Mayor Bratina called the meeting to order and called upon Pastor David Roberts, to lead Council in prayer.

Mayor Bratina welcomed the Cadet Group of the Argyll & Sutherland Highlanders of Canada along with their Training Officer Mr. McGlashen to the meeting.

**APPROVAL OF THE AGENDA**

The Clerk advised of the following re-ordering of the agenda:

6.2 Planning Committee Report

6.3 Board of Health Report

(Ferguson/Pasuta)

That the agenda for the September 26, 2012 meeting of Council be approved, as amended.

CARRIED
DECLARATIONS OF INTEREST

Councillor Ferguson declared an interest in Item 5, Accessible Taxicab Licensing (PED10063(e)) (City Wide), of the Planning Committee Report 12-014 as his family is involved in the taxicab industry.

Councillor Ferguson declared an interest in Item 4, Food Safety Inspection Standards (BOH12019) (City Wide), of the Board of Health Report 12-007 as his family is involved in the restaurant business.

Councillor Farr declared an interest in Item 2, Rothsay Avenue District Flood Remediation Class Environmental Assessment (PW12066) (Ward 3), of the Public Works Committee Report 12-10 as he lives on the subject street.

CEREMONIAL ACTIVITIES/ANNOUNCEMENTS

APPROVAL OF MINUTES

4.1 September 12, 2012

(Pearson/Johnson)
That the Minutes of the September 12, 2012, meeting of Council be approved, as presented.

CARRIED

COMMUNICATIONS

(Partridge/Pasuta)
That Council Communications 5.1 through 5.5 be approved, as follows:

5.1 Correspondence from Robert G. McConkey, Executive Director Habitat for Humanity Hamilton, respecting World Habitat Day, October 1, 2012.

Recommendation: Be received. (Pearson/Johnson)

5.2 Correspondence from Doug Stone, Vice-Chair of Canadian Association of Retired Persons, Hamilton Chapter 34, respecting National Seniors Day, October 1, 2012.

Recommendation: Be received referred. (Jackson/Collins)

5.3 Correspondence from Don Head, Commissioner Correctional Services Canada respecting Restorative Justice Week 2012, November 18th – 25th.

Recommendation: Be received. (Jackson/Collins)
5.4 Correspondence from Fred Hahn, President of CUPE Ontario and Sheila Olan-MacLean, President of OCBCC, respecting Child Care Worker and Early Childhood Educator Appreciation Day, October 24, 2012.

Recommendation: Be received. (Ferguson/Pearson)

5.5 Correspondence from Larry Flynn, Senior Vice-President Gaming, Ontario Lottery and Gamming Corporation, respecting a referendum.

Recommendation: Be received. (Powers/Pasuta)

(Jackson/Collins)
That Council move into Committee of the Whole for consideration of the Committee Reports.

CARRIED

PUBLIC WORKS COMMITTEE REPORT 12-010

1. Halton Hills Resolution Respecting Paving of (Provincial) Highway Shoulders (PW12067) (City Wide) (Item 8.1)

The motion CARRIED on the following vote:

Yeas: Bratina, Collins, Farr, Duvall, Jackson, Johnson, Merulla, Morelli, Ferguson, Partridge, Pasuta, Pearson, McHattie, Powers and Whitehead
Total: 15
Nays: Clark
Total: 1

3. Council Resolution for Feed In Tariff Projects in the City of Hamilton (PW12069) (City Wide) (Item 8.3)

The motion CARRIED on the following vote:

Yeas: Bratina, Collins, Farr, Duvall, Jackson, Johnson, Merulla, Morelli, Ferguson, Partridge, Pasuta, Pearson, McHattie, Powers and Whitehead
Total: 15
Nays: Clark
Total: 1

(McHattie/Farr)
That the TENTH Report of the Public Works Committee be adopted, and the information section received. (attached hereto)

CARRIED
2. **Request to Designate 437 Wilson Street East (Ancaster) Under Part IV of the Ontario Heritage Act (PED12166) (Ward 12) (Item 5.1)**

   *(Ferguson/Collins)*

   That item 2 respecting, Request to Designate 437 Wilson Street East (Ancaster) Under Part IV of the Ontario Heritage Act (PED12166), be referred back to the Planning Committee to allow the Ward Councillor to meet with Heritage staff and the leadership of Mount Mary.

   CARRIED

4. **Application for an Amendment to Stoney Creek Zoning By-law No. 3692-92 for the Property Located at 455 Jones Road (Stoney Creek) (PED12169) (Ward 11) (Item 6.1)**

   *(Johnson/Ferguson)*

   That item 4 respecting, Application for an Amendment to Stoney Creek Zoning By-law No. 3692-92 for the Property Located at 455 Jones Road (Stoney Creek) (PED12169), be referred back to the Planning Committee.

   CARRIED

5. **Accessible Taxicab Licensing (PED10063(e)) (City Wide) (Item 8.2)**

   *(Clark/Collins)*

   (a) That Council endorses the release of three new accessible taxicab licenses for 2012 in accordance with Schedule 25 of the By-law 07-170;

   (b) That item 5 respecting, Accessible Taxicab Licensing (PED10063(e)), be referred back to the Planning Committee.

   CARRIED

   *(Farr/Collins)*

   That Item (f) (ii) be lifted from the Information Section and added as Item 7 to Planning Committee Report 12-014.

   CARRIED

7. **Review of Denied Application ZAR-11-034 for Lands Known as 121 Augusta Street (Hamilton) (PED12002(a)) (Ward 2) (Item 8.3)**

   *(Farr/Collins)*

   (a) That Report PED12002(a) be presented to the Ontario Municipal Board as the City’s written recommendations further supporting the Denial of ZAR-11-034 for 121 Augusta Street (Hamilton) given the proposal, as intended, would entrench an undesirable institutional use in an area of Hamilton intended for residential development and, as such, the proposal does not
conform to the Hamilton Official Plan and Urban Hamilton Official Plan, and does not represent good planning.

(b) That the information contained in Report PED12002(a) be endorsed and the City of Hamilton’s position on the denied Application ZAR-11-034 for 121 Augusta Street be reaffirmed with respect to its previous decision.

The motion CARRIED on the following vote:

Yeas: Bratina, Collins, Farr, Duvall, Jackson, Johnson, Merulla, Morelli, Ferguson, Partridge, McHattie, Powers
Total: 12
Nays: Clark, Whitehead, Pearson, Pasuta
Total: 4

(Clark/Johnson)
That the FOURTEENTH Report of the Planning Committee be adopted, as amended, and the information section received. (attached hereto)

CARRIED

BOARD OF HEALTH REPORT 12-007

(Bratina/Partridge)
That the SEVENTH Report of the Board of Health be adopted, and the information section received. (attached hereto)

CARRIED

GENERAL ISSUES COMMITTEE REPORT 12-025


(Bratina/Partridge)
That Item 8 of General Issues Committee Report 12-025 be amended through the addition of a sub-section (b) to read as follows.

(b) That the following Members of Council be appointed to the Gaming Facility Proposal Sub-Committee:

(i) Mayor R. Bratina
(ii) Councillor R. Pasuta
(iii) Councillor S. Merulla
(iv) Councillor J. Partridge
(v) Councillor T. Whitehead

CARRIED
(Ferguson/Farr)
That Item 8 of the General Issues Committee Report 12-025 be amended by adding the following as sub-section (c):

(c) That staff be directed to bring a report back to the first meeting of the Gaming Facility Proposal Sub-Committee outlining cost implications for gauging public input including, but not limited to:

(i) Telephone Polls;
(ii) Web Surveys;
(iii) Mail Outs;
(iv) Question Ballot;
(v) Independent Referendum;
(vi) Public Meeting.

CARRIED

(Bratina/Partridge)
That the TWENTY-FIFTH Report of the General Issues Committee be adopted, as amended, and the information section received. (attached hereto)

CARRIED

(Jackson/Collins)
That the Committee of the Whole Rise and Report.

CARRIED

MOTIONS

7.1 Amendment to Item 12 of General Issues Committee Report 12-022

(Farr/McHattie)
That Item 12 of General Issues Committee Report 12-022 be amended through the addition of a sub-section (g) to read as follows:

12. Amendment to Area Rating Capital Re-Investment Reserves – 2012 Projects

(g) That an appropriate by-law to amend By-law 01-169 be passed to include the East end of Strachan Open Space as a free run leash free location.

