



## CITY COUNCIL MINUTES 17-022

9:30 a.m.

Friday, December 8, 2017

Council Chamber

Hamilton City Hall

71 Main Street West

**Present:** Mayor F. Eisenberger, Deputy Mayor R. Pasuta, Councillors T. Whitehead, D. Skelly, T. Jackson, C. Collins, S. Merulla, M. Green, J. Farr, A. Johnson, M. Pearson, A. VanderBeek, B. Johnson, J. Partridge

**Absent:** Councillors L. Ferguson and D. Conley - Personal

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 Reverend Dr. Douglas James Cottrell of Many Mansions Spiritual Centre to provide the invocation.

<b>APPROVAL OF THE AGENDA</b>
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The Clerk advised of the following changes to the agenda:

**(a) ADDED COMMUNICATIONS**

- 5.6 Correspondence from Cornerstone Standards Council clarification to the claims made by Gravel Watch.

Recommendation: Be received and referred to the General Managers of Public Works; Planning and Economic Development and Corporate Services for information and appropriate action.

- 5.7 Correspondence from Fausto Carnicelli, 2266793 Ontario Ltd., respecting a request for an extension to the Development Charges Deferral Agreement No. 149 for 35 Upper Centennial Parkway.

Recommendation: Be received and referred to the General Manager of Finance & Corporate Services for a report to the Audit, Finance & Administration Committee.

- 5.8 Correspondence respecting the Applications to Amend the Urban Hamilton Official Plan and Town of Ancaster Zoning By-law No. 87-57 for Lands Located at 558 Golf Links Road (Ancaster):

- (a) Arvind Sahay
- (b) George and Anne Marie Alden
- (c) Paul Graham

Recommendation: Be received and referred to the consideration of Item 5 of the Planning Committee Report 17-020.

- 5.9 Correspondence from Viv Saunders, Ward 10 resident respecting the 2018 Capital Budget.

Recommendation: Be received and referred to the consideration of the General Issues Committee - 2018 Tax Capital Budget Report 17-022.

- 5.10 Correspondence from the Honourable Bill Mauro, Minister, Municipal Affairs respecting the Protecting Water for Future Generations – Public Consultation.

Recommendation: Be received and referred to the General Manager of Public Works for information and appropriate action.

**(b) ADDED COMMITTEE REPORTS**

- 6.8 Special Hamilton Utilities Corporation Shareholders' Report 17-002 - December 6, 2017

**(c) ADDED NOTICES OF MOTION**

- 8.1 Appointment to the Hamilton Farmers' Market Board
- 8.2 New Year's Eve Party @ Fairweather Brewery – Special Occasion Permit
- 8.3 Community Grants for Ward 3

**(d) ADDED BY-LAWS**

- 262** To Amend the Waterworks By-law No. R84-026 and Implement the 2018 Fees and Charges  
Ward: City Wide
- 263** To Amend the Sanitary Surcharge and Wastewater Abatement By-law No. 03-272 and Implement the 2018 Fees and Charges  
Ward: City Wide
- 264** To Amend the Sewer and Drain By-law No. 06-026, and Implement the 2018 Fees and Charges

Ward: City Wide

- 265** A By-law to Establish the 2018 Water and Wastewater/Storm Fees and Charges for Services, Activities and Use of Property Provided by the City of Hamilton  
Ward: City Wide
- 266** To Amend By-law No. 01-215, Being a By-law to Regulate Traffic  
Schedule 5 (Stop Control)  
Ward: 2, 6, 7, 11, 15
- 267** To Establish City of Hamilton Land Described as Block 89, Plan 62M-1078, as Part of Daw Avenue  
Ward: 11
- 268** To Establish City of Hamilton Land Described as Block 90, Plan 62M-1078 as Part of Fall Fair Way  
Ward: 11
- 269** To Establish City of Hamilton Land Described as Blocks 204, 210, 214 & 218, Plan 62M-1157 as Part of Humphrey Street  
Ward: 15
- 270** To Establish City of Hamilton Land Described as Block 216, Plan 62M-1157 as Part of McKnight Avenue  
Ward: 15
- 271** To Establish City of Hamilton Land Described as Block 151, Plan 62M-1183 as Part of Mosaic Drive  
Ward: 15
- 272** To Establish City of Hamilton Land Described as Blocks 206 & 211, Plan 62M-1157 as Part of Skinner Road  
Ward: 15
- 273** To Amend Zoning By-law No. 05-200, Respecting Lands Located at 680 Highway No. 8, Flamborough  
Ward: 14  
ZAH-17-041
- 274** To Designate Lands Located at 314 Wilson Street East, Ancaster (Tisdale House), City of Hamilton, as Property of Cultural Heritage Value  
Ward: 12
- 275** To Designate Lands Located at 1062 Golf Club Road, Glanbrook, City of Hamilton, as Property of Cultural Heritage Value  
Ward: 11
- 276** To Amend By-law No. 01-215, Being a By-law to Regulate Traffic  
Schedule 5 (Stop Control)  
Ward: 5
- 277** To Repeal and Replace By-law No. 13-167, Emergency Management Program By-law  
Ward: City Wide
- 278** To Amend By-law No. 01-218, as amended, Being a By-law to Regulate On-Street

