

GENERAL ISSUES COMMITTEE

MINUTES 13-007

9:30 a.m.
Wednesday, March 20, 2013
Council Chambers
Hamilton City Hall
71 Main Street West

Present: Deputy Mayor B. Johnson (Chair)

Mayor R. Bratina

Councillors B. Clark, C. Collins, S. Duvall, J. Farr,

T. Jackson, B. McHattie, S. Merulla, B. Morelli, J. Partridge,

R. Pasuta, M. Pearson, R. Powers, T. Whitehead

Absent with Regrets: Councillor L. Ferguson – Vacation

THE FOLLOWING ITEMS WERE REPORTED TO COUNCIL FOR CONSIDERATION:

1. Hamilton Police Service Monthly Reports PSB13-013 (Item 5.2)

(Partridge/Pasuta)

That Report PSB13-022 respecting the Hamilton Police Service Monthly Report be received. **CARRIED**

2. Hamilton Downtown Multi-Residential Property Investment Program (HDMRPIP) – 150 Main Street West (PED13047) (Ward 2) (Item 5.3)

(Partridge/Pasuta)

- (a) That a conditional loan commitment totaling \$5,000,000 for 150 Main West Holdings Inc. (Darko Vranich), the registered owner of the property at 150 Main Street West, be authorized and approved with the proviso that no more than \$18,000,000 is outstanding at one-time for all of the loans approved for Darko Vranich under the Hamilton Downtown Multi-Residential Property Investment Program (HDMRPIP) in accordance with the Program's terms and conditions;
- (b) That the Mayor and City Clerk be authorized and directed to execute a loan agreement together with any ancillary documentation required, to effect recommendation (a), above, in a form satisfactory to the City Solicitor;

- (c) That the General Manager of the Planning and Economic Development Department be authorized to approve and execute any loan amending agreements, together with any ancillary amending documentation, if required, provided that the terms and conditions of the Hamilton Downtown Multi-Residential Property Investment Program (HDMRPIP), as approved by City Council, are maintained.

 CARRIED
- 3. Hamilton Downtown Property Improvement Grant Program 150 Main Street West HDPIGP 13/02 (PED13048) (Ward 2) (Item 5.4)

(Partridge/Pasuta)

- (a) That a Hamilton Downtown Property Improvement Grant Program (HDPIGP) application submitted by 150 Main West Holdings Inc. (Darko Vranich), owner of the property at 150 Main Street West, for a HDPIGP grant estimated at \$1,531,338.07 over a maximum of a five (5) year period and based upon the incremental tax increase attributable to the redevelopment of 150 Main Street West, 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 PED13048, in a form satisfactory to the City Solicitor. CARRIED
- 4. Hamilton Downtown Property Improvement Grant Program— 205 Hunter Street West HDPIGP 12/06 (PED13051) (Ward 2) (Item 5.5)

(Partridge/Pasuta)

- (a) That a Hamilton Downtown Property Improvement Grant Program (HDPIGP) application submitted by Timbercreek Asset Management Inc. (R. Blair Tamblyn, Connie C. Ashton, David Poggemiller, Ted R. Welter, Greg S. Zahorski, Ugo Bizzari, Jeff Hutchison, Andrew Jones, David Melo, Blair Tamblyn), owner of the property at 205 Hunter Street West, for a HDPIGP grant estimated at \$18,787.65 over a maximum of a five (5) year period and based upon the incremental tax increase attributable to the redevelopment of 205 Hunter Street West, 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 PED13051, in a form satisfactory to the City Solicitor. CARRIED

5. Hamilton Community Heritage Fund Loan Program – 237 St. Clair Boulevard (PED13054) (Ward 3) (Item 5.6)

(Partridge/Pasuta)

- (a) That a conditional loan commitment totaling \$50,000 for Trang Duong, the registered owner of the property at 237 St. Clair Boulevard (Hamilton) be authorized and approved in accordance with the terms and conditions of the Hamilton Community Heritage Fund Loan Program;
- (b) That the property owner and the City of Hamilton enter into a Heritage Conservation Easement Agreement;
- (c) That the Mayor and City Clerk be authorized and directed to execute a loan agreement together with any ancillary documentation required, to effect Recommendation (a), above, in a form satisfactory to the City Solicitor:
- (d) That the General Manager of the Planning and Economic Development Department be authorized to approve and execute any loan amending agreements, together with any ancillary amending documentation, if required, provided that the terms and conditions of the Hamilton Community Heritage Fund Loan Program are maintained;
- (e) That Report PED13054 be forwarded to the Hamilton Municipal Heritage Committee for information. CARRIED
- 6. Conveyance of Easement (Temporary) to Public Mobile Retail Inc. Part of 00 Suter Crescent, Dundas (PED13046) (Ward 13) (Item 5.7)

(Partridge/Pasuta)

- (a) That the Real Estate Section of the Planning and Economic Development Department be authorized and directed to convey a temporary easement at nominal consideration of \$2 over Part of Lot 46, Concession 1, Ancaster Township, described as Parts 1 to 3 on a Draft Plan prepared by Sexton Mckay Limited dated November 16, 2012, forming part of 00 Suter Crescent in Dundas (Dundas Water Tower), comprising an area of approximately 69.2 square metres (745 square feet) as shown on Appendix "A" attached to Report PED13046;
- (b) That the sale price of \$2 does not include the Harmonized Sales Tax (HST); should HST be applicable and collected by the City, that the HST amount be credited to Account No. 22828 000900 (HST Payable);
- (c) That the sale proceeds be credited to the Dundas Reserve Fund Account 108031;

- (d) That the term of the temporary easement run concurrently with the term of a License Agreement between the City and Public Mobile Retail Inc., approved by Council on December 14, 2011, (Report PED11212), for use of the Dundas Water Tower as a cell tower location;
- (e) 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.

