

CITY COUNCIL MINUTES 14-017

5:00 p.m.
Wednesday, September 24, 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 Dr. Lane Fusilier, Senior Pastor of the Philpott Memorial Church.

APPROVAL OF THE AGENDA

The Clerk advised of the following changes to the agenda:

ADDED COMMUNICATIONS

5.4 Correspondence from Lois Morin, Administrator, Hamilton Police Services Board, respecting the Board's request, approved at its meeting held July 21st, 2014, for the City's Internal Auditor to conduct an Audit Review.

Recommendation: Be received and referred to the City's Internal Auditor for review and a report to the General Issues Committee.

5.5 Correspondence from John M. Alati, Davies Howe Partners LLP, respecting Borer's Falls Dog Park Site Evaluation.

Recommendation: Be received and referred to the discussion portion of the Public Works Committee Report 14-001 (Item 8.8) respecting Borer's Falls Dog Park Site Evaluation. 5.6 Correspondence from Catherine Beattie, respecting the Old Dundas Road Sewage Pumping Station.

Recommendation: Be received and referred to the discussion portion of the Public Works Committee Report 14-011 (Item 5.3) respecting the Old Dundas Road Sewage Pumping Station (HC005) Wet Weather Relief Master Plan and Class Environmental Assessment.

5.7 Correspondence from Anne Tennier, Vice President, Environmental Sustainability, Maple Leaf Foods Inc., respecting a Letter of Appreciation.

Recommendation: Be received.

5.8 Correspondence from Michelle Roeder, respecting Rezoning of Old Highway 8

Recommendation: Be received and referred to the discussion portion of the Planning Committee Report 14-015 (Item 7) respecting 1292 Old Highway No. 8 (Flamborough).

5.9 Petition from 71 residents of the Glanbrook Hills Development respecting Construction of the Glanbrook Hills Park

Recommendation: Be received and referred to the General Manager of Public Works for consideration as part of the 2015 Public Works Budget deliberations.

5.10 Correspondence from the Honourable James Moore, Minister of Industry respecting US Steel Canada Inc.

Recommendation: Be received.

CLERICAL AMENDMENTS TO REPORTS

- 6.1 The Public Works Committee Report from the meeting held on September 15, 2014 is listed in the Agenda as Report 14-010. The Report number should be amended to read Public Works Committee Report 14-011.
- 6.2 Planning Committee Report 14-014 should be amended to include Councillor Jackson as being present for the Planning Committee meeting of September 16, 2014.

AMENDED MOTION

7.3 Nomination for Induction into the Hamilton Sports Hall of Fame – Paul Weiler (a.k.a. Pigskin Pete)

ADDED NOTICE OF MOTION

- 8.1 Transit Shelter Installations Ward 7
- 8.2 West Flamborough Accommodation Review Area the Beverly Community Centre and the Greensville School Site
- 8.3 Revised No Stopping Southside Place
- 8.4 US Steel

(Ferguson/Johnson)

That the agenda for the September 24, 2014 meeting of Council be approved, as amended.

CARRIED

DECLARATIONS OF INTEREST

Councillor Powers declared an interest in Item 15 of Public Works Report 14-011 respecting Borer's Falls Dog Park Site Evaluation (PW14096(a)) (Ward 13).

Councillor Ferguson declared an interest in Item 20 of Planning Report 14-015, Urban Hamilton Official Plan Proposed Settlements and Legal Direction (LS14037).

CEREMONIAL ACTIVIES

3.1 Kids for Kaga Student Exchange Program - Recognition and Presentation

Mayor Bratina recognized the Kids for Kaga Student Exchange Program. This summer ten students and chaperones from Hamilton travelled to Japan as part of this unique exchange program. The Town of Dundas was the first mundialized municipality in North America. The twinning of Kaga and Dundas started 46 years ago in the aftermath of World War II to help promote world peace and understanding. The Hamilton students presented a gift and a letter on the City's behalf to the Mayor of Kaga, His Worship Miyamoto. In turn, Mayor Miyamoto gave the Hamilton students a letter and gift for them to bring back to our City.

Councillor Powers called on Robert Winninger, President of the Kids for Kaga Exchange Program and Joseph Morgan, a student at St. Mary Catholic

Secondary School to come forward to make the presentation on behalf of Mayor Miyamoto.

3.2 Presentation of the Governor General's Certificates of Commendation to Mandie Purdie and Vanessa Meulendyka

Mayor Bratina presented the Governor General's Certificate of Commendation to two Hamilton paramedics Mandy Purdie and Vanessa Meulendyks.

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3.3 United Way Presentation

Mayor Bratina recognized the work that the United Way of Burlington and Greater Hamilton does in our community and called on Jeff Vallentin, CEO of the United Way of Burlington and Greater Hamilton, to tell us about this year's initiative.

APPROVAL OF MINUTES

4.1 September 10, 2014

(Pearson/Johnson)

That the Minutes of the September 10, 2014, meeting of Council be approved, as presented.

CARRIED

COMMUNICATIONS

(Whitehead/Duvall)

That Council Communications 5.1 through 5.10 approved, as amended, as follows:

5.1 Correspondence from Robert Gagnon, Project Execution Manager, Enbridge Pipelines, respecting Line 11 Westover Segment Replacement Project Update (Pasuta/Partridge)

Recommendation: Be received.

5.2 Correspondence from Sandra Leja respecting Application Draft Plan Subdivision at 6075 Twenty Road East (Johnson/Pearson)

Recommendation: Be received and referred to the Planner responsible for this file.

5.3 Correspondence from Pat Hudyma, Property Planner, Planning and Accommodation, Facilities Management, Hamilton-Wentworth District School Board, respecting a Proposal to Sell the property municipally known as 125 Rifle Range Road, Hamilton - Prince Philip School ("Property") (Ferguson/Pearson)

Recommendation: Be received.

5.4 Correspondence from Lois Morin, Administrator, Hamilton Police Services Board, respecting the Board's request, approved at its meeting held July 21st, 2014, for the City's Internal Auditor to conduct an Audit Review. (Whitehead/Duvall)

Recommendation: Be received and referred to the City's Internal Auditor for review and a report to the General Issues Committee.