Parking  
Schedule 10 (Alternate Side Parking)  
Ward: 6

- 279** To Amend By-law No. 15-058, a By-law Respecting Building Permits and Related Matters  
Ward: City Wide
- 280** Respecting Removal of Part Lot Control, Block 89, Registered Plan No. 62M-1164 PLC-15-024(E)  
Ward: 11
- 281** Respecting Removal of Part Lot Control, Block 7, Registered Plan of Subdivision 62M-1235, municipally known as 120 Vineberg Drive, Hamilton PLC-17-029  
Ward: 11
- 282** To Adopt Official Plan Amendment No. 88 to the Urban Hamilton Official Plan, Respecting 558 Golf Links Road, Ancaster  
Ward: 12
- 283** To Amend By-law No. 05-200, Respecting Lands Located at 558 Golf Links Road ZAC-17-002/UHOPA-17-002  
Ward: 12

**(Skelly/Pasuta)**

That the agenda for the December 8, 2017 meeting of Council be approved, as amended.

**CARRIED**

**DECLARATIONS OF INTEREST**

None declared.

**APPROVAL OF MINUTES**

**4.1 November 22, 2017**

**(B. Johnson/Pearson)**

That the Minutes of the November 22, 2017 meeting of Council be approved, as presented.

**CARRIED**

**COMMUNICATIONS**

**(Pasuta/Pearson)**

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

- 5.1 Correspondence from Lakewood Beach Community Council respecting the 10 Year Transit Strategy.

Recommendation: Be received.

- 5.2 Correspondence from the Toronto and Region Conservation Authority respecting a resolution in regards to the 2016 Lake Ontario Workshops and 2017/2018 Western Lake Ontario Basin – Lake Initiative.

Recommendation: Be received **and referred to the Hamilton Conservation Authority and Royal Botanical Gardens for consideration.**

- 5.3 Correspondence from the Honourable Bill Mauro, Minister of Municipal Affairs respecting Municipal Transient Accommodation Tax.

Recommendation: Be received.

- 5.4 Correspondence from Joshua Weresch respecting the traditional territories of the Haudenosaunee Confederacy and Anishnaabe Nations.

Recommendation: Be received.

- 5.5 Correspondence from Noor Nizam, Organizer and Coordinator, Support Group for Rohingya Muslims – Hamilton respecting a request for \$11,500 to help send medicines to the suffering Rohingya refugees at Cox's Bazaar, Bangladesh.

Recommendation: ***That the conditional support be TABLED pending staff reporting back on funding options and the development of a policy for future requests.***

- 5.6 Correspondence from Cornerstone Standards Council clarification to the claims made by Gravel Watch.

Recommendation: Be received and referred to the General Managers of Public Works; Planning and Economic Development and Corporate Services for information and appropriate action.

- 5.7 Correspondence from Fausto Carnicelli, 2266793 Ontario Ltd., respecting a request for an extension to the Development Charges Deferral Agreement No. 149 for 35 Upper Centennial Parkway.

Recommendation: Be received and referred to the General Manager of Finance & Corporate Services for a report to the Audit, Finance & Administration Committee.

- 5.8 Correspondence respecting the Applications to Amend the Urban Hamilton Official Plan and Town of Ancaster Zoning By-law No. 87-57 for Lands Located at 558 Golf Links Road (Ancaster):

- (a) Arvind Sahay
- (b) George and Anne Marie Alden
- (c) Paul Graham

Recommendation: Be received and referred to the consideration of Item 5 of the Planning Committee Report 17-020.

- 5.9 Correspondence from Viv Saunders, Ward 10 resident respecting the 2018 Capital Budget.

Recommendation: ~~Be received and referred to the consideration of the General Issues Committee – 2018 Tax Capital Budget Report 17-022~~ **and referred to the Audit, Finance and Administration Committee.**

- 5.10 Correspondence from the Honourable Bill Mauro, Minister, Municipal Affairs respecting the Protecting Water for Future Generations – Public Consultation.

Recommendation: Be received and referred to the General Manager of Public Works for information and appropriate action.

**CARRIED**

**(B. Johnson/Skelly)**

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

**CARRIED**

**GENERAL ISSUES COMMITTEE - 2018 Tax Capital and Rate Budget Report 17-022**

**1. Amendments to Item 12 of the General Issues Committee Report 17-022**

**(Eisenberger/VanderBeek)**

**12. 2018 Tax Supported Capital Budget (FCS17099) (City Wide) (Item 7.1)**

- (a) That Appendix “H” to Item 12 of the General Issues Committee Report 17-022, be amended by deleting the account number “7201841808” and replacing it with the account number “**7101741702**” (page 2, under Tourism & Culture – Auchmar Wall Project);
- (b) That Appendix “H” to Item 12 of the General Issues Committee Report 17-022, be further amended by (page 3, Police Services):
  - (i) deleting the dollar amount of “\$500,000” and replacing it with the dollar amount of “**\$800,000**” (page 3, Police Services – Marine Vessel Hike);
  - (ii) deleting the line item related to the “Ice Rescue Unit” in its entirety;
  - (iii) deleting the line item related to the “Command Van” in its entirety;

