



CITY COUNCIL MINUTES 18-018

5:00 p.m.

Wednesday, September 26, 2018

Council Chamber

Hamilton City Hall

71 Main Street West

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

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 Sandra Brown, of Trinity Presbyterian Church, to provide the invocation.

APPROVAL OF THE AGENDA

The Clerk advised of the following changes to the agenda:

1. CORRESPONDENCE

- 5.19 Correspondence from the Hamilton Naturalists' Club respecting the Application to Amend the Zoning By-law for Lands Located at Binbrook Conservation Area for a proposed zip line adventure park.

Recommendation: Be received and referred to the consideration of Item 12 of the Planning Committee Report 18-014.

- 5.20 An Information Update respecting William Connell Fieldhouse: Tender C13-34-18 Award (Ward 8) (EFFM1808)

Recommendation: Be received and referred to the consideration of Item 9 of the Public Works Committee Report 18-012.

- 5.21 An Information Update respecting Growth Potential and Infrastructure Investments in the Waterdown Urban Area.

Recommendation: Be received and referred to the consideration of Item 32 of the Planning Committee Report 18-014.

- 5.22 Correspondence from S. J. Creer respecting Voting Against All Cannabis/Marijuana Outlets in Hamilton, Ontario.

Recommendation: Be received and referred to the consideration of Item 2 of the Planning Committee Report 18-014.

- 5.23 An Information Update respecting Dundas J.L. Grightmire Arena.

Recommendation: Be received.

- 5.24 Correspondence from Diane Hansebout respecting the Application for Amendment to Zoning By-law No. 6593 for Lands Located at 567 Scenic Dr. Hamilton (Ward 8) (PED18173).

Recommendation: Be received and referred to the consideration of Item 15 of the Planning Committee Report 18-014.

- 5.25 Correspondence from Vitulli Law Group respecting 828 Sanatorium Road, Hamilton, Ontario - REVISED.

Recommendation: Be received and referred to the consideration of Item 7.6.

2. NOTICES OF MOTION (Item 8)

- 8.1 Westdale Secondary School's Natural Turf Project

- 8.2 Purchase of Appliances for Bill Simone Hall (Ward 2)

- 8.3 Installation of a Rear Yard Catch Basin at 99 Rymal Road West, Hamilton

- 8.4 Support for the Expansion and Redevelopment of the Hamilton Children's Museum

- 8.5 Support for the Community Services of the Hamilton Association for Residential and Recreational Redevelopment Programs (HARRRP)

- 8.6 Capital Investments at 30 Sanford – This Notice of Motion was withdrawn by Councillor M. Green

3. PRIVATE & CONFIDENTIAL (Item 10)

10.3 Potential Litigation Relating to Sewer Damage (LS14035(d)/PW14114(d))
(Wards 10 and 11)

10.4 Potential Regulatory Litigation (no copy)

4. ADDED BY-LAWS (Item 11)

310 To Amend By-law No. 11-040, To Establish Retention Periods for Records of
the City of Hamilton

311 To Permanently Close Public Highways Abutting 423 North Service Road,
namely Part of Lot 18, Broken Front Concession, in the Geographic Township
of Saltfleet, in the City of Hamilton, designated as Part 6 on Plan 62R-13426
and Parts 1 and 3 on Plan 62R-20211

(Pasuta/Ferguson)

That the agenda for the September 26, 2018 meeting of Council be approved, as amended.
CARRIED

DECLARATIONS OF INTEREST

There were no declarations of interest.

CEREMONIAL ACTIVITIES

3.1 The 2018 Monarch Awards – For Gardens that Nature Loves, by Gardeners Who Love Nature

The 2018 Monarch Awards recognizes gardens and gardeners in Hamilton for their contribution to a bio-diverse, sustainable environment and originates from a group of gardeners who had an idea for an “alternative” garden awards program, which quickly gained momentum.

Monarch Award Winners:

- (i) Overall Winner: Joanne Tunnicliffe
- (ii) First Runner-up: Nadia Coakley
- (iii) Second Runner-up: Claudette Sims

Caterpillar Award Winners:

- (i) Winner: Anne McArthur
- (ii) First Runner-up: Fran Frazier
- (iii) Second Runner-up: Chris Bocz

3.2 Knot A Breast Dragon Boat Team – Placed 1st at the 2018 International Breast Cancer Participatory Festival in Florence, Italy

Kathy Levy, (also a survivor) formed the Knot A Breast Dragon Boat Team in the fall of 1997 with a small group of breast cancer survivors. The only criterion to membership on this unique team was that a person had a diagnosis of breast cancer.

With the help of these women this floating support group began on water training in Hamilton at Bayfront Park, May 1998. As the sport of dragon boat racing grew, Knot A Breast became a top competitor in the Breast Cancer Division. Traveling to local, national and international venues, the team works to promote athleticism and sportsmanship at its best.

In 2010, the team traveled to Peterborough to compete in the International Breast Cancer Participatory Festival, where they placed first overall. With much hard work and determination, they successfully defended the title in Sarasota, FL in October 2014.

This past summer the team once again took top spot in Florence, Italy.

APPROVAL OF MINUTES OF PREVIOUS MEETING

4.1 September 12, 2018

(Whitehead/Anderson)

That the Minutes of the September 12, 2018 meeting of Council be approved, as presented.

CARRIED

COMMUNICATIONS

(Whitehead/Anderson)

That Council Communications 5.1 to 5.25 be approved, **as amended**, as follows:

- 5.1 Correspondence from the Township of Amaranth to the Right Honourable Justin P.J. Trudeau respecting NAFTA - Dairy Supply Management Program.

Recommendation: **Be supported.**

- 5.2 Correspondence from the Township of South Glengarry respecting petitioning the Province to list Paramedic Services as a full Essential Service.

Recommendation: Be received.

- 5.3 Correspondence from the Honourable Laurie Scott, Minister of Labour in response to the Mayor's letter advocating a revenue neutral scenario for Hamilton's budget in relation to Bill 148.

Recommendation: Be received.

- 5.4 Correspondence from the Honourable Monte McNaughton, Minister of Infrastructure in response to the Mayor's letter of congratulations.

Recommendation: Be received.

- 5.5 Correspondence from the Honourable Laurie Scott, Minister of Labour in response to the Mayor's letter of congratulations.

Recommendation: Be received.

- 5.6 Correspondence from the Honourable Lisa Thompson, Minister of Education in response to the Mayor's letter of congratulations.

Recommendation: Be received.

- 5.7 Correspondence from the Honourable Jim Wilson, Minister of Economic Development, Job Creation and Trade in response to the Mayor's letter of congratulations.

Recommendation: Be received.

- 5.8 Correspondence from the Honourable Bill Morneau, Minister of Finance in response to the Mayor's letter indicating the City of Hamilton's support for the recommendation that the Government of Canada establish a tax credit for the restoration and preservation of buildings listed on the Canadian register of historic places.

Recommendation: Be received.

- 5.9 Correspondence from the Honourable Dr. Merrilee Fullerton, Minister of Training, Colleges and Universities in response to the Mayor's letter of congratulations.

Recommendation: Be received.

- 5.10 Correspondence from the Honourable Caroline Mulroney, Attorney General in response to the Mayor's letter of congratulations.

Recommendation: Be received.

- 5.11 Correspondence from George Czerny seeking feedback and support for a positive book idea "Kiss the Ground You Walk On, Canada" conveying the message of how we can all be better Canadians.

Recommendation: Be received.

