Mayor R. Bratina called the meeting to order, and called upon Bob Warriner, Pastor of Flamborough Christian Fellowship, to lead Council in prayer.

**APPROVAL OF THE AGENDA**

The Clerk advised of the following changes to the agenda:

1. **NOTICES OF MOTION**

   8.1 The Hamilton Association of Business Improvement Areas (H.A.B.I.A.) Terms of Reference and Strategic Plan (PED11193) (Wards 1, 2, 3, 4, 6, 7, 9, 12, 13 and 15)

2. **PRIVATE & CONFIDENTIAL**

   10.1 Selection Committee Report 12-001, dated November 28, 2012 (distributed under separate cover)

(Pearson/Fergusons) That the agenda for the November 28, 2012 meeting of Council be approved, as amended.

CARRIED
DECLARATIONS OF INTEREST

Councillor L. Ferguson indicated a conflict of interest with respect to item 16 of Planning Committee Report 12-018, respecting Taxi Cab Broker Participation in Seasonal Promotional Public Service Campaign with the LCBO, as he has family employed in the taxi industry.

CEREMONIAL ACTIVITIES/ANNOUNCEMENTS

None

APPROVAL OF MINUTES

4.1 November 14, 2012

(Pearson/Ferguson)
That the Minutes of the November 14, 2012, meeting of Council be approved, as presented.

CARRIED

COMMUNICATIONS

(Merulla/Morelli)
That Council Communications 5.1 through 5.4 be approved, as follows:

5.1 Correspondence from the Honourable Bob Chiarelli, Minister of Infrastructure, Transportation and Municipal Affairs and Housing, respecting the Proposed Amendment 2 to the Growth Plan for the Greater Golden Horseshoe, 2006

Recommendation: Be received and referred to the General Manager of the Planning and Economic Development Department for the appropriate action.

5.2 Correspondence from Patricia Saunders, respecting the Establishment of an Ad Hoc Committee for the Preparation of Canada’s Sesquicentennial Celebration

Recommendation: Be received and referred to the General Manager of the Planning and Economic Development Department for a report to the General Issues Committee.
5.3 Correspondence from the Honourable Bob Chiarelli, Minister of Infrastructure, Transportation and Municipal Affairs and Housing, respecting an Update on Ontario’s Municipal Infrastructure Strategy

Recommendation: Be received.

5.4 Correspondence from the Municipal Property Assessment Corporation (MPAC), respecting Legislative Changes for Cemeteries

Recommendation: Be received.

CARRIED

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

CARRIED

PUBLIC WORKS COMMITTEE REPORT 12-013

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

CARRIED

BOARD OF HEALTH REPORT 12-009

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

CARRIED

PLANNING COMMITTEE REPORT 12-018

8. Enforcement of Accessible Parking Spaces on Municipal and Private Property (PED12226) (City Wide) (Item 5.7)

(Clark/Pearson)
That Item 8 of Planning Report 12-018 be amended by deleting the words, “no action be taken on”, before the words, “the Council Direction of May 9, 2012”, and that the words, “be delayed” be added before the words, “until such time as”, to read as follows:

“That the Council direction of May 9, 2012 to update the design of accessible parking spaces for persons with disabilities for implementation into every parking
lot within the City of Hamilton, and the corresponding By-law 01-220 (Private and Municipal Properties), be delayed until such time as the Province releases the new accessible parking space standards."

Amendment CARRIED
Motion as Amended CARRIED

14. Application to Amend Zoning By-law No. 90-145-Z for the Property Located at 533 Millgrove Side Road (Flamborough) (PED12209) (Ward 15) (Item 6.5)

(Partridge/Clark)
That Item 14 sub-section (e) of Planning Committee Report 12-018 be amended by deleting the words “on an agreed to timeline by the applicant or compliance agreement” and be replaced with “on a satisfactory compliance agreement” to read as follows:

(e) That the approval be conditional on a satisfactory compliance agreement.

