



GENERAL ISSUES COMMITTEE REPORT 15-025

9:30 a.m.

Wednesday, December 2, 2015
Council Chambers
Hamilton City Hall
71 Main Street West

Present: Mayor F. Eisenberger, Deputy Mayor T. Whitehead (Chair)
Councillors A. Johnson, J. Farr, M. Green, S. Merulla, C. Collins,
T. Jackson, D. Conley, M. Pearson, L. Ferguson, A. VanderBeek,
R. Pasuta, J. Partridge

**Absent
with Regrets:** Councillor B. Johnson – Other City Business

THE GENERAL ISSUES COMMITTEE PRESENTS REPORT 15-025 AND RESPECTFULLY RECOMMENDS:

**1. Hamilton's 2015 Pan Am Games Final Report (PW14058(c)) (City Wide)
(Item 5.1)**

That Report PW14058(c), respecting Hamilton's 2015 Pan Am Games Final Report, be received.

**2. Hamilton-Niagara Pan Am Investment Playbook (PED15202) (City Wide)
(Item 5.2)**

That Report PED15202, respecting the Hamilton-Niagara Pan Am Investment Playbook, be received.

**3. Clean & Green - Hamilton Strategy 2015 Year-End Update (PW11052(j)) (City
Wide) (Item 5.3)**

That Report PW11052(j), respecting the Clean & Green - Hamilton Strategy 2015 Year-End Update, be received.

4. 2015 Downtown Urban Growth Centre Employment Survey and Vacancy Update (PED15189) (Wards 1, 2 and 3) (Item 5.4)

That Report PED15189, respecting the 2015 Downtown Urban Growth Centre Employment Survey and Vacancy Update, be received.

5. Celebrating 1816-2016 Community Stakeholder Working Group Terms of Reference (PED15196) (City Wide) (Outstanding Business List Item) (Item 8.1)

That the Terms of Reference for the Celebrating 1816 Community Stakeholder Working Group, attached as Appendix "A" to Report 15-025, be approved.

6. Hamilton Downtown / West Harbourfront Remediation Loan Program (HDWHRLP) Application (RLP-14-01) – 179-191 James Street North (PED15180) (Ward 2) (Item 8.2)

(a) That a conditional loan commitment totalling \$400,000 for Roque Land Development Corporation (Manuel Roque, Filomena Roque), the registered owner of the property located at 179-191 James Street North, be authorized and approved in accordance with the terms and conditions of the Hamilton Downtown / West Harbourfront Remediation Loan Program (HDWHRLP);

(b) That the Mayor and City Clerk be authorized and directed to execute the loan agreements together with any ancillary documentation required, to effect Recommendation (a) of Report PED15180, 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 / West Harbourfront Remediation Loan (HDWHRLP), as approved by City Council, are maintained.

7. Enbridge Pipelines Inc. Line 10 Westover Segment Replacement Project (PED15208) (City Wide) (Item 8.3)

(a) That Council authorize City staff to raise potential municipal issues of concern for the City of Hamilton relating to the Enbridge Line 10 Westover Segment Replacement Project directly with Enbridge Pipelines Inc. (Enbridge), and to submit a Letter of Comment outlining these concerns to

the National Energy Board (NEB) once Enbridge has filed its Line 10 project application with the NEB.

- (b) That the General Manager of Public Works be authorized to negotiate and enter into, on behalf of the City of Hamilton, an agreement with Enbridge Pipelines Inc. and any necessary ancillary documents which set out the roles, responsibilities and obligations of the parties with respect to the Enbridge Line 10 Pipeline where it crosses City-owned right-of-ways, in a form satisfactory to the City Solicitor and with content satisfactory to the General Manager of Public Works.

8. Arts Advisory Commission 2016 Advisory Committee Budget Submission (PED15195) (City Wide) (Item 8.4)

That the Arts Advisory Commission's base budget submission in the amount of \$9,000, attached as Appendix "B" to Report 15-025, be approved and referred to the 2016 Budget process for consideration.

9. Establishment of a West Harbour Development Sub-Committee (PED15188) (City Wide) (Item 8.5)

That the Terms of Reference for the West Harbour Development Sub-Committee, attached as Appendix "C", be approved.

10. Illegal Dumping (PED11127(g)/PW11502(i)) (City Wide) (Item 8.6)

That the proactive enforcement pilot to address illegal dumping across the City be made a permanent program subject to the approval of three full-time equivalent (FTEs) at an estimated annual cost of \$240,000 to be funded from existing accounts in Public Works (Operations) and Planning and Economic Development (Parking and By-law Services).

