



GENERAL ISSUES COMMITTEE MINUTES 17-005

9:30 a.m.

March 1, 2017
Council Chambers
Hamilton City Hall
71 Main Street West

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

**Absent
with Regrets:** Councillor R. Pasuta – Sick Leave

THE FOLLOWING ITEMS WERE REFERRED TO COUNCIL FOR CONSIDERATION:

- 1. Discussion regarding Hamilton PRIDE Week (PED17035) (City Wide) (Outstanding Business List) (Item 5.2)**

(Green/Conley)

That Report PED17035, respecting the Discussion regarding Hamilton PRIDE Week, be received.

CARRIED

- 2. Locke Street Business Improvement Area Proposed Operating Budget and Schedule of Payment for 2017 (PED16055(a)) (Ward 1) (Item 8.1)**

(Pearson/Ferguson)

- (a) That the 2017 Operating Budget for the Locke Street Business Improvement Area, attached as Appendix "A" to Report PED16055(a), be approved in the amount of \$93,500;
- (b) That the levy portion of the Operating Budget for the Locke Street Business Improvement Area in the amount of \$30,000 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, of the *Municipal Act, 2001*, to levy the 2017 Budget as referenced in Recommendation (b) of Report PED16055(a); and,
- (d) That the following schedule of payments for 2017, be approved:

March	\$15,000
June	\$15,000

CARRIED

3. Codes of Conduct and Training for Council Appointed Bodies (LS17008 / CL17002) (Outstanding Business List Item) (Item 8.2)

(Eisenberger/Partridge)

- (a) That the Administrative Tribunal Code of Conduct (attached as Appendix "A" to Report LS17008/CL17002) be forwarded to the Committee of Adjustment, Election Compliance Audit Committee, Licensing Tribunal and Property Standards Committee for consideration and approval at their next regularly scheduled meeting;
- (b) That the Advisory Committee / Task Force Code of Conduct (attached as Appendix "B" to Report LS17008/CL17002), be approved; and,
- (c) That the Legal Services Division and the City Clerk's Division provide training for the members of the City's Administrative Tribunals and Advisory Committees/Task Forces once per Council term with respect to the carrying out of their responsibilities as members of these bodies.

CARRIED

4. City Operated Events and Options for Alternate Service Delivery Model (PED16089(a)) (City Wide) (Item 8.3)

(Eisenberger/Ferguson)

- (a) That staff be directed to issue a Request for Information (RFI) through Centralized Procurement for Winterfest and Canada Day to determine if there is sufficient vendor interest to justify proceeding with a competitive procurement process and report back to the General Issues Committee by Q3 2017;
- (b) That staff be directed to enter into discussions with the Downtown Business Improvement Area (BIA) to gauge interest in operating the Holiday Tree Lighting, in conjunction with the Public Works Department, CHML, and with Hamilton Food Share, to operate the Canadian Pacific (CP) Holiday Train event and report back to the General Issues Committee by Q3 2017; and,

- (c) That staff be directed to determine appropriate operation models for one-time or other types of events that may be directed by Council from time to time and report back to the General Issues Committee on implementation recommendations such as outsourcing, in-house production, FTE impact and budget, as applicable.

CARRIED

5. Canada 150 Community Infrastructure Program Intake Two Approved Project Financing (FCS15049(b)) (City Wide) (Item 8.4)

(B. Johnson/Jackson)

- (a) That the Canada 150 Intake Two Project Financing Strategy, as detailed in Appendix "A" to Report FCS15049(b), be approved;
- (b) That the municipal share of Glanbrook Arena, be funded by the Facilities Capital block allocation in 2018 in the amount of \$400,000; and,
- (c) That the municipal share of Auchmar Garden Walls be funded by the Tourism and Culture Capital block allocation in 2018 in the amount of \$544,000.

CARRIED

6. Capital Projects Work-in-Progress Sub-Committee Report 17-002, February 2, 2017 (Item 8.5)

(Farr/Whitehead)

(a) Public Works - Capital Projects Status Report as of September 30, 2016 (FCS16073(a)) (City Wide) (Item 8.1) (Attached hereto as Appendix "A")

- (i) That the Capital Projects Status Report Public Works Tax Supported Projects, as of September 30, 2016, attached as Appendix "A" to Report FCS16073(a), be received; and,
- (ii) That the Capital Project Status Report Public Works Rate Supported Projects, as of September 30, 2016, attached as Appendix "B" to Report FCS16073(a), be received.