Amendment CARRIED
Motion as Amended CARRIED

20. Appeals to the Ontario Municipal Board by Recchia Developments Inc. on the City of Hamilton’s Refusal or Neglect to Adopt Amendments to the Town of Dundas Official Plan and Zoning By-law for Lands located at 231 York Road (Dundas) (LS12036) (Item 12.4)

(Clark/Pearson)
That Item 20 of Planning Committee Report 12-018, be amended, as follows:

(A) That recommendation (c) be deleted and replaced with the following:

(c) That Official Plan Amendment Application OPA-11-019, by Recchia Developments Inc., Owner, for a change in designation and policy of the Town of Dundas Official Plan, in order to permit a residential development consisting of 1 single detached dwelling and 14 townhouse dwellings, be Denied on the following basis:

(i) The application does not meet the intent of the Town of Dundas Official Plan regarding infill development within existing residential neighbourhoods;

(ii) The proposed development would not be compatible with existing development within the surrounding area, which is characterized by low density single detached dwellings on large lots;

(iii) That the application has failed to address outstanding issues related to safe vehicular access.

(B) And that a new sub-section (d) be added as follows:
(d) That Amended Zoning Application ZAC-11-066, by Recchia Developments Inc., Owner for changes in zoning in order to permit a residential developments consisting of 1 single detached dwelling and 14 townhouse dwellings, be denied on the following basis:

(i) The application does not meet the intent of the Town of Dundas Official Plan regarding infill development within existing residential neighbourhoods;

(ii) The proposed development would not be compatible with existing development within the surrounding area, which is characterized by low density single detached dwellings on large lots;

(iii) That the application has failed to address outstanding issues related to safe vehicular access.

Amendment CARRIED
Motion as Amended CARRIED

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

CARRIED

GENERAL ISSUES COMMITTEE 12-033

15. Hamilton Downtown Multi-Residential Property Investment Program – Increase of Line of Credit (PED12220/FCS12090) (City Wide) (Item 7.5)

(McHattie/Collins)
That item 15 sub-section (a) of the General Issues Committee Report 12-033 be amended by deleting “$45 million” and replace with “$35 million”, and that the following be added after the words “2013 Operating Budget”, “and that the balance of the balance of the proposed increase to $45 million be referred to the 2013 budget process” to read as follows:

(a) That the loan commitments under the Hamilton Downtown Multi-Residential Property Investment Program (HDMRPIP) be increased from $26 million to $35 million provided that the total loan monies lent under the program at one time not exceed $35 million and, that the increase be approved within the 2013 Operating Budget, and that the balance of the balance of the proposed increase to $45 million be referred to the 2013 budget process;

and, that sub-section (b) of the General Issues Committee Report 12-033 be amended by deleting “$400,000” and replace with “$200,000” and that the following be added after the words “be approved within the 2013 Operating
Budget”, “and that the balance of the proposed $400,000 be referred to the 2013 Budget Process” to read as follows:

(b) That subject to the approval of recommendation (a), above, the estimated net operating budget increase for the 2013 interest cost in the amount of $200,000 associated with increasing the total loan monies to $35 million lent under the program at one time, be approved within the 2013 Operating Budget; and that the balance of the proposed $400,000 be referred to the 2013 Budget Process;

The Amendment CARRIED, on the following standing recorded vote:

Yeas: Bratina, McHattie, Farr, Morelli, Merulla, Collins, Jackson, Duvall, Whitehead
Total: 9
Nays: Clark, Pearson, Johnson, Ferguson, Powers, Pasuta, Partridge
Total: 7

Motion as Amended CARRIED

16. 2013 Tax Supported User Fees (FCS12080) (City Wide) (Item 8.1)

The motion CARRIED on the following vote:

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

20. Enbridge Pipelines Inc. Line 9A Flow Reversal Project

The motion CARRIED on the following vote:

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

(Bratina/Partridge)
That the THIRTY-THIRD Report of the General Issues Committee be adopted, as amended, and the information section received. (attached hereto) CARRIED
That the Committee of the Whole Rise and Report.

