



CITY COUNCIL MINUTES 17-005

5:00 p.m.

Wednesday, March 29, 2017

Council Chamber

Hamilton City Hall

71 Main Street West

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

Absent with

Regrets: Councillor R. Pasuta – Sick Leave; Councillor A. VanderBeek – City Business

Mayor Eisenberger called the meeting to order and recognized that Council is meeting on the traditional territories of the Mississauga and Haudenosaunee nations, and within the lands protected by the “Dish With One Spoon” wampum agreement.

The Mayor called upon Mr. Chris Brown, Chairman of the Spiritual Assembly of the Baha'is of Hamilton to provide the invocation.

APPROVAL OF THE AGENDA

The Clerk advised of the following changes to the agenda:

1. ADDED COMMUNICATIONS

5.13 Correspondence expressing support for Enbridge’s Line 10 Westover Segment Replacement Project:

(g) Mechanical Contractors Association of Toronto

Recommendation: Be received.

5.15 Correspondence respecting the Light Rail Transit project:

(iii) Jim Macaulay

(jjj) Kirkendall Neighbourhood Association

(kkk) Steve Kulakowsky

(lll)	Jim Graham
(mmm)	Matt Grant
(nnn)	Melissa Leaist
(ooo)	Spencer Thibodeau
(ppp)	Ben Haffie
(rrr)	Erinn Turnbull
(sss)	Ania K
(ttt)	Mark Rejhon
(uuu)	Dean Fulton
(vvv)	Vijay Bathija
(www)	Deb Barker
(xxx)	Pierre Sultano
(yyy)	Tom Ciancone
(zzz)	Ann McKay
(aaaa)	Nicholas Kevlahan
(bbbb)	Martha Ronalds
(cccc)	Cynthia Lokker
(dddd)	Graham Crawford
(eeee)	Gesline L. Alders
(fff)	Dave Grava
(gggg)	Nick Policelli
(hhhh)	Chad Ingles
(iiii)	Lorna Kippen
(jjjj)	Gary Sitarz
(kkkk)	Evan Pray
(llll)	Leigh Tomasik
(mmmm)	Emily Bite
(nnnn)	Karl Andrus
(oooo)	Fernando Ferreira
(pppp)	Snehal Patel
(qqqq)	Hamilton Mountain Progressive Conservatives
(rrrr)	Blair Anderson
(ssss)	Paul Raun
(tttt)	Ellen Morris
(uuuu)	Erin Shacklette
(vvvv)	Ute Schmid Jones

Recommendation: Be received and referred to the Light Rail Transit Sub-Committee.

5.19 Correspondence from Carrie Nicholson respecting Sunset Garden.

Recommendation: Be received and referred to the consideration of Item 9 of the Planning Committee Report 17-005.

2. NOTICES OF MOTION

- 8.1 Because Beer Craft Beer Festival – Special Occasion Permit Liquor Licence
- 8.2 Enbridge Ride to Conquer Cancer – Special Occasion Permit Liquor Licence
- 8.3 Ensuring that Tree Removal is Performed by Companies with City of Hamilton Business Licences
- 8.4 Amending Items 1 (a)(iii) and 1 (b)(i) of the General Issues Committee Report 16-025

(Collins/B. Johnson)

That the agenda for the March 29, 2017 meeting of Council be approved, as amended.

CARRIED

DECLARATIONS OF INTEREST

Councillor Pearson declared a conflict regarding Item 5.2, Correspondence from the Township of Lake of Bays regarding a resolution respecting Schedule 5 of Bill 7 – An Act to Amend or Repeal Various Acts with respect to Housing and Planning (Property Standards) adopted by their Council on February 21, 2017 as they currently own rental units.

Councillor Green declared a conflict regarding Item 5.2, Correspondence from the Township of Lake of Bays regarding a resolution respecting Schedule 5 of Bill 7 – An Act to Amend or Repeal Various Acts with respect to Housing and Planning (Property Standards) adopted by their Council on February 21, 2017 as they currently own rental units.

Councillor Merulla declared a conflict regarding Item 5.2, Correspondence from the Township of Lake of Bays regarding a resolution respecting Schedule 5 of Bill 7 – An Act to Amend or Repeal Various Acts with respect to Housing and Planning (Property Standards) adopted by their Council on February 21, 2017 as they currently own rental units.

Councillor B. Johnson declared a conflict regarding Item 6.1, Board of Health Report 17-002, Delegation Requests from Dr. Sonia Anand, McMaster University, respecting sugary drinks and their impact on health outcomes; and Joe Belfontaine, Heart and Stroke Foundation, respecting the reduction of sugary drink consumption in Hamilton, as she has a family member employed in the beverage industry.

Councillor Conley declared a conflict regarding Item 5.13, Correspondence expressing support for Enbridge’s Line 10 Westover Segment Replacement Project as his daughter works for Enbridge.

APPROVAL OF MINUTES

4.1 March 8, 2017

(Partridge/Jackson)

That the Minutes of the March 8, 2017 meeting of Council be approved, as presented.

CARRIED

COMMUNICATIONS

(Pearson/B. Johnson)

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

- 5.1 Correspondence from the Regional Municipality of Peel regarding a resolution respecting Community Water Fluoridation adopted by their Council on February 9, 2017.

Recommendation: Be received.

- 5.2 Correspondence from the Township of Lake of Bays regarding a resolution respecting Schedule 5 of Bill 7 – An Act to Amend or Repeal Various Acts with respect to Housing and Planning (Property Standards) adopted by their Council on February 21, 2017.

Recommendation: Be received.