 CARRIED
- 7. Canadian Ballet Youth Ensemble Tivoli Theatre (PED13055) (Ward 2) (Item 5.8)

(Partridge/Pasuta)

That Report PED13055 respecting Canadian Ballet Youth Ensemble, be received.

CARRIED

8. Consultation for the Draft Cultural Plan (PED13045) (City Wide) (Item 5.9)

(Partridge/Pasuta)

That Report PED13045 respecting Consultation for the Draft Cultural Plan, be received. CARRIED

9. Minutes of the Hamilton Chamber of Commerce Light Rail Transit Task Force Meetings of November 28 and December 19, 2012 and January 23, 2013 (Item 5.10)

(Partridge/Pasuta)

That the November 28 and December 19, 2012 and January 23, 2013 of the Hamilton Chamber of Commerce Light Rail Transit Task Force, be received.

CARRIED

10. Presentation of the Neighbourhood Action Plan for the South Sherman Neighbourhood developed as part of the Neighbourhood Development Strategy (CM12013(b)) (City Wide)

(Morelli/Merulla)

- (a) That the Neighbourhood Action Plan attached as Appendix "A" to Report CM12013(b) be endorsed;
- (b) That Planning staff be directed to consult with the relevant Neighbourhood Planning Team on potential land use changes that could assist in the implementation of the Neighbourhood Action Plan where appropriate;

- (c) That the completed Neighbourhood Action Plans attached as Appendix "A" to report CM12013(b) be distributed to and reviewed by City of Hamilton staff and Neighbourhood Development Strategy Partners to determine suitable actions to assist in the implementation of the Neighbourhood Action Plan;
- (d) That staff be directed to report back to the appropriate standing committee on suitable implementation measures (including cost and resource implications) that will be undertaken by the City of Hamilton to support the implementation of the Neighbourhood Action Plan attached as Appendix A to report CM12013(b).

 CARRIED

11. Correspondence from Steve Calverley, Chair, South Sherman Community Planning Team

(Morelli/Whitehead)

That the correspondence from Steve Calverley, Chair, South Sherman Community Planning Team, supporting proposed joint initiative between the City of Hamilton and the Hamilton Wentworth District School Board for the construction of a new public secondary school in the neighbourhood, be received.

CARRIED

12. Niagara to Greater Toronto Area (NGTA) Transportation Corridor (PW13020/PED13044) (Item 7.1)

(Clark/Partridge)

- (a) That staff be directed to participate in future studies that have been identified through the Niagara to Greater Toronto Area (NGTA) Corridor Planning and Environmental Assessment Study Phase 1 for the West and Central Areas;
- (b) That staff be directed to update the 2005 Hamilton Goods Movement Study;
- (c) That this project be considered as part of the 2014 Capital Budget deliberations;
- (d) That staff be directed to participate in the Inter-Regional Strategic Economic Logistics Corridors and Gateway Connections Municipal Caucus to explore areas of mutual interest and support in order to develop a collective position on strategic transportation corridors to be presented for consideration to Provincial and Federal Governments;

- (e) That staff be directed to meet and work with local City Managers regarding the need for an alternative corridor from Welland to Hamilton;
- (f) That staff co-ordinate a meeting with City representatives from Niagara and area municipalities and the New York State Transport Commissioner to discuss the multi-regional transportation needs;
- (g) That the City Manager ensure that the major transportation stakeholders i.e., Hamilton Port Authority, John C. Munro/Hamilton International Airport, McMaster Institute of Transportation, rail authorities, trucking associations, etc. be directly involved in the next phase of the Niagara to Greater Toronto Area Transportation Study. **CARRIED as amended**

13. Cut-through Traffic (New Business

(Whitehead/Jackson)

- (a) That staff be directed to meet with the Ministry of Transportation of Ontario to assess cut-through traffic currently and projected, and the impacts of expanding lanes on the Queen Elizabeth Way (QEW) and on Highway 403;
- (b) That the Ministry of Transportation of Ontario be requested to provide statistics relating to the number of times the Skyway Bridge is required to be closed to traffic annually;
- (c) That staff determine and pro rate the operational and capital costs as a result of the impacts of cut-through traffic. CARRIED

14. Public Bike Share Transit System Implementation (City Wide) (PW13015(a)) (Item 8.4(a))

(Merulla/Partridge)

That Report PW13015(a) respecting Public Bike Share Transit System Implementation, be received. CARRIED

15. Public Bike Share Transit System Implementation (City Wide) (PW13015) (Item 8.4(b))

(Clark/Partridge)

(a) That the implementation of a public bike share transit system be approved, as outlined in Appendix "A" to Report PW13015, subject to finalization of an agreement to secure a system supplier and operator through a Request for Proposals (RFP) process;

- (b) That staff report back to the Public Works Committee with the results of the RFP process;
- (c) That the General Manager of Public Works be given delegated authority to negotiate with potential system sponsors and enter into agreements for the purpose of fully offsetting the operating costs of the system for a minimum period of three years;
- (d) That the capital and start-up costs of the Public Bike Transit System, as outlined in Appendix "A" to Report PW13015, be funded from the Rapid Transit Capital Reserve (108047) to an upset limit of \$1,600,000, subject to available funding and approval from Metrolinx.
- (e) That staff be requested to provide a report back to the Public Works Committee at the end of each full year period to provide a progress/status report on the program which would include update, accident claims, etc.