CARRIED

MOTIONS

7.1 Parking on the North Side of King Street West, between Caroline Street and Hess Street

(Farr/McHattie)
Whereas; it has been determined that roof installation at the apartment development at 275 King Street West at Hess is expected to be complete in less than a week, thus stabilizing the walls in the development;

And Whereas the integrity of the walls and public safety are the reason for the barrier lane closure on the south side of King West at this project site;

And Whereas the parking restrictions on the north side of King Street West in this area occurring between the hours of 4:00 p.m. until 6:00 p.m. (erected under staff delegated authority) has caused significant loss of business for those businesses in the King West BIA for over a year;

And Whereas the merchants particularly felt hardship during the holiday season last year as a result of the parking restrictions;

And Whereas at a November 20, 2012 meeting of the King West BIA, members emphatically reiterated this as their urgent concern, particularly with the coming holiday season.

Therefore be it resolved:

(a) That parking be permitted at the sixteen (16) meters on the north side of King Street West, from Caroline Street to Queen Street, between 4:00 p.m. and 6:00 p.m., effective November 29, 2012

(b) That staff be requested to continue to stay on course with the developer with respect to the timing of the removal of the barrier on the south side of King Street West at Hess Street.

The motion CARRIED on the following vote:

Yeas: Bratina, McHattie, Farr, Morelli, Merulla, Collins, Jackson, Duvall, Whitehead, Clark, Pearson, Johnson, Powers, Pasuta, Partridge

Total: 15

Nays: Ferguson

Total: 1
7.2 Amendment to section (i) of Item 9 of the Public Works Committee Report 12-012 – Outstanding Business

(McHattie/Farr)
That sub-section (i) to Item 9 of the Public Works Committee Report 12-012, approved by Council on November 14, 2012, be deleted in its entirety and replaced to read as follows:

9. Outstanding Business List Items (Item 11.1)

That the following items be referred to the General Issues Committee for deliberation:

(i) Item A – Installation Policy for Intersection and Mid-Block Pedestrian Signals

(i) Item H – Installation of Bicycle Racks / Storage at Municipal Facilities.

CARRIED

NOTICES OF MOTION

Councillor Whitehead introduced the following notice of motion:

8.1 The Hamilton Association of Business Improvement Areas (H.A.B.I.A.) Terms of Reference and Strategic Plan (PED11193) (Wards 1, 2, 3, 4, 6, 7, 9, 12, 13 and 15)

That Item 13 of General Issues Committee Report 11-033 respecting The Hamilton Association of Business Improvement Areas (H.A.B.I.A.) Terms of Reference and Strategic Plan (PED11193) (Wards 1, 2, 3, 4, 6, 7, 9, 12, 13 and 15) be amended by deleting the Terms of Reference for The Hamilton Association of Business Improvement Areas (H.A.B.I.A.) in their entirety and replacing them with the Terms of Reference for the Business Improvement Advisory Committee, attached hereto as Appendix “A”.

STATEMENT BY MEMBERS

Members of Council used this opportunity to discuss matters of general interest.
10.1 Selection Committee Report 12-001, dated November 28, 2012 (distributed under separate cover)

(Johnson/Morelli)

1. Citizen Appointments to the Canadian Football Hall of Fame Museum Board

   (a) That the following citizens be appointed to the Canadian Football Hall of Fame Museum Board for a two year term commencing November 29, 2012 and to expire November 30, 2014 or until such time as a successor is appointed:

      (i) Darrell Hicks (Ward 12)

      (ii) Vandana Verma (Ward 4)

   (b) That the following citizens be appointed to the Canadian Football Hall of Fame Museum Board for a four year term commencing November 29, 2012 and to expire November 30, 2016 or until such time as a successor is appointed:

      (i) Ernie Caterini

      (ii) Michael McCarthy

2. Citizen Appointment to the Hamilton CityHousing Board

   That the following citizen be appointed to the CityHousing Hamilton Board for a term commencing November 29, 2012 and to expire with the current term of Council or until such time as a successor is appointed:

      (i) Carmine Filice (Ward 11)

3. Citizen Appointments to the Property Standards Committee

   That the following citizen be appointed to the Property Standards Committee for a term commencing November 29, 2012 and to expire with the current term of Council or until such time as a successor is appointed:

      (i) Marianne Brown

4. Citizen Appointments to the Tourism Advisory Committee

   That the following citizens be appointed to the Tourism Advisory Committee for a term commencing November 29, 2012 and to expire with the current term of Council or until such time as a successor is appointed:
(i) Jamie Aitken
(ii) Susie Braithwaite
(iii) Eileen Collins
(iv) Joseph Fardell
(v) Stephen Goulding
(vi) Jeffrey John Hamblin
(vii) Tim Potocic
(viii) Lindsay Puddicombe
(ix) Stephanie Trendocher

CARRIED

BY-LAWS

(Merulla/Morelli)
That Bills No. 259 to 267 attached hereto, be passed, as amended, 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:

Bill No.

