



CITY COUNCIL MINUTES 14-010

5:00 p.m.

Wednesday, May 14, 2014

Council Chambers

Hamilton City Hall

71 Main Street West

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

Mayor Bratina called the meeting to order and called upon Jamie Wood, of the Living Hope non-denominational Christian Church, to lead Council in prayer.

APPROVAL OF THE AGENDA

The Clerk advised of the following changes to the agenda:

1. ADDED CORRESPONDENCE

5.14 Correspondence from the AMO Board of Directors respecting 2014-2016 Request for Nominations

Recommendation: For the consideration of Council

5.15 Petition to reduce the speed limit on Miles Road signed by 28 signatories

Recommendation: Be received and referred to the General Manager of Public Works for a report to the Public Works Committee

5.16 Correspondence from Turkstra Mazza Associates respecting the Fruitland-Winona Secondary Plan

- (i) On behalf of DalBello
- (ii) On behalf of Petar Djeneralovic
- (iii) On behalf of 820 Barton St. Inc.

Recommendation: Be received.

5.17 Correspondence respecting Item 5 on Planning Committee Report 14-004, 257, 259 and 261 Millen Road (Stoney Creek) (PED14042) (Ward 10)

- (i) Lorraine Smith
- (ii) Viv Saunders
- (iii) Suzanne Mooney
- (iv) Ron and Shirley Dowdy

Recommendation: Be received.

5.18 Correspondence from the Ministry of Transportation respecting the invitation of the Honourable Glen Murray to attend the General Issues Committee respecting Light Rail Transit

Recommendation: Be received.

5.19 Correspondence from Wood Bull LLP respecting Item 6 of Planning Report 14-006, 1125, 1143 and 1185 Wilson Street West, Ancaster

Recommendation: Be received and that the Planning Committee Minutes from April 15, 2014, be amended accordingly.

2. ADDED NOTICES OF MOTION

8.1 Clarity Respecting the Progressive Conservative's Plan to Reduce Spending

8.2 Moratorium on LRT Debate Until After the Provincial Election

8.3 Inclusion of 1 St. James Place, Hamilton in the Register of Property of Cultural Heritage Value or Interest

(Pearson/Johnson)

That the agenda for the May 14, 2014 meeting of Council be approved, as amended.

CARRIED

DECLARATIONS OF INTEREST

Councillor M. Pearson declared an interest to Bill 116, being a By-law to Adopt: Official Plan Amendment No. 16 to the Urban Hamilton Official Plan Respecting: 257, 259 & 261 Millen Road (Stoney Creek); Bill 117, being a By-law to Amend Zoning By-law No. 3692-92 (Stoney Creek), respecting the property located at 257, 259 and 261 Millen Road (Stoney Creek); and, Item 5.17, respecting the correspondence respecting Item 5 on Planning Committee Report 14-004, 257, 259 and 261 Millen Road, as she is a rental property owner.

CEREMONIAL ACTIVITIES

There were no ceremonial activities.

APPROVAL OF MINUTES

4.1 April 23, 2014

(Ferguson/Johnson)

That the Minutes of the April 23, 2014, meeting of Council be approved, as presented.

CARRIED

COMMUNICATIONS

(Pearson/Clark)

That Council Communications 5.1 through 5.19 be approved, as amended, as follows:

- 5.1 Correspondence from the Township of Muskoka Lakes respecting a resolution to request the Ministry of Government Services to correct errors in the Land Titles Electronic Registry System

Recommendation: **(Pearson/Johnson)** Be referred to the General Manager of Planning and Economic Development for a report to the Planning Committee.

- 5.2 Correspondence from the Niagara Peninsula Conservation Authority regarding Comments made by MPP Cindy Forster

Recommendation: **(Powers/Pasuta)** Be received.

- 5.3 Correspondence from the Grand River Conservation Authority respecting the Draft Plan of the Watershed Management Plan

Recommendation: **(Pasuta/Ferguson)** Be received and referred to the General Manager of Public Works for a report to the General Issues Committee.

- 5.4 Correspondence from Dr. Jennifer Lococo, Lococo Wellness Clinic, respecting Naturopathic Medicine Week

Recommendation: **(Pearson/Johnson)** Be received.