- (iv) adding a line item for the new project – ***Police Hardware Acquisition – Server/Storage in the amount of \$400,000;***
  - (v) adding a line item for the new project – ***Police Video Infrastructure in the amount of \$150,000;*** and,
  - (vi) adding a line item for the new project – ***9-1-1 Police Radio Room Recording Equipment Upgrade \$200,000***
- (c) That Appendix “H” to Item 12 of the General Issues Committee Report 17-022, be further amended by (page 5, Recreation Facilities – Hill Park Recreation Centre - Renovation):
- (i) Deleting the dollar amounts of “\$827,000” and “\$427,000” and replacing them both with the dollar amounts of \$400,000;
- (d) That sub-section (b) to Item 12 of the General Issues Committee Report 17-022, respecting Report FCS17099, 2018 Tax Supported Capital Budget, be amended by deleting the dollar amount of “\$236,028,000” and replacing it with the dollar amount of “***\$235,821,000***”; and, by adding the words “, ***as amended,***” to read as follows:
- (b) That the 2018 Tax Supported Capital Budget and Financing Plan in the amount of ***\$235,821,000***, attached as Appendix “H”, ***as amended,*** to Report 17-022, (attached hereto) be approved;
- (e) That sub-section (c) to Item 12 of the General Issues Committee Report 17-022, respecting Report FCS17099, 2018 Tax Supported Capital Budget, be amended, by adding the words “***as amended***” to read as follows:
- (c) That the Tax Supported Discretionary Net Capital Funding Forecast 2018 – 2027, attached as Appendix “I”, ***as amended,*** to Report 17-022 (attached hereto), which assumes:
    - (i) a 0.5% Residential Property Tax increase in each year from 2019 to 2021; and,
    - (ii) an additional Property Tax increase of 0.66% in 2019 , 0.61% in 2020 and 0.27% in 2021 to fund the debt charges associated with the City’s share of Capital Levy Funding required for Public Transit Infrastructure Fund (PTIF) Capital Investments;
- be approved, in principle, and re-visited by Council each budget year;
- (f) That sub-section (f) to Item 12 of the General Issues Committee Report 17-022, respecting Report FCS17099, 2018 Tax Supported Capital Budget, be amended by deleting the dollar amount of “\$48,342,000” and replacing it with the dollar amount of “***\$49,892,000***”; and, by adding the words “, ***as amended,***” to read as follows:

- (f) That the reserve funding included in the 2018 Tax Supported Capital Budget totalling **\$49,892,000**, attached as Appendix “K”, **as amended**, to Report 17-022 (attached hereto), be approved;

Upon Councillor Green’s request, the motion was divided and voted upon, as follows:

Sub-section (a) was CARRIED.

Sub-section (b) was CARRIED.

Councillor Green requested to be recorded as OPPOSED to sub-section (b).

Sub-section (c) was CARRIED.

Sub-section (d) was CARRIED.

Sub-section (e) was CARRIED.

Sub-section (f) was CARRIED.

## **2. Amendment to Item 12 General Issues Committee Budget Report 17-022**

**(Eisenberger/Pearson)**

### **12. 2018 Tax Supported Capital Budget (FCS17099) (City Wide) (Item 7.1)**

WHEREAS, the Council-approved Skateboard Park Study on July 14, 2017 identified Valley Park in Ward 9 as a priority for a skatepark amenity;

WHEREAS, Council approved Motion 8.2 on May 24, 2017, that allocated \$100,000 to design the skateboard park at Valley Park from the Terrapure Landfill Reserve (117036);

WHEREAS, there is a desire to start working on the design of the skateboard park in 2018, rather than 2019 as is indicated in the proposed Capital Budget sheet under “Skatepark Facility – Recreation Study Implementation (4401958900)”, with no adjustment to the construction funding request in 2020; and,

WHEREAS, there is no levy impact versus the current proposed 2018 Tax Supported Capital Budget.

THEREFORE BE IT RESOLVED:

- (a) That the 2019 budgeted design work for the Valley Park skatepark in project “Skatepark Facility – Recreation Study Implementation (4401958900)” of \$100,000, fully funded from the Terrapure Landfill Reserve (117036), be accelerated to commence in 2018;

- (b) That project "Skatepark Facility – Recreation Study Implementation (4401958900)" be renumbered 4401858800 in order to correspond with the revised start year;
- (c) That staff be directed to begin design work on the new skateboard park amenity at Valley Park in 2018;
- (d) That sub-section (b) to Item 12 of the General Issues Committee Report 17-022, respecting Report FCS17099, 2018 Tax Supported Capital Budget, be amended by deleting the dollar amount of \$235,821,000" and replacing it with the dollar amount of **\$235,921,000**", to read as follows:
- (e) That the 2018 Tax Supported Capital Budget and Financing Plan in the amount of **\$235,921,000**, attached as Appendix "H", **as amended**, to Report 17-022, be approved;
- (f) That sub-section (f) to Item 12 of the General Issues Committee Report 17-022, respecting Report FCS17099, 2018 Tax Supported Capital Budget, be amended by deleting the dollar amount of "\$49,892,000" and replacing it with the dollar amount of "**\$49,992,000**"; and, by adding the words "**, as amended**," to read as follows:
  - (f) That the reserve funding included in the 2018 Tax Supported Capital Budget totalling **\$49,992,000**, attached as Appendix "K", **as amended**, to Report 17-022, be approved;