CARRIED
7.2 Objection to Application for Changes or Additions to Existing Liquor Licensed Area - 1704343 Ontario Limited o/a Aout ‘n About, 21 Augusta Street, Hamilton, Ontario, L8N 1P6

(Farr/McHattie)
Whereas, Aout ‘n About at 21 Augusta Street, Hamilton has applied for an increase to the Occupancy of their existing liquor licensed area within their establishment;

And Whereas, under Section 7.1 (1) of the Alcohol and Gaming Commission of Ontario's legislation, they shall consider a resolution of Council of the municipality, in which are located the premises for which a person makes an application to sell liquor or holds a license to sell liquor, as proof of the needs and wishes of the residents of the municipality for the purposes of clause 6 (2) (h) of the Act;

And Whereas, due to concerns from Hamilton Police Services and comments submitted by the City’s Building Department attached hereto;

Therefore, be it resolved:

That the Alcohol and Gaming Commission of Ontario (AGCO) be advised that based on the concerns noted by Hamilton Police Services and the comments by the Hamilton Building Department, the City of Hamilton objects to the said application for a change to the Existing Liquor Licensed area which would increase the Occupancy of the existing liquor licensed area of this establishment.

CARRIED

7.3(a) Item 8 – Planning Committee Report 12-013 respecting Proposed Settlement of OMB appeal regarding Zoning By-law Amendment Application ZAC-11-019 by 1340791 Ontario Ltd., affecting lands municipally known as 121 Fiddlers Green Road in the former municipality of Ancaster (LS12027) (Item 12.1) (Tabled from Council September 26, 2012)

(Clark/Pearson)
That Report LS12027 referred to in Item 8 of Planning Committee Report 12-013, respecting the Proposed Settlement of OMB appeal regarding Zoning By-law Amendment Application ZAC-11-019 by 1340791 Ontario Ltd., affecting lands municipally known as 121 Fiddlers Green Road in the former municipality of Ancaster, be lifted from the table.

CARRIED

(Clark/Ferguson)
That the following recommendations from Report LS12027 referred to in Item 8 of Planning Committee Report 12-013 be withdrawn as an alternate outside professional Planner has been hired to represent the City at the Ontario Municipal Board in support of Council’s original recommendation to deny the application:
7.3(b) Proposed Settlement of OMB appeal regarding Zoning By-law Amendment Application ZAC-11-019 by 1340791 Ontario Ltd., affecting lands municipally known as 121 Fiddlers Green Road in the former municipality of Ancaster (LS12027)

(a) That the modified development proposal and associated Minutes of Settlement submitted as a basis for settlement of the appeal of zoning by-law amendment application ZAC-11-019 by 1340791 Ontario Ltd., affecting lands municipally known as 121 Fiddlers Green Road in the former municipality of Ancaster, attached as Appendix A to report LS12027, be approved;

(b) That the City Solicitor or his designate be authorized to execute the Minutes of Settlement on behalf of the City with such minor revisions thereto as the City Solicitor or his designate deem necessary;

(c) That the Minutes of Settlement on page 3 be amended to include two additional conditions as 3. (h) and 3. (i), and that upon Council approval of the proposed settlement between the City of Hamilton and 1340791 Ontario Ltd. respecting their appeal of zoning by-law amendment application ZAC-11-019 in the former municipality of Ancaster, the Minutes of Settlement, attached as Appendix “A”, as amended, to Report LS12027, be released as a public document;

(d) That Report LS12027 and the memorandum from the external planning consultant, attached as Appendix B to Report LS12027 remain confidential and be released as a public document at the conclusion of the OMB proceeding.

CARRIED

NOTICES OF MOTION

STATEMENT BY MEMBERS

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

PRIVATE AND CONFIDENTIAL

10.1 Closed Session Minutes –September 12, 2012

(Ferguson/Whitehead)

(a) That the Closed Session Minutes of the September 12, 2012 meeting of Council be approved, as presented;
(b) That the Closed Session Minutes of the September 12, 2012 meeting of Council, remain confidential and restricted from public disclosure.

CARRIED

10.2 Aeropark Industrial Lands – Waiver of Commencement and Completion of Construction Dates (PED05136(b)) (Ward 11 & City Wide) (Tabled from September 12, 2012 meeting of Council) (Note: this item was not considered in closed session)

(Partridge/Pearson)
(a) That the Offer to Purchase the lands known as Part of Lot 5, Concession 3, Township of Glanford designated as Part 1, Plan 62R-12209 and Parts 7, 13, 19, 20, 25, 26 and 27, Plan 62R-12459, municipally known as 2530 Highway No. 6, formerly in the Township of Glanbrook, now in the City of Hamilton, duly executed by the Purchaser, Orlick Industries Limited, on April 12, 2000 and approved by Regional Council on December 21, 1999, Item 1 of Report 8-99 of the Economic Development and Tourism Committee, be amended as follows:

(i) That clause 8.7 dealing with the commencement of construction date of May 2, 2006 be deleted;

(ii) That Clause 8.8 dealing with the completion of construction date by November 30, 2007 be deleted;

(b) That the City Solicitor take all necessary steps to remove the Restrictive Covenants, which are registered as Instrument No. LT606655, from title to the subject lands;

(c) That recommendations (a) and (b) above not be processed until the proponent executes the required Aeropark Industrial Lands Development Agreement, including payment of securities to service the property;

(d) That Report PED05136(b), except for recommendations (a), (b) and (c), remain a confidential document.

CARRIED

(Pearson/Ferguson)
That Council move into Closed Session at 8:34 p.m. to consider Agenda Items 10.3, 10.3.1 and 10.4 respecting litigation or potential litigation, including matters before administrative tribunals, affecting the City, and advice that is subject to solicitor-client privilege, including communications necessary for that purpose. Pursuant to Sections 239 (c), (e) and (f) of the Municipal Act 2001 and Sections 8.1 (c), (e) and (f) of the Procedural By-law.

CARRIED
10.3 Urban Hamilton Official Plan Proposed Settlements and Legal Direction (LS12024) (referred from Planning Committee, September 18, 2012)

&

10.3.1 Urban Hamilton Official Plan Proposed Settlements and Legal Direction (LS12024(a))

(Ferguson/Johnson)
That reports 10.3 and 10.3.1 respecting Urban Hamilton Official Plan Proposed Settlements and Legal Direction, be referred back to planning.

CARRIED

10.4 OMB Decision 1125-1143 Wilson Street - Authorization to file a motion for leave to appeal to the Divisional Court and file a request for review to the OMB (no copy)

(Johnson/Ferguson)
That legal counsel for the City be authorized to serve and file a motion for leave to appeal to Divisional Court and be authorized to file with the Ontario Municipal Board a request for review pursuant to s.43 of the Ontario Municipal Board Act and report back to Planning Committee with applicable further recommendations.

CARRIED

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**BY-LAWS**

(Pasuta/Ferguson)
That Bills No. 213 to 216 attached hereto, be passed, that the Corporate Seal be affixed thereto, and that the By-laws be numbered and signed by the Mayor and the City Clerk and read as follows:

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**Bill No.**

213 To Incorporate City Land Designated as Block 56 on Plan 62M-1074 into Fletcher Road

214 To Incorporate City Land Designated as Block 55 on Plan 62M-1074 into Fletcher Road

215 To Amend Zoning By-law No. 3692-92 (Stoney Creek), Respecting the Property Located at 341 Regional Road 20

216 To Confirm the Proceedings of City Council

CARRIED

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(Pearson/Ferguson)
That, there being no further business, the City Council meeting be adjourned at 9:14 p.m.

CARRIED
Respectfully submitted,

Mayor B. Bratina

R. Caterini, B. Comm., AMCT
City Clerk
Office of the City Clerk
THE PUBLIC WORKS COMMITTEE PRESENTS REPORT 12-010 AND RESPECTFULLY RECOMMENDS:

1. Halton Hills Resolution Respecting Paving of (Provincial) Highway Shoulders (PW12067)(City Wide) (Item 8.1)

(a) That the City of Hamilton supports the Ontario Legislature Bill 9 “Public Transportation and Highway Improvement Amendment Act, 2011” which would require the Ministry of Transportation (MTO) to construct paved shoulders on “prescribed” Provincial highways only;

(b) That the City of Hamilton encourages the Province to consider a minimum width of 1.5m for paved shoulders given that posted speed limits are typically 80 km/hr on such roadways;

(c) That a copy of the report be sent to the Ontario Minister of Transportation, and copy MPP Norm Miller, Monika Turner of the AMO, the Clerk of Carling Township and the Clerk of the Regional Municipality of Halton.
2. Rothsay Avenue District Flood Remediation Class Environmental Assessment (PW12066) (Ward 3)(Item 8.2)

(a) That the Rothsay Avenue District Flood Remediation Class Environmental Assessment Study be received;

(b) That the General Manager, Public Works Department be authorized and directed to file the study report with the Municipal Clerk for a minimum thirty (30) day public review;

(c) That upon completion of the minimum thirty (30) day public review period and subject to capital budget approval, the General Manager, Public Works Department be authorized and directed to proceed with detailed design and implementation of the preferred solution of the Class Environmental Assessment study, provided that no Part 2 Order by the Minister of Environment is received.

