Committee of the Whole

REPORT 10-027

9:30 a.m.
Tuesday, October 12, 2010
and
4:00 p.m.
Wednesday, October 13, 2010
Council Chambers
Hamilton City Hall
71 Main Street West

Present:
Mayor F. Eisenberger

Absent with Regrets:
Councillor M. McCarthy

Also Present:
C. Murray, City Manager
R. Rossini, General Manager, Finance and Corporate Services
T. McCabe, General Manager, Planning and Economic Development
J. Kay, General Manager/Chief, Hamilton Emergency Services
E. Richardson, Medical Officer of Health
J. Mater, Senior Director of Transportation, Energy and Facilities, Public Works
N. Everson, Director, Economic Development and Real Estate
P. Barkwell, City Solicitor
R. Sabo, Assistant City Solicitor
B. Duxbury, Outside Counsel
Deputy Chief E. Girt, Superintendent M. Shaw and D. Bowman, Police Services
M. Gallagher, Deputy Clerk
I. Bedioui, Legislative Assistant, Office of the City Clerk

COMMITTEE OF THE WHOLE PRESENTS REPORT 10-027 AND RESPECTFULLY RECOMMENDS:

1. 2011 Committee/Council Calendar (City Wide) (CL10008) (Item 5.1)
That the 2011 Committee/Council meeting calendar, attached to Report CL10008 as Appendix “A”, be approved.

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2. Hamilton Police Service Monthly Reports PSB 10-083 and PSB 10-092 (Item 5.2)
   (a) That Hamilton Police Service Monthly Report PSB 10-083 be received.
   (b) That Hamilton Police Service Monthly Report PSB 10-092 be received.

3. Report 10-005 of the Advisory Committee for Persons with Disabilities (Item 5.3)
   That the Chair of the Advisory Committee for Persons with Disabilities be authorized to send a letter to the Accessibility for Ontarians with Disabilities Act Alliance (AODA Alliance) recommending that the consultations and proactive efforts of City of Hamilton election staff be considered for inclusion in the AODA Alliance's best practices.

4. Joint City of Hamilton and Hamilton-Wentworth District School Board (HWDSB) Liaison Committee – MOU Update Report – On-going Relationships and Accomplishments (Item 5.4)
   That the Joint City of Hamilton and Hamilton-Wentworth District School Board (HWDSB) Liaison Committee – MOU Update Report – respecting On-going Relationships and Accomplishments, be received.

5. Delegation from Mark DeNobile, Canadian Football Hall of Fame, to present governance model proposal for the Canadian Football Hall of Fame and Museum
   That Mr. DeNobile's presentation outlining the proposed changes to the Canadian Football Hall of Fame governance model be received and referred to the Governance Review Sub-Committee for consideration and report back.

6. Hamilton International Airport Lay-off pertaining to security, maintenance and the elimination of the firefighter role (Item 6.2)
   Whereas, Tradeport International is moving to lay-off most of the trained Airport fire officers, instead using cross-trained officers performing both emergency and maintenance roles, and;
   Whereas, City of Hamilton General Manager/Chief Hamilton Emergency Services (HES) Jim Kay has expressed concern about the possible changed role for HES staffing as a result of Tradeport plans, resulting in a complete reversal of the current HES role, noting that HES is neither
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trained nor equipped to take on a primary response role, and cannot be put in this position.

Therefore be it resolved:
(a) That City Council request that Tradeport International restore full emergency fire service to Hamilton International Airport immediately;

(b) That City Council send a letter to Transport Canada outlining its concerns and requesting that Transport Canada review the fire safety and security levels at the airport with copies forwarded to all local Members of Provincial (M.P.P.’s);

(c) That City staff continue their dialogue with Tradeport and report back to the Committee of the Whole at its first regularly scheduled meeting after the Election.

7. Extension of Demolition Credit for 175 Longwood Road South, Hamilton (FCS10051) (Ward 1) (Item 6.3(b))

(a) That, in order to provide economic stimulus to a strategic, industrial/research development corridor (McMaster Innovation Park), the term for the use of Municipal Industrial Development Charge demolition credits for 175 Longwood Road South, Hamilton, (former Camco Inc. plant) (5 year life, expires on July 31, 2010) in the amount of 394,484 sq. ft. ($2,623,315.63) be extended for a further 3 years to July 31, 2013.

(b) That McMaster Innovation Park provide annual updates to Committee of the Whole respecting the progress of this project.

8. Niagara to GTA Corridor Planning and EA Study Update (PW05054a/PED10213) - (City Wide) (Item 7.1)

That the General Manager of Public Works be authorized to forward correspondence to the Ministry of Transportation (MTO) with regard to the Niagara to GTA Corridor Planning and Environmental Assessment Study, and indicate:

(a) That based on the economic impact analysis already conducted, the endorsement of the Southern Ontario Gateway Council (SOGC), the Hamilton Chamber of Commerce, the Hamilton International Airport and the Hamilton Port Authority, that the construction of a Niagara to GTA multi-modal corridor must be identified as the preferred option instead of the last possible alternative currently recommended in the Province of Ontario’s Planning & EA Study;
(b) That in principle, the City of Hamilton supports the Study’s “Group 1” concept of optimizing the existing transportation network prior to undertaking additional work;