- 5.12 Correspondence from Professor Marco Impagliazzo, President of the Community of Sant'Egidio promoting November 30th as International Day: "Cities for life/Cities against the death penalty".

Recommendation: Be received.

- 5.13 Correspondence from Sarah Kovacs, Central Neighbourhood respecting the Barton-Tiffany Film Studio in the Central Neighbourhood.

Recommendation: Be received and referred to the consideration of Item 26 of the Planning Committee Report 18-014.

- 5.14 Correspondence from M. Muska respecting 928 Queenston Road, Stoney Creek.

Recommendation: Be received and referred to the consideration of Item 18 of the Planning Committee Report 18-014.

- 5.15 An Information Update respecting an Update on Planning Committee Activity (City Wide)

Recommendation: Be received.

- 5.16 Correspondence from the Honourable Sylvia Jones, Minister of Tourism, Culture and Sports in response to the Mayor's letter of congratulations.

Recommendation: Be received.

- 5.17 Correspondence from Tara Chiarot respecting 567 Scenic Drive.

Recommendation: Be received and referred to the consideration of Item 15 of the Planning Committee Report 18-014.

- 5.18 Correspondence from Marion Emo, CEO, Hamilton/Burlington SPCA respecting the Hamilton/Burlington SPCA By-law changes.

Recommendation: Be received and referred to the Office of the City Clerk for consideration during the 2018-2022 Recruitment process.

- 5.19 Correspondence from the Hamilton Naturalists' Club respecting the Application to Amend the Zoning By-law for Lands Located at Binbrook Conservation Area for a Proposed Zip Line Adventure Park.

Recommendation: Be received and referred to the consideration of Item 12 of the Planning Committee Report 18-014.

- 5.20 An Information Update respecting William Connell Fieldhouse: Tender C13-34-18 Award (Ward 8) (EFFM1808)

Recommendation: Be received and referred to the consideration of Item 9 of the Public Works Committee Report 18-012.

- 5.21 An Information Update respecting Growth Potential and Infrastructure Investments in the Waterdown Urban Area.

Recommendation: Be received and referred to the consideration of Item 32 of the Planning Committee Report 18-014.

- 5.22 Correspondence from S. J. Creer respecting Voting Against All Cannabis/Marijuana Outlets in Hamilton, Ontario.

Recommendation: Be received and referred to the consideration of Item 2 of the Planning Committee Report 18-014.

- 5.23 An Information Update respecting Dundas J.L. Grightmire Arena.

Recommendation: ***Be received and staff be directed to report back to the Public Works Committee, as soon as possible, with a project update regarding the renovations to the J. L. Grightmire Arena and strategies to assist the community stakeholders (hockey clubs).***

- 5.24 Correspondence from Diane Hansebout respecting the Application for Amendment to Zoning By-law No. 6593 for Lands Located at 567 Scenic Dr. Hamilton (Ward 8) (PED18173).

Recommendation: Be received and referred to the consideration of Item 15 of the Planning Committee Report 18-014.

- 5.25 Correspondence from Vitulli Law Group respecting 828 Sanatorium Road, Hamilton, Ontario - REVISED.

Recommendation: Be received and referred to the consideration of Item 7.6.

CARRIED

(VanderBeek/Pasuta)

That Council move into Committee of the Whole to consider the Committee Reports.

CARRIED

PUBLIC WORKS COMMITTEE REPORT 18-012

(Ferguson/VanderBeek)

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

CARRIED

BOARD OF HEALTH REPORT 18-007

(Eisenberger/Partridge)

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

CARRIED

PLANNING COMMITTEE REPORT 18-014

12. **Application to Amend City of Hamilton Zoning By-law No. 05-200 for Lands Located at 5050 Harrison Road, Glanbrook (PED18204) (Ward 11) (Item 6.1)**

Councillors J. Partridge and B. Johnson wished to be recorded as OPPOSED to Item 12 above.

17. **Applications for an Amendment to the Urban Hamilton Official Plan and the City of Hamilton Zoning By-law No. 05-200 for Lands Located at 119-123 Princess Street, Hamilton (PED18186) (Ward 3) (Item 6.6)**

(Farr/Green)

That Item 17 of Planning Committee Report 18-014, respecting Applications for an Amendment to the Urban Hamilton Official Plan and the City of Hamilton Zoning By-

law No. 05-200 for Lands Located at 119-123 Princess Street, Hamilton (PED18186) be amended by adding the following subsection (e) and re-lettering the balance:

- (e) ***That the City Solicitor be authorized and directed to take all necessary steps, as determined to be appropriate in the opinion of the City Solicitor and Director of Planning & Chief Planner, to appeal or otherwise challenge any issuance of an Environmental Compliance Approval, to permit a Waste Electronics and Electrical Equipment Processing and Transfer Facility to operate on the lands located at 119-123 Princess Street, Hamilton, and to report back to the new Council for further instructions;***

The amended Item 17 to read as follows:

- (a) That Urban Hamilton Official Plan Amendment Application UHOPA-17-034 by ADL Process / FrostMECH Inc., Owner, to establish a site specific policy to permit a Waste Electronics and Electrical Equipment Processing and Transfer Facility within existing buildings on the property located at 119-123 Princess Street, Hamilton, as shown on Appendix "A" to Report PED18186, be DENIED, for the following reasons:
- (i) The proposal is not compatible with the neighbourhood;
 - (ii) The proposal will result in an over intensification of industrial uses abutting a residential neighbourhood;
 - (iii) The proposal will result in increased truck traffic; and,
 - (iv) The proposed use is obnoxious;
- (b) That Amended Zoning By-law Amendment Application ZAC-17-024 by ADL Process / FrostMECH Inc., Owner, for a modification to the Light Industrial (M6) Zone to permit the existing buildings to be used for a Waste Electronics and Electrical Equipment Processing and Transfer Facility, as shown on Appendix "A" to Report PED18186, be DENIED, for the following reasons:
- (i) The proposal is not compatible with the neighbourhood;
 - (ii) The proposal will result in an over intensification of industrial uses abutting a residential neighbourhood;
 - (iii) The proposal will result in increased truck traffic; and,
 - (iv) The proposed use is obnoxious;

- (c) That the Environmental Approvals Branch of the Ontario Ministry of Environment, Conservation and Parks be advised that the City does not support the approval of Application MOE-CA-18-02, by Recycling 101 Ltd., for an Environmental Compliance Approval (Waste), MECP Reference #1159-AXYPHY, to permit a Waste Electronics and Electrical Equipment Processing and Transfer Facility to operate on the lands located at 119-123 Princess Street, Hamilton, as shown on Appendix "A" to Report PED18186;
- (d) That staff be directed to monitor the site to ensure that no processing operations commence at this location;
- (e) ***That the City Solicitor be authorized and directed to take all necessary steps, as determined to be appropriate in the opinion of the City Solicitor and Director of Planning & Chief Planner, to appeal or otherwise challenge any issuance of an Environmental Compliance Approval, to permit a Waste Electronics and Electrical Equipment Processing and Transfer Facility to operate on the lands located at 119-123 Princess Street, Hamilton, and to report back to the new Council for further instructions; and,***
- (f) That the public submissions received regarding this matter supported the denial of this application.