11. Farmers' Market Operating Agreement (CM12009(e)) (City Wide) (Item 8.7)

- (a) That the Mayor and City Clerk be authorized and directed to execute the Operating Agreement between the City of Hamilton and Hamilton Farmers' Market Corporation, attached as Appendix "A" to Report CM12009(e); and,
- (b) That Market By-law 10-209 be repealed as of the date the Operating Agreement attached as Appendix "A" to Report CM12009(e) is executed by all parties.

12. Ancaster Business Improvement Area (BIA) Proposed Budget and Schedule of Payment for 2016 (PED15184) (Ward 12) (Item 8.8)

- (a) That the 2016 Operating Budget for the Ancaster Business Improvement Area (BIA), attached as Appendix “D” to Report 15-025, be approved in the amount of \$93,300;
- (b) That the levy portion of the Operating Budget for the Ancaster Business Improvement Area (BIA) in the amount of \$93,300 be approved;
- (c) That the General Manager of Finance and Corporate Services be hereby authorized and directed to prepare the requisite By-law pursuant to Section 208, *The Municipal Act, 2001*, to levy the 2016 Budget as referenced in Recommendation (b) of Report PED15184;
- (d) That the following schedule of payments for 2016 be approved:

January	\$46,650
June	\$46,650

13. Ottawa Street Business Improvement Area (BIA) Proposed Budget and Schedule of Payment for 2016 (PED15185) (Wards 3 and 4) (Item 8.9)

- (a) That the 2016 Operating Budget for the Ottawa Street Business Improvement (BIA), attached as Appendix “E” to Report PED15185, be approved in the amount of \$177,025.00;
- (b) That the levy portion of the Operating Budget for the Ottawa Street Business Improvement Area (BIA) in the amount of \$133,000 be approved;
- (c) That the General Manager of Finance and Corporate Services be hereby authorized and directed to prepare the requisite By-law pursuant to Section 208, *The Municipal Act, 2001*, to levy the 2016 Budget as referenced in Recommendation (b) of Report PED15185;
- (d) That the following schedule of payments for 2016 be approved:

January	\$66,500
June	\$66,500

14. Barton Village Business Improvement Area (BIA) Proposed Budget and Schedule of Payment for 2016 (PED15186) (Wards 2 and 3) (Item 8.10)

- (a) That the 2016 Operating Budget for the Barton Village Business Improvement Area (BIA), attached as Appendix “F” to Report 15-025, in the amount of \$53,970 be approved;
- (b) That the levy portion of the Operating Budget for the Barton Village Business Improvement Area (BIA) in the amount of \$53,970 be approved;
- (c) That the General Manager of Finance and Corporate Services be hereby authorized and directed to prepare the requisite by-law pursuant to Section 208, *The Municipal Act, 2001*, to levy the 2016 Budget as referenced in Recommendation (b) of Report PED15186;
- (d) That the following schedule of payments be approved:

January	\$26,985
June	\$26,985

15. Downtown Hamilton Business Improvement Area (BIA) Proposed Budget and Schedule of Payment for 2016 (PED15187) (Ward 2) (Item 8.11)

- (a) That the 2016 Operating Budget for the Downtown Hamilton Business Improvement Area (BIA), attached as Appendix “G” to Report 15-025, be approved in the amount of \$400,000;
- (b) That the levy portion of the Operating Budget for the Downtown Hamilton Business Improvement Area (BIA) in the amount of \$325,000 be approved;
- (c) That the General Manager of Finance and Corporate Services be hereby authorized and directed to prepare the requisite By-law pursuant to Section 208, *The Municipal Act, 2001*, to levy the 2016 Budget as referenced in Recommendation (b) of Report PED15187;
- (d) That the following schedule of payments for 2016 be approved:

January	\$162,500
June	\$162,500

16. Release - Hamilton Jewish Communal Projects Inc. (HJCPI) - Municipal Capital Facilities Agreement, 1030 Lower Lions Club Road, Ancaster (PED15209) (Ward 12) (Item 8.12)