3. Council Resolution for Feed In Tariff Projects in the City of Hamilton (PW12069)(City Wide)(Item 8.3)

(a) That the City of Hamilton supports the Ontario Power Authority's (OPA) new Feed in Tariff Program Version 2.0 for the construction and operation of roof mounted solar photovoltaic installations within the City of Hamilton;

(i) That the purpose of this support is to enable the participants in the FIT Program to receive priority points under the FIT Program and may not be used for the purpose of any other form of municipal approval in relation to the Application or Projects or any other purpose.

(b) That staff be directed to create a process to expedite applications for ground mounted installations to be dealt with on an individual basis and for Council approval.

4. Installation of a full traffic signal at the intersection of Rymal Road and Springside/Atessa (Item 9.1)

(a) That a full traffic signal be installed at the intersection of Rymal Road and Springside/Atessa;

(b) That staff be directed to investigate funding an additional $200,000 in the 2013 Public Works Capital budget process to fund the construction of the traffic signal;
(c) That the $5,000.00 annual cost to operate and maintain the traffic signal be added to Traffic Operations current operating budget dept ID 466045, to cover the cost of electricity to operate the signal, and the maintenance and legislated inspections at the new traffic signal.

5. All-way Stop at Barton Street West and Crooks Street North (Item 9.2)

(a) That an all-way stop be installed at the intersection of Barton Street West and Crooks Street North;

(b) That the appropriate amending by-law be passed.

6. Installation of rolled curbs on Thunderbird Court and Glen Forest Drive (Added Item 10.2 & 9.3)

(a) That an additional 18 Rolled curb locations on Thunderbird Court and Glen Forest Drive be added to the 2012 reconstruction list at the estimated cost of $50,000;

(b) The work be funded from the Ward 5 Area Reserve Account.

FOR THE INFORMATION OF COUNCIL:

(a) CEREMONIAL ACTIVITIES

(i) Association of Municipalities of Ontario Peter J. Marshall Awards 2012

(a) Processing Digester Gas to Natural Gas Project

Chair McHattie presented Dan McKinnon Director of Water and Wastewater Operations with the P.J. Marshall Certificate of Merit for enhancements to the Woodward Avenue Wastewater Treatment Plant. The Woodward Avenue Wastewater Treatment Plant enhancements will mean that in addition to producing electricity and heat from its digesters, it will also produce natural gas – a unique twist and expansion of an already leading edge use of technology. The product will be used in City natural gas vehicles and injected into the local grid operated by Union Gas.

(b) Transit Inventory Management Services (TIMS) Project

Chair McHattie presented Doug Murray, Manager, Transit Fleet Maintenance and Mark Selkirk, Vehicle Maintenance Supervisor with the P. J. Marshall Innovation Award for the Transit Inventory
Management Services project. This project is the first initiative involving the consolidation of parts procurement for multiple transit authorities through a single supplier in North America. The City of Hamilton, along with the Regions of Waterloo and York, the Cities of Brampton and Burlington, the Town of Oakville, and the London Transit Commission, jointly received the P. J. Marshall Innovation Award which recognizes municipal governments who have demonstrated excellence in the use of innovative approaches to improve capital and/or operating efficiency, and to generate effectiveness through alternative service delivery initiatives and partnerships.

(ii) American Public Works Association Award – East Hamilton Waterfront Trail Link Multi Use Pedestrian Bridge

Chair McHattie congratulated Gary Moore, Director of Engineering Services, Rob Norman, Acting Director Environment and Sustainable Infrastructure, Marco Oddi, Senior Project Manager and Steve Barnhart, Acting Manager, Environment and Sustainable Infrastructure on their recent award from the American Public Works Association. Staff recently travelled to California where they received the award for Project of the Year in Transportation for projects greater than $5M but less than $25M for the East Hamilton Waterfront Trail Link Multi-Use Pedestrian Bridge.

(b) CHANGES TO THE AGENDA (Item 1)

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

4.1 Delegation Request by Sharon Martin of Certified Solar, respecting agenda Item 8.3, Report PW12069 – Council Resolution for Feed In Tariff Projects in the City of Hamilton

10.1 Part-time flashing school zone speed limit on Cannon Street East abutting Queen Mary School

The Agenda was approved, as amended.

(c) DECLARATIONS OF INTEREST (Item 2)

None
(d) MINUTES (Item 3)

(i) September 4, 2012 (Item 3.1)

The Minutes of the September 4, 2012 Public Works Committee were approved as presented.

(e) DELEGATION REQUESTS (Item 4)

(i) Delegation Request by Sharon Martin of Certified Solar, respecting agenda Item 8.3, Report PW12069 – Council Resolution for Feed In Tariff Projects in the City of Hamilton (Item 4.1)

The Delegation Request by Sharon Martin of Certified Solar, respecting agenda Item 8.3, Report PW12069 – Council Resolution for Feed In Tariff Projects in the City of Hamilton was approved to be heard today.

Chair McHattie indicated that the delegation would be heard when we reached item 8.3 on the agenda.

(f) CONSENT ITEMS (Item 5)

(i) Minutes of Various Sub-Committee (FOR INFORMATION PURPOSES ONLY) (Item 5.1)

The following Advisory and Sub-committee Minutes were received for information:

Glanbrook Landfill Coordinating Committee
(a) February 27, 2012
(b) May 28, 2012

(ii) Halton-Hamilton Source Protection Committee (Item 5.2)

The following Halton-Hamilton Source Protection Committee Minutes were received for information:

(a) February 21, 2012
(b) May 1, 2012
(g) PUBLIC HEARINGS/DELEGATIONS (Item 6)

(i) Delegation by David Forsee respecting the condition of City roads and streets (Item 6.1)

Mr. Forsee addressed the Committee respecting the condition of City roads and streets. He provided them with a handout that outlined the points he raised. A copy of the handout has been included in the official record.

On a Motion, staff were directed to update the Public Works Committee respecting Risk Management claims for vehicular damage caused by road conditions and to include details respecting whether claims and payouts in this area have increased due to the infrastructure deficit.

The delegation by David Forsee, respecting the condition of City roads and streets, was received.

(ii) Delegation by Bill Warnick respecting the City’s policies and signage for through streets (referred from Planning Committee August 14, 2012) (Item 6.2)

Mr. Warnick was not in attendance. Chair McHattie indicated that he would be rescheduled for a future meeting of the Public Works Committee.

(h) PRESENTATIONS (Item 7)

(i) Annual Update from the Hamilton Cycling Committee (no copy) (Item 7.1)

Andrea Kita, Chair of the Hamilton Cycling Committee addressed the Committee with the aid of a Power Point Presentation a copy of which has been included in the official record.

Chair Kita discussed the volunteer work done and the efforts they have done in terms of community outreach and awareness campaigns. She discussed the successes they have seen and positive feedback that the Committee is receiving.

The presentation from the Hamilton Cycling Committee, was received.
(ii) **Wastewater Treatment Plant Influent Contaminant Reduction (no copy)**

Dave Albeton, Supervisor, Environmental Monitoring Operations addressed the Committee with the aid of a Power Point Presentation a copy of which has been included in the official record.

He discussed the extremely positive work done by U.S Steel, Records Canada incorporated and other large industry users in terms of reducing the Wastewater Treatment Plant Influent Contaminant.

The presentation respecting the Wastewater Treatment Plant Influent Contaminant Reduction was received.

(i) **DISCUSSION ITEMS (Item 9)**

(i) **Council Resolution for Feed In Tariff Projects in the City of Hamilton (PW12069)(City Wide)(Item 8.3)**

(i) **Delegation Request by Sharon Martin of Certified Solar, respecting agenda Item 8.3, Report PW12069 – Council Resolution for Feed In Tariff Projects in the City of Hamilton (Item 4.1)**

Sharon Martin, of Certified Solar addressed the Committee with the Aid of a handout and spoke in favour of the recommendations of Report PW12069.

The delegation by Ms. Martin respecting agenda Item 8.3, Report PW12069 – Council Resolution for Feed In Tariff Projects in the City of Hamilton, was received.

On a Motion sub-section (a) was amended to include the phrase ‘roof mounted’ after ‘operation of’ and the addition of a new sub-section (b) to read in it’s entirety as follows:

(a) That the City of Hamilton supports the Ontario Power Authority's (OPA) new Feed in Tariff Program Version 2.0 for the construction and operation of roof mounted solar photovoltaic installations within the City of Hamilton;

(i) That the purpose of this support is to enable the participants in the FIT Program to receive priority points under the FIT Program and may not be used for the purpose of any other form of municipal approval in relation to the Application or Projects or any other purpose.
(b) That staff be directed to create a process to expedite applications for ground mounted installations to be dealt with on an individual basis and for Council approval.