**CARRIED**

### **3. Amendment to Item 12 General Issues Committee Budget Report 17-022**

**(Eisenberger/Pearson)**

#### **12. 2018 Tax Supported Capital Budget (FCS17099) (City Wide) (Item 7.1)**

WHEREAS, the roadway has become structurally deficient and is in need of reconstruction with urbanization;

WHEREAS, this will improve the level-of-service, increase safety and reduce maintenance costs; and,

WHEREAS, this project will be WIP funded by the Councillor Priority - Ward 10 Minor Rehabilitation program (4031611610);

THEREFORE BE IT RESOLVED:

- (a) That Project ID 4031819104 Hewitson - Dupont to Barton be included as part of the 2018 Capital Budget with a budget of \$300,000 funded from the Councillor Priority - Ward 10 Minor Rehabilitation program (4031611610);

- (b) That Appendix "H" to Item 12 of the General Issues Committee Report 17-022, be further amended to reflect the new Project ID 4031819104 Hewitson - Dupont to Barton with a budget of \$300,000;
- (c) That Appendix "L" to Item 12 of the General Issues Committee Report 17-022, be amended by transferring \$300,000 to Project ID 4031819104, for the new Hewitson - Dupont to Barton, from the Councillor Priority - Ward 10 Minor Rehabilitation program (4031611610);
- (d) That sub-section (g) to Item 12 of the General Issues Committee Report 17-022, be amended, by deleting the dollar amount of "\$13,173,000" and replacing it with "**\$13,473,000**", and by adding the words "**as amended**", to read as follows:
  - (g) That funding from previously approved projects (WIP's) included in the 2018 Tax Capital Budget totalling **\$13,473,000**, as attached in Appendix "L" to Report 17-022, as amended, be approved and any relevant projects be referred to the Capital Project Work-in-Progress Sub-Committee for closure;

**Main Motion As Amended CARRIED**

#### **4. Amendment to Item 14 General Issues Committee Budget Report 17-022**

##### **(Eisenberger/VanderBeek)**

That Item 14 of the General Issues Committee Report 17-022, be amended by deleting the resolution in its entirety and replacing with the new sub-sections (a) and (b), in lieu thereof, to read as follows:

#### **14. Hamilton Police Services Board Report 17-122 – Hamilton Police Service Projected Capital Expenditures 2018-2027 (Item 8.1)**

~~The Hamilton Police Services Board Report 17-122 – Hamilton Police Service Projected Capital Expenditures 2018-2027, was approved.~~

- (a) That the 2018 Capital Expenditures outlined in the Hamilton Police Services Board Report 17-122, be received; and,
- (b) That the 2019 - 2027 Capital Expenditures outlined in the Hamilton Police Services Board Report 17-122, be flagged for future Tax Capital Budget years.

**Main Motion As Amended CARRIED**

Councillor Green wished to be recorded as OPPOSED.

#### **5. Amendment to Item 16 of General Issues Committee Budget Report 17-022**

##### **(Merulla/Pearson)**

That sub-sections (a), (b) and (d) to Item 16 of the General Issues Committee Report 17-022, respecting the Sports, Entertainment and Convention Venues Review, be amended by adding the words “**Art Gallery of Hamilton**”, to read as follows:

**16. Sports, Entertainment and Convention Venues Review (Item 9.1)**

WHEREAS, the FirstOntario Concert Hall (formerly Hamilton Place), the Hamilton Convention Centre, and the FirstOntario Centre (formerly Copps Coliseum) were built in 1973, 1981, and 1985 respectively;

WHEREAS, these Sports, Entertainment, and Convention venues have been major sources of community use and enjoyment;

WHEREAS, these venues have attracted Canadian and International performances, major events, and millions of attendees to our city;

WHEREAS, these venues continue to drive significant economic value to the city’s restaurants, bars, retail shops and hotels each year;

WHEREAS, the aging of these venues has created a significant and increasing need for capital reinvestment;

WHEREAS, the total annual capital funding envelope for all 3 venues is only \$800,000;

WHEREAS, it has been identified that the cost of immediate repairs needed to the Convention Centre’s exterior is estimated at \$2 million;

WHEREAS, it has been identified that the cost to replace end of life escalators and elevators at FirstOntario Centre is estimated at \$4.3 million;

WHEREAS, a recent report, CM17008 regarding the updating of the FirstOntario Centre, identified that a partial upgrade to the existing facility with remodelling of key areas would cost an estimated \$68 million and a full transformation would cost an estimated \$252 million; and,

WHEREAS, a motion was approved by Council on March 9, 2016 to direct the City Manager to establish a task force of subject matter experts, to identify strategic opportunities and to achieve realizable outcomes related to the City’s real estate interests;