(c) That in principle, the City of Hamilton supports the Study’s “Group 2” concept that New/Expanded Non-Road Infrastructure be implemented;

(d) That not withstanding Highway 403 capacity issues through Hamilton, the City of Hamilton has concerns with the proposed widening of Highway 403 identified in “Group 3” with regard to potential impacts on the Niagara Escarpment and any improvements that would conflict with the City’s current plans to provide Light Rail Transit (LRT) infrastructure across this corridor in the King Street and Main Street areas and the City of Hamilton is supportive of the short term operational improvements to Highway 403 by widening the median and other methods as outlined in the NGTA presentation hand-out page 26, bullet 2 dated October 12, 2010;

(e) That the City of Hamilton has concerns that the Study has not proposed a direct transportation system connection to the Niagara area from the Airport Employment Growth District (AEGD) area;

(f) That the City of Hamilton has concerns that the Study is suggesting that Highway 6, adjacent to the AEGD, be protected for four-lanes, when a previous MTO pre-design report suggested that this highway section be six-lanes;

(g) That the City of Hamilton requests that the MTO provide the City with detailed transportation projections and assessments of the impacts on roadways under the jurisdiction of the City specifically including the Red Hill Valley Parkway and the Lincoln Alexander Parkway with due consideration for operational and maintenance costs that would ultimately be borne by the City.;

(h) That prior to the MTO finalizing their current NGTA Corridor Planning and Environmental Study, Ministry representatives provide a presentation to the Committee of the Whole.

9. North End Traffic Management Plan PW08094(a) (Ward 2) (Referred from Public Works Committee, October 4, 2010) (Item 7.2)

(a) That the “North End Traffic Management Plan”, June 2008, attached to Report PW08094a as Appendix A be endorsed;

(b) That at an appropriate time following resolution of the North End Neighbourhood Associations’ appeal to the Setting Sail Secondary Plan for the West Harbour, the General Manager, Public Works, be authorized and directed to proceed with implementation of the
recommended traffic calming and management components of the North End Traffic Management Plan (June 2008);

(c) That at such time as the recommended traffic management strategy is substantially constructed, the speed limit on all streets within the North End Neighbourhood, save James Street North and Burlington Street East, be set at 30 km/hr, as a Pilot Project for a duration of five (5) years, and that the appropriate by-law to amend the City of Hamilton Traffic By-law 01-215 be passed and enacted;

(d) That the General Manager, Public Works be directed to report back on the findings of the Pilot Project;

(e) That 30 km/h not be implemented within any other neighbourhood in Hamilton until the effects of this Pilot Project are analyzed and proven to be effective and be justified to continue;

(f) That staff be directed to report back to the committee with respect to improved transit services in the north end neighbourhood.

10. **Stormwater Rate Study Phase 2 - Stormwater Advisory Committee Membership Criteria (PW10085) - (City Wide) Item 8.1**

(a) That the name of the Stormwater Advisory Committee be changed to the Stormwater Rate Sub-Review Committee;

(b) That the Stormwater Rate Sub-Review Committee be composed of the following:

(i) Four members of Council
(ii) representation from the following areas: industrial, commercial, institutional, residential (rural and urban), agricultural, environmental and citizens-at-large;

(c) That the Independent Community Panel participate in Phase 2 of the Stormwater Rate Study;

(d) That staff be authorized and directed to advertise for citizens and stakeholders interested in serving on the Stormwater Rate Sub-Review Committee;

(e) That staff be authorized and directed to report back to the Committee of the Whole with a Terms of Reference for the Stormwater Rate Sub-Review Committee.


(a) That the 2010 Annual Accessibility Plan for the City of Hamilton attached as Appendix “A” to Report FCS10088 be approved and be made available to the public; and
(b) That the Advisory Committee for Persons with Disabilities be thanked for their advice and contribution towards the completion of the accessibility plan.

12. Capital Projects’ Status and Closing Report as of June 30th, 2010 (FCS10073) (City Wide) (Item 8.3)

(a) That the June 30th, 2010, Capital Projects’ Status and Projects’ Closing Report and the attached Appendices A, B, C, D, and E to report FCS10073 for the tax levy and the rate supported capital projects be received for information;

(b) That the General Manager of Finance & Corporate Services be directed to close the completed capital projects listed in Appendix B to report FCS10073 in accordance with the Capital Closing Policy and that the net transfers be applied as listed below and as detailed by project in Appendix B to report FCS10073:

<table>
<thead>
<tr>
<th>Summary of Net Transfers</th>
<th>$</th>
</tr>
</thead>
<tbody>
<tr>
<td>Dedicated Reserves/Projects</td>
<td>(150,157)</td>
</tr>
<tr>
<td>Development Charges</td>
<td>(37,464)</td>
</tr>
<tr>
<td>Former Municipal Capital Reserves</td>
<td>(187,621)</td>
</tr>
<tr>
<td>W.I.P. Review-Allocated in following recommendation</td>
<td></td>
</tr>
<tr>
<td>Tax Levy Projects</td>
<td>11,523,468</td>
</tr>
<tr>
<td>Rate Supported Projects</td>
<td>1,216,408</td>
</tr>
<tr>
<td></td>
<td>12,739,876</td>
</tr>
<tr>
<td>Unallocated Capital Levy</td>
<td>2,670</td>
</tr>
<tr>
<td></td>
<td>12,554,924</td>
</tr>
</tbody>
</table>

(c) That the available funding in the amount of $12,739,876 as a result of the W.I.P. review be allocated as follows:

(i) That the Rate Supported portion in the amount of $1,216,408 be transferred to the Rate Reserves to be used as part of the 2011 Capital financing Strategy.