(j) MOTIONS (Item 9)

(i) Installation of a full traffic signal at the intersection of Rymal Road and Springside/Atessa (Item 9.1)

For disposition on this matter refer to Item 4.

(ii) All-way Stop at Barton Street West and Crooks Street North (Item 9.2) (Item 9.2)

For disposition on this matter refer to Item 5.

(k) NOTICES OF MOTION (Item 10)

Councillor Merulla introduced the following Notice of Motion

(i) Part-time flashing school zone speed limit on Cannon Street East abutting Queen Mary School (Item 10.1)

(a) That a part-time flashing school zone speed limit be implemented on Cannon St abutting Queen Mary School, 1292 Cannon Street East;

(b) That funding of approximately $17,000 for the associated costs of purchasing and installing the flashing beacon equipment and signs be charged to Account Ward 4 Capital Reinvestment Reserve;

(c) That the $2,000 annual cost to operate and maintain the school zone flashers under the Traffic Operations current operating budget (dept ID 466045), be referred to the 2013 Budget process;

(d) That the appropriate amending by-law be passed.

Councillor Collins introduced the following Notice of Motion
(ii) Installation of rolled curbs on Thunderbird Court and Glen Forest Drive (Added Item 10.2)

(a) That an additional 18 rolled curb locations on Thunderbird Court and Glen Forest Drive be added to the 2012 reconstruction list at the estimated cost of $50,000;

(b) The work be funded from the Ward 5 Area Reserve Account.

The rules of order were waived to allow for the consideration of a Motion respecting the installation of rolled curbs.

For disposition on this matter refer to Item 6.

(I) GENERAL INFORMATION

(i) Outstanding Business List (Item 11.1)

(a) Items Requiring Approval for Removal:

The following Items were approved for removal from the Outstanding Business List:

Item F – Halton Hills Resolution respecting paving of highway shoulders

Item O – Correspondence from QPA Solar Inc. respecting Municipal Council resolution for Solar PV Systems

(m) ADJOURNMENT

There being no further business, the Public Works Committee adjourned at 11:43 a.m.

Respectfully submitted,

Councillor B. McHattie, Chair
Public Works Committee

Andy Grozelle
Legislative Co-ordinator
Office of the City Clerk

Council - September 26, 2012
THE BOARD OF HEALTH PRESENTS REPORT 12-007 AND RESPECTFULLY RECOMMENDS:

1. Expansion of the Human Papillomavirus (HPV) Publicly Funded Immunization Program (BOH12024) (City Wide) (Item 5.2)

   That Report BOH12024 respecting Expansion of the Human Papillomavirus (HPV) Publicly Funded Immunization Program, be received.

2. 2012 Provincial Funding Update (BOH12027) (City Wide) (Item 5.3)

   That BOH12027 respecting 2012 Provincial Funding Update, be received.

3. Memorandum of Understanding – Behavioural Supports Ontario (BOH12028) (City Wide) (Item 5.4)

   That the Medical Officer of Health be authorized and directed to sign the Memorandum of Understanding for the Behavioural Supports Ontario Project (BSO) between the City of Hamilton and the Hamilton BSO Cluster, as requested by the Hamilton, Niagara, Haldimand, Brant Local Health Integration Network (HNHB LHIN) in a form satisfactory to the City Solicitor.
4. **Food Safety Inspection Standards (BOH12019) (City Wide) (Item 7.2)**

That Report BOH12019, respecting Public Health Services Emergency Management Program, be received.

5. **Food Safety Disclosure Program: Green Card (BOH12020) (City Wide) (Item 8.1)**

That Report BOH12020 respecting Food Safety Disclosure Program: Green Card, be received.

6. **Colour Coded Food Premise Inspection and Disclosure System**

(a) That the City of Hamilton implement a Food Premise Inspection and Disclosure System using a colour coded - green, yellow and red system of permissive and restrictive inspection signage;

(b) That staff report back to the Board of Health with an implementation plan for a colour coded Food Premise Inspection and Disclosure System.

7. **Nurse-Family Partnership Expansion (BOH7035(d) (City Wide) (Item 8.2)**

(a) That the Medical Officer of Health receive, utilize and report on new funding for the Nurse-Family Partnership Program from the Hamilton Community Foundation, and execute an agreement between the City and the Hamilton Community Foundation, satisfactory in form to the City Solicitor;

(b) That the Medical Officer of Health increase the complement in the Nurse-Family Partnership program by 1.0 full time equivalent Public Health Nurse;

(c) That staff seek additional funding through the 2013 budget process for the Nurse-Family Partnership Program.

8. **Correspondence (Item 11.1)**

(a) Correspondence from Premier Dalton McGuinty, responding to correspondence sent from the City of Hamilton respecting HPV immunization.

Recommendation: Be received
(b) Correspondence from the Perth District Health Unit respecting The Vienna Declaration - Staff Report

Recommendation: Be received

(c) Correspondence from the Regional Municipality of Niagara respecting the Interim Federal Health Program (IFHP)

Recommendation: Be received

(d) Correspondence from the Leeds, Grenville & Lanark District Health Unit respecting Increased Funding for Preschool Speech and Language Program

Recommendation: Be received

FOR THE INFORMATION OF COUNCIL:

(a) CHANGES TO THE AGENDA (Item 1)

1. ADDED DELEGATION REQUESTS

4.2 Delegation request from Ms. Maureen Leyland representing the Social Action Committee, Ontario Association of Social Workers, Hamilton & District Branch requesting to speak about a Good Food Box for single OW recipients, when the Nutritious Food Basket Report is presented.

4.3 Delegation request from Mr. Dave Carson representing the Community Food Security Stakeholder Sub-Committee (CFSSC) requesting to provide comment on the contribution that the CFSSC can make to the Food Strategy for Hamilton.

4.4 Delegation request from Ms. Karen Burson representing Environment Hamilton requesting to present a new proposal for a fresh food subsidy to support single OW recipients living in Hamilton.

2. ADDED NOTICE OF MOTION

10.1 Review of the City of Hamilton Streets By-law

The September 17, 2012 Board of Health agenda was approved, as amended.
(b) DECLARATIONS OF INTEREST (Item 2)

None

(c) MINUTES (Item 3)

(i) July 11, 2012 (Item 3.1)

The minutes from the July 11, 2012 Board of Health meeting, were approved.

(d) DELEGATION REQUESTS (Item 4)

(i) Delegation Request from Mr. Terry Wilson, respecting new information released about fluoride and water fluoridation, by Harvard University (Item 4.1)

The delegation request from Terry Wilson respecting new information released about fluoride and water fluoridation, by Harvard University, was approved to speak when the next report on fluoridation is put forward by Public Health Services.

(ii) Delegation request from Ms. Maureen Leyland representing the Social Action Committee, Ontario Association of Social Workers, Hamilton & District Branch requesting to speak about a Good Food Box for single OW recipients, when the Nutritious Food Basket Report is presented (Item 4.2)

The delegation requests from Maureen Leyland, was approved to speak when the staff report respecting the Nutritious Food Basket is presented to the Board of Health.

(iii) Delegation request from Mr. Dave Carson representing the Community Food Security Stakeholder Sub-Committee (CFSSC) requesting to provide comment on the contribution that the CFSSC can make to the Food Strategy for Hamilton (Item 4.3)

The delegation request from Dave Carson, was approved to speak when the staff report respecting the Nutritious Food Basket is presented to the Board of Health.
(iv) Delegation request from Ms. Karen Burson representing Environment Hamilton requesting to present a new proposal for a fresh food subsidy to support single OW recipients living in Hamilton (Item 4.4)

The delegation request from Karen Burson, was approved to speak when the staff report respecting the Nutritious Food Basket is presented to the Board of Health.

(e) CONSENT ITEMS (Item 5)

(i) Community Food Security Stakeholders Advisory Committee – June 6, 2012 (Item 5.1)

The minutes from the Community Food Security Stakeholders Advisory Committee – June 6, 2012, were received.

(f) PRESENTATIONS (Item 7)

(i) Public Health Services Emergency Management Program (no copy) (Item 7.1)

Ms. Connie Verhaeghe, Emergency Response Planner, presented to the Board with respect to the Public Health Services Emergency Management Program. A copy of the presentation was retained by the Clerk.

The Board members asked questions of staff respecting the City's capacity to handle emergency situations, and where members of Council fit into the organizational chart during an emergency situation.

The presentation respecting the Public Health Services Emergency Management Program, was received.