- 5.3 Correspondence from the Municipality of Thames Centre regarding a resolution requesting that the Minister of Education develop a policy that enables all schools and school boards in Ontario, that allows individual elementary and secondary schools to have an AED installed in their schools adopted by their Council on February 22, 2017.

Recommendation: Be received.

- 5.4 Correspondence from the City of Kingston regarding a resolution that adds Kingston City Council's voice to those requesting that Parliament adopt Bill C-323 An Act to Amend the Income Tax Act (Rehabilitation of Historic Property) adopted by their Council on March 7, 2017.

Recommendation: Be received.

- 5.5 Correspondence from the Honourable Mitzie Hunter, Minister of Education and the Honourable Bob Chiarelli, Minister of Infrastructure respecting the impacts of the recent pupil accommodation reviews, particularly in Ontario's rural and remote communities.

Recommendation: Be received.

- 5.6 Correspondence from the United Counties of Prescott and Russell in support of the Hamilton City Council's request that the legislation be amended to establish updated Guidelines for Ward Boundary Reviews and to create an independent body to conduct those reviews.

Recommendation: Be received.

- 5.7 Correspondence from the Honourable Jeff Leal, Minister of Agriculture, Food and Rural Affairs respecting the 2017 Premier's Award for Agri-Food Innovation Excellence program.

Recommendation: Be received and referred to the Agriculture and Rural Affairs Advisory Committee.

- 5.8 Correspondence from Filomina Tassi, MP, Hamilton West-Ancaster-Dundas in response to the Mayor's letter respecting the Negative Impacts of the Trans-Pacific Partnership Agreement in its Current Form.

Recommendation: Be received.

- 5.9 Correspondence from A. Milliken Heisey, Q.C. Papazian, Heisey, Myers Barristers & Solicitors respecting 257, 259, 267, 271, 279 Bay Street, 32-34 Tiffany Street and 107 Stuart Street and requesting that City Council waive its policy of not granting landowners in ongoing litigation with the City grants under the ERASE Redevelopment Grant program.

Recommendation: Be received and referred to the Legal Services.

- 5.10 Correspondence from the Northeastern Manitoulin & The Island regarding a resolution adopted by their Council respecting a request that the Province of Ontario treat all Ontario Hydro's customers equally.

Recommendation: Be received.

- 5.11 Correspondence from the Township of Pickle Lake regarding a resolution forwarding a letter to the Ministry of Transportation encouraging the provincial government to review the gas tax funding formula.

Recommendation: Be received.

- 5.12 Correspondence from the residents of Maple Drive, Stoney Creek respecting a petition, containing 18 signatures, for the installation of storm sewers to replace the ditches. (A copy of the petition is available for viewing in the Office of the City Clerk)

Recommendation: Be received and referred to the General Manager of Public Works.

5.13 Correspondence expressing support for Enbridge's Line 10 Westover Segment Replacement Project:

- (a) UA Local 46 Toronto
- (b) Canada's Building Trades Unions
- (c) United Association Local 46
- (d) International Union of Operating Engineers
- (e) LiUNA Central & Eastern Canada Regional Office
- (f) LiUNA Local 837
- (g) Mechanical Contractors Association of Toronto

Recommendation: Be received.

5.14 Correspondence from Lakewood Beach Community Council respecting Bay St. N. / Strachan Sunset Cultural Garden.

Recommendation: Be received and referred to the consideration of Item 9 of the Planning Committee Report 17-005.

5.15 Correspondence respecting the Light Rail Transit project:

- (a) The Honourable Amarjeet Sohi, Minister of Infrastructure and Communities
- (b) HAIL (Hamilton Anchor Institution Leadership)
- (c) Jonathan Lambert
- (d) Gord Burt
- (e) Rita Bailey
- (f) Charles Flaherty
- (g) Jim Graham
- (h) Sheila Metzger
- (i) Paul Slater
- (j) MaryEllen Bailey
- (k) Tyler Pearson, Malleum Partners
- (l) David Patrick O'Connor
- (m) Theodore Sares
- (n) John Parente/Angelo Notarianni/Michael Corrado
- (o) Rosemary Horsewood
- (p) Don Phillips
- (q) Robert Balaam
- (r) Dennis Martin
- (s) Brian Jasson
- (t) M. Florio
- (u) B. M. Eck
- (v) Angie Harrington
- (w) Michael Pawlowski
- (x) Brennan Benoit
- (y) Steven Parazader
- (aa) Mike Beutel
- (bb) James Boyd

(cc) John McGreal
(dd) Anne van Dyk
(ee) Jim Peters
(ff) Brian Perro
(gg) Harold Schulz
(hh) Brad Germain
(ii) Lee Fairbanks
(jj) Patrick Keller
(kk) Mike Chiarelli
(ll) William Renwick
(mm) Ron Barrons
(nn) Gaspare Bonomo
(oo) Karl Haab
(pp) Reg Simser
(qq) Stan Habza
(rr) Dennis Martin
(ss) Mark Greenwood
(tt) John & Lindsay Tavares
(uu) Kevin Love
(vv) Hans Stief
(ww) Dorte Deans
(xx) Peter Malysewich
(yy) Kathy Wakeman
(zz) Dwight Pollock
(aaa) Edward Sernie
(bbb) Mary Anne Ablitt-Blain
(ccc) Evan Aagaard
(ddd) Gianni Charalambopoulos
(eee) John McGreal
(fff) Lindsay Wiginton
(ggg) Janis Topp
(hhh) Oana Sirb
(iii) Jim Macaulay
(jjj) Kirkendall Neighbourhood Association
(kkk) Steve Kulakowsky
(lll) Jim Graham
(mmm) Matt Grant
(nnn) Melissa Leaist
(ooo) Spencer Thibodeau
(ppp) Barb Baker
(qqq) Ben Haffie
(rrr) Erinn Turnbull
(sss) Ania K
(ttt) Mark Rejhon
(uuu) Dean Fulton
(vvv) Vijay Bathija
(www) Deb Barker
(xxx) Pierre Sultano
(yyy) Tom Ciancone