(ii) That an amount of $4,000,000 be used to fund the uninsured repairs to the Red Hill Creek and Pond as a result of the July 26, 2009 Storm.

(iii) That $2,000,000 be transferred to the Unallocated Capital Levy reserve – 108020 and be earmarked to support the City’s Neighbourhood Community Development Strategy.
(iv) That the remaining amount estimated $5,523,468 be transferred to the Unallocated Capital Levy reserve – 108020 to be used as part of the 2011 Capital budget funding envelope.

13. **Tax and Rate Operating Budget Variance Report to Aug. 31, 2010 (FCS10087) (City Wide) (item 8.4)**

That the Tax and Rate Operating Budget Variance Report to Aug. 31, 2010 (FCS10087) be received for information.

14. **Corporate Cellular Device Management Policy (FCS10090) (City Wide) (City Wide) (Item 8.5)**

(a) That the Corporate Cellular Device Management Policy, attached as Appendix A to Report FCS10090 be approved;
(b) That staff be directed to implement The Corporate Cellular Device Management Policy (CORP-CCDM-00) for all Corporate Cellular Device Users.
(c) That implementation of this Policy not result in a loss of the $134,000 net savings nor in the hiring of an additional FTE’s.


That Report CM10007/FCS10091 entitled Developing an Integrated Approach to Corporate Planning together with the Corporate Strategic Plan Annual Report (2009), be received.

16. **Purchase of Property – (City Wide) (PSB10-066) (Item 9.3)**

(a) That the Hamilton Police Services Board request the City of Hamilton to pursue the purchase of the lands known legally as Part of Lot 1, N. Hughson Survey, in the City of Hamilton;
(b) That as consideration, the amount of $2.00, paid to the owner pursuant to the agreement, be deducted from the purchase price;
(c) That Report PSB10-066 and the financial details of the acquisition, attached as Appendix A to Report PSB10-066, remain confidential until such time as the transaction has been completed by Council;
(d) That the Mayor and Clerk be authorized and directed to execute all necessary documents in a form satisfactory to the City Solicitor.

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17. **Police Marine Unit (City Wide) PSB 10-065 (Item 9.4)**

That Report PSB 10-065 respecting the Hamilton Police Service Marine Unit be received and the Report remain Confidential and restricted from disclosure as it relates to a matter in respect of which Council or Committee may hold a closed meeting under an Act other than the Municipal Act 2001.

18. **International Event Opportunities – 2015 Pan Am Games Update (CM09006(j)) (To be distributed.) (Item 11.1)**

That Report CM09006(j) respecting International Event Opportunities – 2015 Pan Am Games Update be received.

19. **International Event Opportunities – 2015 Pan Am Games Velodrome Business Plan (CM10005(a)) (City Wide) (Added Item 11.1)**

(a) That Council receive the draft Terms of Reference for the Hamilton Velodrome Advisory Committee as outlined in Report CM10005(a).

(b) That Council appoint Councillors Whitehead, McHattie, Powers and Pasuta to sit on the Hamilton Velodrome Advisory Committee.

20. **Matters Related to Lands in the West Harbour Stadium Precinct – White Star Group (Ward 2) LS10017 (Added Item 11.3)**

(a) That Report LS10017 be received for information.

(b) That Report LS10017 remain confidential and not be publicly released as the content relates to potential land acquisition and litigation, and includes communications and advice of a solicitor and client nature.

21. **Expanding Scope of the Longwood Road Class Environmental Assessment Due to Pan-Am Stadium Proposal on the CPR Lands**

Whereas, the Pan Am Stadium has now been proposed for the CPR lands in the area of Aberdeen Avenue and Longwood Road, and;

Whereas, the City of Hamilton currently has an environmental assessment underway for Longwood Road in that vicinity, and;
Whereas, traffic flows from a stadium would considerably affect the functioning of Longwood Road and its vision as a gateway street with bike lanes and pedestrian amenities in conjunction with the McMaster Innovation Park.

Therefore Be It Resolved:

That the scope of the City of Hamilton Longwood Road Class Environmental Assessment be altered to include an evaluation of the traffic impact caused by the proposed Pan Am Stadium.