- 5.5 Correspondence from Michael Chan, the Minister Responsible for the 2015 Pan and Parapan American Games, respecting the Torch Relay Community Fund

Recommendation: **(Partridge/Pearson)** Be received.

- 5.6 Correspondence from Keanin Loomis, President & CEO, Hamilton Chamber of Commerce respecting Hamilton's Proposed B-Line LRT Project

Recommendation: **(Morrow/McHattie)** Be received and referred to the General Issues Committee.

- 5.7 Correspondence from Jim Horner, Director, Enbridge respecting an update on the Line 9B Reversal and Line 9 Capacity Expansion Project

Recommendation: **(Pearson/Ferguson)** Be received.

- 5.8 Petition to Re-establish the Confederation Park Boat Ramp Signed by 232 Signatories

Recommendation: **(Collins/Merulla)** Be received and referred to the General Manager of Public Works for a report to the Public Works Committee.

- 5.9 Correspondence from Bill Grahlman CD, President, 447 Wing Royal Canadian Air Force Association, respecting possible property acquisition by the City of Hamilton

Recommendations: **(Johnson/Pearson)** Be referred to the General Manager of Planning and Economic Development (Real Estate Section) for a report to the Planning Committee that provides the available options respecting the possible property acquisition of the 447 Wing Royal Canadian Air Force Association property.

- 5.10 Correspondence from Matt Johnston, IBI Group, Respecting Item 4 on Planning Committee Report 14-007, Proposed Zoning By-law Amendment Affecting Lands Located at 125 Wilson Street East (Ancaster) (PED14079)

Recommendation: **(Ferguson/Johnson)** Be received and referred to the Planner on file for their records.

- 5.11 Correspondence respecting Item 7 on Planning Committee Report 14-007, Amendments to Responsible Animal Ownership By-law 12-031 (PED09303(d)):

- (i) Julie Maue
- (ii) Ann Turnbull
- (iii) Natalie Pavicovic
- (iv) Nancy Young
- (v) Sarit Zalter
- (vi) Irene Dalton
- (vii) Brenda Duke
- (viii) Rome Miraldo

Recommendation: **(Johnson/Pearson)** Be received and referred to Senior Director of Parking and By-law Services for his records.

- 5.12 Correspondence from Ellen Hohns, President of the Lyme Disease Association of Ontario, respecting Lyme Disease Awareness Month

Recommendation: **(Partridge/Powers)** Be received.

- 5.13 Correspondence from the Town of Caledon respecting the Provincial Plan Review

Recommendation: **(Ferguson/Johnson)** Be supported.

- 5.14 Correspondence from the AMO Board of Directors respecting 2014-2016 Request for Nominations

Recommendation: **(Powers/Johnson)** Be TABLED to the May 28, 2014 meeting of Council for the provision of additional information.

- 5.15 Petition to reduce the speed limit on Miles Road signed by 28 signatories

Recommendation: **(Johnson/Pearson)** Be received and referred to the General Manager of Public Works for a report to the Public Works Committee.

- 5.16 Correspondence from Turkstra Mazza Associates respecting the Fruitland-Winona Secondary

Recommendation: **(Johnson/Powers)** Be received and referred to the Planner on file for their records.

5.17 Correspondence respecting Item 5 on Planning Committee Report 14-004, 257, 259 and 261 Millen Road (Stoney Creek) (PED14042)

- (i) Lorraine Smith
- (ii) Viv Saunders
- (iii) Suzanne Mooney
- (iv) Ron & Shirley Dowdy

Recommendation: **(Johnson/Powers)** Be received and referred to the Planner on file for their records.

5.18 Correspondence from the Ministry of Transportation respecting the invitation of the Honourable Glen Murray to attend the General Issues Committee respecting Light Rail Transit

Recommendation: **(Jackson/Collins)** Be received.

5.19 Correspondence from Wood Bull LLP respecting Item 6 of Planning Report 14-006, 1125, 1143 and 1185 Wilson Street West, Ancaster

Recommendation: **(Ferguson/Clark)** Be received and referred to the Planner on file for their records.