 CARRIED as amended
- 16. Bike Share Program Letters of Support (Items 8.4.1 and 8.4.2)

(Pearson/Whitehead)

That the correspondence received from Martin Eckart and Ed Sernie expressing their support for the Public Bike Share Program (attached as Appendices "A" and "B" to GIC Reporte 13-007 respectively), be received.

CARRIED

17. Memorandum of Agreement between the City of Hamilton and the Hamilton Wentworth District School Board (HWDSB) for New Secondary School in Pan Am Stadium Precinct (Ward 3) (CM13006) (Item 8.3)

(Collins/Merulla)

- (a) That the City of Hamilton agree to work with the Hamilton-Wentworth District School Board to jointly develop a new secondary school, community centre (including a pool, youth centre, fitness room and multiuse space) and green space on the lands bounded by Cannon Street East, King Street East, Balsam Avenue North and Melrose Avenue North by August, 2016;
- (b) That the \$1.2M approved to date for a Central City Seniors Facility (FCS10040) be redirected to the proposed Community Centre Project per recommendation (a);
- (c) That staff report back to the General Issues Committee by July 31, 2013 with funding options for the balance of the funding required for this project (approximately \$15.8M) per recommendation (e);

- (d) That financial support for this project (approximately \$15.8M) be referred to the Hamilton Future Fund for their consideration and report back to the General Issues Committee; and,
- (e) That the City Manager be authorized to enter into a memorandum of agreement, in a form suitable to the City Solicitor, that addresses the requirements of both the City and the Hamilton-Wentworth District School Board in undertaking this joint venture subject to Council approval of the funding plan.

 CARRIED

18. Enbridge Pipelines Inc. Line 9B Reversal and Line 9 Capacity Expansion Project Application (PED12160(a)/LS12022(a)) (City Wide) (Item 7.2)

(McHattie/Partridge)

That Report PED12160(a)/LS12022(a) respecting Enbridge Pipelines Inc. Line 9B Reversal and Line 9 Capacity Expansion Project Application, be received.

CARRIED

19. Enbridge Pipelines Inc. Line 9B Reversal and Line 9 Capacity Expansion Project

(McHattie/Partridge)

Whereas Enbridge Pipelines Inc. ("Enbridge") has applied to the National Energy Board ("NEB") for the Line 9B Reversal and Line 9 Capacity Expansion Project (the "Project");

And Whereas the City of Hamilton General Issues Committee has received Report PED12160(a)/LS12022(a) from City Staff on the Line 9 Project Application.

Therefore be it resolved:

- (a) That City staff be authorized and directed as follows:
 - (i) Submit comment to the NEB and Enbridge on the List of Issues attached as Appendix I to the NEB Hearing Order OH-002-2013 for the Project;
 - (ii) Continue to review the Enbridge application and any further supporting materials related to the Project and attempt to resolve any concerns by requesting additional information from Enbridge;
 - (iii) Continue to liaise with other municipalities and Conservation Authorities to discuss co-operation in the presentation of common issues of concern before the NEB;

- (iv) On behalf of the City of Hamilton, apply to participate in the NEB Hearing for the Project through a written Letter of Comment and only seek Intervenor status if there are unresolved issues of municipal concern which no other Intervenor has put forward for consideration by the NEB;
- (v) Provide assistance as required by the City Solicitor and the General Manager of Planning and Economic Development in the review of the Project application and presentation of any City issues to the NEB; and
- (vi) Report back to the General Issues Committee with the status of the City's issues and how those issues have or have not been addressed at the NEB Hearing;
- (b) That the City of Hamilton request the National Energy Board to include the following concerns in the NEB's List of Issues or the Project:
 - (i) Consultation with local Source Water Protection staff including the Hamilton Conservation Authority, Conservation Halton, and City of Hamilton staff regarding the identification of potential threats to drinking water quality and how Enbridge plans to address any malfunctions of the pipeline or spills that threaten drinking water safety;
 - (ii) The need for pipeline isolation valves to be installed where the pipeline crosses the Sheffield-Rockton Complex and other provincially-significant wetlands and environmentally-sensitive areas;
- (c) That Enbridge Pipelines Inc. be advised that the City of Hamilton has requested that the National Energy Board include the additional concerns noted in sub-section (b) within the List of Issues as noted in Appendix I of Hearing Order OH-002-2013. CARRIED as amended

20. Enbridge Pipelines Line 9

(Pearson/McHattie)

That the correspondence from Emily Ferguson with respect to Enbridge Pipelines Line 9, be received. CARRIED

21. Workplace Mental Health Summit (HUR13005) (City Wide) (Item 8.1)

(Whitehead/Pearson)

That Report HUR13005 respecting Workplace Metal Health Summit, be received.

22. Interest Arbitration/Ability to Pay Update (HUR13004) (City Wide) (Item 8.2)

(Farr/Merulla)

That Report HUR13004 respecting Interest Arbitration/Ability to Pay Update, be received.