(Clark/Ferguson)

That the motion be amended by deleting "General Issues Committee" and replacing it with "Audit, Finance and Administration Committee" in lieu thereof.

Amendment CARRIED.

5.5 Correspondence from John M. Alati, Davies Howe Partners LLP, respecting Borer's Falls Dog Park Site Evaluation (Refers to Public Works Committee Report 14-001, Item 15) (Pearson/Johnson)

Be received.

5.6 Correspondence from Catherine Beattie, respecting the Old Dundas Road Sewage Pumping Station. (Refers to Public Works Committee Report 14-011, Item 3 (Ferguson/Pearson)

Recommendation: Be received.

5.7 Correspondence from Anne Tennier, Vice President, Environmental Sustainability, Maple Leaf Foods Inc., respecting a Letter of Appreciation. (Johnson/Ferguson)

Recommendation: Be received.

5.8 Correspondence from Michelle Roeder, respecting Rezoning of Old Highway 8 (Refers to Planning Committee Report 14-015, Item 7 (Pasuta/Partridge)

Recommendation: Be received.

5.9 Petition from 71 residents of the Glanbrook Hills Development respecting Construction of the Glanbrook Hills Park (Johnson/Pearson)

Recommendation: Be received and referred to the General Manager of Public Works for consideration as part of the 2015 Public Works Budget deliberations.

5.10 Correspondence from the Honourable Brad Duguid, Minister of Economic Development, Employment and Infrastructure, respecting US Steel Canada Inc. (Duvall/Whitehead)

Recommendation: Be received.

CARRIED AS AMENDED

(Whitehead/Duvall)

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

CARRIED

PUBLIC WORKS COMMITTEE REPORT 14-011

20. Tree Removal at 814 Limeridge Road East (Added Item 10.3)

(Duvall/Whitehead)

That the recommendation of Item 20 contained in Public Works Report 14-011, Tree Removal at 814 Limeridge Road East (Added Item 10.3), be amended by deleting the number, "814", and replacing it with the number, "714", to read as follows:

20. Tree Removal at 714 Limeridge Road East (Added Item 10.3)

That staff be directed to remove the tree located at 714 Limeridge Road East.

Amendment CARRIED

(Whitehead/Duvall)

That the eleventh Report of the Public Works Committee be adopted, as amended, and the information section received.

CARRIED

PLANNING COMMITTEE REPORT 14-014

9. City Initiative 14-E - Official Plan and Zoning By-law Changes for Urban Agriculture (Community Gardens and Urban Farms) in the Urban Area (PED14161) (Wards 1 to 13, 15) (Item 6.2)

(Farr/Merulla)

That the recommendations contained in Item 9 of Planning Committee Report 14-014, be amended by adding the following new sub-sections (j) and (k) to read as follows:

- (j) That staff from Planning and Economic Development and Community and Emergency Services work together to educate the public, including farming, community gardening, and social service organizations, about the opportunities created by the new Official Plan and Zoning By-law changes for urban agriculture as part of the ongoing implementation of the City's Food Strategy;
- (k) That staff from Public Works, Planning and Economic Development, Public Health and, Community and Emergency Services be directed to develop a community engagement and communication plan regarding urban agriculture and report back to General Issues Committee in 2015.

Amendment CARRIED

15. Application for a Condominium Conversion for Lands Known as 46 Arkledun Avenue (Hamilton) (PED14189) (Ward 2) (Item 6.8)

The above Item CARRIED on the following vote:

Yeas: Collins, Duvall, Jackson, Merulla, Morrow, Farr, McHattie, Clark,

Pearson, Johnson, Ferguson, Powers, Pasuta, Partridge, Bratina

Total: 15

Nays: Whitehead

Total: 1
Absent: None
Total: 0

(Johnson/Pearson)

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

CARRIED

GENERAL ISSUES COMMITTEE REPORT 14-019

27. Staffing for POA Prosecutions LS14036 (City Wide) (Item 8.8)

The above Item CARRIED on the following standing recorded vote:

Yeas: Collins, Farr, McHattie, Clark, Powers, Jackson, Bratina, Morrow,

Merulla

Total: 9

Nays: Whitehead, Duvall, Pasuta, Ferguson, Johnson, Pearson, Partridge

Total: 7
Absent: None
Total: 0

35. Shift Splitting Arbitration - Minutes of Settlement (PW14106) - (City Wide) (Item 12.2)

(Bratina/Partridge)

That the recommendation of Item 35 of General Issues Committee Report 14-019 respecting Shift Splitting Arbitration - Minutes of Settlement (PW14106) be deleted in its entirety and replaced with the following therein:

- (a) That Council approve \$575,000 in accordance with the Minutes of Settlement, attached to Report PW14106 as Appendix "A", between the City and the ATU Local 107 as full and final settlement inclusive of the period February 2009 through December 31 2013, respecting an arbitration settlement;
- (b) That the contents of Report PW14106 respecting Shift Splitting Arbitration, including Appendix "A", remain confidential and restricted from public disclosure.

