



**CITY COUNCIL
MINUTES 12-020
5:30 p.m.
Tuesday, October 30, 2012
Council Chambers
Hamilton City Hall
71 Main Street West**

Present: Mayor R. Bratina

Councillors C. Collins, S. Duvall, J. Farr, L. Ferguson,
T. Jackson, B. McHattie, S. Merulla, B. Morelli, J. Partridge,
R. Pasuta, M. Pearson and T. Whitehead

**Absent with
regrets:**

Councillor B. Clark, illness
Councillor B. Johnson, vacation
Councillor R. Powers, City Business

Mayor Bratina called the meeting to order and called upon Reverend Allan McGuirl, to lead Council in prayer.

Mayor Bratina acknowledged the passing of the Honourable Lincoln Alexander and thanked staff who were involved in the preparation of his State Funeral. He also acknowledged the recent passing of Reg Wheeler, former City of Hamilton Alderman and Regional Councillor.

APPROVAL OF THE AGENDA

The Clerk advised of the following changes to the agenda:

1. ADDED CORRESPONDENCE

- 5.5 Addendum to correspondence from Joe Minor respecting PFCs/PFOS/PFOA at John C. Munro/Hamilton International Airport

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

- 5.7 Correspondence from Tom Cooper, Director, Hamilton Roundtable for Poverty, respecting Easy Food Box Pilot Project (Item 5 of Board of Health Report 12-008)

Recommendation: Be received.

2. ADDED NOTICES OF MOTION

8.2 Amendment to Item 6 of General Issues Committee Report 12-021

8.3 Amendment to Item 9 of Planning Committee Report 12-011.

3. ADDED PRIVATE & CONFIDENTIAL

10.1 Correspondence from John Page, Chief Operating Officer, Global Spectrum, respecting Item 7.2 – Copps Coliseum Lease

(Pearson/Pasuta)

That the agenda for the October 30, 2012 meeting of Council be approved, as amended.

CARRIED

DECLARATIONS OF INTEREST

Councillor Ferguson declared a conflict of interest with respect to Item 10, of Planning Committee Report 12-016 regarding Accessible Taxicab Licensing (PED10063(e)), as his family is involved in the taxicab business.

CEREMONIAL ACTIVITIES/ANNOUNCEMENTS

None.

APPROVAL OF MINUTES

4.1 October 10, 2012

(Ferguson/Partridge)

That the Minutes of the October 10, 2012, meeting of Council be approved, as presented.

CARRIED

COMMUNICATIONS

(McHattie/Farr)

That Council Communications 5.1 through 5.7 be approved, as amended, as follows:

- 5.1 Correspondence from Dominique LaSalle, Director General, Seniors and Pensions Policy Secretariat, Income Security and Social Development Branch, Human Resources and Skills Development Canada, respecting changes to the Old Age Security (OAS) Program in Budget 2012

Recommendation: Be received.

- 5.2 Motion of the Board of Directors of the Hamilton Conservation Authority, approved October 4, 2012, respecting the Emerald Ash Borer Proclamation

Recommendation: Be received.

- 5.3 Correspondence from Matthew Graham, P.Eng., Project Co-ordinator, Station Infrastructure, GO Transit, respecting Notice of Project - James Street North GO Station, 353 James Street North, Hamilton

Recommendation: Be received.

- 5.4 News Release from AMO respecting "Policy Update – Local Food Act may create additional municipal reporting requirements" (Proposed Bill 130)

Recommendation: Be received.

- 5.5 Correspondence from Joe Minor respecting PFCs/PFOS/PFOA at Hamilton International/John C. Munro Airport, plus addendum.

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

- 5.6 Correspondence from Sofia Buzzelli, Director, Follies Variety Show, requesting consideration of a one-time funding commitment and becoming a patron

Recommendation: Be referred to the General Manager of Finance and Corporate Services.

- 5.7 Correspondence from Tom Cooper, Director, Hamilton Roundtable for Poverty, respecting Easy Food Box Pilot Project (Item 5 of Board of Health Report 12-008)

Recommendation: Be received.