**AMENDMENT CARRIED
MAIN MOTION, AS AMENDED, CARRIED**

26. Creative Industries and Film Production Studios on the Barton and Tiffany Lands (PED18210) (Ward 2) (Item 8.6)

(Farr/Green)

That sub-section (c) to Item 26 of Planning Committee Report 18-014 respecting Report PED18210, Creative Industries and Film Production Studios on the Barton and Tiffany Lands, be amended by deleting the words "in the first quarter of 2019" and inserting the words "***at its first meeting in 2019***" therein, to read as follows:

- (c) That the outcome of the review be presented to the Planning Committee ~~in the first quarter of 2019~~ ***at its first meeting in 2019.***

**AMENDMENT CARRIED
MAIN MOTION, AS AMENDED, CARRIED**

27. Mohawk College Precinct Increased Enforcement with a Dedicated Parking Enforcement Officer for a One (1) Year Pilot Program

(Whitehead/Anderson)

That the recommendation of Item 27 of Planning Committee Report 18-014 respecting Mohawk College Precinct increased enforcement with a dedicated Parking Enforcement Officer for a one (1) year pilot program be amended by lettering it subsection (a) and inserting the following wording therein, to read as follows:

WHEREAS, City Council meeting on May 23rd, 2018 directed that staff look at the feasibility of a dedicated Parking Enforcement Officer in the Mohawk College Precinct;

WHEREAS, the Information Report sent to the Planning Committee and the Members on September 18, 2018, provided statistics from August 2016 – August 2018 that showed existing staffing compliment and efforts resulted in five times more Parking Penalty Notices issued than reported complaints;

WHEREAS, the Information Report sent to the Planning Committee and the Members on September 18, 2018, provided estimated potential revenues from issued Parking Penalty Notices in the Mohawk College Precinct and showed that revenues could offset the cost of a dedicated Parking Enforcement Officer without affecting existing staff costs; and,

WHEREAS, community feedback has been received from property owners and occupants in the area, which would support increased enforcement;

THEREFORE, BE IT RESOLVED:

- (a) That Report PED18220 respecting Dedicated Mohawk College Parking Enforcement, be received;**
- (b) That a one (1) year pilot program using an additional one (1) Temporary FTE Parking Enforcement Officer for the Mohawk College Precinct be implemented with an estimated gross annual cost of \$84k and net cost of \$0; and,**
- (c) That staff report back with results and recommendations following the one (1) year pilot program.**

AMENDMENT CARRIED

(Whitehead/Anderson)

That sub-section (b) to Item 27 of Planning Committee Report 18-014 respecting Mohawk College Precinct increased enforcement with a dedicated Parking Enforcement Officer for a one (1) year pilot program, be further amended by adding the words "**to be funded from the Tax Stabilization Reserve, with a report back from staff through the year end variance report, as to the outcomes of this pilot project**", to read as follows:

- (b) That a one (1) year pilot program using an additional one (1) Temporary FTE Parking Enforcement Officer for the Mohawk College Precinct be implemented with an estimated gross annual cost of \$84k and net cost of \$0, **to be funded from the Tax Stabilization Reserve, with a report back from staff through the year end variance report, as to the outcomes of this pilot project**"; and,**

**AMENDMENT CARRIED
MAIN MOTION, AS AMENDED, CARRIED**

33. Process and procedures for appeals filed at the Local Planning Appeal Tribunal (LS18054) (City Wide) (Item 12.1) (Item 12.1)**(Farr/Green)**

That the recommendation of Item 33 of Planning Committee Report 18-014 be deleted in it's entirety and the following be inserted therein:

~~That the recommendations of Report LS18054 respecting Process and procedures for appeals filed at the Local Planning Appeal Tribunal be approved and remain confidential pending Council's approval and that the Report and Appendices remain confidential.~~

- (a) That Report LS18054 be approved and that Planning and Legal staff be directed to act in accordance with Appendix "A" and Appendix "B" of Report LS18054 whenever *Planning Act* appeals to the Local Planning Appeal Tribunal are received;
- (b) That the City Solicitor be directed to report confidentially on a regular basis on the status of new and outstanding appeals to the Local Planning Appeal Tribunal;
- (c) That the City Solicitor be authorized to make submissions to Environment and Land Tribunals of Ontario and the Local Planning Appeal Tribunal on behalf of the City regarding processes and procedures that, in the City Solicitor's opinion, would protect or advance the City's interests and are consistent with the City's past submissions; and,
- (d) That, if adopted by Council, the recommendations contained in Report LS18054 be made public but the Report and its appendices remain confidential.

**AMENDMENT CARRIED
MAIN MOTION, AS AMENDED, CARRIED**

34. Appeal to the Local Planning Appeal Tribunal (LPAT) for Lack of Decision on Urban Hamilton Official Plan Amendment Application and Stoney Creek Zoning By-law 3692-92 Amendment Application for Lands Located at 261 King Street East (Stoney Creek) (Ward 10) (LS18050/PED18212) (Item 12.2)**(Farr/Green)**

That the recommendation of Item 34 of Planning Committee Report 18-014 be deleted in it's entirety and the following be inserted therein:

~~That the recommendations of Report LS18050/PED18212 respecting Appeal to the Local Planning Appeal Tribunal (LPAT) for Lack of Decision on Urban Hamilton Official Plan Amendment Application and Stoney Creek Zoning By-law 3692-92 Amendment Application for Lands Located at 261 King Street East (Stoney Creek) be approved and remain confidential pending Council's approval and that the Report and Appendices remain confidential.~~

- (a) That Legal staff be instructed to oppose the appeal by J.A.N. Group Inc. (Applicant) to the Local Planning Appeal Tribunal of its applications to amend the Urban Hamilton Official Plan and the Stoney Creek Zoning By-law 3692-92 for lands located at 261 King Street East, Stoney Creek, as shown on Appendix "A" to Report LS18050/PED18212, and that Legal staff be authorized to retain such outside professional(s) for said purpose and charge the costs to the Development Fee Stabilization Reserve (110086);
- (b) That the Local Planning Appeal Tribunal be advised that the reasons for Council's opposition to the Applicant's applications include, but are not limited, to the following:
 - (i) The site specific exceptions would permit a reduction in the minimum lot area, an increase in density, a reduction in the required number of parking spaces and a reduction in the required setback for surface parking adjacent to a residential zone;
 - (ii) The site is too small for the development proposed and that the proposed development is not compatible with adjacent development, which is made up of primarily single-detached low-rise development;
 - (iii) The impacts of the proposed height, mass and scale with respect to privacy, overlook and shadow impacts on the adjacent properties have not been appropriately mitigated;
 - (iv) The proposed building form is dramatically different than the building forms on adjacent properties and there is no transition between the proposed 4-storey building and adjacent single detached dwellings; and,
 - (v) That an insufficient Vegetation Protection Zone is proposed; and,
- (c) That the recommendations of Report LS18050/PED18212 be released to the public following the decision of Council and the rest of Report LS18050/PED18212 remain confidential.