Amendment CARRIED

36. Storm Water Easement Purchase of land - 789 & 795 Montgomery Drive (PW14102) - (Ward 12) (Item 12.3)

(Bratina/Partridge)

That Item 36 of General Issues Committee Report 14-019 respecting Storm Water Easement Purchase of land - 789 & 795 Montgomery Drive (PW14102) be deleted in its entirety and the following be inserted therein:

(a) That the Real Estate Section of the Economic Development Division of the Planning and Economic Development Department be authorized and directed to enter into negotiations for an Option to Purchase a Storm

Water Easement with Monica Gohkale & Ryan Doyle being the property owner of 789 Montgomery Drive, described as Lot 16, Plan 769, designated as Part 1 on Draft Plan RC-A-814 comprising an area of approximately 190 square metres and; Mary-Anne & Ronald Leach being the property owner of 795 Montgomery Drive, described as Lot 16, Plan 769, designated as Parts 2-4 on Draft Plan RC-A-814 comprising an area of approximately 405 square metres, as shown on Appendix A attached to Report PW14102;

- (b) That the total easement acquisition and construction costs related to 789 and 795 Montgomery Drive be funded from the Storm Sewer Capital Reserve 108010;
- (c) That a reserve be established for the funding of future private land acquisitions and construction for required municipal works and the establishment of the reserve be referred to the 2015 Operating Budget process as a program enhancement for consideration;
- (d) That the financial details of the acquisition outlined in Appendix B attached to Report PW14102 respecting the lands at 789 & 795 Montgomery Drive remain confidential until the completion of the transaction and the balance of Report PW14102 not be released as a public document, following approval;
- (e) That upon approval of the Options to Purchase of the easement, Public Works will further extend the existing 750mm diameter storm water culvert by 6-10m. Other work may include erosion control measures in front of the outlet of the culvert and on the bank of the valley;
- (f) That the Mayor and City Clerk be authorized and directed to execute the necessary documents in a form satisfactory to the City Solicitor.

Amendment CARRIED

(Bratina/Powers)

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

CARRIED

BOARD OF HEALTH REPORT 14-008

4. Good 2 Go Food Box Pilot Project Evaluation – (BOH13039(a)) (City Wide) (Outstanding Business List Item) (Item 7.4)

(McHattie/Merulla)

That the recommendations contained in Item 4, Good 2 Go Food Box Pilot Project Evaluation – (BOH13039(a)) (City Wide), of Board of Health Report 14-008, be amended by adding a new sub-section (f) to read as follows:

(f) That Public Health Services work with Food Share and CESD to develop a community strategy to single Ontario Works recipients to ensure they are aware of when and where the fresh vegetables and fruit will be distributed monthly. The distribution schedule will target the times that single Ontario Works recipients most often utilize food banks.

Amendment CARRIED

(Bratina/Partridge)

That the information Items (g) (aa), (bb) and (cc) be lifted from the table and added to the Board of Health Report 14-008 as items 8, 9 and 10 respectively.

Amendment CARRIED

8. Response to Aboriginal Health Issues in the City of Hamilton (Item 9.2)

(Bratina/Partridge)

WHEREAS, Aboriginal people living in Hamilton experience higher rates of poverty and disproportionate rates of chronic disease and associated risk factors than the general population. Poverty rates are associated with the challenges linked to the determinates of health including access to health care, housing and food security (Social Planning and Research Council (SPRC), Our Health Counts, 2011); and

WHEREAS, Public Health Services (PHS) is mandated to reduce the burden of preventable chronic diseases; and

WHEREAS, PHS has worked with our Aboriginal communities regarding cancer prevention and screening since 2007; and

WHEREAS, PHS has recently had a successful partnership with over ten Aboriginal service providers/agencies to engage Aboriginal communities, promote cancer screening, and help mentor the CASTLE Project Community Health Educator/Navigator (CHEN) to address low cancer screening rates from April 2013-April 2014; and

WHEREAS, PHS Chronic Disease Prevention Program staff are planning to reconvene with the CASTLE Aboriginal Partners in the fall of 2014 to plan how to continue to address health disparities regarding cancer rates and health access; and

WHEREAS, the Hamilton Niagara Haldimand Brant Local Health Integration Network (HNHB LHIN) is mandated to work with Aboriginal communities for improved health and wellness:

"Local Health Integration Networks are mandated to work with Aboriginal communities for improved health and wellness. The HNHB LHIN has a responsibility to learn about and respect Aboriginal communities' approach to health and wellness and how this approach guides the identification of health needs and solutions"

Therefore be it resolved:

- (a) That staff from PHS engage with urban Aboriginal leaders to explore opportunities to address relevant health issues through culturally sensitive solutions; and
- (b) That the Mayor, on behalf of the Board of Health and Council, request support from the LHIN to continue/renew funding for an Aboriginal Community Health Educator/Navigator focused on Chronic Disease Prevention.

CARRIED

9. Regulation of Drug Paraphernalia (Item 9.3)

(Whitehead/Duvall)

That Public Health Services (Healthy Living) and the Planning Department (Licensing, Municipal Law Enforcement) be directed to report to the Board of Health on the following:

- (a) Regulating, under the Food Premises Schedule of the Business Licensing By-law, convenience store sales of devices such as bongs which facilitate the smoking of drugs by:
 - (i) Restricting the display of the devices
 - (ii) Prohibiting the sale of the devices to persons under 18 years of age; and
- (b) Opportunities for educating young people and their parents about the dangers of illicit drug use.

CARRIED

10. Provincially Supported Universal Drug Programs (Item 9.4)

(Merulla/Jackson)

WHEREAS, the Canadian Medical Association (CMA) identified and stated in their 2013 Health Care Reform, Change that Works document that, "Crucial to improved care is (A) universal access to comprehensive prescription drug coverage" (page 15);

AND WHEREAS, there are segments of the population that report barriers to acquire financial support for drugs that are deemed required by an authorized health care professional and it is difficult to ensure access is obtained,

Therefore be it resolved:

That the Mayor write to the Ontario Provincial Minister of Health and Federal Minister of Health on behalf of City Council requesting that this matter be brought forward to the appropriate provincial and federal government officials to establish an action plan that would be considered consistent with the following CMA recommendations on page 15 of their report:

"Governments, in consultation with the life and health insurance industry and the public, should establish a program of comprehensive prescription drug coverage to be administered through reimbursement of provincial/territorial and private prescription drug plans to ensure that all Canadians have access to medically necessary drug therapies.