23. Report 13-001 of the Web Redevelopment Sub-Committee – March 1, 2013 (Item 8.5)

Web Redevelopment Sub-Committee – Amendments to Title and Terms of Reference (FCS13031) (City Wide)

(Jackson/Partridge)

- (a) That the Web Redevelopment Sub-Committee's name be amended to the Web Redevelopment and Service Channel Sub-Committee;
- (b) That the revised Terms of Reference for the Web Redevelopment and Service Channel Sub-Committee, as amended, attached as Appendix "D" to GIC Report 13-007, be approved. CARRIED

24. 2013 Mountable Curb Program in Ward 6 (Item 9.1)

(Jackson/Duvall)

- (a) That thirty-six (36) mountable curbs within Ward 6 be reconstructed:
- (b) That the reconstruction cost for the 36 mountable curbs in the amount of \$90,000 be funded from the Ward 6 Area Rating Special Capital Re-Investment Reserve Account No. 108056:
- (c) That the General Manager of Public Works be authorized to prepare, advertise and award tenders as required for the above-noted works.

CARRIED

25. 2013 Mountable Curb Program in Ward 7 (Item 9.2)

(Duvall/Jackson)

- (a) That forty-two (42) mountable curbs within Ward 7 be reconstructed;
- (b) That the reconstruction cost for the 42 mountable curbs in the amount of \$100,000 be funded from the Ward 7 Area Rating Special Capital Re-Investment Reserve Account No. 108057;
- (c) That the General Manager of Public Works be authorized to prepare, advertise and award tenders as required for the above-noted works.

CARRIED

26. ArcelorMittal Dofasco – Update on Hamilton Operations (Item 9.3)

(Merulla/Morelli)

That representatives from ArcelorMittal Dofasco be invited to attend a future meeting of the General Issues Committee to provide an update on their Hamilton operations.

CARRIED

27. Start-up Grant for the Waterdown B.I.A. Farmers' Market (Item 9.4)

(Partridge/Jackson)

Whereas start-up grants have been provided to the Ancaster, Concession Street, Locke Street, Dundas and Ottawa Street Farmers' Markets;

And Whereas the Waterdown Farmers' Market requires similar start-up assistance.

Therefore Be It Resolved:

- (a) That a one-time grant in the amount of \$15,000, as a contribution to startup costs for the Waterdown Farmers' Market, be approved and forwarded to the Waterdown B.I.A.:
- (b) That the \$15,000 grant to the Waterdown B.I.A. for the Waterdown Farmers' Market be funded from the Economic Development Investment Fund Account No. 3620908900. CARRIED

28. Interest Arbitration Reform and Renewal (Item 9.5)

(Pearson/Jackson)

Whereas, the City of Hamilton is pleased that both the Provincial government and the Opposition have kept the issue of interest arbitration reform at the forefront of major policy discussions;

And Whereas, the City of Hamilton supports the overall intention of interest arbitration renewal;

And Whereas, a preliminary review indicates that there needs to be improvement in both pieces of draft legislation to be considered by the Legislature;

And Whereas, the City of Hamilton trusts that through further consultation, these issues can be resolved;

And Whereas, the City of Hamilton is aware that the Association of Municipalities of Ontario (AMO) and the Emergency Services Steering Committee are reviewing these issues and are requesting further discussion and input;

Therefore be it resolved:

- (a) That the Council of the City of Hamilton requests that the legislature work collectively in the best interest of Ontario municipalities and Ontario taxpayers on this important issue of interest arbitration reform and supports the Association of Municipalities of Ontario's (AMO) recent request for revised legislation that is efficient, accountable and transparent;
- (b) That this resolution be forwarded to the Premier, the Leader of the Opposition, the Leader of the New Democratic Party, the Association of Municipalities of Ontario (AMO) and Hamilton-area M.P.P.'s, conveying Council's position on this matter.

 CARRIED

29. Canadian-European Trade Agreement (CETA) – Canada-EU Trade Negotiations (Item 10.1)

WHEREAS at its meeting of December 12, 2011, the General Issues Committee passed a motion to "request that the Province of Ontario consider a clear, permanent exemption for the City of Hamilton from the Canada-European Union Comprehensive Economic and Trade Agreement (CETA), and that it otherwise protect the powers of municipalities to use public procurement, services and investment as tools to create local jobs, protect the environment, and support local development;";

AND WHEREAS this motion further requested, "That the Province of Ontario disclose its initial procurement, services and investment offers to the European Union (EU), explain the impacts the Canada-European Trade Agreement (CETA) would have on municipal governance, and give the Municipal, University, School and Hospital (MUSH) sector entities the freedom to decide whether or not they will be bound by the procurement, investment and regulatory rules in the agreement;";

AND WHEREAS the Province has so far failed to disclose this information, or to communicate with the City of Hamilton or other Ontario municipalities about the ongoing CETA negotiations and the Provincial procurement offers in particular;

AND WHEREAS Canada-EU trade negotiations are reported to be nearing completion, with leaked documents from European Commission in November 2012 stating, "The outcome regarding the inclusion of regional and local government entities, including agencies, crown corporations, and the MASH sector (municipalities, academia, schools and hospitals) is highly satisfactory," but that the EU continues to push for full coverage of transit, energy and regional development spending;

AND WHEREAS the Federation of Canadian Municipalities has insisted that trade deals "must recognize strategic and public interest considerations before barring all preferential treatment based on country of origin," and "There may be industries of strategic significance to a particular region, such as transit, or projects where considerations of quality, public benefit, environmental protection or business ethics means that a local government may wish to implement minimum Canadian-content levels."