**AMENDMENT CARRIED
MAIN MOTION, AS AMENDED, CARRIED**

35. Appeal to the Local Planning Appeal Tribunal (LPAT) for Lack of Decision on Stoney Creek Zoning By-law 3692-92 Amendment Application for Lands Located at 16 and 18 King Street West (Stoney Creek) (Ward 9) (LS18046/PED18193) (Item 12.3)

(Farr/Green)

That the recommendation of Item 35 of Planning Committee Report 18-014 be deleted in it's entirety and the following be inserted therein:

~~That the recommendations of Report LS18046/PED18193 respecting Appeal to the Local Planning Appeal Tribunal (LPAT) for Lack of Decision on Stoney Creek Zoning By-law 3692-92 Amendment Application for Lands Located at 16 and 18 King Street West (Stoney Creek) be approved and remain confidential pending Council's approval and that the Report and Appendices remain confidential.~~

- (a) That Legal staff be instructed to oppose the appeal by MM Green Developments (Stoney Creek) Inc. (Applicant) to the Local Planning Appeal Tribunal of its application to amend the Stoney Creek Zoning By-law 3692-92 for lands located at 16 and 18 King Street West, Stoney Creek, as shown on Appendix "A" to Report LS18046/PED18193;
- (b) That the Local Planning Appeal Tribunal be advised that the reasons for Council's opposition to the Applicant's application to amend the Stoney Creek Zoning By-law 3692-92 include, but are not limited to, the following:
 - (i) The proposed building as currently designed does not comply with the Urban Design policies of the Urban Hamilton Official Plan (UHOP) that require new development to minimize impact on neighbouring buildings by creating transitions in scale to neighbouring buildings; and,
 - (ii) The road widening of approximately 3.0 metres which is required based on the policies of the UHOP has not been included into the proposed design of the building; and,
- (c) That the recommendations of Report LS18046/PED18193 be released to the public following the decision of Council and the rest of Report LS18046/PED18193 remain confidential.

**AMENDMENT CARRIED
MAIN MOTION, AS AMENDED, CARRIED**

(Farr/Green)

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

CARRIED

GENERAL ISSUES COMMITTEE REPORT 18-019

18. Organizational Structure Changes in the Healthy and Safe Communities Department and the Strategic Partnerships and Communications Division, City Manager's Office (CM18021) (City Wide) (Item 12.4)

(VanderBeek/Ferguson)

That Item 18 of the General Issues Committee Report 18-019, respecting Report CM180221, Organizational Structure Changes in the Healthy and Safe Communities Department and the Strategic Partnerships and Communications Division, City Manager's Office, be amended by deleting sub-sections (a) and (b) in their entirety and replacing them it with the following in lieu thereof:

- ~~(a) That the direction provided to staff in Closed Session, respecting Report CM18021, Organizational Structure Changes in the Healthy and Safe Communities Department and the Strategic Partnerships and Communications Division, City Manager’s Office, be approved; and,~~
- ~~(b) That the recommendation, Report CM18021 and Appendix “A” to Report CM18021, remain confidential until approved by Council.~~

That the transfer of the portfolio for the Our Future Hamilton project, one Manager Community Initiatives (non-union); and, one Senior Project Manager, Community Special Projects (non-union) to the City Manager’s Office, to report to the Director of Strategic Partnerships and Communications, be approved.

**AMENDMENT CARRIED
MAIN MOTION, AS AMENDED, CARRIED**

(Eisenberger/Pasuta)

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

AUDIT, FINANCE & ADMINISTRATION COMMITTEE REPORT 18-013

10. Commercial Relationship Between the City of Hamilton and Transform Van and Truck, Division of Burncrest Industries Ltd. (FCS18082 / LS18055) (City Wide) (Item 12.3)

(VanderBeek/Ferguson)

That the recommendation (c) of Item 10 of Audit, Finance and Administration Committee Report 18-013 respecting Commercial Relationship Between the City of Hamilton and Transform Van and Truck, Division of Burncrest Industries Ltd. (FCS18082 / LS18055) be deleted in its entirety and the following be inserted therein:

- ~~(c) That recommendations (a) and (b) be released publicly following approval by Council; and~~
- (a) That, due to the impairment of the commercial relationship between the City of Hamilton and Transform Van and Truck, Division of Burncrest Industries Ltd., or any of its related corporate or individual entities, staff be directed to reject any current and future bids, proposals or quotations received from Transform Van and Truck, Division of Burncrest Industries Ltd., or any of its related corporate or individual entities until and including September 26, 2023; and,
- (b) That the City of Hamilton not enter into any contract with Transform Van and Truck, Division of Burncrest Industries Ltd., or any of its related corporate or individual entities, until and including September 26, 2023.

**AMENDMENT CARRIED
MAIN MOTION, AS AMENDED, CARRIED**

11. Commercial Relationship Between the City of Hamilton and Allan Fyfe Equipment Limited and Related Entities (FCS18089 / LS18056) (City Wide) (Item 12.4)

(VanderBeek/Ferguson)

That the recommendation (c) of Item 11 of Audit, Finance and Administration Committee Report 18-013 respecting Commercial Relationship Between the City of Hamilton and Allan Fyfe Equipment Limited and Related Entities (FCS18089 / LS18056) be deleted in its entirety and the following be inserted therein:

~~(c) That recommendations (a) and (b) be released publicly following approval by Council; and~~

(a) That, due to the impairment of the commercial relationship between the City of Hamilton and Allan Fyfe Equipment Limited or any of its related corporate or individual entities, staff be directed to reject any current and future bids, proposals or quotations received from Allan Fyfe Equipment Limited, or any of its related corporate or individual entities until and including September 26, 2023; and,

(b) That the City of Hamilton not enter into any contract with Allan Fyfe Equipment Limited, or any of its related corporate or individual entities, until and including September 26, 2023.

**AMENDMENT CARRIED
MAIN MOTION, AS AMENDED, CARRIED**

12. Commercial Relationship Between the City of Hamilton and Canada Fibers Ltd. (LS18047(a) / FCS18088) (City Wide) (Item 12.5)

(VanderBeek/Ferguson)

That the recommendation (c) of Item 12 of Audit, Finance and Administration Committee Report 18-013 respecting Commercial Relationship Between the City of Hamilton and Canada Fibers Ltd. (LS18047(a) / FCS18088) be deleted in its entirety and the following be inserted therein:

~~(c) That recommendations (a) and (b) be released publicly following approval by Council; and~~

(a) That, due to the impairment of the commercial relationship between the City of Hamilton and Canada Fibers Ltd. that has resulted from litigation proceedings, staff be directed to reject any current and future bids, proposals or quotations received from Canada Fibers Ltd. or any of its related corporate or individual entities, until and including September 26, 2023; and

(b) That the City of Hamilton not enter into any contract with Canada Fibers Ltd., or any of its related corporate or individual entities until and including September 26, 2023.

**AMENDMENT CARRIED
MAIN MOTION, AS AMENDED, CARRIED**

(VanderBeek/Ferguson)

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

CARRIED

(VanderBeek/Pasuta)

That Committee Rise and Report.

CARRIED

MOTIONS

7.1 Amendment to Subsection (a)(i) of Item 3 of Audit, Finance and Administration Committee Report 18-009, respecting Development Charges Stakeholders Sub-Committee Report 18-002

(Farr/Merulla)

That subsection (a)(i) of Item 3 of Audit, Finance and Administration Committee Report 18-009, respecting Development Charges Stakeholders Sub-Committee Report 18-002 which was approved by Council on June 27, 2018, be amended by deleting the word “basis” and inserting the word “percentage” therein, to read as follows:

3. Development Charges Stakeholders Sub-Committee Report 18-002 (Item 8.4)

(a) 2019 Development Charges By-law Policy (FCS18062) (City Wide)

- (i) That the Downtown Hamilton Community Improvement Project Area Development Charge Exemption be set at 50% effective July 6, 2019 and be reduced 10 ~~basis~~ **percentage** points annually thereafter, subject to the results of the independent incentive review;

The amended Item 3 to read as follows:

3. Development Charges Stakeholders Sub-Committee Report 18-002 (Item 8.4)

(a) 2019 Development Charges By-law Policy (FCS18062) (City Wide)

- (i) That the Downtown Hamilton Community Improvement Project Area Development Charge Exemption be set at 50% effective July 6, 2019 and be reduced 10 **percentage** points annually thereafter, subject to the results of the independent incentive review;

- (ii) That the annual indexing transition policy, Section 37 of By-law 14-153, not be included in the 2019 Development Charges By-law;
- (iii) That the 2019 Development Charge By-law not contain phasing provisions for the specific policy changes in Recommendations (a) and (b) Report FCS18062;
- (iv) That appropriate staff be directed to meet with the stakeholders to provide an update regarding the proposed changes to the Downtown Hamilton Community Improvement Project Area Development Charge Exemption;
- (v) That the offer made by the President of the Chamber of Commerce to facilitate the stakeholder meeting for the downtown developers, be accepted.