(ii) Food Safety Inspection Standards (BOH12019) (City Wide) (Item 7.2)

Mr. Richard MacDonald, Project Manager of Health Prevention, presented to the Board with respect to the Food Safety Inspection Standards report. A copy of the presentation was retained by the Clerk.

The Board members asked questions of staff respecting the current inspection process and how information respecting restaurant inspections are accessible to the public.

Please refer to item 4 for disposition.
(g) DISCUSSION (Item 8)

(ii) Nurse-Family Partnership Expansion (BOH7035(d) (City Wide) (Item 8.2)

The motion was amended by adding the following as section (c):

That staff seek additional funding through the 2013 budget process for the Nurse-Family Partnership Program.

(h) NOTICES OF MOTION (Item 10)

Councillor Merulla introduced the following Notice of Motion:

(i) Review of the City of Hamilton Streets By-law

Whereas, over the course of summer 2012, Environment Hamilton's Dustbusters project has identified many sources of airborne particulate emanating from industrial sources, and;

Whereas, Clean Air Hamilton, the City of Hamilton's Public Health Department and others have highlighted the public health risks associated with breathing airborne particulates, especially PM10 and PM2.5 particulates, and;

Whereas, although track out issues are noted in the bylaw, the City of Hamilton's “Streets Bylaw” is not intended for controlling airborne emissions, and;

Whereas the Ontario Ministry of Environment and the City of Hamilton both have an interest in reducing airborne particulate in Hamilton.

Therefore, that staff consult with Environment Hamilton, Clean Air Hamilton and the Ontario Ministry of Environment to review the Streets Bylaw and develop a better legal instrument to reduce airborne particulate in Hamilton.
ADJOURNMENT (Item 13)

The Board of Health adjourned at 4:15 p.m.

Respectfully submitted,

Mayor R. Bratina
Chair, Board of Health

Christopher Newman
Legislative Coordinator
September 17, 2012
THE PLANNING COMMITTEE PRESENTS REPORT 12-013 AND RESPECTFULLY RECOMMENDS:

1. Donation Boxes (PED12175) (City Wide) (Item 8.5)

   (a) That the 12 month pilot project approved by City Council on April 25, 2012, to address illegal dumping across the City be expanded to include monitoring and progressive enforcement of illegal dumping around donation boxes;

   (b) That an educational and awareness campaign with respect to donation boxes be approved which includes:

      (i) development of a webpage and Cable 14 video providing to the public:

      (1) advice on how to report box locations and illegal dumping around donation boxes;
Planning Committee Page 2 of 13 Report 12-014

(2) a list of known donation box locations;

(3) information about donation boxes including that they may not always be operated by charitable organizations and that any/all proceeds from donations may not be going to charities.

(ii) delivering letters to all known private property owners who permit donation boxes on their property informing them of possible consequences to them, including charges, for not complying with all applicable by-laws;

(iii) delivering letters to all donation box operators informing them of their responsibilities and the consequences, including charges, of not complying with City by-laws.

(c) That staff report back on the results of the additional monitoring and enforcement of donation boxes as part of the illegal dumping pilot project.

2. Request to Designate 437 Wilson Street East (Ancaster) Under Part IV of the Ontario Heritage Act (PED12166) (Ward 12) (Item 5.1)

That item 2 respecting, Request to Designate 437 Wilson Street East (Ancaster) Under Part IV of the Ontario Heritage Act (PED12166), be referred back to the Planning Committee to allow the Ward Councillor to meet with Heritage staff and the leadership of Mount Mary.

3. Appeals to the Ontario Municipal Board on the City of Hamilton's Refusal or Neglect to Adopt Amendments to the City of Stoney Creek Official Plan and Zoning By-law and Approve a Draft Plan of Subdivision Known as “Foothills of Winona - Phase 2” for Lands Located at 339 and 347 Fifty Road and 1317 and 1329 Barton Street (Stoney Creek) (PED12170) (Ward 11) (Item 5.2)

That Report PED12170, Appeals to the Ontario Municipal Board on the City of Hamilton's Refusal or Neglect to Adopt Amendments to the City of Stoney Creek Official Plan and Zoning By-law and Approve a Draft Plan of Subdivision Known as “Foothills of Winona - Phase 2” for Lands Located at 339 and 347 Fifty Road and 1317 and 1329 Barton Street (Stoney Creek), be received.

Report PED12169, Application for an Amendment to Stoney Creek Zoning By-law No. 3692-92 for the Property Located at 455 Jones Road, was referred to the September 26, 2012 meeting of Council for consideration, as follows:

Council – September 26, 2012
4. **Application for an Amendment to Stoney Creek Zoning By-law No. 3692-92 for the Property Located at 455 Jones Road (Stoney Creek) (PED12169) (Ward 11) (Item 6.1)**

That item 4 respecting, Application for an Amendment to Stoney Creek Zoning By-law No. 3692-92 for the Property Located at 455 Jones Road (Stoney Creek) (PED12169), be referred back to the Planning Committee.

5. **Accessible Taxicab Licensing (PED10063(e)) (City Wide) (Item 8.2)**

   (a) That Council endorses the release of three new accessible taxicab licenses for 2012 in accordance with Schedule 25 of the By-law 07-170;

   (b) That item 5 respecting, Accessible Taxicab Licensing (PED10063(e)), be referred back to the Planning Committee.

6. **Request to Designate the Mineral Springs Road Area as a Heritage Conservation District (Ancaster) (PED12149) (Wards 12 and 14) (Item 8.6)**

   (a) That staff be directed to refer the Mineral Springs Road area of the Dundas Valley, as shown on Appendix “A” to Report PED12149, to the Heritage Landscape Study for consideration as a cultural heritage landscape.

   (b) That the Mineral Springs Road area not be considered for designation as a Heritage Conservation District at this time.

7. **Review of Denied Application ZAR-11-034 for Lands Known as 121 Augusta Street (Hamilton) (PED12002(a)) (Ward 2) (Item 8.3)**

   (Farr/Collins)

   (a) That Report PED12002(a) be presented to the Ontario Municipal Board as the City’s written recommendations further supporting the Denial of ZAR-11-034 for 121 Augusta Street (Hamilton) given the proposal, as intended, would entrench an undesirable institutional use in an area of Hamilton intended for residential development and, as such, the proposal does not conform to the Hamilton Official Plan and Urban Hamilton Official Plan, and does not represent good planning.

   (b) That the information contained in Report PED12002(a) be endorsed and the City of Hamilton’s position on the denied Application ZAR-11-034 for 121 Augusta Street be reaffirmed with respect to its previous decision.
The motion CARRIED on the following vote:

Yeas: Bratina, Collins, Farr, Duvall, Jackson, Johnson, Merulla, Morelli, Ferguson, Partridge, McHattie, Powers
Total: 12
Nays: Clark, Whitehead, Pearson, Pasuta
Total: 4

FOR THE INFORMATION OF COUNCIL:

(a) CHANGES TO THE AGENDA (Item 1)

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

DELEGATION REQUESTS

4.3 Delegation Request from Marc Nanthakumar respecting item 8.5 Donation Boxes (PED12175) (City Wide) (For Today’s Meeting)

4.4 Delegation Request from Roger Francoeur respecting item 8.2 Accessible Taxicab Licensing (PED10063(e)) (City Wide) (Verbal) (For Today’s Meeting)

PUBLIC HEARINGS AND DELEGATIONS

6.1 Application for an Amendment to Stoney Creek Zoning By-law No. 3692-92 for the Property Located at 455 Jones Road (Stoney Creek) (PED12169) (Ward 11)

Correspondence

(i) Al Clark

DISCUSSION ITEMS

8.1 Regulation of Rental Housing (PED10049(h)) (City Wide)

Correspondence

(i) Russell Adams and Anna Piskorowski-Adams

The Agenda for the September 18, 2012 meeting of the Planning Committee was approved, as amended.
(b) DECLARATIONS OF INTEREST (Item 2)

Councillor Pearson declared an interest in item 8.1, Regulation of Rental Housing (PED10049(h)) (City Wide), as she is involved in the rental housing industry.

(c) APPROVAL OF MINUTES (Item 3)

(i) September 5, 2012

The Minutes of the September 5, 2012 Planning Committee meeting were approved.

(d) DELEGATION REQUESTS (Item 4)

(i) Delegation Request from Megan Platts respecting item 8.1, Regulation of Rental Housing (PED10049(h)) (City Wide) (Item 4.1)

The delegation request from Megan Platts on behalf of Cameron Nolan, respecting item 8.1, Regulation of Rental Housing, was approved for today’s meeting.

