CITY COUNCIL
MINUTES

Wednesday, April 26, 2006
7:00 p.m.
Council Chambers
Hamilton City Hall
71 Main Street West
Hamilton, Ontario

Present: Mayor L. DiIanni

Absent with regrets: Councillor M. Ferguson – Illness
Councilors M. McCarthy, S. Merulla– City Business

Mayor DiIanni called the meeting to order.

Mayor DiIanni called upon Reverend Dave Adams from the Grindstone Church in Waterdown, to lead the Council in prayer.

APPROVAL OF THE AGENDA

The Clerk advised of the following changes to the agenda:

(i) Added Motion by Councillor McHattie respecting the establishment of a City of Hamilton Pedestrian Committee. – Added as Item 7.1

(ii) Added Motion by Councillor McHattie respecting amendment to the Membership of the Provincial Gas Tax Transit Master Plan Steering Committee – added as Item 7.2

(iii) Added Motion by Councillor Braden respecting an invitation to the Greater Toronto Airport Authority– added as Item 7.3
Added motion by Councillor Bratina respecting Veterans’ Place at Gore Park-added as Item 7.4

(Kelly/Collins)
That the Agenda for the City Council meeting being held on April 26, 2006, as amended, be approved. CARRIED

DECLARATIONS OF INTEREST

None Declared

CEREMONIAL ACTIVITIES/ANNOUNCEMENTS

The following presentations were made by Mayor Dilanni;

3.1 **W.J. Robertson Medallion Award**

Mayor Dilanni presented Paul Takala with the 2006 W.J. Robertson Medallion for Librarian of the year.

3.2 **Canadian Urban Institute’s 2006 Local Hero in Urban Leadership Award**

Mayor Dilanni announced that Mary Pocius was the recipient of the 2006 Local Hero Award, from the Canadian Urban Institute. The Mayor presented the award to Ms Pocius.

3.3 **Festival and Events Award**

Mayor Dilanni advised that Festivals and Events Ontario has recognised the re-enactment of the Battle of Stoney Creek as one of the 50 Top Events in Ontario. The Mayor recognised the presence of militia re-enactors, and presented Susan Ramsay, the Curator of Battlefield House with the award.

3.4 **Tourism Hamilton Awards**

Mayor Dilanni recognized the following staff that were honoured at the 8th Annual Tourism Hamilton Awards Gala;

- Jay Bodrog from Whitehern Historic House and Garden received the Outstanding Front Line Award
- Susan Ramsay from Battlefield House Museum and Park for receiving the Outstanding Long Time Service Award
- And Battlefield House Museum and Park received its own honour as the Tourism Business of the Year award.
3.5 Festival and Events Ontario Hall of Fame Inductee

Mayor Dilanni called upon Anna Bradford, Manager of Culture, and congratulated her for her induction into the Festival and Events Ontario Hall of Fame.

**APPROVAL OF MINUTES**

(Morelli/Mitchell)

That the Minutes of the City Council Meeting held on April 12, 2006, be approved as presented. **CARRIED**

**COMMUNICATIONS**

(Morelli/McHattie)

That Council Communications 5.1 to 5.08 be approved, as presented, as follows:

5.1 Petition received from residents of the Gourley Neighbourhood requesting upgrading for sidewalks, curbs and closed ditches

Recommendation: Be received and referred to the General Manager of Public Works for a report to the Public Works, Infrastructure and Environment Committee

5.2 Correspondence from Kathy Drewitt, Executive Director, Downtown Hamilton BIA respecting ways to facilitate traffic flow

Recommendation: Be received and referred to the General Manager of Public Works for a report to the Public Works, Infrastructure and Environment Committee

5.3 Correspondence from A. Opalick, Office of the Prime Minister acknowledging receipt of the City’s resolution respecting social housing subsidy costs.

Recommendation: Be received

5.4 Correspondence from The Honourable John Gerretsen, Minister of Municipal Affairs and Housing respecting Affordable Housing Program – Housing Allowance/Rent Supplement – $3,000,000 for 250 units

Recommendation: Be received

5.5 Correspondence from Randy Marsh, Canadian Pacific Railway addressing position of CPR with respect to number of derailments in the Country further to an article published by a Toronto newspaper.