- (a) That the Real Estate Section of the Economic Development Division of the Planning and Economic Development Department be authorized and directed to advise Hamilton Jewish Communal Projects Inc. (HJCPI) that the City of Hamilton will not be exercising its right of first refusal to purchase the lands, buildings and premises comprising 1030 Lower Lions Club Road, Ancaster, now City of Hamilton, as shown on Appendix "A" attached to Report PED15209, pursuant to Section 4 of the Municipal Capital Facilities Agreement dated September 9, 2003;
- (b) That the Real Estate Section of the Economic Development Division of the Planning and Economic Development Department be authorized and directed to advise Hamilton Jewish Communal Projects Inc. (HJCPI) of the City of Hamilton's site development requirements as identified in Appendix "B" attached to Report PED15209;
- (c) That the City Manager's Office, Legal Services Division, be authorized and directed to rescind By-law No. 2000-125 enacted on November 6, 2000 by the Town of Ancaster, being a By-law to authorize the signing of an agreement with the Hamilton Jewish Communal Projects Inc. (HJCPI), to operate and maintain the Jewish Community Centre located at 1030 Lower Lions Club Road and to exempt such municipal capital facility from taxation for municipal and school board purposes;
- (d) That the Mayor and Clerk be authorized and directed to execute all necessary documents in a form satisfactory to the City Solicitor.

17. School Board Properties Sub-Committee Report 15-002, November 10, 2015 (Item 8.13)

- (a) **Hamilton-Wentworth District School Board (HWDSB) Property at 575 Woodward Avenue (Woodward School), Hamilton (PED15125) (Ward 4) (tabled at the August 7, 2015 meeting) (Item 8.1)**
 - (i) That the Real Estate Section of the Economic Development Division of the Planning and Economic Development Department be authorized and directed to advise the Hamilton-Wentworth District School Board that the City of Hamilton has no interest in acquiring its property located at 575 Woodward Avenue, as shown on Appendix "A" attached to Report PED15125; and
 - (ii) That the Real Estate Section of the Economic Development Division of the Planning and Economic Development Department be authorized and directed to advise the Hamilton-Wentworth District

School Board of the City's site development requirements as identified in Appendix "B" attached to Report PED15125.

18. Light Rail Transit Sub-Committee Report 15-001, September 23, 2015 (Item 8.14)

(a) Selection of Chair and Vice-Chair (Item A)

- (i) That Councillor J. Farr be appointed as Chair of the Light Rail Transit Sub-Committee for the 2014-2018 Term of Council.
- (ii) That Councillor A. Johnson be appointed as Vice Chair of the Light Rail Transit Sub-Committee for the 2014-2018 Term of Council.

(b) Live-Streaming Meetings of the Light Trail Transit Sub-Committee (Added Item 9.1)

That the Deputy Clerk, IT, Web-Redevelopment and the Director of Communications be directed to investigate the options so that the meetings of the LRT Sub-Committee can be live-streamed on the City's website.

(c) Measurement of Light Rail Transit Economic Uptake (Added Item 10.3)

That staff be directed to enter into discussions with Metrolinx and Infrastructure Ontario to request their assistance in facilitating the measurement of the economic uptake that results from the Light Trail Transit Project.

19. Identified Tobogganing Locations on City Property for the Winter 2015/2016 Season (PW15086) (City Wide) (Item 8.15)

- (a) That the General Manager of Public Works or his designate be authorized and directed to implement a pilot program to identify tobogganing sites for the 2015-2016 season, whereas the Garth Street Reservoir (excluding the North-East corner), Lake Avenue Park and the Chedoke Golf Course (Martin Course, Hole #1) as further described will be the piloted sites; and,
- (b) That \$47,200 from the Tax Stabilization Reserve #110046 be utilized in preparing and inspecting the Garth Street Reservoir (excluding the North-East corner), Lake Avenue Park, and the Chedoke Golf Course (Martin Course, Hole #1) as tobogganing sites for the pilot program within the 2015- 2016 winter season.

20. Resettlement of Syrian Refugees in Hamilton (CES15063) (City Wide) (Item 8.16)

- (a) That the City of Hamilton work formally with Wesley Urban Ministries, which is the settlement agency designated by Citizenship & Immigration Canada to lead the Syrian refugees resettlement efforts in Hamilton; and,
- (b) That staff be directed to provide regular updates to Council regarding the Syrian refugee resettlement efforts in Hamilton.