Therefore be it resolved:

- (a) That Council request an immediate briefing from the Provincial and Federal Governments on the status of the Canada-EU trade negotiations and how municipal governments will be affected, with special attention on the provincial procurement offer to the EU;
- (b) That Council re-state its preference to be excluded from the CETA, and that the Province otherwise protect the powers of municipal governments to use public procurement, services and investment as tools to create local jobs, protect the environment and support local development.

CARRIED as amended

30. One-Time Savings/Budget Variance – Ivor Wynne Stadium 2013 Operating Budget (New Business – No Copy)

That the estimated one time savings/budget variance yet to be determined associated with the Ivor Wynne Stadium annual operating budget for 2013 be deposited into a Reserve and earmarked for stadium precinct legacy projects and/or the South Sherman Neighbourhood Action Plan.

CARRIED

FOR THE INFORMATION OF COUNCIL:

CEREMONIAL ACTIVITIES

Presentation of Economic Developers Council Ontario Awards

Mayor R. Bratina called upon Anna Bradford, Director of Tourism and Culture, Susan Monarch, Manager of Tourism and Visitor Services, Andy Zimmerman, E-Marketing Co-ordinator, and Adam Stewart, Marketing and Communications Co-ordinator, to join him at the podium to acknowledge awards recently received from the Economic Developers Council of Ontario.

Hamilton's Tourism and Culture Division received the honour from Canada's largest provincial economic development organization and was awarded for the following:

- Two Publication Awards for the "Experience Hamilton Visitor Guide" and "Talking Tourism Industry" e-Newsletter
- Best website <u>www.tourismhamilton.com</u>
- Best interactive database for the Visit Hamilton App
- Best use of social media.

In addition, the City of Hamilton's Economic Development Department received three honourable mentions, including Stand Alone/Cooperative Advertising, Advertising Campaign and Social Media, which follows the Department's four EDCO Awards in 2011.

Susan Monarch also recognized and acknowledged the partners that supported the Division's projects:

- Tyler Cowie and Adrian Dyzer, Factor-E (Visit Hamilton App)
- Mark Wu, 2Gen.net (Tourismhamilton.com website)
- Phil King, OKD (Experience Hamilton Guide)

(a) CHANGES TO THE AGENDA (Item 1)

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

ADDED DELEGATION REQUEST

For Today's Meeting

- (i) Request from Al-Amin Mithani to speak in favour of the Bike Sharing Program (Item 8.4(a) and (b)) (Added Item 4.2)
- (ii) Request from Jonathan Therien, Strathcona Community Council, to speak in support for a plan to create an operating bike share in Hamilton (Items 8.4(a) and (b)) (Added Item 4.4)

(iii) Request from 1739061 Ontario Inc., (Jamil Kara) and Peter Cass, Cass and Bishop Barristers and Solicitors, respecting land located at 1055 King Street East, Hamilton (Scott Park School) (Reference: Item 8.3) (Added Item 4.3)

ADDED CORRESPONDENCE

- (iv) Correspondence from Emily Ferguson respecting Enbridge Line 9 (Reference: Item 7.2) (Added Item 7.2.1)
- (v) Correspondence in support of Hamilton Bike Share from:
 - (a) Martin Eckart (Added Item 8.4.1)
 - (b) Ed Sernie (Added Item 8.4.2)

(Reference: Items 8.4(a) and (b))

(Pearson/Powers)

That the agenda, be approved as amended.

CARRIED

(b) DECLARATIONS OF INTEREST (Item 2)

None.

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

(Pearson/McHattie)

That the minutes of the General Issues Committee Meetings held on February 14, 20 and 25, 2013, be approved as presented. **CARRIED**

(d) DELEGATION REQUESTS

(Merulla/Farr)

That the delegation request from Dave Barnett on behalf of Abuse Prevention and Awareness Campaign (APAC) respecting bullying and child abuse, be approved.

CARRIED

That the delegation requests from the following be approved, and that the rules of order be waived to allow their presentations to be heard at today's General Issues Committee meeting:

(Pearson/Bratina)

(i) Al-Amin Mithani to speak in favour of the Bike Sharing Program

CARRIED

(McHattie/Collins)

(ii) Jonathan Therien, Strathcona Community Council, to speak in support for a plan to create an operating bike share in Hamilton CARRIED

(Bratina/Merulla)

(iii) Jamil Kara, 1739061 Ontario Inc., and Peter Cass, Cass and Bishop, Barristers and Solicitors, respecting lands located at 1055 King Street East (Scott Park School) CARRIED

(Collins/Jackson)

That the rules of order be suspended in order to allow for the above-mentioned delegations to speak at today's General Issues Committee meeting. **CARRIED**

(e) CONSENT ITEMS

(i) Minutes of Various Sub-Committees (for information purposes only) (Item 5.1(a))

(Partridge/Pasuta)

That the following Sub-Committee Minutes be received:

- (aa) Hamilton Association of Business Improvement Areas January 8, 2013
- (bb) Web Redevelopment Sub-Committee January 23, 2013

CARRIED

(f) PUBLIC HEARINGS/DELEGATIONS

(i) Presentation of the Neighbourhood Action Plan for the South Sherman Neighbourhood, developed as part of the Neighbourhood Development Strategy (CM12013(b)) (City Wide) (Item 6.1)

Paul Johnson, Director, Neighbourhood Development Strategies, provided introductory remarks with respect to the citizen participation toward the development of the South Sherman Neighbourhood Action Plan.