(b) Public Input Respecting the 2019 Development Charges By-law

That appropriate staff be directed to hold a public engagement session respecting the proposed policy changes for the 2019 Development Charges By-law at the appropriate time and that all relative stakeholders, including members of the general public, be invited.

(c) Input Respecting the 2019 Development Charges By-law from the Agricultural Community

That staff be directed to consult with the Agriculture and Rural Affairs Committee ensuring that representatives of the Ontario Ministry of Agriculture, Food and Rural Affairs (OMAFRA) and the Ontario Federation of Agriculture are in attendance, and obtain the Committee's input respecting the proposed policy changes for the 2019 Development Charges By-law.

CARRIED

7.2 Licence Agreement Between the City of Hamilton and the Royal Botanical Gardens to Allow for the Installation of Public Art in Churchill Park

(A. Johnson/Pearson)

WHEREAS, the Churchill Park Public Art Project is identified in the Council approved City of Hamilton Public Art Master Plan;

WHEREAS, a location for markers and monuments is identified in the Council and Royal Botanical Gardens approved Churchill Park Management Plan;

WHEREAS, the proposed public art work is to be located in the general area identified in the Management Plan and is to be inspired by the legacy of Raoul Wallenberg;

WHEREAS, funding for the commissioning, fabrication, installation, and maintenance of the art work by the City is in place and was funded from Ward 1 area rating;

WHEREAS, the Royal Botanical Gardens will bear no costs for the commissioning, fabrication, installation and maintenance of the art work;

WHEREAS, representatives of the Royal Botanical Gardens will be included as part of the adjudication team for the public art process to select the art work; and,

WHEREAS, the Royal Botanical Gardens will allow for the art work or series of related art works to be installed in the former Teaching Gardens at Churchill Park by the City and to host the art work on their property at no cost.

THEREFORE, BE IT RESOLVED:

- (a) That the City of Hamilton enter into an agreement with the Royal Botanical Gardens for the City to install and maintain a work or works of art in Churchill Park located at 155 Cline Avenue North, Hamilton; and,
- (b) That the Mayor and City Clerk be authorized and directed to execute any agreements and ancillary documents, between the City of Hamilton and the Royal Botanical Gardens, for the City to install and maintain a work or works of art in Churchill Park, located at 155 Cline Avenue North, Hamilton, with content acceptable to the General Manager of the Planning and Economic Development Department, in a form satisfactory to the City Solicitor.

CARRIED

7.3 Further Amendment to Item 4 of the General Issues Committee Report 18-015, respecting the Downtown Entertainment Assets Operating Agreements (CM18013) (City Wide) (Item 7.3(b))

(Eisenberger/Partridge)

That a new sub-section (j) be added to Item 4 of the General Issues Committee Report 18-015, respecting Report CM18013 - the Downtown Entertainment Assets Operating Agreements, to read as follows:

- (j) ***That the City Procurement Policy be waived for the sole purpose of permitting only Global Spectrum and Carmen's Group to participate in the process related to the management of the Downtown Entertainment Assets.***

The full motion, as further amended, to read as follows:

- 4. Downtown Entertainment Assets Operating Agreements (CM18013) (City Wide) (Item 7.3(b))**
- (a) That a 6-month extension of the existing Management Agreement between the City of Hamilton and Global Spectrum Facility Management, L.P. (Global Spectrum), which is set to expire on December 31, 2018, be approved;
 - (b) That a 6-month extension of the existing Facility Operating Agreement between the City of Hamilton, the Hospitality Centre Corporation and Mercanti Banquet & Convention Centre Ltd. (Carmen's Group), which is set to expire on December 31, 2018, be approved;
 - (c) That the Mayor and the City Clerk be authorized and directed to execute any documents required to give effect to a 6-month extension to the Management Agreement between the City of Hamilton and Global Spectrum Facility Management, L.P. (Global Spectrum);
 - (d) That the Mayor and the City Clerk be authorized and directed to execute any documents required to give effect to a 6-month extension to the Facility Operating Agreement between the City of Hamilton, the Hospitality Centre Corporation and Mercanti Banquet & Convention Centre Ltd. (Carmen's Group);
 - (e) That staff be directed to invite Global Spectrum to submit two proposal(s):
 - (i) A 5-year extension of the existing Management Agreement between the City of Hamilton and Global Spectrum Facility Management, L.P.; and,
 - (ii) A second proposal which also includes the scope of work outlined in the Facility Operating Agreement between the City of Hamilton, the Hospitality Centre Corporation and Mercanti Banquet & Convention Centre Ltd. (Carmen's Group);
 - (f) That staff be directed to invite Carmen's Group to submit two proposals:
 - (i) A 5-year extension of the existing Facility Operating Agreement between the City of Hamilton, the Hospitality Centre Corporation and Mercanti Banquet & Convention Centre Ltd.; and,
 - (ii) A second proposal which also includes the scope of work outlined the Management Agreement between the City of

Hamilton and Global Spectrum Facility Management, L.P.
(Global Spectrum);

- (g) That staff be directed to evaluate any proposal(s) the City receives using the criteria and methodology used by KPMG during the HECFI review and outlined in Appendix "A" and report back to General Issues Committee with a staff recommendation on how best to proceed with the management of these entertainment assets;
- (h) That a contribution to an upset limit of \$100,000 from the Tax Stabilization Reserve (#110046) be used to fund an independent third-party review of the staff recommendation;
- (i) That the City Procurement Policy be followed to the extent the Procurement Section and the Legal Services Division determine the Policy to be applicable in order to maintain a fair process related to the management of the Downtown Entertainment Assets; and,
- (j) ***That the City Procurement Policy be waived for the sole purpose of permitting only Global Spectrum and Carmen's Group to participate in the process related to the management of the Downtown Entertainment Assets.***

CARRIED

Councillors L. Ferguson and M. Green wished to be recorded as OPPOSED to Item 7.3 above.

7.4 Installation of Temporary Speed Humps along Queen Victoria Drive between Ridley Drive and Quinn Avenue - 1 Year Trial Period (Ward 6)

(Jackson/Anderson)

WHEREAS, Ward 6 residents along Queen Victoria Drive, between Ridley Drive and Quinn Avenue have identified safety concerns related to children accessing two neighbourhood elementary schools and Mount Lions Park;

WHEREAS, a number of residents have submitted requests for the installation of speed humps to reduce vehicle speeds along Queen Victoria Drive and continue to make additional requests for speed humps; and

WHEREAS, Traffic Operations and Engineering does not recommend the placement of speed humps on Queen Victoria Drive but have no objections to their placement.

THEREFORE, BE IT RESOLVED:

- (a) That staff be directed to implement a "trial" project for a period of year from the date of installation, for the installation of 2 or 3 temporary speed humps, along Queen Victoria Drive between Ridley Drive and Quinn Avenue; and,

- (b) That the installation cost be funded from the Ward 6 Area Rating Fund to an upset limit of \$20,000.