(zzz)	Ann McKay
(aaaa)	Nicholas Kevlahan
(bbbb)	Martha Ronalds
(cccc)	Cynthia Lokker
(dddd)	Graham Crawford
(eeee)	Gesline L. Alders
(ffff)	Dave Grava
(gggg)	Nick Policelli
(hhhh)	Chad Ingles
(iiii)	Lorna Kippen
(jjjj)	Gary Sitarz
(kkkk)	Evan Pray
(llll)	Leigh Tomasik
(mmmm)	Emily Bite
(nnnn)	Karl Andrus
(oooo)	Fernando Ferreira
(pppp)	Snehal Patel
(qqqq)	Hamilton Mountain Progressive Conservatives
(rrrr)	Blair Anderson
(ssss)	Paul Raun
(tttt)	Ellen Morris
(uuuu)	Erin Shacklette

Recommendation: Be received and referred to the Light Rail Transit Sub-Committee.

- 5.16 Correspondence from Sylvia Jones, MPP, Dufferin-Caledon, introducing herself as the new Progressive Conservative Critic for Infrastructure and offering her assistance to the City of Hamilton.

Recommendation: Be received.

- 5.17 Correspondence from Peter Badenhorst submitting his resignation from the Hamilton Farmer's Market Board.

Recommendation: Be received and referred to the Selection Committee.

- 5.18 Correspondence from Ian Borsuk, Climate Campaign Coordinator, Environment Hamilton respecting a petition, containing 920 on line submissions, calling on Hamilton City Council to take our city's transit needs seriously by committing to substantially increasing funding for the HSR. (A copy of the petition is available for viewing in the Office of the City Clerk)

Recommendation: Be received and referred to the General Manager of Public Works.

5.19 Correspondence from Carrie Nicholson respecting Sunset Garden.

Recommendation: Be received and referred to the consideration of Item 9 of the Planning Committee Report 17-005.

CARRIED

(Ferguson/Pearson)

That the Governance Review Sub-Committee be directed to report back on the definition of and conditions for the creation of Community Councils.

CARRIED

(Partridge/Pearson)

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

CARRIED

PUBLIC WORKS COMMITTEE REPORT 17-004

8. Interim Safety Measures on Aberdeen Avenue from Queen Street to Longwood Road (PW17021) (Ward 1)

(A. Johnson/Farr)

That Item 8 (b) of the March 20, 2017 Public Works Committee Report 17-004, be deleted in its entirety:

~~(b) That the traffic calming measures proposed in Appendix A, be approved for implementation in 2017, **as amended, for the Aberdeen Avenue at Dundurn Street location by deleting “7 am to 9 am” and “This will allow vehicles to park in the area of Aberdeen Avenue throughout the day” under the Proposed Interim Improvement** at a cost of approximately \$80,000, to be funded from the 2017 Ward 1 Area Rating funds, No. 4241509108;~~

And, replaced with the following:

(b) That the traffic calming measures proposed in the attached Appendix A be approved for implementation in 2017, at a cost of approximately \$80,000, to be funded from the 2017 Ward 1 Area Rating funds, No. 4241509108;

(Ferguson/A. Johnson)

(d) That staff be directed to conduct an eight month review of the traffic calming measures, with a report back to the Public Works Committee.

The *amendment* CARRIED on the following standing recording vote:

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

The Amending Motion as **amended**, to read as follows:

That Item 8 (b) of the March 20, 2017 Public Works Committee Report 17-004, be deleted in its entirety:

~~(b) That the traffic calming measures proposed in Appendix A, be approved for implementation in 2017, **as amended, for the Aberdeen Avenue at Dundurn Street location by deleting “7 am to 9 am” and “This will allow vehicles to park in the area of Aberdeen Avenue throughout the day” under the Proposed Interim Improvement** at a cost of approximately \$80,000, to be funded from the 2017 Ward 1 Area Rating funds, No. 4241509108;~~

And, replaced with the following:

- (b) That the traffic calming measures proposed in the attached Appendix A be approved for implementation in 2017, at a cost of approximately \$80,000, to be funded from the 2017 Ward 1 Area Rating funds, No. 4241509108; **and**
- (d) **That staff be directed to conduct an eight month review of the traffic calming measures, with a report back to the Public Works Committee**

The amending motion as **amended** CARRIED on the following standing recording vote:

Yeas: Eisenberger, A. Johnson, Farr, Green, Merulla, Collins, Pearson, B. Johnson, and Partridge
 Total: 9
 Nays: Jackson, Skelly, Whitehead, Conley and Ferguson
 Total: 5
 Absent: Vanderbeek, Pasuta

The Main Motion, as **amended**, to read as follows:

- (a) That an Intersection Pedestrian Signal be installed on Aberdeen Avenue at Cottage Street at a cost of approximately \$100,000, subject to funding being approved through the 2018 Capital Budget approval process;
- (b) **That the traffic calming measures proposed in the attached Appendix A be approved for implementation in 2017, at a cost of approximately**

\$80,000, to be funded from the 2017 Ward 1 Area Rating funds, No. 4241509108;

- (c) That a Pedestrian Crossover (Type D), be installed in 2017 at a cost of approximately \$10,000, at the southbound to westbound right turn channel at Queen Street and Aberdeen Avenue, and that the installation be funded through the Red Light Camera reserve No.112203; and
- (d) ***That staff be directed to conduct an eight month review of the traffic calming measures, with a report back to the Public Works Committee.***

Main Motion as amended CARRIED

(Merulla/Collins)

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

CARRIED

BOARD OF HEALTH REPORT 17-002

(Partridge/Jackson)

That the SECOND Report of the Board of Health meeting be adopted, as presented, and the information section received.