21. Full Review of Aberdeen Avenue from Queen Street to Longwood Avenue, respecting the Safety and Operational Characteristics of the Roadway (Item 9.1)

That staff, *in consultation with all affected Ward Councillors*, be directed to undertake a full review of Aberdeen Avenue from Queen Street to Longwood Avenue, respecting the safety and operational characteristics of the roadway; with specific reference to and harmonization with the recommendations and principles of the updated Transportation Master Plan; with a focus on improvements to meet the request for a more complete street- and pedestrian-friendly design, including consideration for a road diet, and the recommendations put forward by the Kirkendall Neighbourhood Association Working Group regarding Aberdeen Safety and Road Improvement, and report to Public Works.

22. Interview Sub-committee to the General Issues Committee (Item 9.2)

- (a) That an Interview Sub-committee reporting to the General Issues Committee be established to review and consider the applications received for the following Citizen Volunteer Committee:
 - (i) Arts Advisory Commission
- (b) That the following five Councillors be appointed to the Interview Sub-Committee to the General Issues Committee for the balance of the 2014-2018 term of Council:
 - (i) A. Johnson
 - (ii) J. Farr
 - (iii) M. Pearson
 - (iv) D. Conley (alternate member)
 - (v) TBD (alternate member)

23. Appeal of the Niagara Peninsula Conservation Authority's 2016 Levy Apportionment (Item 9.3)

That staff be authorized and directed to appeal the Niagara Peninsula Conservation Authority's 2016 levy apportionment of \$1,317,020 to the Commissioner of Lands and Mines, and engage in all ancillary discussions, negotiations and mediations in an effort to resolve the issues raised by the appeal.

24. Potential Contract Litigation for Unpaid Fees (LS15035/PW15085) (Ward 2) (Item 12.2)

(Farr/Collins)

- (a) That the City Solicitor and the General Manager of Public Works be authorized and directed to take all necessary steps and prepare all necessary documents, in accordance with the Executive Summary of Report LS15035/PW15085; and,
- (b) That the contents of Report LS15035/PW15085 remain confidential.

25. Commercial Relationship between the City of Hamilton and 1006086 Ontario Inc. o/a Bosma Landscape Service (LS15034/FCS15089) (City Wide) (Item 12.3)

- (a) That, due to the impairment of the commercial relationship between the City of Hamilton and 1006086 Ontario Inc. o/a Bosma Landscape Service ("Bosma Landscape") that has resulted from a breach of contract, staff be directed to reject any current and future bids, proposals or quotations received from Bosma Landscape or any of its related corporate or individual entities, until and including December 9, 2017;
- (b) That the City of Hamilton, not enter into any contract with 1006086 Ontario Inc. o/a Bosma Landscape Service, or any of its related corporate or individual entities until and including December 9, 2017; and,
- (c) That the contents of Report LS15034/FCS15089, respecting the Commercial Relationship between the City of Hamilton and 1006086 Ontario Inc. o/a Bosma Landscape Service remain confidential.

FOR THE INFORMATION OF COUNCIL:

(a) CHANGES TO THE AGENDA (Item 1)

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

1. DELEGATION REQUESTS (Item 4)

- 4.7 Norman Newbery, on behalf of Senior Activities for Southwest Hamilton (S.A.S.H.), respecting the Impact of Aberdeen Avenue in its Present State upon Seniors

The delegates requested that their presentation order be changed; therefore, they will come forward as a group and speak to the matter in an order that works best for their joint presentation.

2. DISCUSSION ITEMS (Item 8)

- 8.14 Light Rail Transit Sub-Committee Report 15-001, September 23, 2015
- 8.15 Identified Tobogganing Locations on City Property for the Winter 2015/2016 Season (PW15086) (City Wide)
- 8.16 Resettlement of Syrian Refugees in Hamilton (CES15063) (City Wide)

3. MOTIONS (Item 9)

- 9.1 Full Review of Aberdeen Avenue from Queen Street to Longwood Avenue, respecting the Safety and Operational Characteristics of the Roadway – a REVISED copy, in place of the version in the agenda, has been provided by Councillor A. Johnson for Committee's consideration.

As the delegates appearing before Committee today are all in attendance to speak to Item 9.1; Item 9.1 will be moved up on the agenda to be addressed immediately following Item 6.7.