FOR THE INFORMATION OF COUNCIL:

(a) CHANGES TO THE AGENDA (Item 1)

The Clerk advised of the following changes:

(i) Added delegation requests for today’s meeting:

4.5 Request from Sheri Selway, President of the North End Neighbourhood Association respecting Item 7.2 North End Traffic Management Plan. (Copies distributed)

10.2 Request from Jonathan Dalton, respecting keeping the CP rail yard lands for future employment. (Copies distributed)

10.3 Request from Scott Mitchell and Don May, Tiger-Cats Organization, to provide additional information regarding the Pan Am Stadium report. (Copies distributed)

10.4 Request from Tony Powell, The White Star Group, to address resolution of the completion of the purchase of lands in the West Harbour (Copies distributed)

10.5 Request from Raquel Rakovac, White Star Auto Wreckers, to address personal issues regarding the Bay and Tiffany lands, unresolved issues. (Copies distributed)

(ii) Added Consent Report

5.4 Joint City of Hamilton and Hamilton-Wentworth District School Board (HWDSB) Liaison Committee – MOU Update Report – On-going Relationships and Accomplishments (Copies distributed)
(iii) Changes to the staff presentations:

(i) Item 7.1 There will be no staff presentation respecting the Niagara to GTA Corridor Planning and EA Study Update (PW05054a / PED10213). Staff is in attendance to assist Committee with the Report.

(ii) Item 7.2 Consideration of this Item regarding North End Traffic Management Plan PW08094(a) will be delayed until after the Private and Confidential section as City Counsel wish to speak to Committee in Closed Session prior to Committee considering the Report.

(iv) Added Report

11.2 International Event Opportunities – 2015 Pan Am Games Velodrome Business Plan (CM10005(a)) (City Wide)

(v) Added Private and Confidential Report:

11.2 Whitestar Group – possible land acquisition due to Pan Am Proposal in West Harbour (Requested by COW on September 14, 2010 – OB Item II) (distributed under separate cover)

(vi) Added Notice of Motion from Councillor McHattie

13.1 Request to investigate expanding the West Hamilton Innovation District zoning plan to include the CPR yard lands at Aberdeen Avenue and Longwood Road (Copies distributed)

The agenda was approved, as amended.

(b) DECLARATIONS OF INTEREST (Item 2)

There were no declarations of interest.

(c) APPROVAL OF MINUTES OF PREVIOUS MEETINGS (Item 3.1 to 3.3)

The Committee of the Whole Minutes of the September 14, 16 and 29, 2010 meetings were approved as presented.
(d) DELEGATION REQUESTS (Item 4)

The rules of Order were waived in order to approve the following delegations to address Committee at today's meeting:

(i) Request from John Dolbec, Hamilton Chamber of Commerce, respecting Niagara to GTA Trade Corridor (Respecting Item 7.1) (Item 4.1)

(ii) Request from Sheri Selway, President of the North End Neighbourhood Association respecting Item 7.2 North End Traffic Management Plan. (Added Item 4.5)

(iii) Request from Jonathan Dalton, respecting keeping the CP rail yard lands for future employment. (Added Item 10.2)

(iv) Request from Scott Mitchell and Don May, Tiger-Cats Organization, to provide additional information regarding the Pan Am Stadium report. (Added Item 10.3)

(v) Request from Tony Powell, The White Star Group, to address resolution of the completion of the purchase of lands in the West Harbour (Added Item 10.4)

(vi) Request from Raquel Rakovac, White Star Auto Wreckers, to address personal issues regarding the Bay and Tiffany lands, unresolved issues. (Added Item 10.5)

The following delegations were approved to address the Committee of the Whole at a future meeting:

(i) Request from Loren Leiberman, Festival of Friends, respecting the future of “Festival of Friends” (Item 4.2)

(ii) Request from Charles Bonnaffon, respecting Hamilton Pan Am velodrome project. (Item 4.3)

(iii) Request from Peter Hasek, respecting proposed amendments to the City’s Procedural By-law No. 10-053 (Item 4.4)

(e) PUBLIC HEARINGS/DELEGATIONS

(i) Mark DeNobile, Canadian Football Hall of Fame, to present governance model proposal for the Canadian Football Hall of Fame and Museum (Item 6.1)
(Approved by Committee on September 14, 2010)
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Mark DeNobile addressed Committee and outlined the proposed new governance structure for the Canadian Football Hall of Fame and Museum. Hard copies of his PowerPoint presentation were distributed.

His comments included, but were not limited to, the following:

- Why harmonize terms and process for the City of Hamilton and CFL appointees;
- Current situation;
- Board composition (new model)
- Proposed Terms
- Term of Elected Officers
- Selection Process (new model)

On a motion (Collins/Merulla) Committee received Mr. DeNobile’s presentation and referred it to the Governance Review Sub-Committee for consideration and report back. (See Item 5 of this Report.)

(ii) Rick DiGiantomasso, on behalf of CUPE 5167 Airport members, respecting Hamilton International Airport respecting the company-wide layoff pertaining to security, maintenance and the elimination of the firefighter role (Item 6.2)

Derron Vernon, CUPE 5167 President, addressed Committee and read from a prepared statement, copies of which were distributed. J. P. Miron, Airport Unit V.P., Rick DiGiantomasso, Union Stewart, and Tom Gottlieb, Security Steward also addressed Committee on behalf of CUPE 5167 Airport members expressing concerns with the Hamilton International Airport company-wide layoff and the potential risk to security and maintenance.

The delegations and staff responded to questions posed by the Committee members.