(ii) Delegation Request from Hamilton Habitat for Humanity respecting Section 37 of the Planning Act – Affordable Housing as a Community Benefit (Item 4.2)

The delegation request from Hamilton Habitat for Humanity, respecting Section 37 of the Planning Act – Affordable Housing as a Community Benefit, was approved for a future meeting.

(iii) Delegation Request from Marc Nanthakumar respecting item 8.5 Donation Boxes (PED12175) (City Wide) (Item 4.3)

The delegation request from Marc Nanthakumar, respecting item 8.5, Donation Boxes, was approved for today’s meeting.

(iv) Delegation Request from Roger Francoeur respecting item 8.2 Accessible Taxicab Licensing (PED10063(e)) (City Wide) (Item 4.4)

The delegation request from Roger Francoeur, respecting item 8.2, Accessible Taxicab Licensing, was approved for today’s meeting.

Council – September 26, 2012
Item 8.1, Regulation of Rental Housing (PED10049(h)) (City Wide), was brought forward to be dealt with at this time.

**Regulation of Rental Housing (PED10049(h)) (City Wide) (Item 8.1)**

Marty Hazell, Senior Director, Parking and By-law Services, provided background information respecting the report.

Joe Xamin, Manager, Operational Strategies, provided an overview of the report with the aid of a PowerPoint presentation. A copy of the presentation has been included in the public record.

The staff presentation respecting report PED10049(h), Regulation of Rental Housing, was received.

**Public Speakers**

(aa) Cameron Nolan

Mr. Nolan, President of the Realtors Association of Hamilton-Burlington, expressed concerns regarding enforcement and compliance.

(bb) Arun Pathak

Mr. Pathak expressed concerns over added fees to renters to cover costs increases caused by licensing fees.

(cc) Ron Tomlin

Mr. Tomlin expressed concerns over safety, property standards and fire codes as well as by-law changes to ensure properties are up to standard which is very expensive and it would be passed on to the tenants.

(dd) Jordan Newman

Mr. Newman expressed concerns that implementing a licensing fee for rental housing would be seen as another form of tax and how this fee would be perceived by outside investors.

(ee) Larry Hulibets

Mr. Hulibets expressed concerns over trying to find balance of rights and responsibilities and where is that line established.
Paul Martindale

Mr. Martindale expressed concerns over added fees to renters to cover costs increases caused by licensing fees.

Joseph Sepakowski

Mr. Sepakowski expressed concerns over finding alternative methods to encourage landlords to seek compliance.

Ruth Lewis

Ms. Lewis expressed concerns over enforcement and cost recovery

Augie Ammendolia

Mr. Ammendolia expressed concerns over cost recovery and updating to proper standards.

The public presentations and public submissions respecting report PED10049(h), Regulation of Rental Housing, was received.

The recommendations were amended by deleting the words, “the Planning Committee for approval by November 2012” and replacing with “a Special Public Meeting of the Planning Committee to be held before December 15, 2012 and that the report be released to the public one week prior to the public meeting”, and to add a new subsection (d), to read as follows:

(a) That the concept of licensing rental housing in low-density buildings, as detailed in Report PED10049(h), be received;

(b) That staff be directed to prepare comprehensive recommendations, a draft by-law amendment and cost-recovery analysis to be presented to a Special Public Meeting of the Planning Committee to be held before December 15, 2012 and that the report be released to the public one week prior to the public meeting;

(c) That all future reports related to the Vital Services By-law be submitted to the Planning Committee with notification provided to the Emergency and Community Services Committee;

(d) That staff report back to the Special Public meeting of the Planning committee with a comprehensive report on proactive enforcement:
(i) Rentals/Singles;

(ii) Any limitations within the Landlord Tenancy Act as to whether or not a landlord can apply licensing and inspection fees to a tenant’s rent;

(iii) Does the tribunal have authority to enforce non-compliant landlords to live in non-compliant units;

(iv) report on the City of Waterloo’s successes and issues;

(v) Reconsider our residential care facilities by-law with rental licensing by-law;

(vi) Feasibility of utilizing a longer compliance order;

(vii) Review fire codes pursuant to current technology;

(viii) Constitutional use of the rental licensing by-laws as means to gain access without search warrant through justice of the peace.

Item 8.5, Donation Boxes (PED12175) (City Wide), be brought forward to be dealt with at this time.

**Donation Boxes (PED12175) (City Wide) (Item 8.5)**

Marty Hazell, Senior Director, Parking and By-law Services, provided background information respecting the report.

**Public Speakers**

(aa) Tony Jenco

Mr. Jenco, on behalf of DYN Exports Inc., with the aid of speaking notes. A copy of the speaking notes has been included in the public record.

The public presentation respecting report PED112175, Donation Boxes, was received.

For disposition on this Item, refer to item 1.
(e) PUBLIC HEARINGS AND DELEGATIONS (Item 6)

(i) Application for an Amendment to Stoney Creek Zoning By-law No. 3692-92 for the Property Located at 455 Jones Road (Stoney Creek) (PED12169) (Ward 11) (Item 6.1)

Correspondence from Al Clark

In accordance with the provision of the Planning Act, Chair B. Clark advised those in attendance that if a person or public body does not make oral submissions at a public meeting or make written submissions to the Council of the City of Hamilton before Council approves the zoning by-law amendment, the person or public body is not entitled to appeal the decision of the Council of the City of Hamilton to the Ontario Municipal Board, and the person or public body may not be added as a party to the hearing of an appeal before the Ontario Municipal Board unless, in the opinion of the Board, there are reasonable grounds to do so.

Greg Macdonald, Senior Planner, provided an overview with the aid of a PowerPoint presentation. A copy of the presentation has been included in the public record.

The staff presentation respecting PED12169, Application for an Amendment to Stoney Creek Zoning By-law No. 3692-92 for the Property Located at 455 Jones Road, was received.

Public Speakers

(aa) Ken Chartrand – 50 Cove Cr., Hamilton ON L8E 5A4

Mr. Chartrand expressed concerns with the proposed development regarding traffic, the height and the sound barrier (wood fence).

The public hearing respecting PED12169, Application for an Amendment to Stoney Creek Zoning By-law No. 3692-92 for the Property Located at 455 Jones Road, was closed.

The public presentations and public submissions respecting PED12169, Application for an Amendment to Stoney Creek Zoning By-law No. 3692-92 for the Property Located at 455 Jones Road, was received.

Greg Poole, agent, provided an overview of the application.
The agent’s presentation respecting PED12169, Application for an Amendment to Stoney Creek Zoning By-law No. 3692-92 for the Property Located at 455 Jones Road, was received.

The following motion was defeated:

That zoning by-law #3692-92 for the property located at 455 Jones Road (Stoney Creek) (PED12169) Ward 11, be denied on the basis of:

(i) Not compatible;
(ii) Over intensification;
(iii) Not orderly development;
(iv) Safety issues (29 cars).

Report PED12169, Application for an Amendment to Stoney Creek Zoning By-law No. 3692-92 for the Property Located at 455 Jones Road, was tabled to September 26, 2012 meeting of Council.

For disposition on this Item, refer to item 4.

(f) DISCUSSION ITEMS (Item 8)

(i) Accessible Taxicab Licensing (PED10063(e)) (City Wide) (Item 8.2)

Marty Hazell, Senior Director, Parking and By-law Services, provided background information respecting the report.

Al Fletcher, Manager, Licensing and Permits, provided an overview of the report.

The staff presentation respecting report PED10063(e), Accessible Taxicab Licensing, was received.

Public Speakers

(aa) Roger Francoeur

Mr. Francoeur expressed concerns over whether or not he would receive his plate.
(bb) Steve Jones

Mr. Jones expressed concerns over equality for accessibility as well as costs of conversion.

(cc) Ejaz Butt

Mr. Butt expressed concerns over the licensing of plates.

(dd) Rifat Dyrmishi

Mr. Dyrmishi expressed concerns over the licensing of plates.

The public presentations and public submissions respecting report PED10063(e), Accessible Taxicab Licensing, was received.

Report PED10063(e), Accessible Taxicab Licensing, was referred to September 26, 2012 meeting of Council.

For disposition on this Item, refer to item 5.

(ii) Review of Denied Application ZAR-11-034 for Lands Known as 121 Augusta Street (Hamilton) (PED12002(a)) (Ward 2) (Item 8.3)

The following motion was defeated:

(a) That Report PED12002(a) be presented to the Ontario Municipal Board as the City’s written recommendations further supporting the Denial of ZAR-11-034 for 121 Augusta Street (Hamilton) given the proposal, as intended, would entrench an undesirable institutional use in an area of Hamilton intended for residential development and, as such, the proposal does not conform to the Hamilton Official Plan and Urban Hamilton Official Plan, and does not represent good planning.