4. NOTICES OF MOTION (Item 10)

- 10.1 Appeal of the Niagara Peninsula Conservation Authority's 2016 Levy Apportionment

5. PRIVATE & CONFIDENTIAL (Item 12)

- 12.3 Commercial Relationship between the City of Hamilton and 1006086 Ontario Inc. o/a Bosma Landscape Service (LS15034/FCS15089) (City Wide)

Pursuant to Section 8.1, Sub-sections (e) and (f) of the City's Procedural By-law 14-300, and Section 239(2), Sub-sections (e) and (f) of the *Ontario Municipal Act*, 2001, as amended, as the subject matters pertain to litigation or potential litigation, including matters before administrative tribunals, affecting the City; and, the receiving of advice that is subject to solicitor-client privilege, including communications necessary for that purpose.

The agenda for the December 2, 2015 General Issues Committee meeting was approved, as amended.

(b) DECLARATIONS OF INTEREST (Item 2)

There were no declarations of interest.

(c) APPROVAL OF MINUTES OF PREVIOUS MEETING (Item 3)

(i) November 18, 2015 (Item 3.1)

The Minutes of the November 18, 2015 meeting of the General Issues Committee were approved, as presented.

(d) DELEGATION REQUESTS (Item 4)

- (i) Ned Nolan, President, Kirkendall Neighbourhood Association, respecting Item 9.1 - Full Review of Aberdeen Avenue from Queen Street to Longwood Avenue, respecting the Safety and Operational Characteristics of the Roadway (Item 4.1)**

The delegation request submitted by Ned Nolan, President, Kirkendall Neighbourhood Association, respecting Item 9.1 - Full Review of Aberdeen Avenue from Queen Street to Longwood Avenue, respecting the Safety and Operational Characteristics of the Roadway, was approved to appear before the General Issues Committee today.

- (ii) **Graham McNally, Resident, respecting Item 9.1 - Full Review of Aberdeen Avenue from Queen Street to Longwood Avenue, respecting the Safety and Operational Characteristics of the Roadway (Item 4.2)**

The delegation request submitted by Graham McNally, Resident, respecting Item 9.1 - Full Review of Aberdeen Avenue from Queen Street to Longwood Avenue, respecting the Safety and Operational Characteristics of the Roadway, was approved to appear before the General Issues Committee today.

- (iii) **Dr. Haider Saeed and Dr. Madeleine Verhovsek, Aberdeen Task Force, to Discuss the Recent Community Task Force that came Together to Suggest Options to Make Aberdeen a Safer Street for All Users (Item 4.3)**

The delegation request submitted by Dr. Haider Saeed and Dr. Madeleine Verhovsek, Aberdeen Task Force, to discuss the recent community task force that came together to suggest options to make Aberdeen a safer street for all users, was approved to appear before the General Issues Committee today.

- (iv) **Jason Cassis, Aberdeen Tavern/Dundurn Market, respecting the Aberdeen Road Diet (Item 4.4)**

The delegation request submitted by Jason Cassis, Aberdeen Tavern/Dundurn Market, respecting the Aberdeen Road Diet, was approved to appear before the General Issues Committee today.

- (v) **Cindy Stranak, Kirkendall Neighbourhood Association, respecting 9.1 - Full Review of Aberdeen Avenue from Queen Street to Longwood Avenue, respecting the Safety and Operational Characteristics of the Roadway (Item 4.5)**

The delegation request submitted by Cindy Stranak, Kirkendall Neighbourhood Association, respecting Item 9.1 - Full Review of Aberdeen Avenue from Queen Street to Longwood Avenue, respecting the Safety and Operational Characteristics of the Roadway, was approved to appear before the General Issues Committee today.

- (vi) **Christi Hodgson, Earl Kitchener Home and School, respecting Consideration for Improved Safety/Walkability for School Children and Families on Aberdeen Avenue (Item 4.6)**

The delegation request submitted by Christi Hodgson, Earl Kitchener Home and School, respecting consideration for improved safety and walkability for school children and families on Aberdeen Avenue, was approved to appear before the General Issues Committee today.

- (vii) **Norman Newbery, on behalf of S.A.S.H. (Senior Activities for Southwest Hamilton), respecting the Impact of Aberdeen Avenue in its Present State upon Seniors (Item 4.7)**

The delegation request submitted by Norman Newbery, on behalf of the Senior Activities for Southwest Hamilton (S.A.S.H), respecting the Impact of Aberdeen Avenue in its Present State upon Seniors, was approved to appear before the General Issues Committee today.

(e) CONSENT ITEMS (Item 5)

- (i) **Hamilton-Niagara Pan Am Investment Playbook (PED15202) (City Wide) (Item 5.2)**

Jennifer Patterson, Senior Business Development Consultant, Economic Development, provided a video respecting the Hamilton-Niagara Pan Am Investment Playbook and introduced Mr. Paul Connor, of Niagara Region and Mr. Alvaro Concha, Trade Commissioner for Colombia who were in attendance.