THEREFORE BE IT RESOLVED:

- (a) That staff be directed to investigate the opportunities for the redevelopment of the FirstOntario Centre, the Hamilton Convention Centre, **the Hamilton Art Gallery** and the FirstOntario Concert Hall, with the investigation to included, but not be limited to, an examination of:
  - (i) developers’ interest in creating a sports and entertainment precinct;
  - and,

- (ii) potential for the precinct to include an arena, a convention centre, a concert hall, residential, and retail;
- (b) That the potential sale and/or transfer of ownership of the FirstOntario Centre, the Hamilton Convention Centre, **the Art Gallery of Hamilton** and the FirstOntario Concert Hall properties, as the City’s financial contribution towards a future development, be considered;
- (c) That staff be directed to seek input from community stakeholders, industry experts, and comparator municipalities and report back to the General Issues Committee with recommendations regarding the scope of work and the process to move forward;
- (d) That staff be directed to conduct the appropriate due diligence in the event that staff receives an unsolicited proposal outlining a development proposal for any or all of the properties in question: the FirstOntario Centre, the Hamilton Convention Centre, **the Hamilton Art Gallery** and the FirstOntario Concert Hall that secures private investment funds;
- (e) That any discussion regarding the location of a new arena not be limited to the Hamilton downtown core; and,
- (f) That an open, transparent and highly publicized process, aimed at engaging citizens across the city for their input, be implemented.

**Main Motion As Amended CARRIED**

**(Eisenberger/VanderBeek)**

That the TWENTY-SECOND Report of the General Issues Committee be adopted, **as amended**, and the information section received.

**CARRIED**

**PUBLIC WORKS COMMITTEE REPORT 17-014**

**(VanderBeek/Jackson)**

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

**CARRIED**

**BOARD OF HEALTH REPORT 17-011**

**(Collins/Merulla)**

That the following Items be referred back to the Board of Health:

1. **Food Strategy Implementation Plan (BOH13001(f)) (City Wide) (Item 5.1)**
2. **Food Strategy Implementation Plan (BOH13001(g)) (City Wide) (Item 5.2)**

**CARRIED**

**6. Supervised Injection Site Study Update (BOH17004(b)) (City Wide) (Item 7.2)**

The Item was CARRIED on the following standing recorded vote:

Yeas:	Eisenberger, Pasuta, Whitehead, Skelly, Jackson, Collins, Merulla, Green, Farr, A. Johnson, Pearson, B. Johnson,
Total:	12
Absent:	Conley, Ferguson, VanderBeek, Partridge
Total:	4

**(Eisenberger/B. Johnson)**

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

**CARRIED**

**PLANNING COMMITTEE REPORT 17-020**

**(Pearson/A. Johnson)**

That the TWENTIETH Report of the Planning Committee be adopted, as presented, and the information section received.

**CARRIED**

**(B. Johnson/Merulla)**

That Section 5.6(2) of the City’s Procedural By-law 14-300, which provides that a minimum of 48 hours shall pass before a Standing Committee Report is presented to Council, be waived in order to consider the General Issues Committee Report 17-025, dated Wednesday, December 6, 2017; Audit, Finance and Administration Committee Report 17-016 dated Thursday, December 7, 2017; and Emergency & Community Services Committee Report 17-013, dated Thursday, December 7, 2017.

**CARRIED**

**GENERAL ISSUES COMMITTEE REPORT 17-025**

**(Skelly/B. Johnson)**

That Item 7 of the General Issues Committee Report 17-025, respecting the Public Art Master Plan 2016 Annual Update, be amended by adding sub-section (b):

**7. Public Art Master Plan 2016 Annual Update (PED17211) (City Wide) (Outstanding Business List Item) (Item 5.7)**

- (a) That Report PED17211, respecting the Public Art Master Plan 2016 Annual Update, be received.
- (b) ***That staff reconsider the five projects which are part of the Public Art as a component of HSR bus shelters, and report back through the 2018 Budget Process on alternative options for those funds.***

**(Eisenberger/Whitehead)**

That the proposed amendment to Item 7, Public Art Master Plan 2016 Annual Update (PED17211), be referred to the General Issues Committee.

**CARRIED**

**(Eisenberger/Partridge)**

That Item 35 of the General Issues Committee Report 17-025, respecting the Organizational Structure Changes for the Public Works Department, be amended by deleting sub-section (a) in its entirety and replacing with the following in lieu thereof:

**35. Organizational Structure Changes for Public Works Department (CM17021) (City Wide) (Item 12.3)**

~~(a) That the direction provided to staff in Closed Session, respecting Report CM17021, regarding the Organizational Structure Changes for Public Works Department, be approved and remain confidential until such time as it is approved by Council; and,~~

(a) That the City Manager be authorized to transfer the Traffic Operations & Engineering and the Policy & Programs Sections of Transportation Division to the Roads & Traffic Division (formerly known as the Operations Division), within the Public Works Department, effective no later than January 1, 2018; and,

**Main Motion As Amended CARRIED**

**(Eisenberger/Partridge)**

That the TWENTY-FIFTH Report of the General Issues Committee be adopted, **as amended**, and the information section received.