**Amendment CARRIED
Main motion as amended CARRIED**

(Partridge/Jackson)

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

CARRIED

PUBLIC WORKS COMMITTEE 12-011

(Ferguson/Pasuta)

That the ELEVENTH Report of the Public Works Committee be adopted, and the information section received.

CARRIED

BOARD OF HEALTH REPORT 12-008

Item 3 Prohibiting Smoking Within City Parks and Recreation Properties (BOH07034(g)) (Item 5.3)

Item 3 CARRIED on the following votes:

Yeas: Bratina, Collins, Farr, Ferguson, Jackson, Merulla, Morelli,
Ferguson, Partridge, Pasuta, McHattie, and Whitehead
Total: 12
Nays: Duvall
Total: 1
Absent: Clark, Johnson, and Powers
Total: 3

Item 5 Easy Food Box Program (New Business)

(Farr/Morelli)

That subsection (a)(ii) of Item 5 of Board of Health Report 12-008 respecting Easy Food Box Program be amended by deleting the words *the Hamilton Community Foundation and* to read as follows:

- (ii) \$10,000 from ~~the Hamilton Community Foundation, and the Hamilton Poverty Roundtable;~~

Amendment CARRIED

(Jackson/Pearson)

That Item 5 be further amended as follows:

- (a) That subsection (b) be amended by removing the words "toward an interest in scaling the project upward";

- (b) That subsection (c) be amended by deleting it in its entirety and replacing with the following wording therein:

"That the pilot project be carried out through Environment Hamilton and Environment Hamilton be authorized to report back."

Amendment CARRIED

The MAIN motion as amended CARRIED to read as follows:

- (a) That the Easy Food Box one year pilot project, to provide fresh food to 500 single Ontario Works recipients be supported and funded to an amount of \$65,000, to cover the pilot project, administrative costs, public education pamphlet, evaluation, and be funded as follows:
- (i) \$55,000 from the Social Services Initiatives Reserve, and;
 - (ii) \$10,000 from the Hamilton Poverty Roundtable;
- (b) That the pilot project evaluation be conducted by Public Health Services;
- (c) That the pilot project be carried out through Environment Hamilton and Environment Hamilton be authorized to report back;
- (d) That the City assist in investigating whether the Easy Food Box project can be assisted through the use of City arenas, facilities and through local Food Banks.

(Bratina/Partridge)

That the EIGHTH Report of the Board of Health be adopted, as amended, and the information section received.

CARRIED

PLANNING COMMITTEE REPORT 12-016

Item 10 Accessible Taxicab Licensing (PED10063(e)) (City Wide) (Item 8.2)

(Whitehead/Pearson)

That Item 10 of Planning Committee Report 12-016 be amended by adding subsection (d) as follows:

- (d) That vehicles operating, but not licensed, as accessible taxicabs as of the date of Report PED10063(e), be offered a one-time amnesty and be issued a 12 months temporary accessible taxicab licence, provided that:
- (i) the owner contacts the Issuer of Licences and confirms the Vehicle Identification Number within 30 days of this recommendation being approved by Council; and,

- (ii) the owner satisfies the Issuer of Licences that the vehicle complies with the Schedule and By-law within 60 days of this recommendation being approved by Council.

The amendment LOST on the following standing recorded vote:

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

Subsection (b) of the Main Motion CARRIED on the following vote:

Yeas: Bratina, Collins, Duvall, Jackson, Merulla, Partridge, Pasuta, Morelli, Whitehead
Total: 9
Nays: Farr, McHattie, Pearson
Total: 3
Abstain: Ferguson
Total: 1
Absent: Clark, Johnson, and Powers
Total: 3

(Farr/Pearson)

That the SIXTEENTH Report of the Planning Committee be adopted and the information section received.

CARRIED

GENERAL ISSUES COMMITTEE REPORT 12-029

(Bratina/Duvall)

That TWENTY-NINTH of the General Issues Committee be adopted, and the information section received.

CARRIED

(Partridge/Pearson)

That the Committee of the Whole Rise and Report.

CARRIED

MOTIONS

7.1 La Salle Park Agreement between the City of Hamilton and the City of Burlington

(Merulla/Collins)

That the Greater Bay Area Sub-Committee be requested to initiate discussions with respect to the La Salle Park Agreement between the City of Hamilton and the City of Burlington to establish a fair market value for the lease.