259 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 12 – Permit Parking Zones
Schedule 13 – No Stopping Zones
Schedule 20 – School Bus Loading Zones

260 To Amend By-law No. 09-067, the Solid Waste Management By-law

261 To Permanently Close a Portion of Penny Lane being Block 105, Plan 62M-1172, City of Hamilton


263 To Amend Zoning By-law No. 6593 (Hamilton), Respecting Lands Located at 471 to 535 Old Mud Street

264 To Amend Zoning By-law No. 05-200, Respecting Lands Located at 273 Parkside Drive in the former Town of Flamborough, now in the City of Hamilton

265 To Amend Zoning By-law No. 6593 (Hamilton), Respecting Lands Located at 788 Upper Ottawa Street

266 To Amend Zoning By-law No. 87-57 (Ancaster), Respecting Lands Located at
446 Springbrook Avenue, in the former Town of Ancaster, now in the City of Hamilton

267 To Confirm the Proceedings of City Council

CARRIED

(Pearson/Ferguson)
That, there being no further business, the City Council meeting be adjourned at 7:50 p.m.

CARRIED

Respectfully submitted,

Mayor B. Bratina

R. Caterini, B. Comm., AMCT
City Clerk
Office of the City Clerk
Present: Councillors B. McHattie (Chair), C. Collins, T. Jackson, S. Merulla, R. Pasuta and R. Powers

Also Present: Councillor Ferguson (Vice Chair) – Vacation
Councillor Whitehead – Federation of Canadian Municipalities
Councillor Duvall – Federation of Canadian Municipalities

THE PUBLIC WORKS COMMITTEE PRESENTS REPORT 12-013 AND RESPECTFULLY RECOMMENDS:

1. Clean & Green Hamilton Strategy (PW07056(a)) (City Wide) (Item 8.1)

   That Appendix “A” attached to Report 12-013, respecting the Clean & Green Hamilton Strategy, be approved.

2. Standardization of Water & Wastewater Plant Operations and Environmental Laboratory OEM Parts, Supplies and Support Services (PW12088) (City Wide) (Item 8.3)

   (a) That a single source supplier of equipment, parts/supplies and services contained in Appendix “B” to Report 12-013, as amended, be approved as the source of supply for the listed equipment, parts/supplies and services for the Water and Wastewater Division, specifically Plant Operations (PO) and the Environmental Laboratory (CHEL) operations;

   (b) That the Original Equipment Manufacturer (OEM) of equipment and parts/supplies contained in Appendix “C” to Report 12-013 be approved as the single source of supply for equipment, parts/supplies and services for Plant Operations and the Environmental Laboratory operations;

   (c) That the General Manager of Public Works or his delegate and the Manager of Procurement be authorized to negotiate a house account with each vendor.
3. Service Delivery Improvements and Efficiencies for the Provision of Grass Cutting at Municipal Facilities, Parks, Cemeteries and Roads (PW12089) (City Wide) (Item 8.4)

(a) That the General Manager of Public Works be authorized to form a Grounds Maintenance Governance Review Committee that will oversee and guide grounds maintenance, contract management and develop communication strategies to improve the understanding of service standards and related quality of City of Hamilton green space;

(b) That the Committee mandate be to:

(i) Review and recommend value added procurement strategies, quality assurance measures such as maintenance level standards and industry and city-wide best practices for grounds maintenance; and,

(ii) Review vendor performance, contract specifications, budget performance, reporting requirements and other initiatives to potentially improve efficiencies in service delivery.

(c) That the Committee structure consist of Managers (or designates) representing the Public Works, Planning and Economic Development; including a representative from the Culture Division, and Community Services Departments, as well as a representative of the Public Works Committee.

(d) That the Chair rotate annually amongst each Department and meetings will be held at a minimum of three times yearly in pre-season, mid-season and end of season.

