnson/Farr)**

That the Rules of Order be waived to allow for the introduction of a Motion respecting the reconsideration of Item 11 of the General Issues Committee Report 16-017, respecting Report PED16141 - Desjardin Canal Hwy 403 Bridge Commemorative Public Art.

**CARRIED**

For disposition of this matter, please refer to Item 7.4.

**8.2 Renovations at 430 Cumberland Avenue, Hamilton**

Councillor Green introduced a Notice of Motion regarding Renovations at 430 Cumberland Avenue, Hamilton.

**(Green/Collins)**

That the Rules of Order be waived to allow for the introduction of a Motion regarding Renovations at 430 Cumberland Avenue, Hamilton.

**CARRIED**

For disposition of this matter, please refer to Item 7.5.

**8.3 Hamilton Specialty Bar Tax Program**

Councillor Green introduced a Notice of Motion regarding Hamilton Specialty Bar Tax Program.

**(Green/Merulla)**

That the Rules of Order be waived to allow for the introduction of a Motion regarding Hamilton Specialty Bar Tax Program.

**CARRIED**

For disposition of this matter, please refer to Item 7.6.

**8.4 Sidewalk and Mountable Curb Repairs (Ward 8)**

Councillor Whitehead introduced a Notice of Motion regarding Sidewalk and Mountable Curb Repairs.

**(Whitehead/Skelly)**

That the Rules of Order be waived to allow for the introduction of a Motion regarding Sidewalk and Mountable Curb Repairs.

**CARRIED**

For disposition of this matter, please refer to Item 7.7.

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

<b>PRIVATE &amp; CONFIDENTIAL</b>
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As Council determined that discussion of Item 10.1 was not required in Closed Session, the matter was addressed in Open Session, as follows:

**10.1 Closed Session Minutes – March 28, 2018**

**(Partridge/B. Johnson)**

- (a) That the Closed Session Minutes of the March 28, 2017 Council meeting, be approved; and,
- (b) That the Closed Session Minutes of the March 28, 2017 Council meeting remain confidential.

**CARRIED**

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

That Bills No.18-081 to 18-099 be passed, ***as amended*** and that the Corporate Seal be affixed thereto, and that the By-law, be renumbered, be signed by the Mayor and the City Clerk to read as follows:

**By-law No.**

- 18-081** To Amend By-law No. 01-215, Being a By-law to Regulate Traffic Schedule 10 (No Left Turns)  
Ward: 1, 2
- 18-082** To Impose a Storm and Sanitary Sewer Charge Upon Owners of Land Abutting Rymal Road West from 350 Rymal Road West to Approximately 200m Westerly, in the City of Hamilton  
Ward: 8

- 18-083** To Amend By-law No. 17-225, a By-law to Establish a System of Administrative Penalties  
Ward: City Wide
- 18-084** To Adopt Official Plan Amendment No. 98 to the Urban Hamilton Official Plan Respecting Administrative Amendment  
Ward: 1-13, 15
- 18-085** To Adopt Official Plan Amendment No. 99 to the Urban Hamilton Official Plan Respecting 417, 419, 421 and 423 Highway No. 8 and Portions of 176 Millen Road and 175 Margaret Road  
Ward: 10
- 18-086** To Amend Zoning By-law No. 3692-92 Respecting Lands Located at 417, 419, 421 and 423 Highway 8, 176 Millen Road and 175 Margaret Avenue, Stoney Creek  
ZAC-17-028/UHOPA-17-15  
Ward: 10
- 18-087** A By-law to Amend Zoning By-law No. 05-200 Respecting Lands Located at 417, 419, 421 and 423 Highway 8, and a Portion of the Lands Located at 176 Millen Road and 175 Margaret Avenue, Stoney Creek  
ZAC-17-028/UHOPA-17-15  
Ward: 10
- 18-088** To Adopt Official Plan Amendment No. 100 to the Urban Hamilton Official Plan Respecting 1288 Baseline Road (Stoney Creek)  
Ward: 11
- 18-089** To Amend Zoning By-law No. 3692-92 Respecting Lands Located at 1288 Baseline Road (Stoney Creek)  
ZAC-17-067/UHOPA-17-029  
Ward: 11
- 18-090** A By-law to Amend Zoning By-law No. 05-200 Respecting Lands Located at 1288 Baseline Road (Stoney Creek)  
ZAC-17-067/UHOPA-17-029  
Ward: 11
- 18-091** To Adopt Official Plan Amendment No. 101 to the Urban Hamilton Official Plan Respecting Lands Located on Piers 10 to 15 inclusive, Piers 22 to 27 inclusive, and a Portion of the Canal Reserve Lands, City of Hamilton  
Ward: 2, 3, 4, 5
- 18-092** To Amend By-law No. 05-200 To Create New Industrial Zones for Lands Located at Piers 11, 12, 14, 15 and 22-27 at Hamilton Harbour and Owned by the Hamilton Port Authority  
CI-18-B  
Ward: 3, 4, 5
- 18-093** To Amend By-law No. 05-200 to Rezone Existing Industrial Zone Lands Located Along Hamilton Harbour to Industrial and Institutional Zones, and Update Certain Lands Zones Open Space along Hamilton Harbour  
CI-18-B  
Ward: 2, 3, 4

- 18-094** To Repeal the “F-2” (Open Space Harbour) District and the “F2A” (Harbour) District located on Hamilton Harbour (Water) from Hamilton Zoning By-law No. 6593  
Ward: City Wide
- 18-095** To Amend Zoning By-law No. 6593 (Hamilton), as amended, Respecting Lands Located at 412 Aberdeen Avenue, Hamilton  
ZAR-17-040  
Ward: 1
- 18-096** To Amend Zoning By-law No. 6593, Respecting Lands Located at 1011 Fennell Avenue East, Hamilton  
ZAC-16-063  
Ward: 6
- 18-097** To Amend Zoning By-law No. 90-145-Z (Flamborough), Respecting Lands Located at 218 Highway No. 8 (Flamborough)  
ZAH-18-014  
Ward: 14
- 18-098** To Designate Land Located at 1014 King Street West, City of Hamilton as Property of Cultural Heritage Value  
Ward: 1
- 18-099** To Confirm the Proceedings of City Council

**CARRIED**

**(B. Johnson/VanderBeek)**

That, there being no further business, City Council be adjourned at 8:16 p.m.

**CARRIED**

Respectfully submitted,

Mayor F. Eisenberger

Janet Pilon  
Acting Clerk