CARRIED

7. Street Hockey (LS17006) (City Wide) (Item 8.6)

(Merulla/Green)

That the By-law, attached as Appendix "A" to Report LS178006, being a by-law to permit Street Hockey, **as amended**, be passed.

MOTION, AS AMENDED, CARRIED

8. Statue of Leonardo Sciascia (Item 9.1)

(Farr/Eisenberger)

WHEREAS, 2017 is Canada's 150th and the 30th anniversary of the twinning of the City of Hamilton and Racalmuto, Sicily;

WHEREAS, the immigrants of Sicily have made a significant contribution to the growth and success of Hamilton;

WHEREAS, a committee has been formed by local citizens to create a permanent tribute and commemoration of the very close connection between the citizens of Racalmuto and Hamilton in the year of Canada's 150th;

WHEREAS, Leonardo Sciascia, a preeminent and award winning writer in the fields of fiction, poetry, political commentary, and other areas was a famous son of Racalmuto to which a bronze statue in his honour was erected on the Via Garibaldi, the main street of his hometown, Racalmuto;

WHEREAS, the committee has selected to commission a duplicate statute of Leonardo Sciascia as their project and has secured permission to erect the statute on the grounds of LIUNA Station in the Immigration Square Parkette; and,

WHEREAS, the committee is fundraising the \$50,000 required to commission the statue and is seeking a contribution from the City of Hamilton;

THEREFORE BE IT RESOLVED:

That the City of Hamilton's contribution toward the commissioning of a statue of Leonardo Sciascia, writer in the fields of fiction, poetry, political commentary and a famous son of Racalmuto, Sicily, in the amount of \$15,000, to be funded from the Ward 2 Area Rating account, be approved.

CARRIED

9. Loewith Family Farm Operating as Joe Loewith and Sons Ltd, located at 49 Inksetter Road – Waiver of Zoning Fees (Item 9.2)

(Ferguson/Partridge)

WHEREAS, the Loewith family farm operating as Joe Loewith and Sons Ltd. are leaders in agricultural community producing 18,000 Litres of milk per day on their 650 acre farm;

WHEREAS, the Committee of Adjustment approved a severance of a surplus farm dwelling from the farm due to a farm consolidation with the larger Loewith farm;

WHEREAS, staff have required, as a condition of approval of the severance, a rezoning of the retained agricultural parcel rather than a restrictive covenant in order to preclude a new dwelling on the retained lands; and,

WHEREAS, the Committee of Adjustment amended Planning staff's recommendation for the required rezoning to also include the option of a restrictive covenant (as per the option permitted by the Rural Hamilton Official Plan), which has resulted in confusion as to the ability of Joe Loewith and Sons Ltd. to satisfy the Condition of Approval of the Severance;

THEREFORE BE IT RESOLVED:

That staff be directed to waive the application fee of \$5,565 for the rezoning of 49 Inksetter Road, known as the Loewith Family Farm Operating as Joe Loewith and Sons Ltd.

CARRIED

FOR THE INFORMATION OF COMMITTEE:

(a) CHANGES TO THE AGENDA (Item 1)

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

1. ADDED DELEGATION REQUESTS (Item 4)

- 4.2 Ute Schmid Jones, Hamilton 350, Hamilton Blue Dot, Hamilton Council of Canadians, Hamilton Central Federal and Provincial Green Party Member, respecting Enbridge Line 10 (For March 22, 2017)
- 4.3 Ken Hall and Herb Shields, Enbridge Pipelines Inc., respecting the Enbridge Line 10 Westover Segment Replacement Project (For March 22, 2017)
- 4.4 Jaydene Lavallie, respecting Enbridge Line 10 (For March 22, 2017)
- 4.5 Dr. Ruth Pickering, respecting Enbridge Line 10 (For March 22, 2017)
- 4.6 Eduardo D. Navarro, The Fly the Flag Citizens' Committee of Hamilton Wentworth, respecting the 25th Anniversary of the National Effort to Promote Canadian Unity (For March 22, 2017)
- 4.7 Trish Mills, respecting Enbridge Line 10 (For March 22, 2017) (no copy)

2. ADDED NOTICES OF MOTION

- 10.1 Loewith Family Farm Operating as Joe Loewith and Sons Ltd, located at 49 Inksetter Road – Waiver of Zoning Fees

3. ADDED PRIVATE & CONFIDENTIAL

(i) Personnel Matter (Item 12.2)

Pursuant to Section 8.1, Sub-section (b) of the City's Procedural By-law 14-300, and Section 239(2), Sub-section (b) of the *Ontario Municipal Act*, 2001, as amended, as the subject matter pertains to personal matters about an identifiable individual, including City employees.