CARRIED

PLANNING COMMITTEE REPORT 17-005

10. Eastwood Precinct.

Councillor Whitehead indicated that he wished to be recorded as OPPOSED to this item.

(A. Johnson/Ferguson)

11. Appeal for Non-Decision of Proposed Urban Hamilton Official Plan (UHOP) Amendment and Zoning By-law Amendment for lands located at 1117 Garner Road East, Ancaster (LS17011/ PED17066) (Ward 12) (Item 12.1)

That the recommendation of Item 11 of Planning Committee Report 17-005 respecting Appeal for Non-Decision of Proposed Urban Hamilton Official Plan (UHOP) Amendment and Zoning By-law Amendment for lands located at 1117 Garner Road East, Ancaster (LS17011/ PED17066) (Ward 12) be deleted in its entirety and the following be inserted therein:

That the recommendations of Report LS17011 / PED17066 respecting Appeal for Non-Decision of Proposed Urban Hamilton Official Plan (UHOP) Amendment and Zoning By-law Amendment for lands located at 1117 Garner Road East, Ancaster be approved and remain confidential until Council's approval.

- (a) That Legal Staff be instructed to oppose Sonoma Homes Inc. appeal to the Ontario Municipal Board of its Urban Hamilton Official Plan Amendment Application UHOPA-16-10 for a site-specific amendment in order to permit a twelve (12) storey residential building containing 87 units for lands located at 1117 Garner Road East, as shown on Appendix "A" to Report LS17011 / PED17066.
- (b) That the OMB be advised that the reasons for Council's opposition to Application UHOPA-16-10 include but are not limited to the following:
 - (i) The applications do not comply with the planning policies of the Urban Hamilton Official Plan and Meadowlands Neighbourhood IV Secondary Plan and is not an appropriate scale for this location. The development does not respect or maintain the character of the area;
- (c) That Legal Staff be instructed to oppose Sonoma Homes Inc.'s appeal to the Ontario Municipal Board of its Zoning By-law Amendment Application ZAR-16-026 for a change in zoning from the Residential Multiple Zone "H-RM6-658", Modified to a Residential Multiple Zone "RM6-681" Zone, Modified in order to permit a twelve (12) storey residential building containing 87 units for lands located at 1117 Garner Road East, as shown on Appendix "A" to Report LS17011 / PED17066.
- (d) That the OMB be advised that the reasons for Council's opposition to Application ZAR-16-026 include but are not limited to the following:
 - (i) The application does not comply with the planning policies of the Urban Hamilton Official Plan and Meadowlands Neighbourhood IV Secondary Plan and is not an appropriate scale for this location. The development does not respect or maintain the character of the area.
- (e) That Report LS17011 / PED17066 be released to the public.

Motion as amended, CARRIED

(A. Johnson/Farr)

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

CARRIED

GENERAL ISSUES COMMITTEE REPORT 17-006**(Partridge/Jackson)**

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

CARRIED

AUDIT, FINANCE AND ADMINISTRATION COMMITTEE REPORT 17-004

7. Report 17-001 of the Audit, Finance and Administration Interview Sub-Committee, March 20, 2017 (Item 12.2)

(Skelly/Jackson)

That the recommendation of Item 7 of the Audit, Finance and Administration Report 17-004 respecting the Audit, Finance and Administration Interview Sub-Committee of March 20, 2017 be deleted in its entirety and the following be inserted therein:

~~That the recommendations of Report 17-001 of the Audit, Finance and Administration Interview Sub-Committee of March 20, 2017 respecting committee appointments to the Advisory Committee for Immigrants and Refugees, Committee Against Racism, Hamilton Aboriginal Committee, Hamilton Status of Women Committee and the Mundialization Committee be approved and remain confidential until Council's approval.~~

1. Advisory Committee for Immigrants and Refugees (Item 4.1(a))

That Ahmed Farah be appointed to the Advisory Committee for Immigrants and Refugees for a term commencing March 30, 2017 and to expire with the current term of Council or until such time as successors are appointed.

2. Committee Against Racism (Item 4.1(b))

That Daniel Ramos be appointed to the Committee Against Racism for a term commencing March 30, 2017 and to expire with the current term of Council or until such time as successors are appointed.

3. Hamilton Aboriginal Committee (Item 4.1(c))

That Scott Cruickshank, Patricia Lawlor, Allan Loft and Khitanya Petgrave be appointed to the Hamilton Aboriginal Committee for a term commencing March 30, 2017 and to expire with the current term of Council or until such time as successors are appointed.

4. Hamilton Status of Women Committee (Item 4.1(d))

That Miracle Chukwu and Katie Hood be appointed to the Hamilton Status of Women Committee for a term commencing March 30, 2017 and to expire with the current term of Council or until such time as successors are appointed.

5. Mundialization Committee (Item 4.1(e))

That Nicolas van Velzen and Rose Zhang be appointed to the Mundialization Committee for a term commencing March 30, 2017 and to expire with the current term of Council or until such time as successors are appointed.

MAIN Motion as amended, CARRIED

(Skelly/Jackson)

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

CARRIED

(Partridge/Ferguson)

That the Committee of the Whole Rise and Report.