Mr. Johnson recognized several residents who worked on the Plan and were in attendance at the meeting to support the Plan. Mr. Johnson also acknowledged a number of City staff that have undertaken key leadership roles in the implementation of the action plans and thanked them for their efforts in this endeavour.

Steve Calverley, Chair of the South Sherman Community Planning Team, appeared before the Committee to speak to the Neighbourhood Action Plan and requested that it would be most helpful and strategic to receive the Committee's support at this early stage of implementation. Mr. Calverley thanked the Committee for being provided with the opportunity to present the overview.

A copy of Mr. Calverley's comments (attached to GIC Report 13-007 as Appendix "D") were submitted to the Clerk for the official record.

(Morelli/Merulla)

That the presentation of the South Sherman Neighbourhood Action Plan and the comments of Steve Calverley, Chair of the South Sherman Community Planning Team, be received.

CARRIED

(ii) John Slobodzian, Ministry of Transportation, to provide an update on the Niagara to GTA Corridor Planning and Environmental Assessment Study – Phase 1 (Item 6.2)

John Slobodzian, Project Co-ordinator, Ministry of Transportation of Ontario, and Patrick Puccini, Senior Project Manager/Manager, Sustainable Transportation, with URS Canada Inc., appeared before the Committee to provide an update on one aspect of the project, specifically the highway expansion. The Committee was provided with a power point presentation which addressed the following:

- The Study
- Overview of Environmental Assessment Study Process
- Study Area and Policy Context
- Developing Solutions
- Three Sub-Areas
- West Area Two Highway Expansion Scenarios
- West Area Recommendation Scenario 1
- Central Area Recommendation
- East Area Recommendation
- Recommendation: West, Central and East
- Schedule to Study Completion
- Appendices of Highway Expansion Alternatives Summary of Assessment and Evaluation

(Collins/Duvall)

That the presentation from the Ministry of Transportation representatives with respect to the Niagara to GTA Corridor Planning and Environmental Assessment Study – Phase 1, be received. **CARRIED**

(Farr/Morelli)

That the presentation related to Item 7.1 – Niagara to Greater Toronto Area (NGTA) Transportation Corridor, be moved forward on the agenda.

CARRIED

(g) PRESENTATIONS

(i) Niagara to Greater Toronto Area (NGTA) Transportation Corridor (PW13020/PED13044) (Item 7.1)

Chris Murray, City Manager, provided a power point presentation with respect to the Niagara to Greater Toronto Area (NGTA) Transportation Corridor and spoke to the following issues:

- Provincial Projects to 2041
- Economic Prosperity of the Region
- Transportation System Planning
- Report Highlights(PW13020/PED13044) and Recommendations

A copy of the presentation was submitted to the Clerk for the official record and is available for viewing on the City of Hamilton website.

(Jackson/Pearson)

That the presentation respecting the Niagara to Greater Toronto Area (NGTA) Transportation Corridor, be received. **CARRIED**

(Clark/Pearson)

That the following be added as sub-section (d):

(d) That staff be directed to meet and work with local City Managers regarding the need for an alternative corridor from Welland to Hamilton.

The Amendment **CARRIED** on the following vote:

Yeas: Clark, Pearson, Powers, Pasuta, Partridge, Bratina,

Johnson, Whitehead, Jackson, Collins, Merulla, Morelli, Farr

Total Yeas: 13 Nays: McHattie Total Nays: 1

Absent: Duvall, Ferguson

Total Absent: 2

(Clark/Pearson)

That the following be added as sub-section (f):

(f) That staff co-ordinate a meeting with City representatives from Niagara and area municipalities and the New York State Transport Commissioner to discuss the multi-regional transportation needs;

Amendment CARRIED Motion as amended CARRIED

(Partridge/Jackson)

That the following be added as sub-section (g)

(g) That the City Manager ensure that the major transportation stakeholders i.e., Hamilton Port Authority, John C. Munro/Hamilton International Airport, McMaster Institute of Transportation, rail authorities, trucking associations, etc. be directly involved in gthe next phase of the Niagara to Greater Toronto Area Transportation Study.
Amendment CARRIED

Motion as amended CARRIED

(f) PUBLIC HEARINGS/DELEGATIONS (cont'd)

(iii) Al-Amin Mithani respecting Bike Sharing Program (Added 4.2/6.3)

Al Mithani, creator of the website, "hamiltonbikeshare.org", appeared before the Committee to speak to the economic impacts of cycling.

A copy of Mr. Mithani's comments (attached to GIC Report 13-007 as Appendix "E") were submitted to the Clerk for the official record.

(Clark/Pearson)

That the presentation from Al-Amin Mithani respecting a Bike Share Program in Hamilton, be received.

CARRIED

(iv) Jonathan Therien, Strathcona Community Council, to speak in support for a plan to create an operating bike share in Hamilton (Added Item 4.4/6.4)

Jonathan Therien, on behalf of the Strathcona Community Council, appeared before the Committee to speak to the bike share program in Hamilton, and noted that many of the answers for the benefitting and accommodating the needs of the City are laid out in the plan.

Mr. Therien also spoke about the bike share program from a people's perspective, the end goal being that the bike would become of equal value in the same way as pedestrian traffic.