The presentation, respecting Report PED15202 – Hamilton-Niagara Pan Am Investment Playbook, was received.

- (ii) **Minutes of Volunteer Committees (Item 5.5):**

(aa) Mayor's Blue Ribbon Task Force on Workforce Development

The October 22, 2015 Minutes of the Mayors Blue Ribbon Task Force on Workforce Development were received.

(f) PUBLIC HEARINGS / DELEGATIONS (Item 6)

The following delegates appeared before Committee together and spoke as a group:

- (i) Ned Nolan, President, Kirkendall Neighbourhood Association, respecting Item 9.1 - Full Review of Aberdeen Avenue from Queen Street to Longwood Avenue, respecting the Safety and Operational Characteristics of the Roadway (Item 6.1)
- (ii) Graham McNally, Resident, respecting Item 9.1 - Full Review of Aberdeen Avenue from Queen Street to Longwood Avenue, respecting the Safety and Operational Characteristics of the Roadway (Item 6.2)
- (iii) Dr. Haider Saeed and Dr. Madeleine Verhovsek, Aberdeen Task Force, to Discuss the Recent Community Task Force that came Together to Suggest Options to Make Aberdeen a Safer Street for All Users (Item 6.3)
- (iv) Jason Cassis, Aberdeen Tavern/Dundurn Market, respecting the Aberdeen Road Diet (Item 6.4)
- (v) Cindy Stranak, Kirkendall Neighbourhood Association, respecting 9.1 - Full Review of Aberdeen Avenue from Queen Street to Longwood Avenue, respecting the Safety and Operational Characteristics of the Roadway (Item 6.5)
- (vi) Christi Hodgson, Earl Kitchener Home and School, respecting Consideration for improved safety/walkability for school children and families on Aberdeen Avenue (Item 6.6)
- (vii) Norman Newbery, on behalf of S.A.S.H. (Senior Activities for Southwest Hamilton), respecting the Impact of Aberdeen Avenue in its Present State upon Seniors (Item 6.7)

The presentation provided by the delegates (Items 6.1 through 6.7) included, but was not limited to, the following:

- The Importance of Active Living
- Participatory Budget
- Concerns from the Task Force:
 - Traffic Speed/Proximity
 - Intersections
 - Other Problem Areas
- Challenges:
 - Minor Arterial
 - Demand for Use

- Traffic Master Plan (TMP) and Light Rail Transit (LRT)

- The goal of the Task Force is: consistent traffic flow, allow other modes of travel, dedicated lanes for motor vehicles with no parking, no turning, no bikes and a design for all users.

- Kirkendall Neighbourhood is a great area of the city that has excellent access to parks and recreational trails.

- There could be improvements. There could be another test case for how complete streets can be implemented on Minor Arterial Road in Hamilton, similar to Stone Church Road, Lawrence Road, West 5th and Wilson Street.

- There needs to be safe travel for school children, families and seniors.

The presentation from Ned Nolan, President, Kirkendall Neighbourhood Association; Graham McNally, Resident; Dr. Haider Saeed and Dr. Madeleine Verhovsek, Aberdeen Task Force; Jason Cassis, Aberdeen Tavern/Dundurn Market; Cindy Stranak, Kirkendall Neighbourhood Association; Christi Hodgson, Earl Kitchener Home; and, Norman Newbery, on behalf of S.A.S.H. (Senior Activities for Southwest Hamilton, respecting Item 9.1 – Full Review of Aberdeen Avenue from Queen Street to Longwood Avenue, respecting the Safety and Operational Characteristics of the Roadway, was received.

A full copy of the presentation is available on the City's website or through the Office of the City Clerk.

(g) DISCUSSION ITEMS (Item 8)

(i) Celebrating 1816-2016 Community Stakeholder Working Group Terms of Reference (PED15196) (City Wide) (Outstanding Business List Item) (Item 8.1)

The item on the Outstanding Business List, respecting Celebrating 1816-2016 Community Stakeholder Working Group Terms of Reference, was identified as complete and removed from the General Issues Committee Outstanding Business List.

(ii) Enbridge Pipelines Inc. Line 10 Westover Segment Replacement Project (PED15208) (City Wide) (Item 8.3)

For disposition of this matter, please refer to Item 7.