CARRIED

MOTIONS

7.1 WAMSL June Tournament – Special Occasion Permit Liquor Licence

(Skelly/Jackson)

WHEREAS, Hamilton City Council has received Notice (attached hereto as Appendix “A”) from Mr. Joe Seroski on behalf of the Wentworth Adult Mixed Slo-Pitch League, that they wish to obtain approval for a Special Occasion Permit Liquor Licence to sell alcohol on June 23, 2017 between the hours of 5:00 p.m. and 11:00 p.m.; June 24, 2017 between the hours of 11:00 a.m. and 11:00 p.m. and June 25, 2017 between the hours of 11:00 a.m. and 7:00 p.m. at Turner Field, 344 Rymal Road East, Hamilton, Ontario, during the WAMSL June Tournament taking place in Hamilton, Ontario;

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

WHEREAS, the City of Hamilton does not have an objection to the Liquor Licence Serving Time Extension for the following establishment;

THEREFORE BE IT RESOLVED:

- (a) That the City of Hamilton hereby deems the WAMSL June Tournament, being held in the City of Hamilton, Ontario on June 23, 24 and 25, 2017, as municipally significant; and,
- (b) That the following applicant be provided a copy of this resolution for inclusion with their application to the Alcohol and Gaming Commission of Ontario:
 - (i) Wentworth Adult Mixed Slo-Pitch League c/o Joe Seroski, Hamilton, Ontario.

CARRIED

7.2 WAMSL Play-Offs – Special Occasion Permit Liquor Licence

(Skelly/Jackson)

WHEREAS, Hamilton City Council has received Notice (attached hereto as Appendix “A”) from Mr. Joe Seroski on behalf of the Wentworth Adult Mixed Slo-Pitch League, that they wish to obtain approval for a Special Occasion Permit Liquor Licence to sell alcohol on August 25, 2017 between the hours of 5:00 p.m. and 11:00 p.m.; August 26, 2017 between the hours of 11:00 a.m. and 11:00 p.m. and August 27, 2017 between the hours of 11:00 a.m. and 7:00 p.m. at Turner Field, 344 Rymal Road East, Hamilton, Ontario, during the WAMSL Play-Offs taking place in Hamilton, Ontario;

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

WHEREAS, the City of Hamilton does not have an objection to the Liquor Licence Serving Time Extension for the following establishment;

THEREFORE BE IT RESOLVED:

- (a) That the City of Hamilton hereby deems the WAMSL Play-Offs, being held in the City of Hamilton, Ontario on August 25, 26 and 27, 2017, as municipally significant; and,
- (b) That the following applicant be provided a copy of this resolution for inclusion with their application to the Alcohol and Gaming Commission of Ontario:
 - (i) Wentworth Adult Mixed Slo-Pitch League c/o Joe Seroski, Hamilton, Ontario.

CARRIED

7.3 Ancaster Rib Fest – Special Occasion Permit Liquor Licence

(Ferguson/B. Johnson)

WHEREAS, Hamilton City Council has received Notice (attached hereto as Appendix “A”) from Mr. Justin Brown on behalf of the Northern Heat Rib Series, that they wish to obtain approval for a Special Occasion Permit Liquor Licence to sell alcohol on June 9, 2017 between the hours of 4:00 p.m. and 11:00 p.m.; June 10, 2017 between the hours of Noon and 11:00 p.m. and June 11, 2017 between the hours of Noon and 7:00 p.m. at Ancaster Fairgrounds, 640 Trinity Road S., Ancaster, Ontario, during the Ancaster Rib Fest taking place in Hamilton, Ontario;

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

WHEREAS, the City of Hamilton does not have an objection to the Liquor Licence Serving Time Extension for the following establishment;

THEREFORE BE IT RESOLVED:

- (a) That the City of Hamilton hereby deems the Ancaster Rib Fest, being held in the City of Hamilton, Ontario on June 9, 10 and 11, 2017, as municipally significant; and,
- (b) That the following applicant be provided a copy of this resolution for inclusion with their application to the Alcohol and Gaming Commission of Ontario:
 - (i) Northern Heat Rib Series c/o Justin Brown, St. Thomas, Ontario.

CARRIED

7.4 Hamilton Rib Fest – Special Occasion Permit Liquor Licence

(Green/Jackson)

WHEREAS, Hamilton City Council has received Notice (attached hereto as Appendix “A”) from Mr. Justin Brown on behalf of the Northern Heat Rib Series, that they wish to obtain approval for a Special Occasion Permit Liquor Licence to sell alcohol on August 11, 2017 between the hours of 4:00 p.m. and 11:00 p.m.; August 12, 2017 between the hours of Noon and 11:00 p.m. and August 13, 2017 between the hours of Noon and 7:00 p.m. at Gage Park, 1000 Main Street East, Hamilton, Ontario, during the Hamilton Rib Fest taking place in Hamilton, Ontario;

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

WHEREAS, the City of Hamilton does not have an objection to the Liquor Licence Serving Time Extension for the following establishment;

THEREFORE BE IT RESOLVED:

- (a) That the City of Hamilton hereby deems the Hamilton Rib Fest, being held in the City of Hamilton, Ontario on August 11, 12 and 13, 2017, as municipally significant; and,
- (b) That the following applicant be provided a copy of this resolution for inclusion with their application to the Alcohol and Gaming Commission of Ontario:
 - (i) Northern Heat Rib Series c/o Justin Brown, St. Thomas, Ontario.