On a motion (McHattie/Merulla) Committee approved the following motion as outlined in Item 6 of this Report:

Whereas, Tradeport International is moving to lay-off most of the trained Airport fire officers, instead using cross-trained officers performing both emergency and maintenance roles, and;

Whereas, City of Hamilton General Manager/Chief Hamilton Emergency Services (HES) Jim Kay has expressed concern about the possible changed role for HES staffing as a result of Tradeport
plans, resulting in a complete reversal of the current HES role, noting that HES is neither trained nor equipped to take on a primary response role, and cannot be put in this position.

Therefore be it resolved:

(a) That City Council request that Tradeport International restore full emergency fire service to Hamilton International Airport immediately;

(b) That City Council send a letter to Transport Canada outlining its concerns and requesting that Transport Canada review the fire safety and security levels at the airport with copies forwarded to all local Members of Provincial (M.P.P.’s);

(c) That City staff continue their dialogue with Tradeport and report back to the Committee of the Whole at its first regularly scheduled meeting after the Election.

This motion CARRIED on the following standing recorded votes:

Yeas: Eisenberger, McHattie, Bratina, Morelli, Merulla, Collins, Pasuta, Duvall, Whitehead, Clark, Pearson, Mitchell, Ferguson, Powers and Jackson

Total: 15

Nays: 0

Absent: McCarthy

Total: 1

(iii) Zach Douglas, President and CEO, McMaster Innovation Park, to provide an update on the current activity and the future plans for McMaster Innovation Park (Item 6.3 (a)) (Presentation at the request of Committee of the Whole on August 10, 2010)

Zach Douglas, President and CEO of McMaster Innovation Park addressed Committee with the aid of a PowerPoint presentation.

His comments included, but were not limited to, the following:

- concept to bring together diverse stakeholders, co-locating them and connecting them
- transformation of knowledge to produce jobs
- Mission Statement of McMaster Innovation Park
- Partnerships
- What is MIP hosting?
- Current anchor tenants and tenants coming in 2010
Committee of the Whole

- Future projects
- Impact on Hamilton and Golden Horseshoe Region

He responded to questions posed by the Committee

(iv) Extension of Demolition Credit for 175 Longwood Road south, Hamilton (FCS10051) (Ward 1) (Item 6.3(b)) (Tabled by Committee of the Whole on August 10, 2010)

On a motion (McHattie/Pearson) Report FCS10051 respecting Extension of Demolition Credit for 175 Longwood Road south, Hamilton was lifted from the table.

On a motion (McHattie/Pearson) the Report was amended by changing the extension to a three years and by adding a subsection (b) requesting an annual report on the progress and the motion was approved as amended as outlined in Item 7 of this Report.

(v) Roger Ward, Team Leader, Transportation Planning Branch, Ministry of Transportation, respecting Niagara to Greater Toronto Area (NGTA) Project (Item 6.4) (Presentation at the request of the Committee – See Item 7.1))

Roger Ward, Team Leader of the Transportation Planning Branch of the Ministry of Transportation made a PowerPoint presentation respecting the Niagara to Greater Toronto Area (INGTA) Project.

A hand-out, brochure and disc were distributed. His comments included, but were not limited to, the following:

- Study Area
- Managing Growth
- Building on Other Initiatives
- Building Block Approach
- Optimize Existing Networks
- New or Improved Non-Road Infrastructure
- Widened Highways
- New Transportation Corridor
- Analysis Approach
- Three Geographic Areas
- Assessment Summary
- West Area Issues
- Highway 401 or Highway 407
- Assessment Summary
- Draft Transportation Development Strategy
- Clarifications on Draft TDS

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• Next Steps

Roger Ward responded to questions posed by the Committee.

On a motion (Ferguson/Pearson) Committee received the presentation.

(f) STAFF PRESENTATIONS

(i) Niagara to GTA Corridor Planning and EA Study Update (PW05054a/PED10213) - (City Wide) (Item 7.1)

There was no staff presentation. Staff were in attendance to assist Committee with the report.

(i) Request from John Dolbec, Hamilton Chamber of Commerce, respecting Niagara to GTA Trade Corridor (Respecting Item 7.1)(Item 4.1)

John Dolbec addressed Committee with respect to the Niagara to GTA Trade Corridor.

His comments included, but were not limited to the following:

• The provincial report is flawed – 40% of GDT comes from trade with the states;
• Creating a trade corridor – this has not been integrated into this study;
• 20 years isn’t long enough – post 2031;
• no protection for the land that constitutes that corridor – land may be gone – 30 years is required

Dan Rodrigues Chair of the Chamber’s Transportation Committee also addressed Committee with respect to the Niagara to GTA Trade Corridor.

His comments included, but were not limited to the following:

• This is a Niagara and GTA study – Hamilton hasn’t been included in this study;
• The study fails to capture the bottlenecks which will result in the central area (St. Catharine and Hamilton);
• The study contradicts economic growth in the City’s Industrial Park;
• Congestion of vehicles contributes to air pollution – not good for fruit lands;
• Absence of consistent application of road use and design;

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Widening of QEW will result in lane reductions during construction – it is preferable to build a new corridor.

Dan Rodrigues responded to questions posed by Committee and confirmed that they are in support of the staff recommendation.

On a motion (Ferguson/Powers) the staff recommendation was amended by adding the following wording to subsection (d)

“and the City of Hamilton is supportive of the short term operational improvements to Highway 403 by widening the median and other methods as outlined in the NGTA presentation hand-out page 26, bullet 2 dated October 12, 2010.”