(Pasuta/Partridge)

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

CARRIED

PLANNING COMMITTEE REPORT 14-007

7. Amendments to Responsible Animal Ownership By-law 12-031 (PED09303(d)) (City Wide) (Item 8.2)

(Johnson/Ferguson)

That Item 7 of Planning Report 14-007 respecting Amendments to Responsible Animal Ownership By-law 12-031 (PED09303(d)) (City Wide), be amended by deleting and replacing the recommendations, to read as follows:

7. Amendments to Responsible Animal Ownership By-law 12-031 (PED09303(d)) (City Wide) (Item 8.2)

- (a) That the Responsible Animal Ownership By-law 12-031 be amended to permit businesses/facilities to display prohibited animals for educational purposes provided that:

- (i) the property is zoned for the use;
 - (ii) the business/facility shares no HVAC system with any other use;
 - (iii) the business/facility is “self-contained” in accordance with Canada’s Accredited Zoos and Aquariums (CAZA) accreditation;
 - (iv) the business is not a pet store (does not offer animals for sale);
 - (v) the primary purpose of the business/facility is the display of animals and it is accredited by Canada’s Accredited Zoos and Aquariums (CAZA);
 - (vi) that the business is not physically attached to a residential unit or structure;
- (b) That the proposed by-law attached as Appendix “B” to Report PED09303(d)), which amends the Responsible Animal Ownership By-law 12-031 and which has been prepared in a form satisfactory to the City Solicitor be enacted;
- (c) That staff investigate annual inspections as part of the approval process, possibly through Canada's Accredited Zoos and Aquariums (CAZA);
- (d) That the Board of Health conduct a random inspection once a year at the facility; and,
- (e) That signage be placed to ensure the public is aware of the dangers and health issues associated with wild and dangerous animals.

The amendment to the motion CARRIED on the following recorded vote:

Yeas: Bratina, Whitehead, Duvall, Jackson, Collins, Merulla, Morrow, Farr, Pearson, Johnson, Ferguson, Powers
Total: 12
Nays: McHattie, Partridge, Pasuta, Clark
Total: 4

The main motion, as amended, CARRIED on the following standing recorded vote:

Yeas: Whitehead, Duvall, Jackson, Collins, Merulla, Morrow, Farr, Pearson, Johnson, Ferguson, Powers
Total: 11
Nays: Bratina, McHattie, Partridge, Pasuta, Clark
Total: 5

(Johnson/Partridge)

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

CARRIED

GENERAL ISSUES COMMITTEE REPORT 14-010

10. Civic Gateway Study (PW14044) (City Wide) (Item 7.2)

(Farr/McHattie)

- (a) That Item 10 of the General Issues Committee, respecting the Civic Gateway Study, be referred to the June 4, 2014 General Issues Committee.
- (b) That staff be directed to report back to the June 4, 2014 General Issues Committee; and,
 - (i) Notify the Ministry of Transportation to advise that the City of Hamilton would like to put a place marker on the property and to begin the process to secure that property for a municipal sign.
 - (ii) Meet with David Zimmer, Senior Landscape Architect, to determine if there is a possibility to work with him on a design for the Civic Gateway.
 - (iii) That the appropriate staff be directed to initiate an in-house call, seeking qualified staff who may undertake, in whole or in part, the necessary work required to achieve the desired results and potentially greatly mitigate costs.
 - (iv) Provide information respecting a Request for Proposal (RFP), outlining the costs associated with the design and installation of a Civic Gateway, and report back to the General Issues Committee;
 - (v) Seek out potential partnerships with various institutions and local businesses.

The above motion CARRIED on the following standing recorded vote:

Yeas: Bratina, Whitehead, Duvall, Jackson, Morrow, Farr, McHattie, Pearson, Johnson
Total: 9
Nays: Collins, Merulla, Clark, Johnson, Powers, Pasuta, Partridge
Total: 7

11. Piers 5-8 Sewage Pumping Station and Facilities Municipal Class Environmental Assessment, Schedule B (PED14092) (Ward 2) (Item 7.3)

(Clark/Johnson)

That subsection (a) to Item 11 of General Issues Committee Report 14-010, respecting Piers 5-8 Sewage Pumping Station and Facilities Municipal Class Environmental Assessment, Schedule B, be amended by adding the words “and report back to the General Issues Committee with the results of the 30 day public review before proceeding with the detailed design and implementation” after the words “... 30 day public review period” to read as follows:

- (a) That the Acting General Manager of Planning and Economic Development be authorized and directed to file the Notice of Completion, and issue the Project File Report for the Class Environmental Assessment for Piers 5-8 Sewage Pumping Station Facilities for the mandatory 30-day public review period, ***and report back to the General Issues Committee with the results of the 30 day public review before proceeding with the detailed design and implementation;***

CARRIED

14. Illegal Dumping Pilot Project (PED11127(f)/PW11052(g)) (City Wide) (Item 8.3)

The item above CARRIED on the following vote:

Yeas: Bratina, Whitehead, Duvall, Jackson, Collins, Merulla, Morrow, Farr, McHattie, Pearson, Johnson, Ferguson, Powers, Pasuta, Partridge
Total: 15
Nays: Clark
Total: 1

15. Facility Naming Sub-Committee Report 14-002 - April 8, 2014 (Item 8.5)

The item above CARRIED on the following standing recorded vote:

Yeas: Bratina, Whitehead, Duvall, Jackson, Collins, Merulla, Morrow, Farr, McHattie, Clark, Pearson, Johnson, Ferguson, Powers, Pasuta, Partridge
Total: 16

17. Airport Implementation Task Force Report 14-001 (Added Item 8.7)

(Ferguson/Johnson)

That Item 17 of the General Issues Committee Report 14-010 be amended by adding the following subsections “l” and “m” to read as follows:

- (l) That the residents of Glancaster Road (7 to 8 homes) be allowed to hook up to the municipal water main in front of their homes.
- (m) That staff be directed to report back to the Public Works Committee with a report that outlines the costs associated with the connection of municipal water to those same homes.

CARRIED

Subsection (j) of Item 17 CARRIED on the following vote:

Yeas: Bratina, Whitehead, Duvall, Jackson, Collins, Merulla, Morrow, Farr,
McHattie, Clark, Pearson, Johnson, Powers, Pasuta, Partridge
Total: 15
Nays: Ferguson
Total: 1

18(a) One-Way to Two-Way Street Conversions (Item 9.2)

The following motion was withdrawn:

(Powers/Whitehead)

That subsection (c) be deleted in its entirety.

(Ferguson/Merulla)

That the word “accelerated” be removed from sub-section (c).

The above amending motion CARRIED on the following vote:

Yeas: Bratina, Whitehead, Duvall, Jackson, Collins, Merulla, Morrow, Clark,
Pearson, Johnson, Ferguson, Powers, Pasuta
Total: 13
Nays: Farr, McHattie, Partridge
Total: 3

18(b) One-Way to Two-Way Street Conversions (Item 9.2)

(Merulla/Bratina)

Whereas, the conversion of rural cross-sections to urban standards have fallen behind in the City’s Capital Budget Implementation Plan;

And Whereas, families living in those neighbourhoods are being unnecessarily placed at risk;

And Whereas, many of these neighbourhoods are find in Hamilton;

Therefore Be it Resolved:

- (a) That staff be directed to report back to the Public Works Committee with the city-wide status of neighbourhoods requiring urbanization; and,
- (b) That staff be directed to report back to the Public Works Committee with a city-wide conversion strategy for urbanization in 2014, if possible, and for consideration in the 2015 Capital Budget process, as deemed appropriate by staff and the respective Ward Councillor.

**AMENDMENT CARRIED
MOTION AS AMENDED CARRIED**

(Merulla/Partridge)

That Information Item (h)(iii) respecting Public Art Piece Honouring L. M. Alexander (PED14089), which was TABLED at the May 7, 2014 meeting of the General Issues Committee, and reads as follows, be lifted and added as Item 20 to General Issues Committee Report 14-010:

20. Public Art Piece Honouring L.M. Alexander (PED14089) (City Wide)

- (a) That Tourism and Culture Division staff undertake a Public Art process to commission a Public Art piece honouring Lincoln MacCauley (L.M.) Alexander;
- (b) That the location for the L.M. Alexander Public Art piece be determined as part of the Focus Group consultation, as outlined in Report PED14089;
- (c) That the L.M. Alexander Public Art piece be funded from Public Art Reserve Fund 108044 in the amount of \$300,000;
- (d) That the item on the Outstanding Business List, respecting a public art piece honouring L.M. Alexander, be identified as completed and removed from the General Issues Committee Outstanding Business List.