CARRIED

7.5 Because Beer Craft Beer Festival – Special Occasion Permit Liquor Licence

(Farr/Merulla)

WHEREAS, Hamilton City Council has received Notice (attached hereto as Appendix “A”) from Mr. Jim Potocic on behalf of the Sonic Unyon, that they wish to obtain approval for a Special Occasion Permit Liquor Licence to sell alcohol on July 14, 2017 between the hours of 2:00 p.m. and Midnight and July 15, 2017 between the hours of Noon and Midnight at Pier 4 Park, 64 Leander Drive, Hamilton, Ontario, during the Because Beer Craft Beer Festival taking place in Hamilton, Ontario;

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

WHEREAS, the City of Hamilton does not have an objection to the Liquor Licence Serving Time Extension for the following establishment;

THEREFORE BE IT RESOLVED:

- (a) That the City of Hamilton hereby deems the Because Beer Craft Beer Festival, being held in the City of Hamilton, Ontario on July 14 and 15, 2017, as municipally significant; and,
- (b) That the following applicant be provided a copy of this resolution for inclusion with their application to the Alcohol and Gaming Commission of Ontario:
 - (i) Sonic Unyon c/o Tim Potocic, Hamilton, Ontario.

CARRIED

7.6 Enbridge Ride To Conquer Cancer – Special Occasion Permit Liquor Licence

(A. Johnson/Farr)

WHEREAS, Hamilton City Council has received Notice (attached hereto as Appendix “A”) from Bas de Beer on behalf of the Enbridge Ride to Conquer Cancer (Princess Margaret Cancer Centre), that they wish to obtain approval for a Special Occasion Permit Liquor Licence to sell alcohol on June 10, 2017 between the hours of 11:00 a.m. and Midnight at McMaster University, 1280 Main Street West, Hamilton, Ontario, during the Enbridge Ride to Conquer Cancer taking place in Hamilton, Ontario;

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

WHEREAS, the City of Hamilton does not have an objection to the Liquor Licence Serving Time Extension for the following establishment;

THEREFORE BE IT RESOLVED:

- (a) That the City of Hamilton hereby deems the Enbridge Ride to Conquer Cancer, being held in the City of Hamilton, Ontario on June 10, 2017, as municipally significant; and,
- (b) That the following applicant be provided a copy of this resolution for inclusion with their application to the Alcohol and Gaming Commission of Ontario:
 - (i) Enbridge Ride to Conquer Cancer (Princess Margaret Cancer Centre) c/o Bas de Beer, Toronto, Ontario.

CARRIED

7.7 Ensuring that Tree Removal is Performed by Companies with City of Hamilton Business Licences

(Whitehead/Green)

WHEREAS City of Hamilton By-law 14-212 is a By-law To Promote the Conservation and Sustainable Use of Woodlands on private Property within the Urban Boundary of the City of Hamilton;

WHEREAS City of Hamilton has the authority to impose fees for the certain classes of business for the purpose of protecting the consumer and public health and safety;

WHEREAS City of Hamilton Business Licensing By-law 07-170, as amended, sets out the classes of business and fees that require a license to operate a business within the City; and

WHEREAS there have been occasions where trees in woodland areas have been destroyed and/or cut down outside the jurisdiction of those set out in By-law 14-212.

THEREFORE BE IT RESOLVED:

That the Director of Licensing and By-law Services be directed to bring a report back to the Planning Committee which investigates the feasibility of implementing a by-law that will ensure that any commercial company that is contracted to remove trees within the City of Hamilton has a City Business Licence.

CARRIED

7.8 Amending Items 1 (a)(iii) and 1 (b)(i) of the General Issues Committee Report 16-025

(A. Johnson/Farr)

(a) That Item 1 (a)(iii) of the General Issues Committee Report 16-025, respecting the Ward 1 2016 Area Rating Expenditures, Upgrades to Dow Parkette, which was approved by Council on October 26, 2016, be **amended to increase the initial request of \$60,000 by \$120,000**, to read as follows:

1. Ward 1 2016 Area Rating Expenditures (Item 4.1)

(a) That the following Public Works projects, to be funded through the Ward 1 2016 Area Rating budget, be approved:

	Ward 1 Project:	Expenditure:
(iii)	Upgrades to Dow Parkette (Project No. 4241609103)	\$180,000

(b) That Item 1 (b)(i) of the General Issues Committee Report 16-025, respecting the Ward 1 2016 Area Rating Expenditures, Recreation Centre / Community Hub at the former Prince Philip School Site, which was approved by Council on October 26, 2016, be **amended to increase the initial request of \$520,000 by \$480,000**, to read as follows:

1. Ward 1 2016 Area Rating Expenditures (Item 4.1)

(b) That the following Community & Emergency Services project, to be funded through the Ward 1 2016 Area Rating budget, be approved:

(i)	Recreation Centre / Community Hub at	\$1,000,000
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the former Prince Philip School Site
(Project No. 4241609110)

CARRIED

7.9 Amendment to Appendix “C” to Item 6(b) of Audit, Finance and Administration Report 17-004

(B. Johnson/Skelly)

That Appendix “C” to Item 6(b) of Audit, Finance and Administration Report 17-004 be amended to reflect the new payment schedule, as follows:

December 1, 2018
December 1, 2019
December 1, 2020
December 1, 2021
December 1, 2022
December 1, 2023
December 1, 2024
December 1, 2025
December 1, 2026
December 1, 2027

CARRIED

7.10 Feasibility of a Banning Temporary Employment Agencies working with the City of Hamilton

(Merulla/Collins)

That Human Resources staff be directed to formulate a study to determine the feasibility of banning temporary employment agencies and the impact on our Human Resources accordingly.

CARRIED

7.11 Appointment to the Status of Women Advisory Committee

(Whitehead/Merulla)

That Councillor Donna Skelly be appointed to the Status of Women Advisory Committee.