**CARRIED**

**AUDIT, FINANCE AND ADMINISTRATION COMMITTEE REPORT 17-017**

**(Skelly/Whitehead)**

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

**CARRIED**

**EMERGENCY AND COMMUNITY SERVICES COMMITTEE REPORT 17-013**

**(Skelly/Jackson)**

That Item 10 of Emergency & Community Services Report 17-013, respecting Requiring the City of Hamilton to be More Accessible to the Hearing Impaired, sub-section (a) be amended by inserting the words "**IEC 60118 Compliant**" to read as follows:

(a) That **IEC 60118 Compliant** Hearing Loops be required in all newly constructed or renovated City of Hamilton public assembly areas equipped with sound systems and access to microphones.

**Amendment CARRIED**

The MAIN MOTION AS AMENDED was CARRIED on the following standing recorded vote:

Yeas: Eisenberger, Pasuta, Whitehead, Skelly, Jackson, Collins, Merulla, Green,  
 Farr, A. Johnson, Pearson, B. Johnson, VanderBeek, Partridge  
 Total: 14  
 Absent: Conley, Ferguson  
 Total: 2

**(A. Johnson/Farr)**

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

**CARRIED**

**SPECIAL HAMILTON UTILITIES CORPORATION SHAREHOLDERS' REPORT 17-002**

**(Eisenberger/Partridge)**

That the SECOND Report of the Special Hamilton Utilities Corporation Shareholders be adopted, as presented, and the information section received.

**CARRIED**

**(B. Johnson/Green)**

That the Committee of the Whole Rise and Report.

**CARRIED**

**MOTIONS**

**7.1 Naming of the City Hall Forecourt after Former Mayor Robert Morrow**

**(Merulla/Whitehead)**

WHEREAS, Robert Maxwell Morrow was born in Hamilton in 1946, educated locally and at Waterloo University College and the University of Toronto; having taught history and French at the high school level and later taught music and labour relations at Mohawk College and music privately;

WHEREAS, Robert Maxwell Morrow, always active as a church musician, playing the organ and leading the choir at several of Hamilton's major churches - most recently St. Patrick's Roman Catholic Church in downtown Hamilton;

WHEREAS, Robert Maxwell Morrow was elected and re-elected to Hamilton City Council as Alderman in 1968 and 1970 and to the Board of Control 1972-1980; served as Deputy Mayor 1976-1980, as a member of the Board of Commissioners of Police

1976-1980; and, additionally, served two terms as Citizenship Judge from 2004 until May 2010;

WHEREAS, Robert Maxwell Morrow was elected in 1982, to the first of 6 terms as Mayor becoming the longest serving Mayor in city history. Known for many administrative reforms during his term he was instrumental in advocating for the diversification of the local economy, which has helped bring great results over the years; in creating new and replacement activities for local economy that changed enormously during the 1980s and 90s;

WHEREAS, Robert Maxwell Morrow was the recipient of two senior knighthoods; Knight Commander of the Republics of Italy (2003) and Poland (1999); a recipient of a Paul Harris award from Rotary International for Service Above Self; and, the two anniversary medals (50<sup>th</sup> and 60<sup>th</sup>) of her Majesty, Queen Elizabeth the 2<sup>nd</sup>;

WHEREAS, Robert Maxwell Morrow was appointed by Hamilton City Council as interim Councillor for Ward 3, after the death of Councillor Bernie Morelli;

WHEREAS, Robert Maxwell Morrow was integral in developing the Hamilton in Bloom, traffic island beautification program; and, increasing public access to the City's waterfront by negotiating the financial viability of the Harbour Parks (Pier 4 and Bayfront Park) and the Harbour Waterfront Trail; and,

WHEREAS, Robert Maxwell Morrow is a steadfast supporter of, and has dedicated his life's work to, improving and contributing to the City of Hamilton; his passion unwavering for the arts, sports and beautification for our city, and has had a significant, positive impact on our community;

THEREFORE BE IT RESOLVED:

- (a) That the forecourt at Hamilton City Hall be named the Robert Maxwell Morrow Forecourt; and,
- (b) That any costs associated with a plaque for the Robert Maxwell Morrow Forecourt be funded (at an upwards cost of \$3,500) from 720715-57267.

The Item was CARRIED on the following standing recorded vote:

Yeas:	Eisenberger, Pasuta, Whitehead, Skelly, Jackson, Merulla, Green, Farr, Pearson, B. Johnson, VanderBeek, Partridge
Total:	12
Absent:	Conley, Ferguson, Collins, A. Johnson
Total:	2

## **7.2 Feasibility Study for Stairway Access to the Base of the Chedoke Falls**

Councillor Whitehead WITHDREW the Motion.