Recommendation: Be received
5.6 Correspondence from Fabio Saccon, Area Traffic Manager, Ministry of Transportation respecting traffic signal installation and turning lanes at the intersections of Highway 6/Chippewa road and Highway 6/Haldimand Road

Recommendation: Be received

5.7 Correspondence from Ed Cooper, Chairman, 2006 Government Relations Committee, Realtors Association of Hamilton-Burlington respecting the sign by-law

Recommendation: Be received and referred to the General Manager of Planning and Economic Development for consideration during the review of the sign by-law

5.8 Correspondence from Ed Cooper, Chairman, 2006 Government Relations Committee, Realtors Association of Hamilton-Burlington respecting alleviation of duplicate street names throughout the amalgamated city

Recommendation: Be received and referred to the General Manager of Planning and Economic Development for a report to the Planning and Economic Development Committee

CARRIED

(Morelli/McHattie)
That Council move into Committee of the Whole for consideration of the Standing Committee Reports. CARRIED

PUBLIC WORKS, INFRASTRUCTURE AND ENVIRONMENT COMMITTEE REPORT 06-007

(Mitchell/Pearson)
That the SEVENTH Report of the Public Works, Infrastructure and Environment Committee be adopted, and the information section received. CARRIED

PLANNING AND ECONOMIC DEVELOPMENT COMMITTEE REPORT 06-006

15. Brownfield Pilot Project Fund (PED06103) (City Wide) (Added Item 8.6)

Councillor Braden requested that his opposition to Item 15 be recorded
(Pearson/Whitehead)
That Information Item (p), respecting the staff recommendation in PED 06120, be lifted from the Information Section of Report 06-006 of the Planning and Economic Development Committee and added as Item 16 to Planning and Economic Development Report 06-006.

CARRIED

(Collins/Kelly)
That Item 16 of the Planning and Economic Development Committee Report 06-006 be tabled to the next Council Meeting, pending consultation with the adjacent property owners.


That the Ministry of Environmental Assessment and Approvals Branch of the Ontario Ministry of Environment be advised that should the Ministry approve the application CA-06-01, Waste Services (CA) Inc., applicant, for an Amendment to an existing Provisional Certificate of Approval for an existing waste transfer/processing site to increase allowable waste storage limits from 100 tonnes to 150 tonnes/day, within an existing facility at 306 Lake Avenue North, as shown on Appendix “A” to Report PED06120, the City of Hamilton requests the following to be undertaken:

(a) That the proponent obtains the necessary building permit from the City’s Building and Licensing Division, which is required for modifications to the existing building.

(b) That the amended Provisional Certificate of Approval require the following:

(i) That doors be installed for the Waste Processing and Transfer Building so that the building can be fully enclosed to contain the waste stored on-site at the end of each operating day, to the satisfaction of the Manager of Solid Waste, Public Works Department.

(ii) That the surface of the driveway area between Lake Avenue North and the existing weigh scale be hard surfaced to reduce the possibility of the tracking of material onto the municipal road, to the satisfaction of the Manager of Traffic Engineering & Operations, Public Works Department.

(iii) That the south side of the existing truck access approach be widened to properly accommodate right turning truck movements into the site, to the satisfaction of the Manager of Traffic Engineering & Operations, Public Works Department.
(iv) That the operator of the facility employ a reputable pest control company to service this site and perform a regular inspection of the premises and regular baiting program, to the satisfaction of the Director, Health Protection Branch, Public Health Services.

(c) That the amended Provisional Certificate of Approval requires that a sufficient bond be provided for financial assurance for the removal of any materials left on the site should operations end.

(d) That the amended Provisional Certificate of Approval include a requirement that a Ministry of Environment staff person be identified to the City as the contact for all issues and complaints regarding the subject property.

(e) That all other conditions and requirements of the Certificate of Approval remain in place.

(f) That a copy of Report PED06120 be forwarded to the Environmental Assessment and Approvals Branch of the Ministry of Environment for their consideration.

(g) That the Environmental Assessment and Approvals Branch of the Ministry of Environment be requested to forward a copy of its final decision respecting the Certificate of Approval to the Clerk, City of Hamilton.

CARRIED

(Pearson/Mitchell)
That the SIXTH Report of the Planning and Economic Development Committee be adopted, as amended, and the information section received. CARRIED

CORPORATE ADMINISTRATIVE SERVICES COMMITTEE REPORT 06-006

7. Hamilton FireFighters Drum Corps Loan (FCS06034) (City Wide) (Item 8.3)

(Jackson/Samson)
That Item 7 of Corporate Administrative Services Committee Report 06-006 respecting “Hamilton FireFighters Drum Corps Loan (FCS06034)” be referred back to staff for a report back to Committee with possible alternate solutions with respect to the debt of the HFFDC owing to the City

(a) That the request by the Hamilton FireFighters Drum Corps (HFFCC) to forgive their $202,463 debt to the City of Hamilton be denied;

(b) That staff be directed to work with the HFFDC to develop, within 3 months, an approach to pay back the outstanding debt, and bring a report back to the Committee. CARRIED
That the SIXTH Report of the Corporate Services Committee be adopted, as amended, and the information section received.  