(b) That the information contained in Report PED12002(a) be endorsed and the City of Hamilton’s position on the denied Application ZAR-11-034 for 121 Augusta Street be reaffirmed with respect to its previous decision.
The following motion was defeated:

That Report PED12002(a), Review of Denied Application ZAR-11-034 for Lands Known as 121 Augusta Street (Hamilton), be received.

(iii) Hess Village Paid Duty Program (PED12142) (Ward 2) (Item 8.4)

(aa) Correspondence from the Hamilton Police Service

(a) The report was referred back for further consultation with the ward Councillor to allow for more time to answer question discussed in Councillor Farr’s motion put forward at the December 6, 2011 meeting of the Planning Committee;

(b) The police are to report back to the Planning Committee on how many charges have been laid by paid duty officers since the program’s inception.

(g) GENERAL INFORMATION AND OTHER BUSINESS (Item 11)

(i) Outstanding Business List Amendments (Item 11.1)

The following Outstanding Business List due dates were revised:

(aa) Item N: Racing Pigeons
    Current Due Date: September 18, 2012
    Proposed Due Date: December 4, 2012

(bb) Item O: Urban Chickens
    Current Due Date: September 18, 2012
    Proposed Due Date: December 4, 2012

The following item was removed from the Outstanding Business List:

(a) Item G: Mineral Springs Road

(ii) News from the General Manager (Item 11.2)

The General Manager provided updates of current events and initiatives within the department.
(h) **PRIVATE AND CONFIDENTIAL (Item 12)**

(i) **Closed Session Minutes – September 5, 2012 (Item 12.1)**

The Closed Session Minutes of the June 19, 2012 meeting of the Planning Committee were approved, as presented, and are to remain confidential and restricted from public disclosure.

(ii) **Urban Hamilton Official Plan Proposed Settlements and Legal Direction (LS12024) (Item 12.2)**

Item 12.2, Urban Hamilton Official Plan Proposed Settlements and Legal Direction (LS12024), was referred to the in camera portion of the September 26, 2012 meeting of Council.

(i) **ADJOURNMENT**

There being no further business, the Planning Committee adjourned at 7:41 p.m.

Respectfully submitted,

Councillor B. Clark
Chair, Planning Committee

Vanessa Robicheau
Legislative Coordinator
Office of the City Clerk
THE GENERAL ISSUES COMMITTEE PRESENTS REPORT 12-025 AND RESPECTFULLY RECOMMENDS:

1. **King Street West Business Improvement Area (B.I.A.) Revised Board of Management (PED11036(a)) (Ward 2) (Item 5.2)**

   That Lisa Hess be appointed to the King Street West B.I.A.’s Board of Management.

2. **Economic Development Advisory Committee (PED12176) (Item 5.3)**

   (a) That the City’s current Economic Development Advisory Committee be dissolved.

   (b) That Planning and Economic Development Department staff investigate and report back to the General Issues Committee with respect to the potential of establishing an ad hoc Business Development Advisory Committee, building on the success of the Open for Business Task Force.

3. **Transfer of Public Art Funds from Capital to Reserve (PED12173) (City Wide) (Item 5.4)**

   That $100,000 be transferred from the 2010 Public Art Capital Account (No. 710158705) to the Public Art Reserve Fund Account (No. 108044) to meet increased future demand for Public Art projects and initiatives.
4. **Presentation – Ontario Lottery and Gaming Corporation, respecting the Province and OLGC’s modernization plans for lottery and gaming in the Province of Ontario (Item 6.1)**

That the presentation by the Ontario Lottery and Gaming Corporation respecting the Province and OLGC’s modernization plans for lottery and gaming in the Province of Ontario be received.

5. **Presentation – Great Canadian Gaming Corporation respecting their Business Operations at Flamboro Downs (Item 6.2)**

That the presentation by Great Canadian Gaming Corporation respecting their business operations at Flamboro Downs, be received.

6. **Accessibility for Ontarians with Disabilities Act (AODA) Built Environment Standard (FCS12073a) (City Wide) (Item 7.1)**

(a) That Report FCS12073a Accessibility for Ontarians with Disabilities Act (AODA) Built Environment Standard and Appendix A to Report FCS12073a containing the Comments on the Proposed Regulation to the Accessibility Directorate of Ontario, respecting the Proposed amendments to O. Reg. 119/11 (Integrated Accessibility Regulation) be submitted to the Ministry of Community and Social Services;

(b) That the Mayor correspond with the Minister of Community and Social Services to request that the Province provide funding to assist Ontario municipalities with implementation of the requirements of the Accessibility for Ontarians with Disabilities Act and its regulations;

(c) That the Mayor correspond with the Federal Minister of Human Resources and Skills Development to request that the Federal Government provide funding to assist all municipalities with implementation of the accessibility improvements including the requirements of the Accessibility for Ontarians with Disabilities Act and its regulations.

7. **Citizen Engagement of Values Based Infrastructure Management Project (PW12068) (City Wide) (Item 7.2)**

That Report PW12068 respecting Citizen Engagement of Values-Based Infrastructure Management Project, be received.
Item 8 was amended with the addition of sub-sections (b) and (c), as follows:


   (a) That a sub-committee be established to develop conditions respecting Hamilton’s position relative to the Request for Proposal for the Establishment of a Gaming Facility to be issued by the Ontario Lottery and Gaming Corporation, and report back to the General Issues Committee;

   (b) That the following Members of Council be appointed to the Gaming Facility Proposal Sub-Committee:

      (i) Mayor R. Bratina
      (ii) Councillor R. Pasuta
      (iii) Councillor S. Merulla
      (iv) Councillor J. Partridge
      (v) Councillor T. Whitehead

   (c) That staff be directed to bring a report back to the first meeting of the Gaming Facility Proposal Sub-Committee outlining cost implications for gauging public input including, but not limited to:

      (i) Telephone polls
      (ii) Web surveys
      (iii) Mail outs
      (iv) Question ballot
      (v) Independent referendum
      (vi) Public meeting.

9. Re-appropriation of Approved Funding from “Prince Phillip School – Repairs” to Project #7101249211 – Westdale Tennis Construction

That funding in the amount of $100,000 from the Ward 1 Area Capital Special Re-Investment Reserve #108051 for the Prince Phillip School – Repairs, approved by Council on August 16, 2012 in approving Item 13 of General Issues Committee Report 12-021 (Appendix A-x of Report FCS12024(a)) be re-appropriated to Project #7101249211 – Westdale Tennis Construction.
FOR THE INFORMATION OF COUNCIL:

(a) CHANGES TO THE AGENDA (Item 1)

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

MOTIONS

(i) Revised Item 9.1 respecting Ontario Lottery and Gaming Corporation (OLGC) – Establishment of a Gaming Facility

On a motion, the agenda was approved, as amended.

(b) DECLARATIONS OF INTEREST (Item 2)

Item 6.1 Presentation – Ontario Lottery and Gaming Corporation, respecting the Province and OLG’s modernization plans for lottery and gaming in the Province of Ontario

Councillor B. Clark declared an interest in this item as an immediately family member is employed by the OLG. Councillor Clark abstained from the discussion and vote.

(c) APPROVAL OF PREVIOUS MINUTES

On a motion, the June 28 (special) and July 6, 2012 minutes of the General Issues Committee meetings were approved, as presented.

(d) DELEGATION REQUESTS

(i) Delegation Request from Maggie Hughes respecting Enbridge Pipelines (Item 4.1)

On a motion, the delegation request from Maggie Hughes respecting Enbridge Pipelines, was approved.

(e) CONSENT ITEMS

(i) Minutes of Sub-Committees:

On a motion, the following Sub-Committee Minutes were received:

(a) Advisory Committee for Persons with Disabilities – June 12, 2012 (Item 5.1)
(f) **PUBLIC DELEGATIONS/HEARINGS**

(i) Tony Bitonti, Senior Manager, Media Relations Communications and Media Relations, Larry Flynn, Senior Vice President – Gaming and Jake Pastore, Manager of Community and Municipal Relations, Ontario Lottery and Gaming Corporation (OLGC), respecting the Province and OLGC’s modernization plans for lottery and gaming in the Province of Ontario (Item 6.1)

Larry Flynn, Senior Vice President, Gaming Division, Paul Pellizzari, Director, Policy and Social Responsibility, and Jake Pastore, Community and Municipal Relations, Gaming Portfolio Manager, Ontario Lottery and Gaming Corporation, provided a power point presentation respecting the Province and OLGC’s modernization plans for lottery and gaming in the Province of Ontario which addressed the following:

- OLG Background
- Lottery and Gaming in Ontario
- Life to Date Benefit Summary – City of Hamilton Benefit Summary (Life to date from October 2000)
- Current Gaming Sites in Ontario
- Comments from Ontario Mayors on Hosting a Gaming Site
- Modernizing Gaming in Ontario
- Zone SW9, which includes City of Hamilton, Halton Region (City of Burlington)
- Proposed Gaming Zone: City of Hamilton
- Potential Revenue to Community
- Requirements for Establishing a New Gaming Site
- Timeline
- Responsible Gambling in Ontario
- OLG Strategy: To Prevent and Mitigate Effects of Problem Gambling
- Responsible Gaming Plan to Support Modernization

A copy of the power point presentation is available for viewing on the City of Hamilton’s website.

