



SPECIAL GENERAL ISSUES COMMITTEE REPORT 13-004

1:00 p.m.

Thursday, February 14, 2013

Council Chambers

Hamilton City Hall

71 Main Street West

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

**Absent with
Regrets:** Councillor S. Duvall – Federation of Canadian Municipalities

THE GENERAL ISSUES COMMITTEE PRESENTS REPORT 13-004 AND RESPECTFULLY RECOMMENDS:

- 1. Response to the Gaming Facility Proposal Sub-Committee Related to Casino Locations, Potential Conditions, and Economic Impacts (PED13036) (City Wide) (Item 4.1)**

That Report PED13036, respecting the Response to the Gaming Facility Proposal Sub-Committee Related to Casino Locations, Potential Conditions, and Economic Impacts, be received.

- 2. Health and Social Impacts of Gambling (BOH12040(a)) (City Wide) (Item 5.1)**

That Report BOH12040(a), respecting the Health and Social Impacts of Gambling, be received.

- 3. Correspondence from the MacNeil Baptist Church, respecting a Downtown Casino (Item 8.1)**

That the correspondence from the MacNeil Baptist Church, respecting a Downtown Casino, be received.

4. Proposed Gaming Facility (Item 10.3)

WHEREAS the Ontario Lottery and Gaming Corporation has confirmed that the City of Hamilton has full control over the location of the proposed gaming facility;

AND WHEREAS the Ontario Lottery and Gaming Corporation (OLG) has provided, in writing (attached hereto), confirmation that the proposed gaming facility site must be approved by the OLG, the private sector operator and the City of Hamilton in order to proceed.

THEREFORE BE IT RESOLVED:

- (a) That the City of Hamilton reserves the right to veto the proposed alternative gaming facility site(s), as identified in the Request for Proposal process.
- (b) That the City of Hamilton supports, in principle, being a "willing host" for a gaming facility site in the Hamilton Gaming Zone (SW9);
- (c) That the Ontario Lottery and Gaming Corporation consider 967 Highway 5 West, Flamborough, Ontario, which is currently known as the Flamboro Downs location, within the Hamilton Gaming Zone (SW9), as the City of Hamilton's choice for a gaming facility site;
- (d) That the City of Hamilton strongly encourages the Ontario Lottery and Gaming Corporation to establish a Request for Pre-Qualification process that is fair, transparent, open and competitive; and, one which will provide proponents, including the current Flamboro Downs operators, Great Canadian Gaming Corporation, an opportunity to compete within a level playing field;
- (e) That, if during the Request for Proposal process, any potential, prequalified proponents demonstrate to the Ontario Lottery and Gaming Corporation and the City of Hamilton that the 967 Highway 5 West, Flamborough Ontario site, which is known as the current Flamboro Downs location, is not a viable site, that only then, the City be willing to explore other sites of interest with prospective proponents, within the Hamilton Gaming Zone (SW9) that permits a gaming facility operation;
- (f) That any and all sites to be considered as the gaming facility site, be subject to Council approved conditions.

FOR THE INFORMATION OF COUNCIL:

The Rules of Order were waived to allow for signs/placards within Chambers during the meeting, respecting the Casino matter.

The above motion CARRIED on the following Standing Recorded vote:

Yeas: Pasuta, Partridge, Johnson, Jackson, Collins, Merulla, Morelli, Farr, McHattie
Total: 9
Nays: Bratina, Ferguson, Pearson, Clark, Whitehead
Total: 5
Absent: Duvall and Powers
Total: 2

(a) CHANGES TO THE AGENDA (Item 1)

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

- (i) Added as Item 4.2(a) – Delegation Request from David J. Anderson, Churches Against a Downtown Casino
- (ii) Added as Item 4.2(b) – Delegation Request from John McGreal, respecting the a Downtown Casino
- (iii) Added as Item 4.2(c) – Delegation Request from Valerie Sturrock, respecting the Casino
- (iv) Added as Item 8.1 – Correspondence from the MacNeil Baptist Church, respecting a Downtown Casino
- (v) Added as Item 10.1 – a Motion Ministerial Zoning Order – Flamboro Downs
- (vi) Added as Item 10.2 – Motion Current Flamborough Location City's Choice for Casino Site

The agenda for the February 14, 2013 Special General Issues Committee meeting was approved, as amended.

(b) DECLARATIONS OF INTEREST (Item 2)

There were no declarations of interest.

(c) Response to the Gaming Facility Proposal Sub-Committee Related to Casino Locations, Potential Conditions, and Economic Impacts (PED13036) (City Wide) (Item 4.1)

Tim McCabe, General Manager of Planning and Economic Development Department, introduced the staff presentation, respecting Report PED13036, the Response to the Gaming Facility Proposal Sub-Committee Related to Casino Locations, Potential Conditions, and Economic Impacts.

Paul Mallard, Director of Planning, provided a PowerPoint presentation with respect to Location Criteria and Urban Design of a potential gaming facility.

Norm Schleeahn, Manager of Business Development, continued the presentation with respect to the Operations and Economic Impacts of a gaming facility.