CARRIED

STRATEGIC PLANNING AND BUDGETS COMMITTEE REPORT 06-003

That the THIRD Report of the Strategic Planning and Budgets Committee be adopted and the information section received.  

CARRIED

SOCIAL SERVICES REPORT 06-005

That the FIFTH Report of the Committee of the Whole be adopted and the information section received.  

CARRIED

COMMUNITY SERVICES COMMITTEE REPORT 06-004

That the FOURTH Report of the Community Services Committee be adopted and the information section received.  

CARRIED

MOTIONS

7.1 Establishment of a City of Hamilton Pedestrian Committee

(McHattie/Morelli)  
Whereas, Pedestrians are defined as those individuals moving by foot from place to place or at a walking pace (for example, users of mobility devices, children on tricycles), and

Whereas, young children and seniors are most at risk for pedestrian injuries according to the City of Hamilton’s 2000-2002 Traffic report when compared to the age distribution of the City population, and

Whereas, walking is a free and direct means of accessing local goods, services, community amenities and public transit, and

Whereas, walking is a proven method of promoting personal health, well-being, and community safety (e.g. more eyes on the street), and

Whereas, walking is the only mode of travel that is universally affordable and allows children and youth, and people with specific medical conditions to travel independently, and

Whereas, walking promotes environmental sustainability and
Whereas, a pedestrian-friendly environment encourages and facilitates social interaction and local economic vitality;

Therefore, be it resolved:

(a) That a City of Hamilton Pedestrian Committee be established, designed to address the following issues including, but not limited to:

(i) improved pedestrian safety and better pedestrian access;
(ii) pedestrian-oriented input to use of public space;
(iii) provision of comments and recommendations on City policy to City Council and City staff;
(iv) provision of a forum for public consultation on pedestrian health and safety;
(v) promotion of walking; assistance in provision of education materials;
(vi) consideration of a Hamilton Pedestrian Charter.

(b) That the Committee membership be composed of the following:

(i) Three Members of Council
(ii) 3 citizens appointed by Neighbourhood Associations or Community Councils
(iii) 1 representative from Hamilton Police Services
(iv) 1 representative from the Public Health Department
(v) 1 representative from the Traffic Department, and one representative from Public Works Capital Planning
(vi) 1 representative from the Planning and Economic Development Department
(vii) 1 representative from the Seniors’ Advisory Committee
(viii) 1 representative from Advisory Committee for Persons with Disabilities
(ix) 1 representative from the Hamilton Cycling Committee
(x) 1 representative from the Hamilton Wentworth District School Board
(xi) 1 representative from the Hamilton Wentworth Catholic District School Board
(xii) 1 representative from “Transportation for Liveable Communities”, “Green Venture”, or other pedestrian advocacy group
(xiii) up to 3 citizens selected at large

(c) That the General Manager of Public Works bring a report to the Public Works, Infrastructure and Environment Committee addressing the following:

(i) inventory of previous and existing activities related to the issue if any
(ii) reporting structure, workplan and timelines
(iii) responsibilities of committee members
(iv) proposed budget allocation requirement and source of funding
(v) staffing requirements
(vi) other necessary resources
(vii) term limits

CARRIED

7.2 Provincial Gas Tax Transit Master Plan Steering Committee – Membership Amendment

(McHattie/Whitehead)
That subsection (e) (viii) of Item 6 of the Public Works, Infrastructure and Environment Committee Report 05-009 respecting the Provincial Gas Tax Transit Master Plan Steering Committee, as amended by Council on November 23, 2005, be further amended by deleting Lee Wilson and adding Daniel Rodrigues to the Committee citizen membership.

CARRIED

7.3 Invitation to the Greater Toronto Airport Authority

(Braden/Bratina)
That an invitation to attend a special Committee of the Whole meeting be extended to the Directors of the Greater Toronto Airport Authority to discuss with Council any future/upcoming operational plans for Toronto Pearson International Airport, the Pickering Project and impact on the John C. Munro Hamilton International Airport

CARRIED

7.4 Veterans’ Place at Gore Park

(Bratina/Braden)
(a) That the City temporarily close King Street (south leg) between James Street and Hughson Street on Friday June 2, 2006 from 10:30 a.m. to 11:30 a.m. for the dedication of Veterans' Place at Gore Park.
(b) That Hamilton Street Railway service be temporarily detoured to the north leg of King Street for the duration of the event.