Such a program should include the following elements:

- a mandate for all Canadians to have either private or public coverage for prescription drugs
- uniform income-based ceiling (between public and private plans and across provinces/territories) on out-of-pocket expenditures on drug plan premiums and/or prescription drugs (e.g., 5% of after-tax income)
- federal/provincial/territorial cost-sharing of prescription drug expenditures above a household income ceiling, subject to capping the total federal and/or provincial/territorial contributions either by adjusting the federal/provincial/territorial sharing of reimbursement or by scaling the household income ceiling or both
- group insurance plans and administrators of employee benefit plans to pool risk above a threshold linked to group size
- a continued strong role for private supplementary insurance plans and public drug plans on a level playing field (i.e., premiums and co-payments to cover plan costs)

Furthermore the federal government should:

 establish a program for access to expensive drugs for rare diseases where those drugs have been demonstrated to be effective

- assess the options for risk pooling to cover the inclusion of expensive drugs in public and private drug plan formularies
- provide adequate financial compensation to the provincial and territorial governments that have developed, implemented and funded their own public prescription drug insurance plans
- provide comprehensive coverage of prescription drugs and immunization for all children in Canada
- mandate the Canadian Institute for Health Information (CIHI) and Statistics
 Canada to conduct a detailed study of the socio-economic profile of
 Canadians who have out-of-pocket prescription drug expenses, in order to
 assess barriers to access and to design strategies that could be built into a
 comprehensive prescription drug coverage program.

CARRIED

(Bratina/Partridge)

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

CARRIED

PLANNING COMMITTEE REPORT 14-015

(Johnson/Partridge)

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

CARRIED

AUDIT, FINANCE & ADMINISTRATION COMMITTEE REPORT 14-008

- 4. Governance Review Sub-Committee Report 14-003 (Item 8.1)
 - (ii) Review of the City's Procedural By-law Amendments (Item 4.2)

(Clark/Pearson)

That item 4(ii)(c) and (d) of the Audit, Finance and Administration Committee Report 14-008 be amended by moving recommendation (d) to before recommendation (c) to read as follows:

(c) That subsection 9.2 of By-law 10-053 – A By-law to Govern the Proceedings of Council and Committees of Council be amended by

deleting the words "at least 24 hours following" and replace with "simultaneously with" to read as follows:

- 9.2 The Clerk shall make the regular agendas of Council and Standing Committee meetings, available to the media and general public, at least 24 hours following simultaneously with the distribution set out in subsection 9.1.
- (d) That a new By-law to Govern the Proceedings of Council and Committees of Council to include amendments outlined in recommendation (a) be prepared and enacted by Council.

Amendment CARRIED Motion as Amended CARRIED.

(v) Inner City/Student Accommodation Fund (Item 4.5)

(Powers/Ferguson)

That item 4(v)(d) of the Audit, Finance and Administration Committee Report 14-008 be amended by deleting the amount \$5,000 and replacing it with the amount \$2,500 in lieu thereof to read as follows:

(d) That the 'Geographic Factor' currently at \$2,500 and divided equally between Wards 11 and 14 shall be reviewed and adjusted, where appropriate, based on historical actual;

Amendment CARRIED Motion as Amended CARRIED.

12. Anti-Racism Resource Centre Project (FCS14044(a)) (City Wide) (Outstanding Business List Item) (Item 8.9)

(Powers/Clark)

That Item 12, Anti-Racism Resource Centre Project (FCS14044(a)) (City Wide), of Audit, Finance and Administration Committee Report 14-008 be referred to the General Issues Committee.

The above Referral CARRIED on the following standing recorded vote:

Yeas: Powers, Pasuta, Partridge, Bratina, Whitehead, Duvall, Johnson,

Jackson, Ferguson, Pearson

Total: 10

Navs: Merulla, Collins, Morrow, Farr, McHattie, Clark

Total: 6
Absent: None
Total: 0

(Clark/Pearson)

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

CARRIED

EMERGENCY & COMMUNITY SERVICES COMMITTEE REPORT 14-006

11. Hamilton Snow Angels Program (CES14041) (City Wide) (Item 8.6)

Item 11 was split for voting purposes.

Subsection (a) CARRIED.

(Powers/Merulla)

That Item 11, Hamilton Snow Angels Program (CES14041) (City Wide), of Emergency and Community Services Committee Report 14-006 be amended as follows:

That subsection (b) be referred to staff for a report back to the Emergency and Community Services Committee in the new term of Council, following consultation with those community organizations who currently provide similar programs in the communities of Stoney Creek, Dundas and Flamborough.

The Referral CARRIED on the following standing recorded vote:

Yeas: Powers, Pasuta, Johnson, Bratina, Whitehead, Partridge, Jackson,

Ferguson, Pearson, Merulla, Collins, Morrow, Farr, McHattie, Clark

Total: 15 Nays: Duvall

Total: 1
Absent: None
Total: 0

(Farr/Merulla)

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

CARRIED

GENERAL ISSUES COMMITTEE REPORT 14-020

(Clark/Pearson)

That the 48-hour rule be waived in order to introduce General Issues Committee Report 14-020.

CARRIED

(Bratina/Powers)

That the twentieth Report of the General Issues Committee be adopted, and the information section received.

CARRIED

(Whitehead/Duvall)

That the Committee of the Whole Rise and Report.

CARRIED

MOTIONS

7.1 "Buy American" Provisions

(Powers/Duvall)

WHEREAS cities and communities across Canada support free and fair trade between Canada and the United States;

AND WHEREAS bilateral trade between Canada and the United States amounts to over \$600 billion per year in economic activity, significantly contributing to Canada's long-term economic competitiveness;

AND WHEREAS many of the most important supply chains and industry linkages that fuel our respective economies are inexorably linked;

AND WHEREAS provisions, such as 'Buy American' requirements, which serve to inhibit this important economic partnership directly affects the economic prosperity of our country, our businesses and our communities;

AND WHEREAS organizations like the Canadian Manufacturers and Exporters estimate that thousands of manufacturing jobs are continuously at risk from continued 'Buy American' provisions being proposed across the US;

AND WHEREAS Hamilton companies were directly impacted as jobs were lost here due to the 'Buy American' provisions being inserted into projects receiving Federal and Municipal funding; AND WHEREAS Canadian cities and communities are committed to open and fair trade with American governments and businesses;

AND WHEREAS recent agreements between Canada and the United States have recognized the critical and complementary economic linkages between our two countries, fostering secure, predictable trade and investment environments;