(e) That the Grounds Maintenance Governance Review Committee report to the Public Works Committee on an ‘as required’ basis when significant changes are contemplated.

4. Requirements to Achieve Recognition as a "Blue Community" (PW12090) (City Wide) (Item 8.5)

That Report PW12090, respecting the Requirements to Achieve Recognition as a "Blue Community", be received.

5. Centennial Parkway Canadian National Railway Underpass Drainage Class Environmental Assessment (PW12092) (Ward 5) (Item 8.6)

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

6. Facility Naming Sub-Committee Report 12-002, dated November 8, 2012 (Item 8.7)

Renaming of Waterdown North Wetland Trails to John MacLennan Wetland Trails (PW12075) (Ward 15)

That the request to rename the area commonly know as “Waterdown North Wetland Trails” to the “John MacLennan Wetland Trails”, attached as Appendix “D” to Report 12-002, be approved at this time as this request meets the criteria set out in the Municipal Property and Building Naming Policy.

7. Installation of All-way Stops at the Intersections of Mountain Brow Blvd. and Margate Avenue; and, Mountain Brow Blvd. and Broker Drive, Hamilton (Ward 6) (Item 9.1)

(a) That staff be directed to install all-way stops at the following locations for a one year pilot period:

(i) The intersection of Mountain Brow Blvd. and Margate Avenue; and,

(ii) The intersection of Mountain Brow Blvd. and Broker Drive

(b) That after a one year period, the Ward 6 Councillor meet with his community to determine whether or not the all-way stops are effective in addressing the community’s concerns.

8. Correspondence from the King Street West BIA, respecting the Immediate Removal of the No Parking and Tow-Away signs between 4 – 6 p.m. on the North Side of King Street West between Caroline and Queen Streets, Hamilton (Item 11.2)

That the Correspondence from the King Street West BIA, respecting the Immediate Removal of the No Parking and Tow-Away signs between 4 – 6 p.m. on the North Side of King Street West between Caroline and Queen Streets, Hamilton, be received.
FOR THE INFORMATION OF COUNCIL:

(a) CHANGES TO THE AGENDA (Item 1)

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

(i) Item 8.3 – Appendix “A” to Report PW12088, respecting the Standardization of Water & Wastewater Plant Operations and Environmental Laboratory OEM Parts, Supplies and Support Services that was included in the agenda has been deleted and replaced with an amended copy that properly reflects the name of one of the Equipment Manufacturers (“SCP Science” was changed to “Skalar Inc.”).

(ii) Added as Item 8.7 – the Facility Naming Sub-Committee Report 12-002, dated November 8, 2012

(iii) Added as Item 10.1 – a Notice of Motion respecting the Installation of a Four-Way Stop at Broadway Avenue and Sussex Street (Ward 1)

(iv) Added as Item 10.2 – a Notice of Motion respecting the Installation of All-Way Stops at the Intersections of Mountain Brow Blvd. and Margate Avenue; and, Mountain Brow Blvd. and Broker Drive, Hamilton (Ward 6)

(v) Added as Item 11.2 – Correspondence from the King Street West BIA, respecting the Immediate Removal of the No Parking and Tow-Away signs between 4 – 6 p.m. on the North Side of King Street West between Caroline and Queen Streets, Hamilton

The November 19, 2012 Public Works Committee Agenda was approved, as amended.

(b) DECLARATIONS OF INTEREST (Item 2)

There were no declarations of interest.

(c) MINUTES (Item 3)

(i) November 5, 2012 (Item 3.1)

The Committee Clerk advised that there was an error in Item 9 (page 5) of the November 5, 2012 Public Works Committee minutes. An incorrect item on the outstanding business list was referred to the General Issues Committee.
Sub-section (i) to Item 9, of the November 5, 2012 Public Works Committee minutes, was amended by deleting sub-section (i) in its entirety and replacing it to read as follows:

“(i) Item “A” – Installation Policy for Intersection and Mid-block Pedestrian Signals”

“(i) Item “H” – Installation of Bicycle Racks/ Storage at Municipal Facilities”

The Minutes of the November 5, 2012 Public Works Committee meeting were approved as amended.