Councillor M. Green wished to be recorded as OPPOSED to Item 8.3.

(iii) Establishment of a West Harbour Development Sub-Committee (PED15188) (City Wide) (Item 8.5)

Sub-section (a) to Report PED15188, respecting the Establishment of a West Harbour Development Sub-Committee, was deleted in its entirety, to read as follows:

~~(a) That the West Harbour Development Sub-Committee be established;~~

That the Terms of Reference for the West Harbour Development Sub-Committee, attached as Appendix "A", be approved.

For disposition of this matter, please refer to Item 9.

(iv) Farmers' Market Operating Agreement (CM12009(e)) (City Wide) (Item 8.7)

The item on the Outstanding Business List respecting the Farmers' Market Operating Agreement was identified as complete and removed from the General Issues Committee Outstanding Business List.

(v) Identified Tobogganing Locations on City Property for the Winter 2015/2016 Season (PW15086) (City Wide) (Item 8.15)

Report PW15086, respecting Identified Tobogganing Locations on City Property for the Winter 2015/2016 Season, was amended by adding a new sub-section (c) and re-lettering the balance of the recommendations accordingly, to read as follows:

(a) That the General Manager of Public Works or his designate be authorized and directed to implement a pilot program to identify tobogganing sites for the 2015-2016 season, whereas the Garth Street Reservoir (excluding the North-East corner), Lake Avenue Park and the Chedoke Golf Course (Martin Course, Hole #1) as further described will be the piloted sites;

- (b) That \$47,200 from the Tax Stabilization Reserve #110046 be utilized in preparing and inspecting the Garth Street Reservoir (excluding the North-East corner), Lake Avenue Park, and the Chedoke Golf Course (Martin Course, Hole #1) as tobogganing sites for the pilot program within the 2015- 2016 winter season; and,
- (c) ***That staff be directed to review the addition of the Spring Valley Park and Kings Forest Golf Course as tobogganing sites for this winter season (2015/2016), in consultation with Councillors Ferguson and Collins, and identify the costs associated with same, and to prepare an amending motion that may be required for the December 9, 2015 meeting of Council.***
- (d) That the item pertaining to Tobogganing on City property be removed from the Outstanding Business List.

For disposition of this matter, please refer to Item 19.

(h) MOTIONS (Item 9)

Through the Changes to the Agenda, Councillor A. Johnson provided a REVISED copy of the following motion for Committee's consideration in place of the version contained in the agenda:

(i) Full Review of Aberdeen Avenue from Queen Street to Longwood Avenue, respecting the Safety and Operational Characteristics of the Roadway (Item 9.1)

WHEREAS, concerns have been raised by area residents with respect to pedestrian and bicyclists safety along Aberdeen Avenue from Queen Street to Longwood Avenue;

THEREFORE BE IT RESOLVED:

That staff be directed to undertake a full review of Aberdeen Avenue from Queen Street to Longwood Avenue, respecting the safety and operational characteristics of the roadway; ***with specific reference to and harmonization with the recommendations and principles of the updated Transportation Master Plan***; with a focus on improvements to meet the request for a more complete street- and pedestrian-friendly design, including consideration for a road diet, and the recommendations put forward by the Kirkendall Neighbourhood Association Working Group regarding Aberdeen Safety and Road Improvement, and report to Public Works.

That the motion respecting a full review of Aberdeen Avenue from Queen Street to Longwood Avenue, respecting the safety and operational characteristics of the roadway, be amended by adding the words “,in consultation with all affected Ward Councillors” after the word “That”, to read as follows:

That staff, ***in consultation with all affected Ward Councillors***, be directed to undertake a full review of Aberdeen Avenue from Queen Street to Longwood Avenue, respecting the safety and operational characteristics of the roadway; ***with specific reference to and harmonization with the recommendations and principles of the updated Transportation Master Plan***; with a focus on improvements to meet the request for a more complete street- and pedestrian-friendly design, including consideration for a road diet, and the recommendations put forward by the Kirkendall Neighbourhood Association Working Group regarding Aberdeen Safety and Road Improvement, and report to Public Works.

For disposition of this matter, please refer to Item 21.