THEREFORE BE IT RESOLVED that municipalities express support for free, fair and reciprocal trade between the United States and Canada and that any restrictive 'Buy American' provisions in U.S. legislation are contrary to that spirit of free trade;

BE IT FURTHER RESOLVED that the City of Hamilton, Ontario calls on the Federation of Canadian Municipalities (FCM) to support and work with the Government of Canada and the Canadian Manufacturers and Exporters and any other stakeholders in their efforts to urge the United States Congress and State governments to abstain from the use of 'Buy American' provisions;

BE IT FURTHER RESOLVED THAT FCM be requested to write to the US National League of Cities and the US Conference of Mayors to request their support for the spirit of this resolution and the need for 'free' trade, so that businesses and industries on both sides of the border can compete for contracts in the fairest and most efficient manner;

BE IT FURTHER RESOLVED THAT the Mayor be requested to write a letter and forward this resolution to the Prime Minister, the leaders of the Federal Opposition Parties, the Hamilton Area MP's and MPP's for information;

BE IT FURTHER RESOLVED THAT this resolution be forwarded to FCM and the Association of Municipalities of Ontario (AMO) for circulation to all municipalities requesting their support and the Canadian Manufacturers and Exporters for information.

CARRIED

7.2 Creekside Drive Parkette, Dundas

(Powers/Pasuta)

Whereas, Project ID 4401456102 for the development of a new park at 2555 Creekside in the amount of \$360,000, to be funded from fundraising by community groups (net City cost \$0), was approved in the 2014 Capital Budget; and

Whereas, at its April 9, 2014 meeting, City Council approved of item 8.1 of General Issues Committee Report 14-008, as follows:

- "(a) That the Rotary Club of Dundas proposal to contribute all necessary funds to complete the design and construction of the park at 2555 Creekside Drive (attached as Appendix "A" to Report PW14036) by entering into a lease with the City of Hamilton for the purpose of construction be endorsed;
- (b) That the City of Hamilton enter into a lease for the purpose of permitting the Rotary Club of Dundas, who will be working with the condominium corporations at Creekside Drive and Amica Mature Lifestyles Inc., to construct and develop the Park in accordance with City standards and practices;
- (c) That the associated annual operating costs starting in 2015 for the park at 2555 Creekside Drive, in the amount of \$10,000 (increased from \$6,000 as identified in the 2014 capital budget), and an additional 0.1 FTE, be referred to the 2015 Operating Budget process for consideration;
- (d) That the Mayor and City Clerk be authorized and directed to execute the construction lease in a form satisfactory to the City Solicitor and with content acceptable to the General Manager of Public Works; "

And, Whereas, the parties involved with the park development project include the Rotary Club of Dundas, the four (4) Creekside Drive condominium corporations (Wentworth Standard Condominium Corporations #459, #374, #400, and #428, located at 1000, 2000, 3000, and 4000 Creekside Drive in Dundas, respectively), and Amica Mature Lifestyles Inc., a for-profit corporation (the "Parties"); and,

Whereas, the Rotary Club of Dundas has raised approximately \$200,000 towards the construction of the park and is still in the process of fundraising; and,

Whereas, the construction costs of park have risen from \$360,000 with the Rotary Club now forecasting construction costs to exceed \$550,000; and

Whereas, the Parties desire to construct the park prior to all fundraising revenues being received; and,

Whereas, the Rotary Club of Dundas and the four Creekside Drive condominium corporations, wish to collectively borrow \$300,000 from the City, by individually entering into five separate loan agreements in the amount of \$60,000 each;

Therefore be it resolved:

(a) That in order to move forward with the construction of the Creekside Drive park prior to the upcoming winter, the City of Hamilton (the "City") agrees to provide five loans with a five year term, in the amount of \$60,000 each, to the Rotary Club of Dundas and the four Creekside Drive condominium

corporations in accordance with the City's "External Loan Guidelines", with the exception of the requirements listed below in subsection (b).

- (b) That the loan referred to in subsection (a) be:
 - (i) interest free for the first three years, and at the interest rate as prescribed in the City's "External Loan Guidelines" for years four (4) and five (5) on the outstanding balance;
 - (ii) repayable in installments, equal to a minimum of \$12,000 per year; and
 - (iii) unsecured without collateral.
- (c) That release of the total loan amount of \$300,000 is conditional on all of the entities (the Rotary Club and the condominium corporations) securing the appropriate approvals and executing the necessary documentation.
- (d) That the General Manager of Finance and Corporate Services be authorized and directed to execute, on behalf of the City, a loan agreement and all other necessary documents to implement subsections (a) and (b), said agreement and documents to be in a form satisfactory to the City Solicitor and with content acceptable to the General Manager of Finance and Corporate Services.

CARRIED

7.3 Nomination for Induction into the Hamilton Sports Hall of Fame - Mr. Paul Weiler (a.k.a. Pigskin Pete)

(Merulla/Collins)

- (a) That Hamilton City Council submit Mr. Paul Weiler (a.k.a. Pigskin Pete) for nomination to the Hamilton Sports Hall of Fame;
- (b) That the name Paul Weiler (a.k.a. Pigskin Pete) be recommended for addition to the Wall of Fame at Tim Hortons Stadium.

CARRIED

7.4 Highway 56 Traffic Study

(Johnson/Clark)

WHEREAS Hwy 56, Binbrook, from Rymal Road to Cemetery Road is the only major north/south truck route built to rural standards with only one northbound and one southbound lane of traffic, with gravel shoulders and large ditches with no curbs, sidewalks or bike lanes

AND WHEREAS the Village of Binbrook is growing at a much faster rate than expected, with approximately 3,000 homes built to date and approximately another 2,000 units expected to be built in the near future and has noticeably increasing traffic volumes on an annual basis,

AND WHEREAS it is difficult to safely cross Hwy #56 east/west direction and virtually impossible for most agriculture vehicles to cross safely,

AND WHEREAS the police and traffic are aware of the number of collisions on this section of Hwy 56 including the fatalities,

AND WHEREAS residents of Binbrook want to bike or walk safely from Binbrook to the commercial areas of Elfrida and are unable to given the unsafe pedestrian walking/biking conditions,

AND WHEREAS the City is currently in the process of urbanizing Hwy 56 from Cemetery Road south to the southern limits of the urban boundary of the Village of Binbrook.