CARRIED

7.5 Ward 3 Community Grants

(Green/Merulla)

WHEREAS, cell tower revenues from Ward 3, in the amount of \$4,628, are available in the Cell Tower Revenues Project account #301609603 to provide financial support to community led projects and initiatives that benefit Ward 3;

THEREFORE, BE IT RESOLVED:

That the funding for the following organizations for the programs and initiatives shown below, to be financed from the Cell Tower Revenues Project 3301609603, be approved:

- (i) Empowerment Squared, in the amount of \$1,700 to support AfriCan, the Hamilton delegation that attended the 2018 African Youth Governance Conference from August 5-12, 2018 in Accra, Ghana;
- (ii) YWCA Hamilton - Speqtrum, in the amount of \$500, to support the Feminist Public Education event; an evening of popular education respecting online media and gendered experience of dissent, while using these platforms;
- (iii) QueensConnected, in the amount of \$300 to support the “UsNow: A Sexual Health Conference for Women of Color”, which aims to educate and empower women of color on topics of sexual health and sexuality;
- (iv) The Afro Canadian Caribbean Association, in the amount of \$500 for Project Pride in Place; a small infrastructure project that includes a new garbage collection fixture and a flower bed to beautify their neighbourhood;
- (v) The Canadian Polish Congress Hamilton & District, in the amount of \$1,000, for the 100th year of Poland’s Reinstated Freedom celebration; a visual and musical performance featuring music, dance and a presentation of Polish history; and,
- (vi) The Pumpkin Prowl, in the amount of \$500, for the Family Friendly event that has been running for four years in the Crown Point neighbourhood, which includes games, crafts, activities and trick-or-treating around the neighbourhood.

CARRIED

7.6 Hamilton Municipal Heritage Committee Report 18-009 (Referred from Planning Committee September 18, 2018 to Council)**(Farr/Green)**

- 1. Recommendation to Designate the Property Located at 828 Sanatorium Road, Hamilton (Long & Bisby Building) Under Part IV of the *Ontario Heritage Act* (PED18214) (Ward 8) (Item 7.1)**
 - (a) That the designation of 828 Sanatorium Road, Hamilton, shown in Appendix "A" to Report PED18214, as a property of cultural heritage value pursuant to the provisions of Part IV of the *Ontario Heritage Act*, be approved;
 - (b) That the Statement of Cultural Heritage Value or Interest and Description of Heritage Attributes, attached as Appendix "A" to 18-009, be approved;
 - (c) That the City Clerk be directed to take appropriate action to designate 828 Sanatorium Road, Hamilton under Part IV of the *Ontario Heritage Act*, in accordance with the Notice of Intention to Designate, attached as Appendix "D" to Report PED18214

(Whitehead/Green)

- (a) *That Item 7.6, respecting the Hamilton Municipal Heritage Committee Report 18-009, Item 1, be referred to the December 11, 2018 Planning Committee meeting, with the letter from the Developer, to allow staff to prepare an updated Statement of Cultural Heritage Value or Interest;***
- (b) *That the Information Section of the the Hamilton Municipal Heritage Committee Report 18-009, be received; and,***
- (c) *That it be recognized that the Developer has withdrawn his demolition permit.***

**AMENDMENT CARRIED
MAIN MOTION, AS AMENDED, CARRIED**

7.7 Westdale Secondary School's Natural Turf Project**(A. Johnson/Farr)**

WHEREAS, at its meeting of June 11, 2014, Council approved Appendix "A" to Item 8 of the General Issues Committee Report 14-012, 2014 Area Rating Reserve Funded Projects (FCS14034); thereby, approving \$100K for the Westdale Secondary School's artificial turf project;

WHEREAS, at its meeting of February 11, 2015, Council approved Appendix "B" to Item 7, as amended, of the General Issues Committee (Capital Budget) Report 15-

003, 2015 Tax Supported Capital Budget (FCS15011); thereby, approving \$150K for the Westdale Secondary School's artificial turf project;

WHEREAS, in Appendix "A" to Report FCS15011, 2015 Tax Supported Capital Budget, the project was inadvertently titled "Westdale High School - **Artificial** Turf", due to the project approved in 2014, but should have been titled 'Westdale High School - **Natural** Turf, and the funding for the Westdale Secondary School's artificial turf and natural turf projects should not have been combined;

WHEREAS, the HWDSB proceeded with the Westdale Secondary School's natural turf project, with the expectation that they would receive \$150,000 in City funding for that project;

WHEREAS, the HWDSB funded the main playing field, scoreboard and bleachers, and the walking path and practice field were funded from Ward 1 Area Rating;

WHEREAS, all work was completed with the understanding that the added features would have community access; however, no details were finalized or agreed upon to-date, and there is no formal written agreement respecting these matters between the City of Hamilton and the Hamilton-Wentworth District School Board; and,

WHEREAS, the Westdale High School's natural turf project (includes the main playing field, scoreboard, bleachers, the walking path and practice field) is now complete and the HWDSB has sent the Ward 1 office an invoice in the amount of \$150,000;

THEREFORE, BE IT RESOLVED:

- (a) That Appendix "B" to Item 7, as amended, of the General Issues Committee (Capital Budget) Report 15-003, 2015 Tax Supported Capital Budget (FCS15011), be amended by deleting the word "artificial" and replacing it with the word "**natural**" in the line item currently reflecting the Westdale High School artificial turf project; and,
- (b) That, prior to any invoices being paid to the Hamilton-Wentworth District School Board (HWDSB) for the City's share of the Westdale Secondary natural turf project, the Director of Recreation be directed to collaborate with the HWDSB to prepare an agreement for public access to the Westdale Secondary School practice field and walking path, in a form satisfactory to the City Solicitor.

CARRIED

7.8 Purchase of Appliances for Bill Simone Hall (Ward 2)

(Farr/Green)

WHEREAS, the Bill Simone Hall located in Beasley Park hosts many community and neighbourhood events;

WHEREAS, the Bill Simone Hall kitchen has been recently renovated; and,

WHEREAS, to complete the renovations of the kitchen a refrigerator and freezer are required;

THEREFORE, BE IT RESOLVED:

That the \$3,000 required to purchase a new refrigerator and freezer for the Bill Simone Hall, to be financed from the Ward 2 Area Rating Special Capital Reinvestment Reserve No. 108052, be approved.

CARRIED

7.9 Installation of Rear Yard Catch Basin at 99 Rymal Road West, Hamilton

(Whitehead/Anderson)

That \$10,000 to cover the cost of installing a rear-yard catch basin at 99 Rymal Road West, Hamilton, to be funded from the Ward 8 discretionary account #3301709800, be approved.

CARRIED

7.10 Support for the Expansion and Re-Development of the Hamilton Children's Museum

(Green/Farr)

WHEREAS, the Hamilton Children's Museum is a community and neighbourhood focused facility, providing high quality family oriented experiential learning to 1 million visitors over the last 40 years.

WHEREAS, the Hamilton Children's Museum is over-capacity and cannot meet the diverse programming needs of the community.

WHEREAS, Council directed staff to complete the long-term development planning for an expanded Children's Museum Facility within Gage Park PED13152 (a).

WHEREAS, Council has supported the development of expansion plans through the annual capital project budget process.

WHEREAS, 'shovel ready' designs for expansion and re-development of the Hamilton Children's Museum will be completed in 2018.

WHEREAS, the cost of the expansion and re-development is estimated to be approximately \$2.7 million.

WHEREAS, the expansion and re-development have been identified in the Tourism and Culture 10-year Capital Plan for 2021-23.