A copy of Mr. Therien's comments (attached to GIC Report 13-007 as Appendix "F") was submitted to the Clerk for the official record.

(Farr/Whitehead)

That the presentation from Jonathan Therien, on behalf of the Strathcona Community Council, respecting the creation of an operating bike share in Hamilton, be received.

CARRIED

(Merulla/Morelli)

That Items 8.4(a) and (b) respecting Public Bike Share Transit System Implementation Plan be moved forward on the agenda. **CARRIED**

Public Bike Share Transit System Implementation Plan (PW13015) (City Wide) (Item 8.4(b))

(Jackson/Collins)

That the following be added as sub-section (e):

(e) That subject to the approval of sub-section (c), that staff be requested to report back to the Public Works Committee at the end of each full year period to provide a progress/status report on the program which would include update, accident claims, etc.

The Motion, as amended, **CARRIED** on the following Standing Recorded Vote:

Yeas: Clark, Pearson, Powers, Pasuta, Partridge, Bratina,

Johnson, Whitehead, Jackson, Collins, Merulla, Morelli,

McHattie, Farr

Total Yeas: 14 Total Nays: 0

Absent: Duvall, Ferguson

Total Absent: 2

(v) Jamil Kara, 1739061 Ontario Inc., and Peter Cass, Cass and Bishop, Barristers and Solicitors (Added Item 4.3/6.5)

Peter Cass, representing 1739061 Ontario Inc. and Jamil Kara, appeared before the Committee with respect to the property owned by Mr. Kara located at 1055 King Street East, Hamilton (Scott Park School).

A copy of Mr. Cass' comments (attached to GIC Report 13-007 as Appendix "G") was submitted to the Clerk for the official record.

The Committee was also distributed with a file of information/ documentation provided by Mr. Cass related to the noted property, a copy of which has been retained for the official record.

(Clark/Morelli)

That the presentation from Peter Cass, representing 1739061 Ontario Inc. and Jamil Kara, with respect to the property owned by Mr. Kara located at 1055 King Street East, Hamilton (Scott Park School), be received.

CARRIED

(h) DISCUSSION ITEMS

(i) Memorandum of Agreement – City of Hamilton and Hamilton-Wentworth District School Board (HWDSB) for a New Secondary School and Community Centre in the Pan Am Stadium Precinct (CM13006) (Wad 3) (Item 8.3)

Paul Johnson, Director, Neighbourhood Development Strategies, provided a power point presentation and spoke to the following:

- Background/Context of Presentation
- Stadium Precinct Plan
- The Stadium Precinct
- "Phased" Approach to Planning
- Stadium Precinct Plan
- Recreation Needs a High Priority
- HWDSB North Accommodation Review Committee (ARC)
- A Joint Initiative
- Three Renderings
- Project Cost
- Recommendations
- Issues for Consideration
- Alternatives

(Pearson/Partridge)

That the presentation from Paul Johnson respecting Hamilton-Wentworth District School Board/City of Hamilton Memorandum of Agreement in the Stadium Precinct, be received. **CARRIED**

The Motion **CARRIED** on the following recorded vote:

Yeas: Pearson, Partridge, Johnson, Whitehead, Duvall, Jackson,

Collins, Merulla, Farr, McHattie

Total Yeas: 10 Nays: Bratina Total Nays: 1

Absent: Clark, Ferguson, Powers, Pasuta, Morellil

Total Absent: 5

(g) PRESENTATIONS (Cont'd)

(ii) Enbridge Pipelines Inc. Line 9B Reversal and Line 9 Capacity Expansion Project Application (PED12160(a)/LS12022(a)) (City Wide) (Item 7.2)

Guy Paparella, Director of Growth Planning, appeared before the Committee to present information in response to a motion directed to staff on November 28, 2012 to obtain further information with respect to Enbridge Pipelines proposed capacity expansion project.

The Committee was distributed with a copy of a map showing the proposed expansion of the pipeline, the list of issues which will be considered by the National Energy Board (NEB) and a summary of the NEB Timetable of Events – Enbridge Pipelines Inc Line 9B Reversal and Line 9 Capacity Expansion Project.

Dave Cunliffe, Deputy Fire Chief, appeared before the Committee to speak to the section of the staff report that address Council's request how the Department would respond to an emergency in the event of a spill.

(McHattie/Partridge)

That the presentation from Guy Paparella, Director of Growth Planning, respecting Enbridge Pipelines Inc Line 9B Reversal and Line 9 Capacity Expansion Project, be received.

CARRIED

Enbridge Pipelines Inc. Line 9B Reversal and Line 9 Capacity Expansion Project Application (PED12160(a)/LS12022(a)) (City Wide) (Item 7.2)

(Partridge/McHattie)

That the following be added as sub-sections (b) and (c):

- (b) That the City of Hamilton request the National Energy Board to include the following concerns in the NEB's List of Issues or the Project:
 - (i) Consultation with local Source Water Protection staff including the Hamilton Conservation Authority, Conservation Halton, and City of Hamilton staff regarding the identification of potential threats to drinking water quality and how Enbridge plans to address any malfunctions of the pipeline or spills that threaten drinking water safety;
 - (ii) The need for pipeline isolation valves to be installed where the pipeline crosses the Sheffield-Rockton Complex and other provincially-significant wetlands and environmentallysensitive areas;

(c) That Enbridge Pipelines Inc. be advised that the City of Hamilton has requested that the National Energy Board to include the additional concerns noted in sub-section (b) within the List of Issues as noted in Appendix I of Hearing Order OH-002-2013.