THEREFORE BE IT RESOLVED

- (a) That staff be directed to complete a traffic study be done on Hwy 56 from Rymal Road south to Cemetery Rd and that this study address both vehicular, bicycle and pedestrian traffic needs and report back to the Public Works Committee with their findings and recommendations,
- (b) That staff be directed to investigate viable options for widening and upgrading Hwy #56 from Rymal Road south to Cemetery Rd to accommodate current and future projected growth needs.

CARRIED

7.5 Stoney Creek Rugby Club

(Clark/Pearson)

WHEREAS the Stoney Creek Rugby Club has a long history of amateur athletics within the City of Hamilton;

WHEREAS the City of Hamilton is in need of additional athletic field for amateur sports;

THEREFORE IT BE RESOLVED:

(a) That staff be directed to enter into negotiations with the Stoney Creek Rugby Club and the Heritage Green Community Trust to partner on the

construction of a new athletic field to be located at Heritage Green Sports Park.

(b) That staff be directed to report back to the Emergency and Community Services following negotiations.

CARRIED

7.6 Transit Shelter Installations – Ward 7

(Duvall/Whitehead)

Whereas, in 2013 funding for four (4) new transit shelters in Ward 7 was provided through the Transit Shelter Expansion Plan (PW13005); and,

Whereas, an allocation of Ward 7 discretionary funds for new transit shelters, over and above a quantity of four (4), has been identified; and,

Whereas, the current Ward 7 discretionary funds balance is insufficient to fund the installation of any additional new transit shelters in Ward 7;

Therefore be it Resolved:

- (a) That transit staff be authorized and directed to investigate, supply and install, in conjunction with the Transit Shelter Expansion Plan, two (2) additional transit shelters, at a budgeted cost of \$10,000 per shelter, at the following Ward 7 bus stop locations, subject to each location satisfying the necessary engineering requirements:
 - (i) At the north east corner of Rymal Road and Upper Wentworth (Westbound)
 - (ii) At the south east corner of Rymal Road and Upper Wentworth (Eastbound)
- (b) That funding, to an upset limit of \$20,000, for the installation of the two (2) subject shelters as identified in subsection (a), is to be provided through the Ward 7 Special Capital Re-investment (Area Rating) Reserve #108057.

CARRIED

7.7 West Flamborough Accommodation Review Area - the Beverly Community Centre and the Greensville School Site

(Pasuta/Powers)

That further to the direction approved by City Council at its meeting of June 25, 2014, in which Council recommended the referral to the City's Joint City/Hamilton-Wentworth District School Board Liaison Committee of the attached correspondence from the Chair of the Hamilton-Wentworth District School Board, Jessica Brennan, in which the Hamilton-Wentworth District School Board requested that City Council explore a working relationship between the Board and the City of Hamilton regarding the West Flamborough Accommodation review area, notably, the Beverly Community Centre and the Greensville School site, that Council agree to entering into such exploratory discussions and that the Board be forwarded communication from the Mayor to so advise.

CARRIED

7.8 Revised No Stopping Southside Place

(Whitehead/Duvall)

- (a) That Schedule 13 (No Stopping Zones) of Parking By-law No. 01-218 be amended to extend the existing No Stopping Driveway clearances within the with the cul-de sac of Southside Place;
- (b) That an appropriate by-law to amend City of Hamilton Parking By-law 01-218 be passed.

CARRIED

7.9 US Steel

(Duvall/Merulla)

That the City Manager, staff in the Economic Development Division, the City Solicitor, and other staff as required, work with the provincial and federal levels of government, and other necessary parties, to obtain information with regards to the City of Hamilton U.S. Steel pensioners, US Steel operations and land holdings and any future plans; and that this information be forwarded to the Steel Sub-committee.

CARRIED

NOTICES OF MOTIONS

8.1 Transit Shelter Installations – Ward 7

Councillor Duvall introduced the following notice of motion:

Whereas, in 2013 funding for four (4) new transit shelters in Ward 7 was provided through the Transit Shelter Expansion Plan (PW13005); and,

Whereas, an allocation of Ward 7 discretionary funds for new transit shelters, over and above a quantity of four (4), has been identified; and,

Whereas, the current Ward 7 discretionary funds balance is insufficient to fund the installation of any additional new transit shelters in Ward 7;

Therefore be it Resolved:

- (a) That transit staff be authorized and directed to investigate, supply and install, in conjunction with the Transit Shelter Expansion Plan, two (2) additional transit shelters, at a budgeted cost of \$10,000 per shelter, at the following Ward 7 bus stop locations, subject to each location satisfying the necessary engineering requirements:
 - (i) At the north east corner of Rymal Road and Upper Wentworth (Westbound)
 - (ii) At the south east corner of Rymal Road and Upper Wentworth (Eastbound)
- (b) That funding, to an upset limit of \$20,000, for the installation of the two (2) subject shelters as identified in subsection (a), is to be provided through the Ward 7 Special Capital Re-investment (Area Rating) Reserve #108057.

(Duvall/Whitehead)

That the rules be waived in order to introduce a motion respecting Transit Shelter Installations – Ward 7

CARRIED

8.2 West Flamborough Accommodation Review Area - the Beverly Community Centre and the Greensville School Site

Councillor Pasuta introduced the following notice of motion:

That further to the direction approved by City Council at its meeting of June 25, 2014, in which Council recommended the referral to the City's Joint City/Hamilton-Wentworth District School Board Liaison Committee of the attached correspondence from the Chair of the Hamilton-Wentworth District School Board, Jessica Brennan, in which the Hamilton-Wentworth District School Board requested that City Council explore a working relationship between the Board and the City of Hamilton regarding the West Flamborough Accommodation review area, notably, the Beverly Community Centre and the Greensville School site, that Council agree to entering into such exploratory discussions and that the Board be forwarded communication from the Mayor to so advise.