CARRIED

NOTICE OF MOTION

None

STATEMENT BY MEMBERS

Members of Council used this opportunity to discuss matters of general interest.
Mayor Dilanni advised of the recent sudden death of Rino DiLeonardo, a water meter installer with Public Works, and extended condolences to Mr. DiLeonardo’s family, on behalf of Council.

**BY-LAWS**

(Merulla/McHattie)
That Bill Nos. 06-096 to 06-121 attached hereto be passed, that the corporate seal be affixed thereto and the By-laws be signed by the Mayor and the City Clerk, and numbered as 06-096 to 06-121

<table>
<thead>
<tr>
<th>By-law No.</th>
<th>Bill No.</th>
<th>Description</th>
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<tbody>
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<td>06-096</td>
<td>096</td>
<td>To Set Optional Property Classes for the Year 2006</td>
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<td>To Establish Tax Ratios and Tax Reductions for the Year 2006</td>
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<td>To Set and Levy the Rates of Taxation for the Year 2006</td>
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<td>To Levy a Special Charge Upon the Rateable Property in the Business Improvement Areas for the Year 2006-04-24</td>
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<td>Governing the Provision of Tax Assistance to Seniors (65+) Residents</td>
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<td>06-101</td>
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<td>To Amend By-law No. 01-218, as amended, To Regulate On-Street Parking: Subsection 8(3), paragraph (a) Subsection 8(3), paragraph (b) Subsection 8(5), paragraph (a) Subsection 8(5), paragraph (c)</td>
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<td>06-102</td>
<td>102</td>
<td>To Amend By-law No. 01-218, as amended, To Regulate On-Street Parking: Schedule 6 – Time Limit Parking Schedule 8 – No Parking Zones Schedule 10 – Alternate Side Parking Schedule 12 – Permit Parking Zones Schedule 13 – No Stopping Zones Schedule 14 – Wheelchair Loading Zones</td>
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<td>06-103</td>
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<td>To Amend By-law No. 01-084, To Appoint Municipal Law Enforcement Officers for the City of Hamilton</td>
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<td>06-104</td>
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<td>To Amend Zoning By-law No. 90-145-Z (Flamborough), Respecting Land Located at 1896 8th Concession Road West (former Town of Flamborough)</td>
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- **06-105**: To Adopt Official Plan Amendment No. 26 to the Official Plan of the former Regional Municipality of Hamilton-Wentworth and Official Plan Amendment No. 53 to the Official Plan of the former Township of Glanbrook, Respecting 1885 and 1893 Upper James Street (Highway 6)
- **06-106**: To Amend Zoning By-law No. 464 (Glanbrook), Respecting Lands Known as 1885-1893 Upper James Street
- **06-107**: To Adopt Official Plan Amendment No. 124 to the former City of Stoney Creek Official Plan, Respecting Lands Known Municipally As 170 Dewitt Road
- **06-108**: To Amend Zoning By-law No. 3692-92 (Stoney Creek), Respecting Lands Located at 170 Dewitt Road
- **06-109**: To Adopt Official Plan Amendment No. 109 to the former Town of Ancaster Official Plan. Respecting 58 Carluke Road West (former Town of Ancaster)
- **06-110**: To Amend Zoning By-law No. 87-57 (Ancaster), Respecting Land Located at 58 Carluke Road West (Ancaster)
- **06-111**: To Amend Zoning By-law No. 6593 (Hamilton), Respecting Lands Located at 35 Pine Street
- **06-112**: To Amend Zoning By-law No. 6593 (Hamilton), Respecting the Property Located at 709, 715 Main Street East and 14 Sherman Avenue South
- **06-113**: To Amend By-law No. 01-218, as amended, To Regulate On-Street Parking: Schedule 8 – No Parking Zones
- **06-114**: To Change Percentage of Tax Capping
- **06-115**: To Limit Property Tax Capping
- **06-116**: Respecting Removal of Part Lot Control, Blocks 132 and 133, Registered Plan 62M-1033
- **06-117**: To Amend By-law No. 01-215, To Regulate Traffic: Schedule 5 – Stop Signs Schedule 4 – Yield Sign Locations
- **06-118**: To Amend By-law No. 93-129
- **06-119**: To Amend By-law No. 01-215, To Regulate Traffic: Schedule 13 – Designated Traffic Lanes
To Establish Certain 2006 User Fees and Charges for Services Provided by the City of Hamilton

To Confirm Proceedings of Council

The City Council meeting adjourned at 7.55 p.m.

Respectfully submitted,

Larry Dilanni
Mayor

Kevin C. Christenson
Clerk
April 26, 2006