On a motion (Mitchell/Clark) the staff recommendation was amended by deleting subsection (g) and inserting the following therein:

(g) That the City of Hamilton requests that the MTO provide the City with detailed transportation projections and assessments of the impacts on roadways under the jurisdiction of the City specifically including the Red Hill Valley Parkway and the Lincoln Alexander Parkway with due consideration for operational and maintenance costs that would ultimately be borne by the City.

Subsection (a) of the Main motion carried on the following votes:

Yeas: Eisenberger, Whitehead, Duvall, Merulla, Morelli, Clark, Pearson, Mitchell, Ferguson, Powers and Jackson
Total: 11
Nays: Bratina, McHattie, Pasuta
Total: 3
Absent: Collins, McCarthy,
Total: 2

The Main motion as amended carried on the following votes:

Yeas: Eisenberger, Whitehead, Duvall, Merulla, Morelli, Bratina, Clark, Pearson, Mitchell, Ferguson, Powers and Jackson
Total: 12
Nays: McHattie, Pasuta
Total: 2
Absent: Collins, McCarthy,
Total: 2

At 1:00 p.m. the meeting was recessed until 1:30 p.m.

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PAN AM GAMES

(g) STAFF PRESENTATIONS

(i) International Event Opportunities – 2015 Pan Am Games Update (CM09006(j)) (Item 11.1)

Chris Murray provided an overview of the staff report and a hand-out was distributed. His comments included but were not limited to the following:

- Background – direction to staff
- Hamilton Tiger-Cats - $10 Million over 10 years
- Hostco
- Communications with the Province
- Communications with the Government of Canada
- Communications with CP Rail
- Ivor Wynne Stadium and West Harbour Precincts
- Financial

Rob Rossini provided a financial update with the aid of a PowerPoint presentation and a hand-out was distributed. His comments included but were not limited to the following:

- Estimated Funding Shortfall for proposed Pan Am Stadium
- Other funding requirements
- Available sources of funding
- Memorandum of Understanding City/Tiger-Cats
- Traffic infrastructure estimates
- Stadium operating cost estimates

The Committee’s questions included but were not limited to the following:

- If we commit, will we be required to pay the $500,000 upset limit? What if we do not commit today?
- What is the demolition for?
- Has anyone else come forward with funding – besides the TiCats? Originally the private sector was also supposed to contribute (as per Feb 2009).
- What does the $40.7 million shortfall include?
- How much are the TiCats contributing? What are the financial guarantees of the contribution?
- Who are we communicating with at CP Rail? Will this result in lost jobs?
Will the Tiger-Cats retain the naming rights and ticket surcharges for the entire 20 year agreement?
What is the possibility of also using the site as a soccer facility?
Are the parking requirements now being reduced?
Is the cost of the EA process included?
What is the cost of maintenance?
Will we be paying the Tiger Cats a management fee?
Is the proposed Memorandum of Understanding fair to the taxpayers? What securities are in place to protect the taxpayers?
Don’t disregard the West Harbour site and Ivor Wynn Stadium.
Can the City afford this proposal? Is there an escape clause?
How sure are we that we will be getting money from the senior levels of government?
The $1.2 Million that we are spending on Ivor Wynn, will we be using all of that?
The Pan Am legacy fund – what was that for? If we get it what would we use it for?
How much are the naming rights?
If the CP site is not financially feasible could we consider another site after the election?

On a motion (Clark/Ferguson) Committee received the presentations.

1. Request from Scott Mitchell and Don May, Tiger-Cats Organization, to provide additional information regarding the Pan Am Stadium report. (Added Item 10.3)

Scott Mitchell and Don May made a power point presentation and hand-outs were distributed. Their comments included but were not limited to the following:

- Introduction
- Opportunities
- Tiger-Cats Submission:
  - The Three Pillars
  - Stadium Construction & Operation
  - Stadium Precinct Development
  - Pan Am Community Legacies
  - Building the Legacy together

The questions from the Committee included but were not limited to the following:
• Will there be private sector contributions?
• What is the Tiger Cats goal between now and February to find additional funding?
• How would this proposal compare with what is happening in Winnipeg where there is a large private sector contribution?
• What accessory retail outlets are you proposing?
• The NASL and USL – how do they compare?
• How do you propose covering the stadium?
• If this falls through will the Tiger-Cats continue playing at Ivor Wynn?
• If the Tiger-Cats franchise could not afford the old stadium how can it afford a new stadium?
• What will be the nature of the Tiger-Cats’ assistance in this proposal – besides the financial contribution?
• Will we be able to see the books of the Tiger-Cats franchise?
• Explain the size of the land required for the development?
• Will you be committed and focused on the CP Railway site after the election?
• How do the neighbouring City’s facilities fit into the proposal?

On a motion (Mitchell/Powers) Committee received the presentation.

2. Request from Larry Pattison Jr. respecting Ivor Wynn Stadium and fate of Pan Am Games. (Item 10.1)

Larry Pattison Jr. addressed Committee and read from a prepared statement.