(Pasuta/Partridge)

That the rules be waived in order to introduce a motion respecting West Flamborough Accommodation Review Area - the Beverly Community Centre and the Greensville School Site

CARRIED

8.3 Revised No Stopping Southside Place

Councillor Whitehead introduced the following notice of motion:

- (a) That Schedule 13 (No Stopping Zones) of Parking By-law No. 01-218 be amended to extend the existing No Stopping Driveway clearances within the with the cul-de sac of Southside Place:
- (b) That an appropriate by-law to amend City of Hamilton Parking By-law 01-218 be passed.

(Duvall/Jackson)

That the rules be waived in order to introduce a motion respecting Revised No Stopping Southside Place

CARRIED

8.4 US Steel

Councillor Duvall introduced the following notice of motion:

That the City Manager, staff in the Economic Development Division, the City Solicitor, and other staff as required, work with the provincial and federal levels of government, and other necessary parties, to address the needs of the City of Hamilton U.S. Steel pensioners, and the future use of the U.S. Steel property located in the City of Hamilton.

(Duvall/Merulla)

That the rules be waived in order to introduce a motion respecting US Steel **CARRIED**

STATEMENT BY MEMBERS

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

BY-LAWS

(McHattie/Farr)

299

That the Bill List be amended by adding Bills No. 14-283 to No. 14-303, as follows:

283 To Amend Zoning By-law No. 6593 (Hamilton), Respecting Lands Located at 30 Eleanor Avenue (Hamilton) 284 To Amend Zoning By-law No. 90-145-Z Respecting Lands Located at 1292 Old Highway No. 8, in the former Town of Flamborough, now in the City of Hamilton 285 To Amend Zoning By-law No. 90-145-Z (Flamborough), as amended, Respecting Lands located at 1605 Kirkwall Road, (Flamborough) 286 To Amend Zoning By-law No. 6593 (Hamilton), as Amended by By-law 11-290, Respecting Lands Located at 252-254 Locke Street South (Hamilton) To Amend Zoning By-law No. 6593, Respecting Lands Located at 2791 287 King Street East (Hamilton) 288 To Amend Zoning By-law No. 3581-86 (Dundas), Respecting Lands Located at 252 Governor's Road 289 To Adopt Official Plan Amendment No. 32 to the Urban Hamilton Official Plan Respecting 1955 Upper James Street, Glanbrook To Amend Zoning By-law No. 464 (Glanbrook), Respecting Lands Located 290 at 1955 Upper James Street 291 To Adopt Official Plan Amendment No. 34 to the Urban Hamilton Official Plan Respecting Block 114 of Registered Plan 62M-1181 292 To Amend Zoning By-law No. 464 (Glanbrook), Respecting Lands Located on Block 114 of Registered Plan 62M-1181, in the former Township of Glanbrook, now in the City of Hamilton 293 To Adopt Official Plan Amendment No. 30 to the Urban Hamilton Official Plan Respecting Lands Located on the east side of Park Street South, known municipally as 257 Park Street South, Hamilton 294 To Amend Zoning By-law No. 6593 (Hamilton), as Amended, Respecting Lands Located at 257 Park Street South (Hamilton) 295 To Adopt Official Plan Amendment No. 33 to the Urban Hamilton Official Plan Respecting Lands Located at 406 Pritchard Road, Hamilton 296 To Amend Zoning By-law No. 05-200, Respecting Lands Located at 406 Pritchard Road, Hamilton 297 Respecting Removal of Part Lot Control Blocks 73, 74, 97 and 98, Registered Plan No. 62M-1167 and Blocks 32, 33, 34, 35, 36, 37, 38 and 39, Registered Plan No. 62M-1188 on lands located at 111 Parkside Drive (Flamborough) 298 Respecting Removal of Part Lot Control Blocks 1, 2, 3, 4 and 6, Registered Plan No. 62M-1184

To Amend By-law No. 08-154, a By-law to Establish the Office of Integrity

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	Commissioner
300	A By-law To Govern the Proceedings of Council and Committees of Council and to Repeal By-law No. 10-053
301	To Amend By-law No. 01-218, as amended, To Regulate On-Street Parking Schedule 13 - No Stopping Zones
302	Being a By-law to Permanently Close to Vehicular Traffic, a portion of Roxborough Avenue road allowance between Province Street North and Graham Avenue North, being Part of Roxborough Avenue, on Plan 497, designated as Part 1 on Plan 62R-19803, City of Hamilton
303	To Confirm the Proceedings of City Council

AMENDMENT CARRIED

(McHattie/Farr)

That Bills No. 14-246 to 14-303 be passed 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:

246	To Amend By-law No. 01-215, To Regulate Traffic Schedule 5 - Stop Control
247	To Amend By-law No. 01-215, To Regulate Traffic Schedule 3 - Flashing School Zones - Reduced Speed Limit Schedule 2 - Speed Limits Schedule 13 - Designated Traffic Lanes
248	To Amend By-law No. 01-215, To Regulate Traffic Schedule 5 - Stop Control
249	To Amend By-law No. 01-215, To Regulate Traffic Schedule 5 - Stop Control
250	To Amend By-law No. 01-215, To Regulate Traffic Schedule 5 - Stop Control
251	To Amend By-law No. 01-215, To Regulate Traffic Schedule 4 - Yield Sign Locations Schedule 5 - Stop Control
252	Being a By-law to Provide for Institutional Polls for the 2014 Municipal Election
253	In Respect of Business Improvement Areas
254	To Rescind By-law No. 14-236 and to Permanently Close a Portion of City Land Designated as Part 1 on Plan 62R-19873, on Hughson Street, City of Hamilton
255	To Rename a Portion of Chedmac Drive to Southridge Court
256	To Rename a Portion of Highbury Drive to Picardy Drive