Item 7.1 CARRIED on the following votes:

Yeas: Bratina, Farr, Collins, Duvall, Jackson, Merulla, Partridge, Pasuta,
Morelli, Pearson, Ferguson and Whitehead
Total: 12
Nays: McHattie
Total: 1
Absent: Clark, Johnson, and Powers
Total: 3

7.2 Renewal of Hamilton Bulldogs Lease

Consideration of this Item was deferred pending Closed Session discussion of Item 10.1, Correspondence from John Page, COO, Global Spectrum.

Refer to Item 10.1 of the Minutes for disposition of this matter.

7.3 Amendment to Item 6 of General Issues Committee Report 12-021

(Ferguson/Pasuta)

That the subject line and Sub-section (a) of Item 6 of General Issues Committee Report 12-021 respecting "Declaration of Surplus Property – Proposed Land Exchange between the City of Hamilton (50 Wilson Street East)" be amended by deleting reference to 50 Wilson Street East and replacing it with 50 Halson Street, Ancaster.

CARRIED

7.4 Correction to Item 9 of Planning Committee Report 12-011

(Farr/Morelli)

(a) That the draft Official Plan Amendment, attached as Appendix "B" to Report PED12100 referenced in subsection (a)(i) of Item 9 of Planning Committee Report 12-001 respecting Applications for Approval of an

Official Plan Amendment, Zoning By-law Amendment, Draft Plan of Subdivision, and Draft Plan of Common Element Condominium, for Lands Located at 120 and 124 King Street West (Stoney Creek) be amended by changing the number listed under "Text Changes" from A.13.5.16 to A.13.5.17;

- (b) That Amendment No. 171 attached to By-law No. 12-175, being a by-law to adopt Official Plan Amendment No. 171 to the Stoney Creek Official Plan respecting 120 King Street West be amended by changing the number listed under "Text Changes" from A.13.5.16 to A.13.5.17. This change is to be read into By-law No. 12-175 as of the date it was enacted.

CARRIED

NOTICES OF MOTION

Councillor Merulla presented the following Notice of Motion:

8.1 Advertising along the Red Hill Valley Parkway and Lincoln Alexander Parkway

That staff be directed to bring a report back to the General Issues Committee which explores advertising along the Red Hill Valley Parkway as well as the Lincoln Alexander Parkway (LINC) in order to maximize revenues.

Councillor Ferguson presented the following Notice of Motion:

8.2 Amendment to Item 6 of General Issues Committee Report 12-021

That the subject line and Sub-section (a) of Item 6 of General Issues Committee Report 12-021 respecting "Declaration of Surplus Property – Proposed Land Exchange between the City of Hamilton (50 Wilson Street East)" be amended by deleting reference to 50 Wilson Street East and replacing it with 50 Halson Street, Ancaster.

(Ferguson/Pasuta)

That the Rules of Order be suspended to allow for the introduction of a Motion respecting an Amendment to Item 6 of General Issues Committee Report 12-021.

CARRIED

Refer to Item 7.2 for disposition of this matter.

Councillor Farr presented the following Notice of Motion:

8.3 Correction to Item 9 of Planning Committee Report 12-011

- (a) That the draft Official Plan Amendment, attached as Appendix "B" to Report PED12100 referenced in subsection (a)(i) of Item 9 of Planning Committee Report 12-001 respecting Applications for Approval of an Official Plan Amendment, Zoning By-law Amendment, Draft Plan of Subdivision, and Draft Plan of Common Element Condominium, for Lands Located at 120 and 124 King Street West (Stoney Creek) be amended by changing the number listed under "Text Changes" from A.13.5.16 to A.13.5.17;
- (b) That Amendment No. 171 attached to By-law No. 12-175, being a by-law to adopt Official Plan Amendment No. 171 to the Stoney Creek Official Plan respecting 120 King Street West be amended by changing the number listed under "Text Changes" from A.13.5.16 to A.13.5.17. This change is to be read into By-law No. 12-175 as of the date it was enacted.

(Farr/Jackson)

That the Rules of Order be suspended to allow for the introduction of a Motion respecting a correction to Item 9 of Planning Committee Report 12-011.