(i) **NOTICES OF MOTION (Item 10)**

Councillor M. Pearson introduced the following Notice of Motion:

10.1 Appeal of the Niagara Peninsula Conservation Authority’s 2016 Levy Apportionment

WHEREAS, the City of Hamilton is currently appealing the Niagara Peninsula Conservation Authority’s 2015, based on apportionment;

WHEREAS, the appeal is ongoing and currently entering a mediation phase in the hopes of equitably resolving the matter;

WHEREAS, the Niagara Peninsula Conservation Authority has notified the City of Hamilton of the 2016 levy apportionment;

WHEREAS, the 2016 levy apportionment is consistent with the formula used by the Niagara Peninsula Conservation Authority to calculate the 2015 apportionment, which formula is under dispute in the appeal; and

WHEREAS, the City of Hamilton has 30 days to appeal the 2016 levy apportionment;

THEREFORE BE IT RESOLVED:

That staff be authorized and directed to appeal the Niagara Peninsula Conservation Authority's 2016 levy apportionment of \$1,317,020 to the Commissioner of Lands and Mines, and engage in all ancillary discussions, negotiations and mediations in an effort to resolve the issues raised by the appeal.

The Rules of Order were waived to allow for the introduction of a motion respecting the Appeal of the Niagara Peninsula Conservation Authority's 2016 Levy Apportionment.

For disposition of this matter, please refer to Item 23.

(j) GENERAL INFORMATION / OTHER BUSINESS (Item 11)

(i) Amendments to the Outstanding Business List (Item 11.1)

The following amendments to the General Issues Committee's Outstanding Business list were approved:

(aa) Proposed New Due Date for Approval:

1. Item "F" – Tactical Urbanism Partnership
Current Due Date: December 2, 2015
Proposed New Due Date: January 13, 2016

(bb) Items to be removed from the Outstanding Business List:

2. Item "P" – Review of Arts Funding

(ii) Vegetation and Forestry in the Red Hill Valley Hydro One Corridor Easement (Item 11.2)

Councillor Collins advised the Committee that Hydro One is in the process of implementing their clear cutting throughout the Hydro corridor easement. Their next stop is the Red Hill Valley early in the New Year.

Councillor Collins suggested that the City offer to take on the maintenance of the mature vegetation and trees in order to save as much of it in the Red Hill Valley as possible.

Staff was directed to report to the General Issues Committee as soon as possible with the costs associated with the potential maintenance of the vegetation and forestry, which is currently adjacent to the homes on Glen

Castle Drive and the area that flows through the valley up to the base of the escarpment, within the Red Hill Valley Hydro One Corridor Easement.

(k) PRIVATE & CONFIDENTIAL (Item 12)

(i) Closed Session Minutes – November 18, 2015 (Item 12.1)

As the General Issues Committee determined that no discussion, respecting the Closed Session Minutes of November 18, 2015, meeting was required, the Minutes were approved in Open Session, as shown below:

- (a) The Closed Session Minutes of the November 18, 2015, meeting of the General Issues Committee were approved, as presented; and,
- (b) The Closed Session Minutes of November 18, 2015, meeting of the General Issues Committee, will remain confidential and restricted from public disclosure.

Committee moved into Closed Session, at 1:44 p.m. respecting Items 12.2: Report LS15035/PW15085 - Potential Contract Litigation for Unpaid Fees; and, 12.3: Report LS15034/FCS15089 - Commercial Relationship between the City of Hamilton and 1006086 Ontario Inc. o/a Bosma Landscape Service, pursuant to Section 8.1, Sub-sections (e) and (f) of the City's Procedural By-law 14-300, and Section 239(2), Sub-sections (e) and (f) of the *Ontario Municipal Act*, 2001, as amended, as the subject matters pertain to litigation or potential litigation, including matters before administrative tribunals, affecting the City; and, the receiving of advice that is subject to solicitor-client privilege, including communications necessary for that purpose.

(ii) Potential Contract Litigation for Unpaid Fees (LS15035/PW15085) (Ward 2) (Item 12.2)

Staff was provided with direction in Closed Session.

For disposition of this matter, please refer to Item 24.

(iii) Commercial Relationship between the City of Hamilton and 1006086 Ontario Inc. o/a Bosma Landscape Service (LS15034/FCS15089) (City Wide) (Item 12.3)

For disposition of this matter, please refer to Item 25.

(I) ADJOURNMENT (Item 13)

There being no further business, the General Issues Committee adjourned at 2:06 p.m.

Respectfully submitted,

T. Whitehead, Deputy Mayor
Chair, General Issues Committee

Stephanie Paparella
Legislative Coordinator
Office of the City Clerk