Amendment CARRIED Motion as amended CARRIED

(h) DISCUSSION ITEMS (Cont'd)

(ii) Workplace Mental Health Summit (HUR13005) (City Wide) (Item 8.1)

Chris Murray, City Manager, encouraged all members of the Committee to attend the Workplace Mental Health Summit scheduled on April 19, 2013 and indicated that the keynote speaker and facilitator will be Linda Duxbury, a noted expert in the field of organizational health.

(i) NOTICES OF MOTION

Councillor B. McHattie introduced the following Notice of Motion:

(i) Canadian-European Trade Agreement (CETA) – Canada-EU Trade Negotiations (Item 10.1)

WHEREAS at its meeting of December 12, 2011, the General Issues Committee passed a motion to "request that the Province of Ontario consider a clear, permanent exemption for the City of Hamilton from the Canada-European Union Comprehensive Economic and Trade Agreement (CETA), and that it otherwise protect the powers of municipalities to use public procurement, services and investment as tools to create local jobs, protect the environment, and support local development;";

AND WHEREAS this motion further requested, "That the Province of Ontario disclose its initial procurement, services and investment offers to the European Union (EU), explain the impacts the Canada-European Trade Agreement (CETA) would have on municipal governance, and give the Municipal, University, School and Hospital (MUSH) sector entities the freedom to decide whether or not they will be bound by the procurement, investment and regulatory rules in the agreement;";

AND WHEREAS the Province has so far failed to disclose this information, or to communicate with the City of Hamilton or other Ontario municipalities about the ongoing CETA negotiations and the Provincial procurement offers in particular;

AND WHEREAS Canada-EU trade negotiations are reported to be nearing completion, with leaked documents from European Commission in November 2012 stating, "The outcome regarding the inclusion of regional and local government entities, including agencies, crown corporations, and the MASH sector (municipalities, academia, schools and hospitals) is highly satisfactory," but that the EU continues to push for full coverage of transit, energy and regional development spending;

AND WHEREAS the Federation of Canadian Municipalities has insisted that trade deals "must recognize strategic and public interest considerations before barring all preferential treatment based on country of origin," and "There may be industries of strategic significance to a particular region, such as transit, or projects where considerations of quality, public benefit, environmental protection or business ethics means that a local government may wish to implement minimum Canadian-content levels."

Therefore be it resolved:

- (a) That Council request an immediate briefing from the Provincial Government on the status of the Canada-EU trade negotiations and how municipal governments will be affected, with special attention on the provincial procurement offer to the EU;
- (b) That Council re-state its preference to be excluded from the CETA, and that the Province otherwise protect the powers of municipal governments to use public procurement, services and investment as tools to create local jobs, protect the environment and support local development.

(McHattie/Farr)

That the rules of order be suspended in order to allow for the introduction of a motion respecting Canadian-European Trade Agreement (CETA) – Canada-EU Trade Negotiations.

See Item 28 for the disposition of this item.

Councillor B. Morelli introduced the following Notice of Motion:

(ii) One-Time Savings/Budget Variance – Ivor Wynne Stadium 2013 Operating Budget (New Business – No Copy)

That the estimated one time savings/budget variance yet to be determined associated with the Ivor Wynne Stadium annual operating budget for 2013 be deposited into a reserve and earmarked for stadium precinct legacy projects and/or the South Sherman Neighbourhood Action Plan.

(Morelli/Merulla)

That the rules of order be suspended in order to allow for the introduction of a motion respecting One-Time Savings/Budget Variance – Ivor Wynne Stadium 2013 Operating Budget.

CARRIED

See Item 29 for the disposition of this item.

(j) GENERAL INFORMATION/OTHER BUSINESS (Item 11.1)

(i) Outstanding Business Items List

(Whitehead/Pearson)

(aa) That the revised due dates for the following items on the Outstanding Business List be approved:

Item H: Metrolinx Investment Strategy Consultation and Regional Transportation Funding Options (City Wide)

Due Date: March 20, 2013 Revised Due Date: May 1, 2013

- (bb) That the following items be removed from the Outstanding Business List:
 - Item C Canadian Ballet Youth Ensemble (Item 8.1)
 - Item B: Elimination of Current Technology (2012 Budget Deliberations OBL)
- (cc) That the following items be transferred to the Planning Committee:
 - Item T: Stoney Creek Urban Boundary Expansion (SCUBE) Sub-Watershed Plan
 - Item V: Residential Protective Plumbing Subsidy Program

CARRIED

(k) PRIVATE & CONFIDENTIAL

(i) Closed Session Minutes – February 6 and March 7, 2013 (Items 12.1 and 12.2)

(Jackson/Pearson)

(a) That the Minutes of the Closed Session Meetings of the General Issues Committee held on February 6 and March 7, 2013, be approved;

(b) That these Minutes remain confidential and restricted from public disclosure in accordance with the exemptions provided in the Municipal Freedom of Information and Protection of Privacy Act.

CARRIED

(I) ADJOURNMENT

(Pearson/Farr)

There being no further business, the Committee adjourned at 5:24 p.m.

Respectfully submitted

Councillor B. Johnson Deputy Mayor

Carolyn Biggs Legislative Co-ordinator Office of the City Clerk