The presentation, respecting Report PED13036, Response to the Gaming Facility Proposal Sub-Committee Related to Casino Locations, Potential Conditions, and Economic Impacts, was received.

A full copy of the presentation is available on line at www.hamilton.ca or through the Office of the City Clerk.

(d) DELEGATION REQUESTS/DELEGATIONS (Item 4.2)

(i) Delegation Request from David J. Anderson, Churches Against a Downtown Casino (Item 4.2(a))

The delegation request from David J. Anderson, Churches Against a Downtown Casino, was approved.

A full copy of Mr. Anderson's PowerPoint presentation is available on the City's web site at www.hamilton.ca or through the Office of the City Clerk.

The presentation from David J. Anderson, Churches Against a Downtown Casino, was received.

(ii) Delegation Request from John McGreal, respecting the a Downtown Casino (Item 4.2(b))

The delegation request from John McGreal, respecting a Downtown Casino, was approved.

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

- Not in my backyard.

- Vision of downtown was the casino, but maybe not now – if we're not going to get enough revenue.
- What percentage of the revenue would the City receive?

The presentation from John McGreal, respecting the Casino matter, was received.

(iii) Delegation Request from Valerie Sturrock, respecting the Casino (Item 4.2 (c))

The delegation request from Valerie Sturrock, respecting the Casino matter, was approved.

Ms. Sturrock's comments included, but were not limited to, the following:

- This is a great City – we just need to pull things together. Don't get distracted by the Casino.
- Premature to consider a Casino.

The presentation from Valerie Sturrock, respecting the Casino matter, was received.

(e) Ministerial Zoning Order – Flamboro Downs (Item 4.1) (Referred from previous General Issues Committee meeting.) (Item 10.1)

Councillor J. Partridge withdrew her motion, respecting a Ministerial Zoning Order for Flamboro Downs, which read as follows:

WHEREAS a Ministerial Zoning Order (MZO) was issued in December 1998 on Flamboro Downs property to permit slot machine operations;
AND WHEREAS the McGuinty government imposed the *Green Belt Act* in 2005;

AND WHEREAS Flamboro Downs zoning is in the *Green Belt Act* and additional construction or non-agricultural uses are prohibited;

AND WHEREAS the current Provincial government gave a two year extension to Woodbine Entertainment Group (WEG) for Woodbine and Mohawk Race tracks;

AND WHEREAS the *Green Belt Act* is up for review in 2015.

Therefore Be It Resolved:

- (a) That the City of Hamilton request the Province provide a two-year extension Operating Agreement for the operation of Flamboro Downs.

- (b) That the City of Hamilton request a Ministerial Zoning Order be signed by the Minister of Municipal Affairs and Housing for an amendment to allow a full gaming facility and ancillary casino uses such as a hotel and restaurants, as well as construction expansion of Flamboro Downs.

(f) Ontario Lottery and Gaming Corporation (OLGC) – Establishment of a Gaming Facility (10.2)

The motion, respecting the Ontario Lottery and Gaming Corporation – Establishment of a Gaming Facility, was lifted from the table.

The motion respecting the Ontario Lottery and Gaming Corporation (OLGC) – Establishment of a Gaming Facility, which reads as follows, was withdrawn:

Ontario Lottery and Gaming Corporation (OLGC) – Establishment of a Gaming Facility

WHEREAS Hamilton City Council, on April 11, 2012, confirmed its support for Flamboro Downs Slots and Race Track as Council's number one priority and requested the Provincial Government to explore new formulas to keep operations such as Flamboro Downs Slots and Race Track sustainable to the benefit of our community;

AND WHEREAS the Ontario Lottery and Gaming Corporation (OLGC) has identified Gaming Zones as geographic areas where regulated private-sector providers will be allowed to operate a single gaming facility, subject to approvals;

AND WHEREAS the OLGC has identified Hamilton/Burlington as one of the 29 Gaming Zones;

AND WHEREAS inside gaming zones, each operator will be allowed to establish a new facility, operate the current facility, or relocate existing facilities within the boundaries of the zone, subject to relevant approvals, including:

- (i) OLGC's approval of business case;
- (ii) Municipal approval from the host municipality for the establishment and operation of a gaming facility in that municipality;

THEREFORE BE IT RESOLVED:

- (a) That the Minister of Municipal Affairs and Housing be requested to make an order requiring the Clerk to submit a question to the electors regarding a gaming facility in time for the 2014 Municipal Election;

- (b) That the Province be requested to put a moratorium on the selection process of a casino in the Hamilton/Burlington area pending the results of a question to the electors of the City of Hamilton.

(g) Proposed Gaming Facility (Item 10.3)

The motion CARRIED on the following Standing Recorded vote:

Yeas: Bratina, Pasuta, Partridge, Ferguson, Johnson, Pearson, Clark,
Whitehead, Jackson, Collins, Merulla, Morelli, Farr, McHattie

Total: 14

Absent: Duvall and Powers

Total: 2

(h) ADJOURNMENT (Item 10)

There being no further business, the Special General Issues Committee meeting adjourned at 6:26 p.m.

Respectfully submitted,

Councillor R. Pasuta, Chair
Deputy Mayor

Stephanie Paparella
Legislative Coordinator
Office of the City Clerk