



## **City of Hamilton**

# **CITY COUNCIL AGENDA**

**19-003**

**Wednesday, February 13, 2019, 5:00 P.M.**

**Council Chambers, Hamilton City Hall**

**71 Main Street West**

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### **Call to Order**

#### **1. APPROVAL OF AGENDA**

(Added Items, if applicable, will be noted with \*)

#### **2. DECLARATIONS OF INTEREST**

#### **3. CEREMONIAL ACTIVITIES**

- 3.1 Team Hamilton at the International Children's Games Winter Competition held in Lake Placid, New York

#### **4. APPROVAL OF MINUTES OF PREVIOUS MEETING**

- 4.1 January 23, 2019

#### **5. COMMUNICATIONS**

- 5.1 Correspondence from Derek Appleton respecting the congestion with the increase in traffic in the Green Road area due to the developments in the Green Road area.

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

- 5.2 Correspondence from the Niagara Peninsula Conservation Authority respecting the censuring of Member James Kaspersetz for his recent posts of a racist comment on Facebook.

Recommendation: Be received.

- 5.3 Correspondence from the Federation of Canadian Municipalities (FCM) in response to Council's request for FCM to formally endorse the City of Hamilton's request to the Province of Ontario to be considered a pilot project with respect to a funding formula partnership, as it related to AODA infrastructure renewal projects.

Recommendation: Be received.

- 5.4 Correspondence from the Ombudsman respecting an investigation with regards to the January 16, 2019 General Issues Committee for holding a meeting that did not comply with the open meeting rules in the Municipal Act, 2001.

Recommendation: Be received.

- 5.5 Correspondence from Marie Sharp, Dunington-Grubb Committee Chair, Garden Club of Hamilton respecting the Proposed Site of the Firefighter Memorial.

Recommendation: Be received.

- 5.6 Correspondence announcing that Councillor Judi Partridge was acclaimed and now represents the City of Hamilton on the Federation of Canadian Municipalities (FCM) Board of Directors.

Recommendation: Be received.

- 5.7 Correspondence respecting the Selection & Hiring Committee for the next City Manager:

5.7.a Jay Edington

5.7.b Lindsay Forsey

5.7.c Rosa Zetler

5.7.d Frances Murray

5.7.e Jamie Stuckless

5.7.f Anna D'Angela

5.7.g Shahzi Bokhari

5.7.h Ryan Strang

5.7.i Arig al Shaibah, McMaster University

- 5.8 Correspondence from the Honourable Steve Clark, Minister of Municipal Affairs and Housing respecting a consultation on the long-standing issues surrounding joint and several liability.

Recommendation: Be received.

- 5.9 Correspondence from Carly Bedford respecting the Friends of the Aviary plea for support.

Recommendation: Be received and referred to the consideration of Item 2 of the Public Works Committee Report 19-002.

- 5.10 Correspondence from Pierre Ranger, Chairman, Let's Remember Adam - STOP FOR THE SCHOOL BUS requesting the City of Hamilton's assistance to put an end to stop-arm violations in order to make travel to and from school safer for children in Hamilton.

5.10.a Alice Weatherbee

5.10.b Sarah Lawson

5.10.c Christine Ballantyne

5.10.d S. Knight

5.10.e Krista London-Verticchio

5.10.f Tiffany Fisher

5.10.g Teresa Sanges

5.10.h Wafa Sallam

5.10.i Vanessa Di Salvo

5.10.j Lisa Hilts

5.10.k Maria Simoes

5.10.l Kim Leclercq

5.10.m Kim Leclercq

5.10.n Barb Wallace

- 5.10.o Neil Felder
  - 5.10.p Phil Johnson
  - 5.10.q Kyle Cook
  - 5.10.r Kersti Kerstenbeck
  - 5.10.s James Graham
  - 5.10.t Christine Moritz
  - 5.10.u Carri Stonehouse
  - 5.10.v Renee Michelle Miller
  - 5.10.w Joan Hassey
- 5.11 Correspondence from Julie Densham, Autism Ontario respecting the launch of their provincial wide 6th annual Raise the Flag campaign that will take place on April 2, 2019.
- Recommendation: Be received.

## **6. COMMITTEE REPORTS**

- 6.1 Selection Committee Report 19-001 - January 22, 2019
- 6.2 Selection Committee Report 19-002 - February 1, 2019
- 6.3 City Manager Recruitment Steering Committee Report 19-001 - February 1, 2019
- 6.4 Public Works Committee Report 19-002 - February 4, 2019
- 6.5 Planning Committee Report 19-002 - February 5, 2019
- 6.6 General Issues Committee Report 19-003 - February 6, 2019
- 6.7 Audit, Finance & Administration Committee Report 19-002 - February 7, 2019

## **7. MOTIONS**

- 7.1 Establishment of a New Steering Committee for the Recruitment of the City Manager
- 7.2 Sub-Committee Terms of Reference Amendment