(Merulla/Partridge)

- (a) That subsection (c) of Item 20 of General Issues Committee Report 14-010, respecting Public Art Piece Honouring L.M. Alexander (PED14089), be amended by deleting it in its entirety and inserting the following therein:
 - (c) That funding contributions towards the L.M. Alexander Public Art piece be sought from the Government of Canada, Government of Ontario, and the Conservative Party of Canada, and crowd funding opportunities.
- (b) That a subsection (e) be added to Item 20 of the General Issues Committee Report 14-010, which reads as follows:

- (e) That Mr. Alexander's son be involved in the Public Art Piece process honouring his father, Lincoln Alexander.

The amended Item 20 to read as follows:

- (a) That Tourism and Culture Division staff undertake a Public Art process to commission a Public Art piece honouring Lincoln MacCauley (L.M.) Alexander;
- (b) That the location for the L.M. Alexander Public Art piece be determined as part of the Focus Group consultation, as outlined in Report PED14089;
- (c) That funding contributions towards the L.M. Alexander Public Art piece be sought from the Government of Canada, Government of Ontario, and the Conservative Party of Canada and crowd funding sources.**
- (d) That the item on the Outstanding Business List, respecting a public art piece honouring L.M. Alexander, be identified as completed and removed from the General Issues Committee Outstanding Business List.
- (e) That Mr. Alexander's son be involved in the Public Art Piece process honouring his father.**

**AMENDMENT CARRIED
MOTION AS AMENDED, CARRIED**

The amendments to Item 20 above were CARRIED on the following vote:

Yeas: Bratina, Whitehead, Duvall, Jackson, Collins, Merulla, Morrow, Farr, McHattie, Clark, Pearson, Ferguson, Powers, Pasuta, Partridge
Total: 15
Nays: Johnson
Total: 1

The main motion, as amended, was CARRIED on the following vote:

Yeas: Bratina, Whitehead, Duvall, Jackson, Collins, Merulla, Morrow, Farr, McHattie, Clark, Pearson, Ferguson, Powers, Pasuta, Partridge
Total: 15
Nays: Johnson
Total: 1

(Bratina/Partridge)

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

CARRIED

AUDIT, FINANCE & ADMINISTRATION COMMITTEE REPORT 14-004

**11. Assessment and Funding for Value for Money Audit Program (AUD14012)
(City Wide) (Item 8.7)**

- (a) That Report AUD14012 regarding the initial assessment of the Value for Money Audit Program be approved; and,
- (b) That the estimated costs of \$436,355 for the completion of the balance of the three year pilot project for the Value for Money Audit Program to March 2016 be approved for funding from the tax stabilization reserve.

Item 11 above CARRIED on the following vote:

Yeas: Bratina, Whitehead, Duvall, Jackson, Collins, Merulla, Morrow, Farr,
McHattie, Clark, Pearson, Johnson, Powers, Pasuta, Partridge
Total: 15
Nays: Ferguson
Total: 1

(Powers/Clark)

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

CARRIED

EMERGENCY & COMMUNITY SERVICES 14-003

(Merulla/Jackson)

That Item 9 of Emergency and Community Services Committee Report 14-003, respecting Veterans Parking, be amended by deleting the words "Planning Committee and the Emergency and Community Services Committee" and inserting the words "General Issues Committee" therein to read as follows:

9. Veteran's Parking (Item 9.2)

That staff be directed to investigate the implications to provide free parking, at City of Hamilton operated parking lots and on-street parking meters, for all Veterans with an Ontario Veterans licence plate and report back to the General Issues Committee.

**AMENDMENT CARRIED
MOTION AS AMENDED CARRIED**

(Farr/Morrow)

That the THIRD Report of the Emergency & Community Services Committee be adopted, as amended, and the information section received.

CARRIED

(Pasuta/Partridge)

That the Committee of the Whole Rise and Report.