WHEREAS, additional funds are needed to support the construction of best practice experiential family oriented learning exhibits.

WHEREAS, the Ward 3 Councillor is supportive of Hamilton Children's Museum being best of class for our community.

THEREFORE, BE IT RESOLVED:

That \$300,000, to be funded from Ward 3 Area Rating Reserve Account 108053, to assist with the expansion of the Hamilton Children's Museum, be approved.

CARRIED

7.11 Support for the Community Services of the Hamilton Association for Residential and Recreational Redevelopment Programs (HARRRP)

(Green/Merulla)

WHEREAS, the Boys and Girls Clubs of Hamilton, which serves over 5,000 children, youth and families in over 30 service locations and communities in Hamilton and Burlington, has recently partnered with the Hamilton Association for Residential and Recreational Redevelopment Programs (HARRRP);

WHEREAS, HARRRP has been running a community centre in the Stipleigh neighbourhood, providing free programs and services to help residents deal with the impact of poverty and other challenges in Ward 3;

WHEREAS, the programs HARRRP provides to the community range from Aikido to Seniors Tai-Chi, from Yoga to Pottery Classes, from YOUth Create to Community Kitchen;

WHEREAS, HARRRP also provides youth programs at Dr. J. E. Davey and Memorial City Elementary Schools, and seniors programs at the Bennetto Recreation Centre; and,

WHEREAS, HARRRP centres are safe and healthy places where people can meet in both structured and casual ways to help each other over the challenges of food, health, housing, legal, financial, employment, social, and other issues;

THEREFORE, BE IT RESOLVED:

- (a) That the City of Hamilton enter into a funding agreement with the Boys and Girls Clubs of Hamilton for the purpose of supporting the Hamilton Association for the Residential and Recreational Redevelopment Programs and Services, located at 705 Main Street, East, in a form satisfactory to the City Solicitor; and,
- (b) That funding agreement, between the City of Hamilton and the Hamilton Association for the Residential and Recreational Redevelopment Programs, be for the amount of \$50,000 for 2018, to be funded from the Ward 3 Area Rating Reserve Account 108053.

CARRIED

NOTICES OF MOTION

8.1 Westdale Secondary School's Natural Turf Project

Councillor A. Johnson introduced a Notice of Motion respecting Westdale Secondary School's natural turf project.

(A. Johnson/Green)

That the Rules of Order be waived to allow for the introduction of a Motion respecting Westdale Secondary School's natural turf project.

CARRIED

For disposition of this matter, please refer to Item 7.7.

8.2 Purchase of Appliances for Bill Simone Hall

Councillor J. Farr introduced a Notice of Motion respecting the Purchase of Appliances for Bill Simone Hall.

(Farr/Green)

That the Rules of Order be waived to allow for the introduction of a Motion respecting the Purchase of Appliances for Bill Simone Hall.

CARRIED

For disposition of this matter, please refer to Item 7.8.

8.3 Installation of Rear Yard Catch Basin at 99 Rymal Road West, Hamilton

Councillor T. Whitehead introduced a Notice of Motion respecting the Installation of Rear Yard Catch Basin at 99 Rymal Road West, Hamilton.

(Whitehead/Anderson)

That the Rules of Order be waived to allow for the introduction of a Motion respecting the Installation of Rear Yard Catch Basin at 99 Rymal Road West, Hamilton.

CARRIED

For disposition of this matter, please refer to Item 7.9.

8.4 Support for the Expansion and Re-Development of the Hamilton Children's Museum

Councillor Green introduced a Notice of Motion respecting the Support for the Expansion and Re-Development of the Hamilton Children's Museum.

(Green/Farr)

That the Rules of Order be waived to allow for the introduction of a Motion respecting the Support for the Expansion and Re-Development of the Hamilton Children's Museum.

CARRIED

For disposition of this matter, please refer to Item 7.10.

8.5 Support for the Community Services of the Hamilton Association for Residential and Recreational Redevelopment Programs (HARRRP)

Councillor Green introduced a Notice of Motion respecting support for the Community Services of the Hamilton Association for Residential and Recreational Redevelopment Programs (HARRRP).

(Green/Merulla)

That the Rules of Order be waived to allow for the introduction of a Motion respecting support for the Community Services of HARRRP.

CARRIED

For disposition of this matter, please refer to Item 7.11.

STATEMENTS BY MEMBERS

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

PRIVATE & CONFIDENTIAL

(Ferguson/Conley)

That Council move into Closed Session to discuss Items 10.1 to 10.4, pursuant to Section 8.1, Sub-sections, (c), (e) and (f) of the City's Procedural By-law 18-270; and, Section 239(2), Sub-sections (e) and (f) of the *Ontario Municipal Act*, 2001, as amended, as the subject matter pertains to proposed or pending acquisition or disposition of land for City purposes; litigation or potential litigation, including matters before administrative tribunals, affecting the City; and, the receiving of advice that is subject to solicitor-client privilege, including communications necessary for that purpose.

CARRIED

10.1 Amendment to Private & Confidential Item 13 of the General Issues Committee Report 18-015, respecting Report LS12009(d), Expropriation of 55 Queenston Road (City Motor Hotel) - Proposed Partial Settlement

(Merulla/Green)

- (a) That Report LS12009(d), **as amended**, respecting the Expropriation of 55 Queenston Road (City Motor Hotel) - Proposed Partial Settlement, remain confidential; and,
- (b) That, upon execution by all of the parties, the Minutes of Settlement, attached as Appendix "A" to Report LS12009(d), **as amended**, be released as a public document.

CARRIED

10.2 Potential Donation of Private Lands to City of Hamilton

(Partridge/Pasuta)

That the Motion, respecting Potential Donation of Private Lands to City of Hamilton, remain confidential until completion of any real estate transactions.

CARRIED

10.3 Potential Litigation Relating to Sewer Damage (LS14035(d)/PW14114(d)) (Wards 10 and 11)

(Jackson/Pearson)

That Report LS14035(d)/PW14114(d), respecting Potential Litigation relating to Sewer Damage, remain confidential.

CARRIED

10.4 Potential Regulatory Litigation (no copy)

(Whitehead/Anderson)

That the verbal update respecting Potential Regulatory Litigation, be received.

CARRIED

BY-LAWS

(Whitehead/Anderson)

That Bills No. 18-274 to No. 18-312, be passed and that the Corporate Seal be affixed thereto, and that the By-laws, be numbered, be signed by the Mayor and the City Clerk to read as follows:

By-Law

- 274 To Amend By-law No. 01-215, Being a By-law to Regulate Traffic
 - Schedule 2 (Speed Limits)
 - Schedule 3 (Flashing School Zones – Reduced Speed Limit)
 - Schedule 8 (No Right Turn)
 - Schedule 9 (No Right Turn on Red)
 - Schedule 10 (No Left Turn)
 - Schedule 12 (No “U” Turns)
 - Wards: 2, 4, 12, 13, 14, 15

- 275 Respecting Removing of Part Lot Control
 - Lots 32 and 33 within Registered Plan No. 62M-1238 “Waterdown Bay – Phase 2”, 103
 - Avanti Crescent and 107 Avanti Crescent
 - Ward: 15
 - PLC-18-026

- 276 Respecting Removing of Part Lot Control
 - Lot 77 within Registered Plan No. 62M-1238 “Waterdown Bay – Phase 2”, 4 Mill Stone Terrace
 - Ward: 15