CARRIED

Refer to Item 7.4 for disposition of this matter.

STATEMENT BY MEMBERS

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

PRIVATE AND CONFIDENTIAL

10.1 Correspondence from John Page, Chief Operating Officer, Global Spectrum, respecting Item 7.2 – Copps Coliseum Lease

(Merulla/Collins)

That Council move into Closed Session at 8:15 p.m. pursuant to Subsections (c) and (f) of Section 8.1 of the City's Procedural By-law and Section 239 of the Ontario Municipal Act, 2001, as amended, as the subject matter pertains to a proposed or pending acquisition or disposition of land for City purposes respecting Copps Coliseum lease and to receive legal advice that is subject to solicitor-client privilege.

CARRIED

Council reconvened in Open Session at 8:30 p.m.

Mayor Bratina relinquished the Chair to Deputy-Mayor McHattie.

(Bratina/Merulla)

That Item 7.2 respecting the renewal of the Hamilton Bulldogs licence be referred back to the HECFI Board.

CARRIED

(Pearson/Partridge)

That Item 10.1, the correspondence from John Page, Chief Operating Officer of Global Spectrum, respecting Cops Coliseum Lease be received and referred to the HECFI Board.

CARRIED

BY-LAWS

(Farr/Morelli)

That the Bill List for the October 30, 2012 Meeting of Council be amended through the addition of the following as Bill 243 and renumbering the balance:

243 To Being a By-law to Permanently Close a Portion of Medici Lane being Block 54 on Plan 62M-1148, City of Hamilton

244 To Confirm the Proceedings of City Council

Amendment CARRIED

(Farr/Morelli)

That Bills No. 233 to 244 attached hereto, be passed, that the Corporate Seal be affixed thereto, and that the By-laws be numbered and signed by the Mayor and the City Clerk and read as follows:

Bill No.

233 A By-law To Amend By-law No. 01-215, To Regulate Traffic:
Schedule 5 – Stop Control

234 A By-law To Amend By-law No. 01-215, To Regulate Traffic:
Schedule 5 – Stop Control

235 A By-law To Amend By-law No. 01-218, as amended, To Regulate On-Street Parking:
Schedule 6 – Time Limit Parking
Schedule 8 – No Parking Zones
Schedule 10 – Alternate Side Parking
Schedule 12 – Permit Parking Zones
Schedule 13 – No Stopping Zones
Schedule 14 – Wheelchair Loading Zones

236 Respecting Removal of Part Lot Control, Lots 26-29, 32, 36-43 and Block 71, Registered Plan No. 62M-1167 "Bousfield Court"

237 Respecting Removal of Part Lot Control, Block 20, Registered Plan No. 62M-1170, "Trillium Gardens – Phase 2" 36-106 Galileo Drive (Stoney Creek)

238 Respecting Removal of Part Lot Control, Part of Block 19, Registered Plan No. 62M-1170 "Trillium Gardens – Phase 2" 17, 19 and 27-95 Galileo Drive (Stoney Creek)

- 239** Respecting Removal of Part Lot Control, Lots 1 to 41, inclusive, Registered Plan No. 62M-1176, "Oasis – Phase 1B", 170 Palacebeach Trail (Stoney Creek)
- 240** Respecting Removal of Part Lot Control, Block 65, Registered Plan No. 62M-1141, "Mountain Garden" 70 Highgate Drive (Stoney Creek)
- 241** To Amend Zoning By-law No. 464 (Glanbrook), Respecting Lands Located on Blackburn Lane and Grassyplain Drive, known as Blocks 110, 111 and Part of Block 112, Plan 62M-932 and Block 55, Plan 62M-1163
- 242** To Amend the By-law Prohibiting Smoking within City Parks and Recreation Properties
- 243** To Being a By-law to Permanently Close a Portion of Medici Lane being Block 54 on Plan 62M-1148, City of Hamilton
- 244** To Confirm the Proceedings of City Council

CARRIED

(Partridge/Pasuta)

That, there being no further business, the City Council meeting be adjourned at 8:40 p.m.

CARRIED

Respectfully submitted,

Mayor B. Bratina

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