CARRIED

NOTICES OF MOTION

Councillor Farr introduced the following Notice of Motion:

8.1 Because Beer Craft Beer Festival – Special Occasion Permit Liquor Licence

WHEREAS, Hamilton City Council has received Notice (attached hereto as Appendix "A") from Mr. Jim Potocic on behalf of the Sonic Unyon, that they wish to obtain approval for a Special Occasion Permit Liquor Licence to sell alcohol on July 14, 2017 between the hours of 2:00 p.m. and Midnight and July 15, 2017 between the hours of Noon and Midnight at Pier 4 Park, 64 Leander Drive, Hamilton, Ontario, during the Because Beer Craft Beer Festival taking place in Hamilton, Ontario;

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

WHEREAS, the City of Hamilton does not have an objection to the Liquor Licence Serving Time Extension for the following establishment;

THEREFORE BE IT RESOLVED:

- (a) That the City of Hamilton hereby deems the Because Beer Craft Beer Festival, being held in the City of Hamilton, Ontario on July 14 and 15, 2017, as municipally significant; and,
- (b) That the following applicant be provided a copy of this resolution for inclusion with their application to the Alcohol and Gaming Commission of Ontario:
 - (ii) Sonic Unyon c/o Tim Potocic, Hamilton, Ontario.

(Farr/Merulla)

That the Rules of Order be waived to allow for the introduction of a motion respecting the Because Beer Craft Beer Festival – Special Occasion Permit Liquor Licence.

CARRIED

For disposition of this matter, refer to Item 7.5

Councillor A. Johnson introduced the following Notice of Motion:

8.2 Enbridge Ride To Conquer Cancer – Special Occasion Permit Liquor Licence

WHEREAS, Hamilton City Council has received Notice (attached hereto as Appendix "A") from Bas de Beer on behalf of the Enbridge Ride to Conquer Cancer (Princess Margaret Cancer Centre), that they wish to obtain approval for a Special Occasion Permit Liquor Licence to sell alcohol on June 10, 2017 between the hours of 11:00 a.m. and Midnight at McMaster University, 1280 Main Street West, Hamilton, Ontario, during the Enbridge Ride to Conquer Cancer taking place in Hamilton, Ontario;

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

WHEREAS, the City of Hamilton does not have an objection to the Liquor Licence Serving Time Extension for the following establishment;

THEREFORE BE IT RESOLVED:

- (a) That the City of Hamilton hereby deems the Enbridge Ride to Conquer Cancer, being held in the City of Hamilton, Ontario on June 10, 2017, as municipally significant; and,
- (b) That the following applicant be provided a copy of this resolution for inclusion with their application to the Alcohol and Gaming Commission of Ontario:
 - (ii) Enbridge Ride to Conquer Cancer (Princess Margaret Cancer Centre) c/o Bas de Beer, Toronto, Ontario.

(A. Johnson/Farr)

That the Rules of Order be waived to allow for the introduction of a motion respecting the Enbridge Ride To Conquer Cancer – Special Occasion Permit Liquor Licence.

CARRIED

For disposition of this matter, refer to Item 7.6

Councillor Whitehead introduced the following Notice of Motion:

8.3 Ensuring that Tree Removal is Performed by Companies with City of Hamilton Business Licences

WHEREAS City of Hamilton By-law 14-212 is a By-law To Promote the Conservation and Sustainable Use of Woodlands on private Property within the Urban Boundary of the City of Hamilton;

WHEREAS City of Hamilton has the authority to impose fees for the certain classes of business for the purpose of protecting the consumer and public health and safety;

WHEREAS City of Hamilton Business Licensing By-law 07-170, as amended, sets out the classes of business and fees that require a license to operate a business within the City; and

WHEREAS there have been occasions where trees in woodland areas have been destroyed and/or cut down outside the jurisdiction of those set out in By-law 14-212.

THEREFORE BE IT RESOLVED:

That the Director of Licensing and By-law Services be directed to bring a report back to the Planning Committee which investigates the feasibility of implementing a by-law that will ensure that any commercial company that is contracted to remove trees within the City of Hamilton has a City Business Licence.

(Whitehead/Green)

That the Rules of Order be waived to allow for the introduction of a motion respecting Ensuring that Tree Removal is Performed by Companies with City of Hamilton Business Licences.

CARRIED

For disposition of this matter, refer to Item 7.7

Councillor A. Johnson introduced the following Notice of Motion:

8.4 Amending Items 1 (a)(iii) and 1 (b)(i) of the General Issues Committee Report 16-025

- (a) That Item 1 (a)(iii) of the General Issues Committee Report 16-025, respecting the Ward 1 2016 Area Rating Expenditures, Upgrades to Dow Parkette, which was approved by Council on October 26, 2016, be **amended to increase the initial request of \$60,000 by \$120,000**, to read as follows:

2. Ward 1 2016 Area Rating Expenditures (Item 4.1)

- (a) That the following Public Works projects, to be funded through the Ward 1 2016 Area Rating budget, be approved:

	Ward 1 Project:	Expenditure:
(iii)	Upgrades to Dow Parkette (Project No. 4241609103)	\$180,000

- (b) That Item 1 (b)(i) of the General Issues Committee Report 16-025, respecting the Ward 1 2016 Area Rating Expenditures, Recreation Centre / Community Hub at the former Prince Philip School Site, which was approved by Council on October 26, 2016, be **amended to increase the initial request of \$520,000 by \$480,000**, to read as follows:

2. Ward 1 2016 Area Rating Expenditures (Item 4.1)

- (b) That the following Community & Emergency Services project, to be funded through the Ward 1 2016 Area Rating budget, be approved:

(i)	Recreation Centre / Community Hub at the former Prince Philip School Site	\$1,000,000
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(Project No. 4241609110)

(A. Johnson/Farr)

That the Rules of Order be waived to allow for the introduction of a motion respecting the Amending Items 1 (a)(iii) and 1 (b)(i) of the General Issues Committee Report 16-025.