## **7.3 Receipt of a Grant for the Mount Hope Park Redevelopment Project**

**(B. Johnson/Pasuta)**

WHEREAS, Enbridge Pipelines Inc. has grant funding available for community improvement projects and has proposed to provide grant funding of up to \$30,000 towards the Mount Hope Park redevelopment project;

THEREFORE BE IT RESOLVED:

- (a) That the Director of Environmental Services be authorized to negotiate, and execute, on behalf of the City of Hamilton an agreement in a form satisfactory to the City Solicitor with Enbridge Pipelines Inc. for the receipt of a donation in the amount of up to \$30,000 which shall be used to fund a portion of the new sun shelter at the Mount Hope Park redevelopment project;
- (b) That the Mayor send a letter of thanks, on behalf of the City, to Enbridge Pipelines Inc. for its contribution to community improvement at the Mount Hope Park; and
- (c) That should there be any surplus funds available upon completion of the Mount Hope Park Redevelopment Project be returned to the Glanbrook Reserve (Account 108033).

**CARRIED**

**7.4 Appointment to the Hamilton Farmers' Market Board**

**(Pasuta/Farr)**

WHEREAS, the vendors of the Hamilton Farmers' Market (HFM) held an election on November 30<sup>th</sup>, 2017 to fill a vacancy for one of their representatives on the HFM Board; and,

WHEREAS, Josie Rudderham was elected as a Vendor Representative to the HFM Board; and,

WHEREAS, at the December 4, 2017 meeting the HFM Board of Directors the appointment of Josie Rudderham, Vendor Representative, was approved; and,

WHEREAS, the City of Hamilton is the sole shareholder of the Hamilton Farmers' Market and therefore the Board requires Council approval for the appointment of Board members,

THEREFORE BE IT RESOLVED:

That Josie Rudderham be appointed as a Vendor Representative to the Hamilton Farmers' Market Board of Directors for the remainder of the 2014-2018 Term of Council or until such time as a successor is appointed.

**CARRIED**

**7.5 New Year's Eve Party @ Fairweather Brewery – Special Occasion Permit Liquor Licence**

**(Farr/Green)**

WHEREAS, Hamilton City Council has received Notice (attached hereto as Appendix "A") from Dan Ryan on behalf of the Fairweather Brewing Company that they wish to obtain approval for a Special Occasion Permit Liquor Licence to sell alcohol on December 31, 2017 between the hours of 8:00 p.m. and 1:00 a.m. at the Fairweather Brewing Company, 5 Ofield Road, Unit 1, Hamilton, Ontario during the New Year's Eve Party @ Fairweather Brewery 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 New Year's Party @ Fairweather Brewery, being held in the City of Hamilton, Ontario on December 31, 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) Fairweather Brewing Company c/o Dan Ryan, Wellandport, Ontario.

**CARRIED**

**7.6 Community Grants for Ward 3**

**(Green/Whitehead)**

WHEREAS, cell tower revenues from Ward 3 of \$ 55,981.85 are available in project 3301609603 to provide financial support to community led projects and initiatives that benefit Ward 3;

THEREFORE BE IT RESOLVED:

- (a) That the funding for the following programs and initiatives, to be financed from the Cell Tower Revenues Project 3301609603, be approved:
  - (i) That a the Rotary Club of Hamilton is granted funds in the amount of \$1,500.00 to support the Rotary Children's Christmas Celebration provide a traditional turkey dinner to over 750 inner city children;

- (ii) That the Hamilton Ariel Group is granted \$1,000.00 to support a circus cabaret theatre to provide local art, music and free performance;
  - (iii) That the Hamilton Jewish Federation be granted \$1,000.00 to support the community film screening of "1945" and Holocaust education for International Holocaust Remembrance Day;
  - (iv) That Green Venture be granted \$1,000.00 for Depave Paradise, a community project to help purchase necessary tools, and protective equipment for children and families to help create greenspace; and
  - (v) That Brock University be granted \$1,500.00 for contribution for a scholarship in memory of Mr. Yosif Al-Hasnawi.
- (b) That the Mayor and City Clerk be authorized and directed to execute any required agreement(s) and ancillary documents, with such terms and conditions in a form satisfactory to the City Solicitor.

**CARRIED**

<b>NOTICES OF MOTION</b>
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### **8.1 Appointment to the Hamilton Farmers' Market Board**

Councillor Pasuta introduced a Notice of Motion respecting an Appointment to the Hamilton Farmers' Market Board.

**(Pasuta/Partridge)**

That the Rules of Order be waived to allow for the introduction of a Motion respecting an Appointment to the Hamilton Farmers' Market Board.

**CARRIED**

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

### **8.2 New Year's Eve Party @ Fairweather Brewery – Special Occasion Permit Liquor Licence**

Councillor A. Johnson introduced a Notice of Motion respecting New Year's Eve Party @ Fairweather Brewery – Special Occasion Permit Liquor Licence.

**(A. Johnson/Farr) (Farr/Green)**

That the Rules of Order be waived to allow for the introduction of a Motion respecting the New Year's Eve Party @ Fairweather Brewery – Special Occasion Permit Liquor Licence.

**CARRIED**

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

### **8.3 Community Grants for Ward 3**

Councillor Green introduced a Notice of Motion respecting Community Grants for Ward 3.

**(Green/Whitehead)**

That the Rules of Order be waived to allow for the introduction of a Motion respecting a Community Grants for Ward 3.

**CARRIED**

For disposition of this matter, please refer to Item 7.6.