CARRIED

MOTIONS

7.1 Special Occasion Permit – NSA Canada 2014 Men’s and Women’s World Series

(Duvall/Whitehead)

WHEREAS, City Council has received Notice (attached hereto as Appendix “A”) from NSA Canada that they wish to obtain a Special Occasion Permit to sell alcohol during their scheduled games;

AND WHEREAS, the Alcohol & Gaming Commission of Ontario requires that if a permit holder is not a registered charity or non-profit organization or association, that a resolution of the Council is required to designate the event as one of municipal significance;

THEREFORE, BE IT RESOLVED:

- (a) That the City of Hamilton hereby deems the games of the NSA Canada 2014 Men’s and Women’s World Series being held at Turner Park, 344 Rymal Road East, Hamilton, on the following dates and times as municipally significant:
 - (i) July 31, 2014 – 4:00 p.m. to Midnight
 - (ii) August 1, 2, 3, 2014 – 11:00 a.m. to Midnight
 - (iii) August 4, 2014 - 11:00 a.m. to 7:00 p.m.

- (b) That the Applicant be provided a copy of this resolution for inclusion with their application to the Alcohol & Gaming Commission of Ontario.

CARRIED

7.2 Amendment to Item 5 of Board of Health Report 14-003, Physician Recruitment Specialist Employment Contract (FCS14032) (City Wide)

(Ferguson/Clark)

That sub-section (a) to Item 5 of the Board of Health Report 14-003, respecting the Physician Recruitment Specialist Employment Contract as approved by Council on April 23, 2014, be amended by deleting the dates “March 2013” and “March 2016” and replacing them with the dates of “November 23, 2013” and “November 22, 2016, respectively, to read as follows:

5. Physician Recruitment Specialist Employment Contract (FCS14032) (City Wide) (Item 8.1)

- (a) That the Physician Recruitment Specialist contract be extended for three years, commencing **November 23, 2013** and expiring **November 22, 2016**;
- (b) That the contents of the contract remain confidential.

CARRIED

7.3 Former King George School – Heritage Designation

(Morrow/McHattie)

Whereas 77 Gage Avenue North, Hamilton, is comprised of a two-storey brick building known as the former King George School, which opened in 1912 and was designed by architects Stewart & Witton in the Edwardian Classicism architectural style.

And Whereas 77 Gage Avenue North, Hamilton, is included in the Register of Property of Cultural Heritage Value or Interest as a non-designated property.

And Whereas the former King George School is believed to meet the criteria specified in Ontario Regulation 9/06 including, but not limited to: its design value as a representative example of the Edwardian Classicism architectural style and its associative value as an institutional building designed by prominent local architects Stewart & Witton.

And Whereas sufficient monies are contained in the Heritage Studies Reserve Account 112211 to retain a heritage planning consultant to conduct an expedited cultural heritage assessment of the former King George School, if necessary.
Therefore Be it Resolved:

- (a) That Planning staff be directed to conduct a cultural heritage assessment of 77 Gage Avenue North, Hamilton, and prepare a draft by-law for the purposes of designating the former King George School under Part IV of the *Ontario Heritage Act*, in accordance with the Council-approved Designation Process and in consultation with the Hamilton Municipal Heritage Committee, and report back to Planning Committee and Council for consideration as a high priority;
- (b) That the monies required to retain a heritage planning consultant to conduct an expedited cultural heritage assessment for the purposes of designating the former King George School under Part IV of the *Ontario Heritage Act* be acquired from the Heritage Studies Reserve Account 112211.

CARRIED

7.4 Clarity Respecting the Progressive Conservative's Plan to Reduce Spending

(Powers/Clark)

That the Mayor correspond with Tim Hudak, Leader of the Ontario Progressive Conservatives, to seek clarity and/or confirmation with respect to recent statements attributed to the Progressive Conservative's plan to reduce funding to Ontario municipalities.

CARRIED

7.5 Inclusion of 1 St. James Place, Hamilton in the Register of Property of Cultural Heritage Value or Interest

(Farr/Morrow)

- (a) That following consultation with the Hamilton Municipal Heritage Committee, 1 St. James Place, Hamilton be included as a non-designated property in the Register of Property of Cultural Heritage Value or Interest; and,
- (b) That Planning staff be directed to prepare a staff report including a Preliminary Evaluation of 1 St. James Place, Hamilton in accordance with the Council-approved Designation Process and report back to Planning Committee and Council for direction and prioritization of any further research and evaluation.