His comments included but were not limited to the following:

• Saw movie Letters to Juliet;
• The stadium is close to their east end home;
• He and his children attached letters to the stadium asking Bob Young to reconsider moving from Ivor Wynn stadium;
• The stadium wall was filling up with other letters;
• We would save money if the Ti-Cats would not move;
• The stadium holds nostalgia for many residents;
• If we do build a new stadium, look long into the future– build one that will last and will earn the affection of the community.

Council – October 13, 2010
3. Request from Jonathan Dalton, respecting keeping the CP rail yard lands for future employment. (Added Item 10.2))

Jonathan Dalton addressed Committee and made a PowerPoint presentation.

His comments included but were not limited to the following:

- He graduated from Mac in the technical field and cannot find a job in his field;
- Council should focus on jobs not stadiums;
- Alternatives to use the future fund money to create jobs;
- Stadium building as economic development – there are issues with this effort;
- Some studies show it is not a good use of public money;
- Public funded stadiums have no economic impact on the city;
- Some things do work – McMaster Innovation Park, the CAN met materials lab, etc.;
- Better use of CP Rail yard;
- Other Canadian cities are improving their transit systems;
- We need to improve the downtown;
- Let’s fix the stadium we have and fix the downtown to attract investment.

On a motion (Pearson/Mitchell) Committee received both presentations.

On a motion (Ferguson/Powers) Committee received the staff report.

This motion carried on the following votes:

Yeas: Eisenberger, Whitehead, Bratina, Collins, Duvall, Morelli, Clark, Pearson, Mitchell, Ferguson, Powers, Jackson and Pasuta

Total: 13

Nays: McHattie, Merulla

Total: 2

Absent: McCarthy

Total: 1
(h) International Event Opportunities – 2015 Pan Am Games Velodrome Business Plan (CM10005(a)) (City Wide) (Added Item 11.1)

Subsection (a) of this recommendation carried on the following votes:

<table>
<thead>
<tr>
<th>Yeas</th>
<th>Whitehead, Bratina, Duvall, Clark, Pearson, Mitchell, Ferguson, Powers and Jackson and Pasuta, McHattie</th>
</tr>
</thead>
<tbody>
<tr>
<td>Total:</td>
<td>12</td>
</tr>
<tr>
<td>Nays:</td>
<td>Merulla, Collins and Morelli</td>
</tr>
<tr>
<td>Total:</td>
<td>3</td>
</tr>
<tr>
<td>Absent:</td>
<td>McCarthy,</td>
</tr>
<tr>
<td>Total:</td>
<td>1</td>
</tr>
</tbody>
</table>

(i) Matters Related to Lands in the West Harbour Stadium Precinct – White Star Group (Ward 2) LS10017 (Requested by COW on September 14, 2010 – OB Item II) (Added Item 11.3)

(i) Request from Raquel Rakovac, White Star Auto Wreckers, to address personal issues regarding the Bay and Tiffany lands, unresolved issues. (Added Item 10.5)

Rachel Rakovac addressed Committee and read from a prepared statement. Her family business is affected by the City’s lack of action and she urged the City to resolve the situation.

(ii) Request from Tony Powell, The White Star Group, to address resolution of the completion of the purchase of lands in the West Harbour (Copies distributed) (Added Item 10.4)

Mr. Powell indicated that on September 14, 2010, Committee referred the matter to staff. He requested that Council deal with this issue before the new Term.

On a motion (Ferguson/Mitchell) Committee received both delegations.

Mayor Eisenberger relinquished the Chair to Councillor Collins and left the meeting.

(j) PRIVATE AND CONFIDENTIAL

On a motion (Pasuta/Whitehead) Committee moved in Closed Session at 6:00 p.m. to discuss private and confidential matters relating to personal matters about identifiable individuals, proposed or pending acquisition or disposition of lands for City purposes, litigation or potential litigation, including matters before administrative tribunals, affecting the City, the receiving of advice that is subject to solicitor-client privilege, and a matter
in respect of which Council or a Committee may hold a closed meeting under an Act other than the Municipal Act, 2001 in accordance with Section 239 of the Municipal Act and Sub-Sections (b), (c), (e) (f) and (g) of Item 8.1 of the City’s Procedural By-law:

At 7:00 p.m. Committee lost quorum in Closed Session and the meeting was adjourned.

The meeting reconvened (Duvall/Pasuta) at 4:20 p.m. on October 13, 2010.

(k) North End Traffic Management Plan PW08094(a) (Ward 2) (Referred from Public Works Committee, October 4, 2010) (Item 7.2)

(i) Request from Sheri Selway, President of the North End Neighbourhood Association respecting Item 7.2 North End Traffic Management Plan. (Added Item 4.5)

Chris Pearson and Sheri Selway addressed Committee.

Chris Pearson made a PowerPoint presentation and his comments included, but were not limited to the following:

- North End Neighbourhood Association;
- Located in 1.5 square kilometres in the centre of Hamilton;
- The neighbourhood has narrow sidewalks, tiny front yards – these are important areas to socialize and meet with neighbours;
- The community is small – about ten blocks;
- It’s a great asset to downtown;
- Families with children live in the neighbourhood;
- Large volume of cars travel through the neighbourhood;
- Why 30k speed limit?
- Will not survive as a neighbourhood if the speed limit is not reduced;
- It is a quality of life issue;
- Aim is to have a child/family friendly neighbourhood;
- Have done their own research and spoke to City experts;
- This is a proposed pilot project;
- Want 30k speed limit on all the streets in the neighbourhood.