(Pearson/Conley)

That the agenda for the March 1, 2017 General Issues Committee meeting be approved, as amended.

CARRIED

(b) DECLARATIONS OF INTEREST (Item 2)

Councillor Conley declared an interest to Items 4.2 to 4.5 and 4.7, respecting the Enbridge Line 10 Westover Segment Replacement Project, as his daughter works for Enbridge Pipelines Inc.

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

(i) February 15, 2017 (Item 3.1)

(Collins/Farr)

That the Minutes of the February 15 2017 General Issues Committee, be approved, as presented.

CARRIED

(d) DELEGATION REQUESTS (Item 4)

(i) Bruce Barbour, Flamboro Downs, to provide an Update respecting the Flamboro Downs and the Impact on the Community (For March 22nd GIC) (Item 4.1)

(Eisenberger/Green)

That the delegation request submitted by Bruce Barbour, Flamboro Downs, to provide an Update respecting the Flamboro Downs and the Impact on the

Community, be approved to appear before the General Issues Committee on March 22, 2017.

CARRIED

- (ii) **Ute Schmid Jones, Hamilton 350, Hamilton Blue Dot, Hamilton Council of Canadians, Hamilton Central Federal and Provincial Green Party Member, respecting Enbridge Line 10 (For March 22, 2017) (Item 4.2)**

(Eisenberger/Green)

That the delegation request submitted by Ute Schmid Jones, Hamilton 350, Hamilton Blue Dot, Hamilton Council of Canadians, Hamilton Central Federal and Provincial Green Party Member, respecting Enbridge Line 10, be approved to appear before the General Issues Committee on March 22, 2017.

CARRIED

- (iii) **Ken Hall and Herb Shields, Enbridge Pipelines Inc., respecting the Enbridge Line 10 Westover Segment Replacement Project (For March 22, 2017) (Item 4.3)**

(Eisenberger/Green)

That the delegation request submitted by Ken Hall and Herb Shields, Enbridge Pipelines Inc., respecting the Enbridge Line 10 Westover Segment Replacement Project, be approved to appear before the General Issues Committee on March 22, 2017.

CARRIED

- (iv) **Jaydene Lavallie, respecting Enbridge Line 10 (For March 22, 2017) (Item 4.4)**

(Eisenberger/Green)

That the delegation request submitted by Jaydene Lavallie, respecting Enbridge Line 10, be approved to appear before the General Issues Committee on March 22, 2017.

CARRIED

- (v) **Dr. Ruth Pickering, respecting Enbridge Line 10 (For March 22, 2017) (Item 4.5)**

(Eisenberger/Green)

That the delegation request submitted by Dr. Ruth Pickering, respecting Enbridge Line 10, be approved to appear before the General Issues Committee on March 22, 2017.

CARRIED

- (vi) **Eduardo D. Navarro, The Fly the Flag Citizens' Committee of Hamilton Wentworth, respecting the 25th Anniversary of the National Effort to Promote Canadian Unity (For March 22, 2017) (Item 4.6)**

(Eisenberger/Green)

That the delegation request submitted by Eduardo D. Navarro, The Fly the Flag Citizens' Committee of Hamilton Wentworth, respecting the 25th Anniversary of the National Effort to Promote Canadian Unity, be approved to appear before the General Issues Committee on March 22, 2017.

CARRIED

- (vii) **Trish Mills, respecting Enbridge Line 10 (For March 22, 2017) (no copy) (Item 4.7)**

(Eisenberger/Green)

That the delegation request submitted by Trish Mills, respecting Enbridge Line 10, be approved to appear before the General Issues Committee on March 22, 2017.

CARRIED

(e) CONSENT ITEMS (Item 5)

- (i) **Minutes of Various Advisory & Sub-Committee meetings (Item 5.1):**

(Green/Conley)

That the following Advisory Committee meeting minutes, as shown below, be received:

- (a) Arts Advisory Committee, October 25, 2016; and,
(b) Business Improvement Area Advisory Committee, January 17, 2017.