(d) Petition Request to City of Hamilton and Maple Leaf Foods Requesting a Cul-de-Sac North of 580 Glover Road (PW12021(a)) (Ward 11) (Item 8.2)

Report PW12021(a), respecting a Petition Request to the City of Hamilton and Maple Leaf Foods Requesting a Cul-de-Sac North of 580 Glover Road, was tabled to the January 16, 2013 Public Works meeting, in order that Councillor B. Johnson may attend to speak to the matter.

(e) Four-Way Stop at Broadway Avenue and Sussex Street (Item 10.1)

Councillor C. Collins introduced the following Notice of Motion:

That staff be directed to install a four-way stop at Broadway Avenue and Sussex Street, Hamilton (Ward 1).

(f) Installation of All-way Stops at the Intersections of Mountain Brow Blvd. and Margate Avenue; and, Mountain Brow Blvd. and Broker Drive, Hamilton (Ward 6)

Councillor T. Jackson introduced the following Notice of Motion:

(a) That staff be directed to install all-way stops at the following locations for a one year pilot period:

(i) The intersection of Mountain Brow Blvd. and Margate Avenue; and,

(ii) The intersection of Mountain Brow Blvd. and Broker Drive
(b) That after a one year period, the Ward 6 Councillor meet with his community to determine whether or not the all-way stops are effective in addressing the communities concerns.

The Rules of Order were waived to introduce a motion respecting the Installation of All-way Stops at the Intersections of Mountain Brow Blvd. and Margate Avenue; and, Mountain Brow Blvd. and Broker Drive, Hamilton (Ward 6).

For disposition of this matter, please refer to Item 7 above.

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

(i) Outstanding Business List Amendments (Item 11.1)

The following Items were considered complete and removed from the Public Works Committee’s Outstanding Business List:

1. Item “D” - Hillfield Strathallan College “Blue Community”
2. Item “G” - Grass Cutting Efficiencies

(h) ADJOURNMENT (Item 13)

There being no further business, the Public Works Committee adjourned at 10:07 a.m.

Respectfully submitted,

Councillor B. McHattie, Chair
Public Works Committee

Stephanie Paparella
Legislative Coordinator
Office of the City Clerk
1. **Scope and Application**

The intent of the Clean & Green Hamilton Strategy is to encourage behaviour that supports a clean and green community. A clean and green neighbourhood helps to improve health, prosperity, safety and well-being. The success of the Clean & Green Hamilton Strategy requires the commitment and involvement of Hamilton residents, business owners, visitors, community leaders and City of Hamilton staff.

The purpose of the Clean & Green Hamilton Strategy is to provide context and guidance for the development of policies, programs and initiatives that promote and enhance cleanliness, aesthetics and environmental stewardship across Hamilton neighbourhoods. This includes, but is not restricted to, changing litter and illegal dumping behaviours, managing graffiti, encouraging native plant life and tree planting and other methods of maintaining and improving ecological integrity.

2. **Goal statement/vision**

For Hamilton to be recognized as a sustainable clean and green community where everyone takes responsibility for, and has pride in, the environments in which they live, work, and play.

3. **Clean & Green Principles**

The Clean & Green Hamilton Strategy is governed by three principles. The Strategy shall:

3.1. Contribute to an enhanced quality of life for our citizens through clean and green initiatives;

3.2. Support community and stakeholder engagement through partnerships, collaboration and consultation, and;

3.3. Contribute to the social, economic and environmental well-being of Hamilton.
4. Strategic Objectives

The strategic objectives of the Clean & Green Hamilton Strategy are to:

4.1. Provide a framework and overview for Hamilton’s Clean & Green agenda, plans and programs. With limited resources, a strategic framework ensures that all activity directly supports the Clean & Green Hamilton Strategy vision.

4.2. Develop, facilitate and monitor activities that contribute to an improved standard of cleanliness across Hamilton. The success of the Clean & Green Hamilton Strategy will be monitored by a number of measures.

4.3. Add value to existing cleanliness, beautification and environmental stewardship programs delivered by the City of Hamilton and its partners. The Clean & Green Hamilton Strategy partnership acknowledges that working together toward the same vision will achieve greater outcomes than each organization could achieve working independently.

4.4. Encourage sustainable behaviour through community-based social marketing. This approach focuses on effective consultative processes and outcomes, facilitating collaboration with partnership organizations.