**STATEMENT BY MEMBERS**

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

**PRIVATE AND CONFIDENTIAL**

**10.1 Closed Session Minutes – November 22, 2017**

As Council determined that no discussion respecting the Closed Session Minutes of November 22, 2017 was required, the Minutes were approved in Open Session.

**(Farr/Whitehead)**

That the Closed Session Minutes of November 22, 2017, be approved.

**CARRIED**

**BY-LAWS**

**(Pasuta/B. Johnson)**

That Bills No. 17-259 to No. 17-284 be passed and that the Corporate Seal be affixed thereto, and that the By-laws be signed by the Mayor and the City Clerk to read as follows:

**Bill No.**

- |            |   |
|------------|---|
| <b>259</b> | To Amend By-law No. 07-170, a By-law to License and Regulate Various Businesses<br>Ward: City Wide  |
| <b>260</b> | To Amend By-law No. 01-215, Being a By-law to Regulate Traffic<br>Schedule 2 (Speed Limits)<br>Schedule 13 (Designated Traffic Lanes)<br>Ward: 1, 2, 14 |

- 261** To Amend By-law No. 01-218, as amended, Being a By-law to Regulate On-Street Parking  
Schedule 8 (No Parking Zones)  
Schedule 12 (Permit Parking Zones)  
Schedule 13 (No Stopping Zones)  
Schedule 14 (Wheelchair Loading Zones)  
Ward: 1, 2, 3, 4, 6, 7, 9, 10, 13, 15
- 262** To Amend the Waterworks By-law No. R84-026 and Implement the 2018 Fees and Charges  
Ward: City Wide
- 263** To Amend the Sanitary Surcharge and Wastewater Abatement By-law No. 03-272 and Implement the 2018 Fees and Charges  
Ward: City Wide
- 264** To Amend the Sewer and Drain By-law No. 06-026, and Implement the 2018 Fees and Charges  
Ward: City Wide
- 265** A By-law to Establish the 2018 Water and Wastewater/Storm Fees and Charges for Services, Activities and Use of Property Provided by the City of Hamilton  
Ward: City Wide
- 266** To Amend By-law No. 01-215, Being a By-law to Regulate Traffic  
Schedule 5 (Stop Control)  
Ward: 2, 6, 7, 11, 15
- 267** To Establish City of Hamilton Land Described as Block 89, Plan 62M-1078, as Part of Daw Avenue  
Ward: 11
- 268** To Establish City of Hamilton Land Described as Block 90, Plan 62M-1078 as Part of Fall Fair Way  
Ward: 11
- 269** To Establish City of Hamilton Land Described as Blocks 204, 210, 214 & 218, Plan 62M-1157 as Part of Humphrey Street  
Ward: 15
- 270** To Establish City of Hamilton Land Described as Block 216, Plan 62M-1157 as Part of McKnight Avenue  
Ward: 15
- 271** To Establish City of Hamilton Land Described as Block 151, Plan 62M-1183 as Part of Mosaic Drive  
Ward: 15
- 272** To Establish City of Hamilton Land Described as Blocks 206 & 211, Plan 62M-1157 as Part of Skinner Road  
Ward: 15
- 273** To Amend Zoning By-law No. 05-200, Respecting Lands Located at 680 Highway No. 8, Flamborough

- Ward: 14  
ZAH-17-041
- 274** To Designate Lands Located at 314 Wilson Street East, Ancaster (Tisdale House), City of Hamilton, as Property of Cultural Heritage Value  
Ward: 12
- 275** To Designate Lands Located at 1062 Golf Club Road, Glanbrook, City of Hamilton, as Property of Cultural Heritage Value  
Ward: 11
- 276** To Amend By-law No. 01-215, Being a By-law to Regulate Traffic Schedule 5 (Stop Control)  
Ward: 5
- 277** To Repeal and Replace By-law No. 13-167, Emergency Management Program By-law  
Ward: City Wide
- 278** To Amend By-law No. 01-218, as amended, Being a By-law to Regulate On-Street Parking Schedule 10 (Alternate Side Parking)  
Ward: 6
- 279** To Amend By-law No. 15-058, a By-law Respecting Building Permits and Related Matters  
Ward: City Wide
- 280** Respecting Removal of Part Lot Control, Block 89, Registered Plan No. 62M-1164 PLC-15-024(E)  
Ward: 11
- 281** Respecting Removal of Part Lot Control, Block 7, Registered Plan of Subdivision 62M-1235, municipally known as 120 Vineberg Drive, Hamilton PLC-17-029  
Ward: 11
- 282** To Adopt Official Plan Amendment No. 88 to the Urban Hamilton Official Plan, Respecting 558 Golf Links Road, Ancaster  
Ward: 12
- 283** To Amend By-law No. 05-200, Respecting Lands Located at 558 Golf Links Road ZAC-17-002/UHOPA-17-002  
Ward: 12
- 284** To Confirm the Proceedings of City Council

**CARRIED**

**(Farr/Pearson)**

That, there being no further business, City Council be adjourned at 1:26 p.m.

**CARRIED**

Respectfully submitted,

Mayor F. Eisenberger

Rose Caterini  
City Clerk