CARRIED

(f) STAFF PRESENTATIONS (Item 7)

- (i) **Corporate Security Office (CM17002) (City Wide) (Item 7.1)**

Rom D'Angelo, Director of Energy, Fleet and Facilities, addressed Committee and provided a PowerPoint presentation respecting Report CM17002, Corporate Security Office.

(Green/Pearson)

That the presentation, respecting Report CM17002, Corporate Security Office, be received.

CARRIED

A copy of the above presentation is available on the City's website at www.hamilton.ca and through the Office of the City Clerk.

(Collins/Partridge)

That Report CM17002, respecting a Corporate Security Office be referred to the City Manager to identify an alternative funding source outside of the Capital budget for the requested FTE, should this matter move forward, and report back to the General Issues Committee.

CARRIED

(g) DISCUSSION ITEMS (Item 8)

(i) Street Hockey (LS17006) (City Wide) (Item 8.6)

(Merulla/Whitehead)

That the By-law, attached as Appendix "A" to Report LS178006, being a by-law to permit Street Hockey, be amended by adding a clause that would direct staff to refer residents with disputes, respecting the playing of street hockey on City side streets, to the City's internal mediation process.

CARRIED

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

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

Yeas:	Whitehead, Skelly, Jackson, Collins, Merulla, Green, Farr, A. Johnson, Ferguson, VanderBeek, Partridge
Total:	11
Nays:	Conley, Pearson, B. Johnson
Total:	3
Absent:	Eisenberger, Pasuta
Total:	2

(h) NOTICES OF MOTION (Item 10)

Councillor L. Ferguson introduced the following Notice of Motion:

(i) Loewith Family Farm Operating as Joe Loewith and Sons Ltd, located at 49 Inksetter Road – Waiver of Zoning Fees (Item 10.1)

WHEREAS, the Loewith family farm operating as Joe Loewith and Sons Ltd. are leaders in agricultural community producing 18,000 Litres of milk per day on their 650 acre farm;

WHEREAS, the Committee of Adjustment approved a severance of a surplus farm dwelling from the farm due to a farm consolidation with the larger Loewith farm;

WHEREAS, staff have required, as a condition of approval of the severance, a rezoning of the retained agricultural parcel rather than a restrictive covenant in order to preclude a new dwelling on the retained lands; and,

WHEREAS, the Committee of Adjustment amended Planning staff's recommendation for the required rezoning to also include the option of a restrictive covenant (as per the option permitted by the Rural Hamilton Official Plan), which has resulted in confusion as to the ability of Joe Loewith and Sons Ltd. to satisfy the Condition of Approval of the Severance;

THEREFORE BE IT RESOLVED:

That staff be directed to waive the application fee of \$5,565 for the rezoning of 49 Inksetter Road, known as the Loewith Family Farm Operating as Joe Loewith and Sons Ltd.

(Ferguson/Partridge)

That the Rules of Order be waived to allow for the introduction of a Motion respecting Loewith Family Farm Operating as Joe Loewith and Sons Ltd, located at 49 Inksetter Road – Waiver of Zoning Fees.

CARRIED

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

(i) PRIVATE & CONFIDENTIAL (Item 12)

(i) Closed Session Minutes – February 15, 2017 (Item 12.1)

(Collins/Merulla)

(a) That the Closed Session Minutes of the February 15, 2017 General Issues Committee meeting, be approved; and,

- (b) That the Closed Session Minutes of the February 15, 2017 General Issues Committee meeting remain confidential.

CARRIED

(Jackson/Collins)

That Committee move into Closed Session, respecting Item 12.2, a Personnel Matter, pursuant to Section 8.1, Sub-section (b) of the City's Procedural By-law 14-300, and Section 239(2), Sub-section (b) of the *Ontario Municipal Act*, 2001, as amended, as the subject matter pertains to personal matters about an identifiable individual, including City employees.

CARRIED

(ii) Personnel Matter (Item 12.2)

There was nothing to report in Open Session.

(j) ADJOURNMENT (Item 13)

(Pearson/Ferguson)

That, there being no further business, the General Issues Committee, be adjourned at 1:28 p.m.

CARRIED

Respectfully submitted,

A. VanderBeek, Deputy Mayor
Chair, General Issues Committee

Stephanie Paparella
Legislative Coordinator
Office of the City Clerk