CARRIED

For disposition of this matter, refer to Item 7.8

Councillor B. Johnson introduced the following Notice of Motion:

8.5 Amendment to Appendix “C” to Item 6(b) of Audit, Finance and Administration Report 17-004

That Appendix “C” to Item 6(b) of Audit, Finance and Administration Report 17-004 be amended to reflect the new payment schedule, as follows:

December 1, 2018
December 1, 2019
December 1, 2020
December 1, 2021
December 1, 2022
December 1, 2023
December 1, 2024
December 1, 2025
December 1, 2026
December 1, 2027

(B. Johnson/Skelly)

That the Rules of Order be waived to allow for the introduction of a motion respecting the Amendment to Appendix “C” to Item 6(b) of Audit, Finance and Administration Report 17-004.

CARRIED

For disposition of this matter, refer to Item 7.9

Councillor Merulla introduced the following Notice of Motion:

8.6 Feasibility of a Banning Temporary Employment Agencies working with the City of Hamilton

That Human Resources staff be directed to formulate a study to determine the feasibility of banning temporary employment agencies and the impact on our Human Resources accordingly.

(Merulla/Collins)

That the Rules of Order be waived to allow for the introduction of a motion respecting the Feasibility of a Banning Temporary Employment Agencies working with the City of Hamilton.

CARRIED

For disposition of this matter, refer to Item 7.10

Councillor Whitehead introduced the following Notice of Motion:

8.7 Appointment to the Status of Women Advisory Committee

That Donna Skelly be appointed to the Status of Women Advisory Committee.

(Whitehead/Merulla)

That the Rules of Order be waived to allow for the introduction of a motion respecting an Appointment to the Status of Women Advisory Committee.

CARRIED

For disposition of this matter, refer to Item 7.11

STATEMENT BY MEMBERS

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

PRIVATE AND CONFIDENTIAL

Council approved the following Items without moving into Closed Session:

(i) Closed Session Minutes – March 8, 2017 (Item 10.1)

(Partridge/Pearson)

- (a) That the Closed Session Minutes of the March 8, 2017 Meeting be approved;
- (b) That the Closed Session Minutes of the March 8, 2017 Meeting remain private and confidential and restricted from public disclosure.

CARRIED

BY-LAWS

(Pearson/Conley)

That Bills No. 17-043 to No. 17-057 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:

Bill No.

- 043** To Amend By-law No. 01-215, Being a By-law to Regulate Traffic
Schedule 5 (Stop Control)
Wards: 6, 7, 9, 11, 12 and 15
- 044** To Amend By-law No. 01-215, Being a By-law to Regulate Traffic
Section 1 (Definitions)
Schedule 2 (Speed Limits)
Wards: 12, 14 and 15
- 045** To Amend By-law No. 01-218, as amended, Being a By-law to Regulate On-Street
Parking
Schedule 5 (Parking Meters)
Schedule 6 (Time Limit Parking
Schedule 8 (No Parking Zones)
Schedule 12 (Permit Parking Zones)
Schedule 13 (No Stopping Zones)
Schedule 14 (Wheelchair Loading Zones)
Schedule 15 (Commercial Vehicle Loading Zones)
Wards: 1-12
- 046** To Authorize the Signing of an Agreement between the City of Hamilton and the
Province of Ontario Related to Funding Provided Under the Ontario Municipal
Cycling Infrastructure Program to support the Bay Street Bicycle Lanes Project
Wards: City Wide
- 047** Respecting Removal of Part Lot Control, Block 188, Registered Plan No. 62M-
1210
PLC-17-018
Ward: 11
- 048** Respecting Removal of Part Lot Control, Block 198 of Registered Plan of
Subdivision 62M-1231 "Cranberry Hill, Phase 2B" – 230 Avonsyde Boulevard,
Flamborough
PLC-16-039
Ward: 15
- 049** Respecting Removal of Part Lot Control, Blocks 195 and 201, Registered Plan No.
62M-1231 and Block 165, Registered Plan No. 62M-1101
PLC-16-038
Ward: 15
- 050** To Amend the Waterworks By-law No. R84-026
Wards: City Wide
- 051** To Amend the Sanitary Surcharge and Wastewater Abatement By-law No. 03-272
Wards: City Wide
- 052** To Adopt Official Plan Amendment No. 72 to the Urban Hamilton Official Plan
Respecting 325 Highway No. 8 (Stoney Creek)
Ward: 10
- 053** To Amend Zoning By-law No. 3692-92 (Stoney Creek) Respecting the Lands
Located at 325 Highway No. 8
UHOPA-16-012

ZAC-16-030
Ward: 10

- 054** To Amend By-law No. 07-170, a By-law to License and Regulate Various Businesses
Schedule 2 (Auctioneers)
Wards: City Wide
- 055** To Amend By-law No. 07-170, a By-law to License and Regulate Various Businesses
Schedule 18 (Recreational Camping Establishments)
Wards: City Wide
- 056** To Amend By-law No. 07-170, a By-law to License and Regulate Various Businesses
Schedule 27 (Tobacco and Electronic Cigarette Retailers)
Wards: City Wide
- 057** To Confirm the Proceedings of City Council

CARRIED

(Pearson/Conley)

That, there being no further business, City Council be adjourned at 7:39 p.m.

CARRIED

Respectfully submitted,

Mayor Fred Eisenberger

Rose Caterini
City Clerk