- 7.3 Amendment to Item 7.3 - Council Meeting 18-017 of September 12, 2018, respecting Hamilton-Wentworth District School Board Property at 4 Vickers Road, Hamilton (PED18208)
- 7.4 Government's Policy Regarding Any Cost Escalation Above the Committed \$1 Billion for the Hamilton LRT
- 7.5 Amendment to Item 8 of the General Issues Committee Report 18-014, respecting Report PED16253(b) - 18-28 King Street East, Extension of Conditional Approval, Hamilton Heritage Property Grant Program and GORE Building Improvement Grant Program
- 7.6 Resignation from the Capital Projects Work-in-Progress Sub-Committee
- 7.7 Resolving Outstanding Levy Apportionment Matters with the Conservation Authorities
- 7.8 Resignation from the Selection Committee - WITHDRAWN
- 7.9 Policy or Protocol to Guarantee the Sharing of Consultants' Reports with Council when there are Risks to Human Health and Safety
- 7.10 Protocol or Policy Setting Out Clear Guidelines, Expectations, Responsibilities and Obligations for City Staff When Responding to the Inquiries from the City's Auditor General

## **8. NOTICES OF MOTIONS**

## **9. STATEMENTS BY MEMBERS**

## **10. PRIVATE AND CONFIDENTIAL**

- 10.1 Closed Session Minutes - January 23, 2019 (distributed under separate cover)

Pursuant to Section 8.1, Sub-sections (e) and (f) of the City's Procedural By-law 18-270; and, Section 239(2), 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 City; and, the receiving of advice that is subject to solicitor-client privilege, including communications necessary for that purpose.
- 10.2 Appointments to the Niagara Peninsula Conservation Authority (distributed under separate cover)

Pursuant to Section 8.1, Sub-section (b) of the City's Procedural By-law 18-270, and Section 239(2), Sub-section (b) of the *Ontario Municipal Act*, 2001, as amended, as the subject matter pertains to personal matters about an identifiable individual, including City employees

- 10.3 Hamilton Anti-Racism Resource Centre Update (HUR18010(b) / LS19008(a)) (City Wide) (distributed under separate cover)

Pursuant to Section 8.1, Sub-sections (b), (f) and (k) of the City's Procedural By-law 18-270, and Section 239(2), Sub-sections (b), (f) and (k) of the Ontario Municipal Act, 2001, as amended, as the subject matter pertains to personal matters about an identifiable individual(s), including City employees; advice that is subject to solicitor/client privileges, including communications necessary for that purpose; and a position, plan, procedure, criteria or instruction to be applied to any negotiations carried on or to be carried on by or on behalf of the municipality or local board.

- 10.4 35 Market Street, Dundas (LS19009) (to be distributed under separate cover)

Pursuant to Section 8.1, Sub-sections (e) and (f) of the City's Procedural By-law 18-270; and, Section 239(2), 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 City; and, the receiving of advice that is subject to solicitor-client privilege, including communications necessary for that purpose.

- 10.5 Roads Infrastructure Litigation and Review Assessment Follow Up (LS19010(a)) (City Wide) (distributed under separate cover)

Pursuant to Section 8.1, Sub-sections (b), (e) and (f) of the City's Procedural By-law 18-270, and Section 239(2), Sub-sections (b), (e) and (f) of the *Ontario Municipal Act*, 2001, as amended, as the subject matter pertains to personal matters about an identifiable individual, including City employees; 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.

## 11. BY-LAWS AND CONFIRMING BY-LAW

- 11.1 021

To Amend By-law No. 01-215, Being a By-law to Regulate Traffic

Schedule 2 (Speed Limits)

Ward: City Wide

11.2 022

Respecting Removal of Part Lot Control, Blocks 116, 117 (closed by By-law No. 18-023), and 118 and Part of Block 119 and all of Moonlight Court (closed by By-law No. 18-002) on Registered Plan No. 62M-1172 and Blocks 33, 34, 35, 37 and 41 and part of Blocks 36, 39 and 40 and all of Bowridge Court (closed by By-law No. 18-003) on Registered Plan No. 62M-1208, Municipally known as 64, 68, 88, 92, 94 and 96 Bellroyal Crescent, Stoney Creek

PLC-19-002

Ward: 9

11.3 023

To Establish City of Hamilton Land Described as Block 60 on Plan 62M-1105 as part of Tanglewood Drive

Ward: 11

11.4 024

To Authorize the Signing of an Agreement between the City of Hamilton and the Ministry of Transportation Related to Funding Provided Under the Dedicated Gas Tax Funds for Public Transportation Program

Ward: City Wide

11.5 025

To Amend Zoning By-law No. 05-200 Respecting Lands Located at 21 Mill Street North (Flamborough)

ZAR-18-011

Ward: 15

11.6 026

To Amend Site Plan Control By-law No. 15-176, as amended by By-law No. 18-104, Respecting Lands Located in Certain Residential Areas of Ancaster ("ER" Zoned Lands)

Ward: 12

11.7 027

To Amend By-law No. 01-218, as amended, Being a By-law to Regulate On-Street Parking

Schedule 2 (Through Highways)

Schedule 6 (Time Limit Parking)

Schedule 8 (No Parking Zones)

Schedule 10 (Alternate Side Parking Zones – April-November)

Schedule 12 (Permit Parking Zones)

Schedule 13 (No Stopping Zones)

Schedule 14 (Wheelchair Loading Zones)

Schedule 15 (Commercial Vehicle Loading Zones)

Ward: 1, 2, 3, 4, 5, 7, 8, 9, 12, 13, 15

11.8 028

To Amend Zoning By-law No. 3692-92 (Stoney Creek) Respecting Lands Located at 222 First Road West

ZAC-18-030

Ward: 9

11.9 029

To Confirm the Proceedings of City Council

## **12. ADJOURNMENT**