Refer to Item 4 for the disposition of this item.

**Ontario Lottery and Gaming Corporation (OLGC) – Establishment of a Gaming Facility**

On a motion, Item 9.1, being a motion respecting Ontario Lottery and Gaming Corporation (OLGC) – Establishment of a Gaming Facility, was tabled pending a response from the OLGC within the next four weeks, providing information respecting the following:
(a) Will the OLGC/Province support Hamilton’s endeavour of seeking out a referendum for the 2014 Municipal election;

(b) Will the OLGC/Province establish and extend the lease for Flamboro Downs until such time as the results of a referendum are known;

(c) Will the City of Hamilton be involved in the City building initiatives should a casino be successfully supported by a referendum;

(d) A revenue generation formula for the City;

(e) A boundaries update;

(f) An explanation on how the Orillia arrangement was made and whether or not there are opportunities for Hamilton to enter into the same arrangement;

(g) If Hamilton does pursue a referendum prior to 2014 Municipal election, will the Provincial government fund the cost.

The Motion to Table with instructions CARRIED on the following Standing Recorded Vote:

Yeas: Bratina, Partridge, McHattie, Morelli, Merulla, Collins, Jackson, Duvall, Whitehead, Pasuta, Powers, Ferguson, Pearson
Total: 13
Nays: 0
Absent: Farr, Johnson
Total: 2
Abstention: Clark
Total: 1

Establishment of a Sub-Committee – Request for Proposal for the Establishment of a Gaming Facility (New Business)

The Motion CARRIED on the following Recorded Vote:

Yeas: Bratina, Partridge, Morelli, Merulla, Collins, Jackson, Duvall, Whitehead, Pasuta, Powers, Ferguson, Pearson
Total: 12
Nays: McHattie
Total: 1
Absent: Farr, Johnson
Total: 2
Abstention: Clark
Total: 1
(ii) Rod Baker, President and CEO, Vic Poleschuk, Senior Vice President, and Bruce Barbour, Executive Director, Racing Operations, Great Canadian Gaming Corporation (GCGC), respecting their business operations at Flamboro Downs and to provide their position respecting the Province and OLG’s modernization plans for lottery and gaming in the Province of Ontario (Item 6.2)

Rod Baker, President and Chief Executive Officer, Vic Poleschuk, Senior Vice President, Operations – East, and Bruce Barbour, Executive Director, Racing Operations, Great Canadian Gaming Corporation (GCGC), provided a power point presentation respecting the business operations at Flamboro Downs which addressed the following:

- Corporate Overview: Financial Highlights
- Partnership Model in Canada
- Coast-to-Coast Operations, including River Rock Casino Resort in Richmond, B.C., Boulevard Casino in Coquitlam, B.C., Fraser Downs Casino in Surrey, B.C.
- Ontario Overview, including Georgian Downs in Innisfil, Ontario and Flamboro Downs
- Flamboro Downs Highlights: Annual slot revenue; revenue to Hamilton; local goods and services; local payroll; capital invested by GCGC; employment, GCGC employee demographics
- Future of Flamboro Downs
- Horse Racing Industry Transition Panel
- Panel’s Key Findings
- GCGC’s Position.

A copy of the presentation was distributed to the Committee and is available for viewing on the City of Hamilton’s website.

Refer to Item 5 for the disposition of this item.

(g) PRESENTATIONS

(i) Accessibility for Ontarians with Disabilities Act (AODA) Built Environment Standard (FCS12073a) (City Wide) (Item 7.1)

Jane Lee, Director of Access and Equity, provided an overview of a proposed amendments to the integrated standard, which includes the design for public spaces (built environment standard).

The Committee was presented with a power point presentation which addressed the following:
• AODA Regulations
• Design for Public Spaces (Built Environment Standard)
  ○ Intent of the Act and Regulations
  ○ Implementation Requirements
  ○ Elements included in the standard for design for public spaces
    regulations
  ○ Items changed from previous draft
  ○ Impacts on Departments
  ○ Cost implications of this standard
  ○ Overall costs of meeting accessibility standards
  ○ Changes proposed – areas of concerns, summary found in
    Appendix “A”
• Review of Recommendations contained in Report FCS12073(a).

A copy of the presentation was distributed and is available for viewing on
the City of Hamilton website.

On a motion, the presentation respecting the Accessibility for Ontarians
with Disabilities Act (AODA) Built Environment Standard was received.

(ii) **Citizen Engagement of Values Based Infrastructure Management
Project (PW12068) (City Wide) (Item 7.2)**

Chris Murray provided introductory remarks and the context for the
presentation and stated that the purpose of the Citizen Engagement of
Values-Based Infrastructure Management Program is to enhance the
understanding of citizen engagement. This project is not just about roads
and bridges, but about all of the services that the City provides to its
citizens and knowing what people think is critical to assist staff in focusing
on the areas that require improvement. Mr. Murray also stressed the
point that it is important to engage the public when talking about quality
public services.

John Murray, Manager of Asset Management, with the assistance of a
power point presentation, provided information on the following:

• Project Background
• The Asset Management Goal
• General Project Overview
• Phase 2 Engagement – All City Infrastructure
• Project Branding.

A copy of the presentation was distributed to the Committee and is
available for viewing on the City of Hamilton’s website.

On a motion, the presentation respecting Citizen Engagement of Value-
Based Infrastructure Management Project, was received.
Refer to Item 7 for the disposition of this item.

(iii) **2013 Tax Budget Guideline and Preliminary Outlook (FCS12065) (City Wide) (Item 7.3)**

Due to loss of quorum, this presentation was deferred to the special General Issues Committee meeting scheduled on September 28, 2012.

(h) **NOTICES OF MOTION**

Councillor B. McHattie introduced the following Notice of Motion:

**Re-appropriation of Approved Funding from “Prince Phillip School – Repairs” to Project #7101249211 – Westdale Tennis Construction**

That funding in the amount of $100,000 from the Ward 1 Area Capital Special Re-Investment Reserve #108051 for the Prince Phillip School – Repairs, approved by Council on August 16, 2012 in approving Item 13 of General Issues Committee Report 12-021 (Appendix A-x of Report FCS12024(a)) be re-appropriated to Project #7101249211 – Westdale Tennis Construction.

On a motion, the Rules of Order were waived in order to allow for the introduction of a motion respecting Re-appropriation of Approved Funding from “Prince Phillip School – Repairs” to Project #7101249211 – Westdale Tennis Construction.

See Item 9 for the disposition of this item.

(i) **ITEMS DEFERRED TO OCTOBER 3, 2012 GENERAL ISSUES COMMITTEE MEETING**

Due to loss of quorum, the following items were deferred to the October 3, 2012 General Issues Committee meeting:

**DISCUSSION ITEMS**

(i) **Cell Tower Lease/Licence Agreements: Revenue Policy (FCS12063) (City Wide) (Outstanding Business List) (Item 8.1)**

(ii) **Health Impacts Reducing Interim Federal Health Program (BOH12023) (City Wide) (Outstanding Business List) (Item 8.2)**

(iii) **Hamilton Downtown/West Harbourfront Remediation Loan program Application (RLP-12-02) and Environmental Remediation and Site Enhancement (ERASE) Redevelopment Grant Application (ERG-12-03) – 134 Cannon Street East (PED12174) (Ward 2) (Item 8.3)**
(iv) Accelerate Shovel-ready Strategy for Industrial Servicing and Transportation (ASSIST) Incentive Program Review (PED12171) (City Wide) (Item 8.4)

GENERAL INFORMATION/OTHER BUSINESS

(v) Outstanding Business (Item 11.1(a) and (b))

PRIVATE & CONFIDENTIAL

(vi) Acquisition of 2555 Creekside Drive, Dundas, from 1475780 Ontario Inc. (Alterra (Spencer Creek) Ltd./Richard Liebtag) (PED12172) (Ward 13) (Item 12.2)

(j) ADJOURNMENT

Due to loss of quorum, the Committee adjourned at 4:50 p.m.

Respectfully submitted

Councillor J. Partridge
Deputy Mayor

Carolyn Biggs
Legislative Co-ordinator
Office of the City Clerk