257	To Rename Thornwood Road to Thornwood Drive
258	To Rename a Portion of Claudette Gate to Sabrina Boulevard
259	To Rename a Portion of Highway No. 5 West to Emmons Lane
260	To Rename Ipswich Road to Ipswich Place
261	Respecting Removal of Part Lot Control Blocks 139 to 147, Registered Plan No. 62M-1204, "Paramount", 104, 106, 108, 110, 112, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 146, 148, 150, 152, 154, 157, 159, 161, 163, 165, 167, 169, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 208, 210, 212 & 214 Westbank Trail (Stoney Creek)
262	Respecting Removal of Part Lot Control Block 102, Registered Plan No. 62M-1181, "Summit Park – Phase 7" 71, 73, 75, 77, 79, 81, 83, 85, 87, 89, 91, 93, 95, 97, 99, 101, 103, 105, 107, 109, 111, 113, 115 and 117 Charleswood Crescent (Glanbrook)
263	Respecting Removal of Part Lot Control Block 103, Registered Plan No. 62M-1181, "Summit Park – Phase 7" 82, 84, 86, 88, 90, 92, 94, 96, 98, 100, 102, 104, 106, 108, 112, 114, 116 and 118 Charleswood Crescent (Glanbrook)
264	Respecting Removal of Part Lot Control Block 50, Registered Plan No. 62M-1199, "Victory Ridge - Phase 1" 90, 92, 94, 96, 98, 100, 104, 106, 108, 110, 112, 114, 116, 118, 122, 124, 126, 128, 132, 134, 136, 138, 142, 144, 146, 148 and 150 Crafter Crescent (Stoney Creek)
265	Respecting Removal of Part Lot Control Part of Block 51, Registered Plan No. 62M-1199, "Victory Ridge – Phase 1" 66, 68, 70, 72, 74, 76, 78 and 80 Crafter Crescent (Stoney Creek)
266	To Amend Zoning By-law No. 87-57 (Ancaster), Respecting Lands Located at 1125-1143 Wilson Street West, in the former Town of Ancaster, now in the City of Hamilton
267	To Amend Zoning By-law No. 05-200, Respecting Lands Located at 55 Queenston Road (Hamilton)
268	To Amend Zoning By-law No. 05-200, Respecting Lands Located at 950 and 956 South Service Road, Hamilton
269	To Amend Zoning By-law No. 3692-92 (Stoney Creek), Respecting Lands located at 267, 275-283 and 293 Upper Centennial Parkway (Stoney Creek)
270	To Adopt Official Plan Amendment No. 29 to the Urban Hamilton Official Plan Respecting Lands Located on the east side of Dundas Street East, known municipally as 122 Dundas Street East, Flamborough
271	To Amend Zoning By-law No. 90-145-Z (Flamborough), Respecting Lands

	Located at 215 Dundas Street East (Flamborough)
272	To Adopt Official Plan Amendment No. 31 to the Urban Hamilton Official Plan Respecting Urban Agriculture
273	To Amend Zoning By-law No. 05-200, Respecting General Text Amendments for Community Gardens and Urban Farms
274	To Amend Zoning By-law No. 87-57 (Ancaster), Respecting General Text Amendments for Community Gardens and Urban Farms
275	To Amend Zoning By-law No. 3581-86 (Dundas), Respecting General Text Amendments for Community Gardens and Urban Farms
276	To Amend Zoning By-law No. 90-145-Z(Flamborough), Respecting General Text Amendments for Community Gardens and Urban Farms
277	To Amend Zoning By-law No. 464 (Glanbrook), Respecting General Text Amendments for Community Gardens and Urban Farms
278	To Amend Zoning By-law No. 6593 (Hamilton), Respecting General Text Amendments for Community Gardens and Urban Farms
279	To Amend Zoning By-law No. 3692-92 (Stoney Creek), Respecting General Text Amendments for Community Gardens and Urban Farms
280	To Amend Zoning By-law No. 6593 (Hamilton), as amended, Respecting Lands Located at 158-176 Locke Street South in the City of Hamilton
281	To Amend By-law No. 03-126, Being a By-law for Prohibiting and Regulating the Alteration of Property Grades, the Placing or Dumping of Fill, and the Removal of Topsoil
282	To Amend By-law No. 01-218, as amended, To Regulate On-Street Parking Schedule 5 - Parking Meters Schedule 6 - Time Limit Parking Schedule 8 - No Parking Zones Schedule 9 - Alternate Side Parking Schedule 10 - Alternate Side Parking Schedule 12 - Permit Parking Zones Schedule 13 - No Stopping Zones Schedule 14 - Wheelchair Loading Zones Schedule 20 - School Bus Loading Zones
283	To Amend Zoning By-law No. 6593 (Hamilton), Respecting Lands Located at 30 Eleanor Avenue (Hamilton)
284	To Amend Zoning By-law No. 90-145-Z Respecting Lands Located at 1292 Old Highway No. 8, in the former Town of Flamborough, now in the City of Hamilton
285	To Amend Zoning By-law No. 90-145-Z (Flamborough), as amended, Respecting Lands located at 1605 Kirkwall Road, (Flamborough)
286	To Amend Zoning By-law No. 6593 (Hamilton), as Amended by By-law 11-

	290, Respecting Lands Located at 252-254 Locke Street South (Hamilton)
287	To Amend Zoning By-law No. 6593, Respecting Lands Located at 2791 King Street East (Hamilton)
288	To Amend Zoning By-law No. 3581-86 (Dundas), Respecting Lands Located at 252 Governor's Road
289	To Adopt Official Plan Amendment No. 32 to the Urban Hamilton Official Plan Respecting 1955 Upper James Street, Glanbrook
290	To Amend Zoning By-law No. 464 (Glanbrook), Respecting Lands Located at 1955 Upper James Street
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303	To Confirm the Proceedings of City Council

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CARRIED

(Pearson/Johnson)
That there being no further business, the City Council meeting be adjourned at 10:55 p.m.
CARRIED

Respectfully submitted,

Mayor R. Bratina

R. Caterini City Clerk