They responded to questions posed by Committee.

On a motion (Clark/Pasuta) Committee received the delegation.
(ii) Staff presentation respecting the North End Traffic Management Study.

Justin Readman provided an overview of the staff report with the aid of a PowerPoint presentation and copies were distributed. His comments included but were not limited to:

- North End Traffic Preferred Strategy;
- Staff recommendation.
- Amendment at the Public Works Committee.

Staff responded to questions posed by Committee.

On a motion (Pearson/Collins) the Committee received the staff presentation.

(I) PRIVATE AND CONFIDENTIAL

On a motion (Pearson/Clark) Committee moved in Closed Session at 5:05 p.m. to discuss private and confidential matters relating to personal matters about identifiable individuals, proposed or pending disposition of lands for City purposes, litigation or potential litigation, including matters before administrative tribunals, affecting the City, the receiving of advice that is subject to solicitor-client privilege, and a matter in respect of which Council or a Committee may hold a closed meeting under an Act other than the Municipal Act, 2001 in accordance with Section 239 of the Municipal Act and Sub-Sections (b), (c), (e) (f) and (g) of Item 8.1 of the City’s Procedural By-law:

Mayor Eisenberger relinquished the Chair in Closed Session to Deputy Mayor Duvall and left the meeting.

On a motion (Pearson/Powers) Committee reconvened in open session at 7:05 p.m. and reported the following:

(i) North End Traffic Management Plan PW08094(a) (Ward 2) (Referred from Public Works Committee, October 4, 2010) (Item 7.2

Direction was given to staff in closed session. For disposition of this Item see Item 9 of this report. The original staff recommendation was approved and the Committee took no action with respect to the amended recommendation from the Public Work’s Committee.

Councillor Bratina requested that his opposition to subsection (c) of this recommendation be recorded.
Councillor Mitchell requested that his opposition to subsection (e) of the recommendation be recorded.

(ii) **Closed Session Minutes – September 14, 2010 (Distributed under separate cover) (Item 9.1)**

That the Minutes of the September 14, 2010 closed session meetings be approved and remain confidential and restricted from public disclosure, in accordance with exemption provided in the Municipal Freedom of Information and Protection of Privacy Act.

(iii) **Closed Session Minutes – September 29, 2010 (Distributed under separate cover) (Item 9.2)**

That the Minutes of the September 29, 2010 closed session meetings be approved and remain confidential and restricted from public disclosure, in accordance with exemption provided in the Municipal Freedom of Information and Protection of Privacy Act.

(iv) **Purchase of Property – (City Wide) (PSB10-066) (Item 9.3)**

Direction was provided to staff in closed session and for further disposition of this matter, see Item 16 of this Report.

(v) **Police Marine Unit (City Wide) (PSB 10-065) (Distributed under separate cover) (Item 9.4)**

For disposition of this matter, see Item 17 of this Report.

(vi) **Settlement of Court Action No. 04-12153 Report No. LS10016 (City Wide) (Distributed under separate cover) (Item 9.5)**

Direction was given to staff in Closed Session with nothing to report in Open Session.

(vii) **Matters Related to Lands in the West Harbour Stadium Precinct – White Star Group (Ward 2) LS10017 (Added Item 11.3)**

For disposition of this matter, see Item 20 of this Report.

(m) **Corporate Cellular Device Management Policy (FCS10090) (City Wide) (City Wide) (Item 8.5)**

On a motion (Feguson/Pearson) the staff recommendation was amended by adding a subsection (c) as follows:
(c) That implementation of this Policy not result in a loss of the $134,000 net savings nor in the hiring of an additional FTE’s.

The staff report was approved as amended.

(n) MOTIONS

(i) West Harbour Stadium Site (Item 12.1)

Councillor McHattie withdrew his motion as it is out of order.

(ii) The Pearl Company – Special Policy for Arts and Culture (Added Item)

On a motion (Clark/Powers) the rules of Order were waived to introduce a motion respecting the Pearl Company.

At the request of the Committee members and staff, Councillor Bratina decided to withdraw his motion to amend the wording and present it to Council as a motion.

(o) NOTICES OF MOTION

(i) On a motion (Whitehead/Jackson) the following Notice of Motion was TABLED:

Request to investigate expanding the West Hamilton Innovation District zoning plan to include the CPR yard lands at Aberdeen Avenue and Longwood Road (Added Item 13.1)

Whereas, the McMaster Innovation Park and West Hamilton Innovation District is deemed to be small by research park industry standards, and;

Whereas, Hamilton economy of the future will be based on innovation and high technology industries, proving many well-paid jobs, and;

Whereas, the CPR yard at Aberdeen and Longwood is now available for sale and re-purposing.

Therefore,

That staff investigate expanding the West Hamilton Innovation District zoning plan to include the CPR yard lands at Aberdeen Avenue and Longwood Road.
There being no further business, the meeting adjourned at 7:20 p.m. on October 13, 2010.

Respectfully submitted,

Mayor F. Eisenberger
Committee of the Whole

Ida Bedioui
Legislative Assistant
October 12 & 13, 2010