CARRIED

7.6 Fessenden Phase III Flood Protection Tender

(Whitehead/Duvall)

That staff be authorized and directed to award the Fessenden Phase III Flood Protection Tender.

That the portion of the Tender in excess of the approved budget, in the amount of up to \$1.6 million be funded from the Storm Sewer Capital Reserve (#108010).

(Clark/Merulla)

- (a) That the motion be referred to the Public Works Committee for discussion.
- (b) That staff be directed to report to the Public Works Committee respecting the Fessenden Phase III Flood Protection Tender matter.

CARRIED

NOTICES OF MOTIONS

Councillor R. Powers introduced the following Notice of Motion:

8.1 Clarity Respecting the Progressive Conservative's Plan to Reduce Spending

Whereas recent coverage of Ontario's Progressive Conservative Leader, Tim Hudak's election plan included reducing spending except in health care

Therefore, be it resolved:

That the Mayor correspond with Tim Hudak, Leader of the Ontario Progressive Conservatives, to seek clarity and/or confirmation with respect to recent statements attributed to the Progressive Conservative's plan to reduce funding to Ontario municipalities.

(Powers/Clark)

That the Rules be waived to allow the introduction of a motion respecting reduced funding to Ontario Municipalities.

CARRIED

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

Councillor S. Merulla introduced the following Notice of Motion:

8.2 Moratorium on LRT Debate until after the Provincial Election

Whereas, the City of Hamilton has been working on the Rapid Transit initiative since 2008;

And whereas, the City of Hamilton first completed a feasibility study of Light Rail Transit (LRT) and the B-Line in 2008;

And whereas, the City of Hamilton has also completed 30 percent detailed design on the B-line;

And whereas, in 2010, a Benefits Case Analysis by Metrolinx was undertaken with respect to LRT in comparison to BRT on the B-Line;

And whereas, Hamilton City Council has provided unanimous support for LRT as described in the Rapid Ready Report, which was approved on February 27th, 2013;

And whereas, the City's Rapid Ready Report also speaks to the importance of investments in the entire transit system;

And whereas, City Council has provided Metrolinx with reports on funding tools and an investment strategy on May 8, 2013 and September 25, 2013 relating to Council's position of 100 percent capital funding;

And whereas, Council requested at its GIC meeting on April 16, 2014 that Transportation Minister Glen Murray be invited and attend an upcoming GIC meeting;

And whereas, Minister Murray has declined to attend a meeting;

And whereas, a provincial election has been called and will take place on June 12, 2014;

Therefore be it resolved:

That City Council put a moratorium on any LRT debates until after the June 12, 2014 provincial election at point of answer from the Province.

Councillor J. Farr introduced the following Notice of Motion:

8.3 Inclusion of 1 St. James Place, Hamilton in the Register of Property of Cultural Heritage Value or Interest

Whereas, 1 St. James Place, Hamilton (Ward 2), is believed to be of cultural heritage value or interest and may be worthy of designation under Part IV of the Ontario Heritage Act.

Therefore Be it Resolved:

- (a) That, following consultation with the Hamilton Municipal Heritage Committee, 1 St. James Place, Hamilton be included as a non-designated property in the Register of Property of Cultural Heritage Value or Interest; and,
- (b) That Planning staff be directed to prepare a staff report including a Preliminary Evaluation of 1 St. James Place, Hamilton in accordance with the Council-approved Designation Process and report back to Planning Committee and Council for direction and prioritization of any further research and evaluation.

(Farr/Morrow)

That the Rules be waived to allow the introduction of a motion respecting Inclusion of 1 St. James Place, Hamilton in the Register of Property of Cultural Heritage Value or Interest. **CARRIED**

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

Councillor Whitehead introduced the following Notice of Motion:

8.4 Fessenden Phase III Flood Protection Tender

That staff be authorized and directed to award the Fessenden Phase III Flood Protection Tender.

That the portion of the Tender in excess of the approved budget, in the amount of up to \$1.6 million be funded from the Storm Sewer Capital Reserve (#108010).

(Whitehead/Duvall)

That the Rules of Order be waived to allow for the introduction of a motion respecting the Fessenden Phase III Flood Protection Tender.

CARRIED

For disposition of this matter refer to Item 7.6.