PLC-18-026

- 277 Respecting Removing of Part Lot Control
Lots 103, 104 and 107 within Registered Plan No. 62M-1238 "Waterdown Bay – Phase 2",
16 Skinner Road, 22 Skinner Road and 40 Skinner Road
Ward: 15
PLC-18-026
- 278 Respecting Removing of Part Lot Control
Lots 113, 116, 117 and 118 within Registered Plan No. 62M-1238 "Waterdown Bay – Phase 2", 33 Skinner Road, 15 Skinner Road, 9 Skinner Road and 3 Skinner Road
Ward: 15
PLC-18-026
- 279 Respecting Removing of Part Lot Control
Lots 150 and 164 within Registered Plan No. 62M-1238 "Waterdown Bay – Phase 2",
279 Humphrey Street and 262 Humphrey Street
Ward: 15
PLC-18-026
- 280 Respecting Removing of Part Lot Control
Lots 175 and 178 within Registered Plan No. 62M-1238 "Waterdown Bay – Phase 2",
335 Humphrey Street and 347 Humphrey Street
Ward: 15
PLC-18-026
- 281 Respecting Removing of Part Lot Control
Lots 121 to 130 on Registered Plan No. 62M-1238
Ward: 15
PLC-18-023
- 282 To Designate Land Located at 270 Sherman Avenue North, City of Hamilton (Cotton Factory) as Property of Cultural Heritage Value or Interest
Ward: 3
- 283 To Amend By-law No. 01-215, Being a By-law to Regulate Traffic
Schedule 5 (Stop Control)
Schedule 4 (Yield Control)
Wards: 2, 4, 7, 8, 10, 14, 15
- 284 Respecting the Removal of Part Lot Control
Block 1 and Part of Block 2, Registered Plan No. 62M-1253, Municipally Known as 1001,

1009 and 1035 Garner Road East (Ancaster)
Ward: 12
PLC-17-022

- 285 To Impose Watermain and Sanitary Sewer Charges upon owners of land abutting Green Mountain Road from First Road West to Morrisey Boulevard, in the City of Hamilton
- 286 A By-law to authorize the issue of Debentures in the principal amount of \$110,820,000 for the purposes of the City of Hamilton herein referred to
- 287 To Amend By-law No. 01-218, as amended, To Regulate On-Street Parking:
Schedule 6 (Time Limit)
Schedule 8 (No Parking)
Schedule 12 (Permit Parking)
Schedule 13 (No Stopping)
Wards: 1, 2, 3, 7, 9
- 288 To Adopt:
Official Plan Amendment No. 115 to the Urban Hamilton Official Plan
Respecting:
49 Walnut Street South (Hamilton)
Ward: 2
- 289 To Amend Zoning By-law No. 05-200, as amended by By-law No. 18-114,
Respecting
Lands Located at 154 Main Street East and 49 Walnut Street South
Ward: 2
UHOPA-18-018 / ZAR-17-074
- 290 To Adopt:
Official Plan Amendment No. 117 to the Urban Hamilton Official Plan
Respecting:
3331 Homestead Drive (Glanbrook)
Ward: 11
- 291 To Amend Zoning By-law No. 464 (Glanbrook), Respecting Lands Located at
3331
Homestead Drive (Glanbrook)
Ward: 11
UHOPA-18-03 / ZAC-18-007
- 292 To Adopt:
Official Plan Amendment No. 114 to the Urban Hamilton Official Plan
Respecting:
71 Rebecca Street (Hamilton)
Ward: 2

- 293 To Amend Zoning By-law No. 05-200, Respecting Lands Located at 71 Rebecca Street (Hamilton)
Ward: 2
UHOPA-17-023 / ZAC-17-053
- 294 To Adopt:
Official Plan Amendment No. 116 to the Urban Hamilton Official Plan
Respecting:
928 Queenston Road (Stoney Creek)
Ward: 9
- 295 To Amend Zoning By-law No. 3692-92 (Stoney Creek), Respecting Lands Located
at 928 Queenston Road (Stoney Creek)
Ward: 9
UHOPA-17-020 / ZAC-17-049
- 296 To Amend Zoning By-law No. 05-200 Respecting Lands Located at 5050
Harrison
Road
Ward: 11
ZAR-18-023
- 297 To Amend Zoning By-law No. 6593 (Hamilton), Respecting Lands Located at 567
Scenic Drive, Hamilton
Ward: 8
ZAC-17-030
- 298 To Amend Zoning By-law No. 3692-92 (Stoney Creek), Respecting Lands
Located at
50 Green Mountain Road West (Stoney Creek)
Ward: 9
ZAC-17-077
- 299 To Amend Zoning By-law No. 6593 (Hamilton), Respecting Second Dwelling
Units for Certain Lands Bounded by Highway 403, Burlington Street, Red Hill
Valley and the
Escarpment
Wards: 1, 2, 3 and 4
CI 18-F
- 300 To Amend the Downtown and Community Renewal Community Improvement
Project Area
Ward: 11
- 301 To Amend By-law 17-225, a By-law to Establish a System of Administrative
Penalties
Wards: City Wide

- 302 A By-law to Amend By-law 17-225, being a By-law to Establish a System of Administrative Penalties
Wards: City Wide
- 303 To Amend Official Plan Amendment No. 107 (By-law 18-194) to the Urban Hamilton Official Plan
Respecting:
56, 74, 78, 90, 96, 100 and 566 Parkside Drive (Flamborough)
Ward: 15
- 304 To Amend By-law No. 18-195, Respecting Lands Located at 56, 74, 78, 90 and 96 Parkside Drive and 546 Highway No. 6 (Flamborough)
Ward: 15
- 305 To Adopt:
Official Plan Amendment No. 118 to the Urban Hamilton Official Plan
Respecting:
41, 43, 45, 46, 47, 49, 50, 51, 53, 54, 55, 57, 58, 59, 61, 62, 63, 65, 66, 67, 69, 70 Escarpment Drive, and 1215, 1217, 1219, 1221, 1227, 1229, 1231, 1235 and 1239 Barton Street (Stoney Creek)
Ward: 11
- 306 To Amend Zoning By-law No. 3692-92 (Stoney Creek), Respecting Lands Located at 1215, 1217, 1219, 1221, 1227, 1229, 1231, 1235 and 1239 Barton Street
Ward: 11
CI-18-I
- 307 To Adopt:
Official Plan Amendment No. 20 to the Rural Hamilton Official Plan
Respecting:
19 Highland Road East (Stoney Creek)
Ward: 9
- 308 To Amend Zoning By-law No. 05-200, Respecting Lands Located at 19 Highland Road East (Stoney Creek)
Ward: 9
RHOPA-17-024 / ZAC-17-055
- 309 To Amend Stoney Creek Zoning By-law 3692-92 (Stoney Creek), Respecting Lands Located at 19 Highland Road East (Stoney Creek)
Ward: 9
RHOPA-17-024 / ZAC-17-055
- 310 To Amend By-law No. 11-040, To Establish Retention Periods for Records of the City of Hamilton

311 To Permanently Close Public Highways Abutting 423 North Service Road, namely Part of Lot 18, Broken Front Concession, in the Geographic Township of Saltfleet, in the City of Hamilton, designated as Part 6 on Plan 62R-13426 and Parts 1 and 3 on Plan 62R-20211

312 To Confirm the Proceedings of City Council

MOTION, AS AMENDED, CARRIED

(Pearson/Pasuta)

That, there being no further business, City Council be adjourned at 9:08 p.m.

CARRIED

Respectfully submitted,

Mayor F. Eisenberger

Janet Pilon
Acting City Clerk