STATEMENT BY MEMBERS

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

PRIVATE AND CONFIDENTIAL

BY-LAWS

(Pasuta/Powers)

That the Bill List for the May 14, 2014 meeting of Council be amended by adding Bill number 122, which reads as follows, and renumbering the balance accordingly:

122 To Amend By-law No. 01-215 Being a By-law To Regulate Traffic
Schedule 5 – Stop Control

123 To Confirm proceedings of Council

CARRIED

(Pasuta/Powers)

That Bills No. 14-100 to 14-123 be passed, as amended, and that the Corporate Seal be affixed thereto, and that the By-laws be numbered and signed by the Mayor and the City Clerk to read as follows:

By-Law

100 A By-law to Set Optional Property Classes for the year 2014

By-Law

- 101 To Amend By-law No. 01-218, as amended,
Being a By-law To Regulate On-Street Parking
Schedule 5 – Parking Meters
Schedule 6 – Time Limit Parking
Schedule 8 – No Parking Zones
Schedule 12 – Permit Parking Zones
Schedule 13 – Stopping Zones
- 102 A By-law to Establish Tax Ratios and Tax Reductions for the Year 2014
- 103 A By-law to Set and Levy the Rates of Taxation for the Year 2014
- 104 A By-law to adopt Municipal Options for Tax Capping for the Year 2014
- 105 A By-law to Levy a Special Charge Upon the Rateable Property in the
Business Improvement Areas for the Year 2014
- 106 To Amend Zoning By-law No. 87-57, Respecting Lands Located 125 Wilson
Street East, in the former Town of Ancaster, now in the City of Hamilton
- 107 To Incorporate City Land Designated as Block 13 on Plan 62M-1083 into
Tews Lane
- 108 To Amend By-law No. 01-215 Being a By-law To Regulate Traffic
Schedule 5 – Stop Control
- 109 To Incorporate City Land Designated as Block 141 on Plan 62M-1131 Into
Nisbet Boulevard
- 110 To Authorize the Borrowing upon Serial Debentures in the Principal Amount
of \$10,000,000.00 towards the Cost of a Certain Capital Work of the City of
Hamilton
- 111 To Adopt: Official Plan Amendment No. 18 to the Urban Hamilton Official
Plan Respecting: Lands located on the north side of Wilson Street West,
known municipally as 1125, 1143 and 1185 Wilson Street West, Ancaster
- 112 To Amend Zoning By-law No. 87-57 (Ancaster), Respecting Lands Located
at 1125, 1143 and 1185 Wilson Street West (Ancaster)
- 113 To Amend Zoning By-law No. 3692-92, Respecting Lands Located at 395
Fifty Road and 400 Winona Road (Stoney Creek)
- 114 To Adopt: Official Plan Amendment No. 19 to the Urban Hamilton Official
Plan Respecting: 139 Fall Fair Way, Binbrook

By-Law

- 115 To Amend Zoning By-law No. 464 (Glanbrook) Respecting the Property Located at 139 Fall Fair Way, Binbrook
- 116 To Adopt: Official Plan Amendment No. 16 to the Urban Hamilton Official Plan Respecting: 257, 259 & 261 Millen Road (Stoney Creek)
- 117 To Amend Zoning By-law No. 3692-92 (Stoney Creek), Respecting the Property Located at 257, 259 and 261 Millen Road (Stoney Creek)
- 118 To Repeal By-law No. 09-001 and to Amend Zoning By-law No. 6593 (Hamilton), Respecting Lands Located at 90 Charlton Avenue West, 85 Robinson Street, and 220 Park Street South, Hamilton
- 119 To Amend By-law No. 07-170, a By-law to License and Regulate Various Businesses
- 120 To Adopt: Amendment No. 17 to the Urban Hamilton Official Plan Respecting: The Fruitland-Winona Secondary Plan
- 121 To Amend By-law No. 12-031, a By-law for Responsible Animal Ownership
- 122 ~~To Amend By-law No. 01-215 Being a By-law To Regulate Traffic Schedule 5 – Stop Control~~
- 123 ~~To Confirm proceedings of Council~~

CARRIED

(Pearson/Johnson)

That there being no further business, the City Council meeting be adjourned at 9:41 p.m.

CARRIED

Respectfully submitted,

Mayor B. Bratina

R. Caterini
City Clerk