4.5. Support initiatives that foster changing public behaviours with respect of environmental stewardship. The Clean & Green Hamilton Strategy fully supports Council’s Strategic Priority of “a prosperous and healthy community” and its strategic objective of enhancing the City’s overall sustainability (financial, economic, social and environmental).

4.6. Identify opportunities for continuous improvement, efficiency, innovation and longer-term options for on-going clean and green programs and initiatives.

5. Clean & Green Plan

The City of Hamilton will put the Clean & Green Hamilton Strategy into action through a number of clean and green programs and initiatives to address litter, illegal dumping, graffiti, beautification and environmental stewardship.

The success of the Clean & Green Hamilton Strategy and its component programs and initiatives relies on evidence-based research and data, broad consultation, stakeholder and volunteer engagement, funding and staff resources, using community-based social marketing
principles. The Plan and its component programs focus on encouraging desirable behaviour within the context of education and consultation; operations and engineering; and, monitoring and enforcement.

5.1. Litter

5.1.1. Litter Prevention

Litter prevention programs will be managed by Public Works staff through the guidance of, and in collaboration with, the Clean City Liaison Committee. Programs may include design and engineering considerations, stakeholder education, citizen engagement and enforcement practices. The goals of litter prevention programs are to encourage appropriate waste disposal behaviour and reduce costs to the tax supported budgets.

5.1.2. Litter Containment

Litter containment on municipal properties will be managed by City staff through the provision of appropriate waste containers and processes and directed through service levels and budget parameters as approved annually by Council.

Litter containment on private properties will be managed by the respective property owners in accordance with applicable By-laws and regulations.

The goal of litter containment programs is to achieve litter-free properties which encourage proper litter disposal behaviour; and to provide opportunities for good environmental stewardship practices through municipal waste diversion programs.

5.1.3. Litter Remediation

Litter remediation on municipal properties is managed by City staff through property and facility cleanliness protocols, processes and services and directed through service levels approved annually by Council. Litter remediation can be achieved through the deployment of City staff or in partnership with citizen volunteers through City-managed volunteer engagement programs.

Litter remediation on private properties will be managed by the respective property owners in accordance with the
Clean & Green Hamilton Strategy goals and vision and applicable By-laws and regulations.

The goal of litter remediation programs is to restore properties to a litter-free environment which encourages proper litter disposal behaviour.

5.2 Illegal Dumping

5.2.1. Illegal Dumping Prevention

Illegal dumping prevention programs for municipal properties will be managed by Public Works staff in collaboration with Municipal Law Enforcement and the Clean City Liaison Committee. Programs for municipal properties will be provided within service levels and budget parameters as approved annually by Council.

Illegal dumping prevention programs for private properties will be managed by Municipal Law Enforcement staff in collaboration with Public Works staff, law enforcement agencies and the Clean City Liaison Committee.

Programs may include design and engineering considerations, stakeholder education and enforcement practices. The goals of illegal dumping prevention programs are to encourage appropriate waste disposal behaviour and reduce remediation costs to the tax supported budgets.

5.2.2. Illegal Dumping Remediation

Dumping remediation on municipal properties is managed by Public Works staff within departmental budgetary parameters as approved annually by Council. Illegal dumping remediation can be achieved through the deployment of City staff or in partnership with citizen volunteers through City-managed volunteer engagement programs.

Dumping remediation on private properties will be managed by the respective property owners in accordance with the Clean & Green Hamilton Strategy goals and vision and applicable By-laws and regulations.

The goal of illegal dumping remediation programs is to restore properties to a litter-free environment which encourages proper waste disposal behaviour.
**Graffiti**

5.3.1. Graffiti Prevention

Graffiti prevention programs for municipal properties will be managed by Public Works staff in collaboration with appropriate stakeholder departments and Hamilton Police Service. Graffiti prevention programs for municipal and private properties will be aligned with the City’s graffiti management strategy.

Program tools may include public art initiatives, Crime Prevention Through Environmental Design (CPTED), design and engineering considerations, stakeholder education and enforcement.

The goal of graffiti prevention programs for municipal properties is to encourage appropriate activity on municipal properties and reduce remediation costs to the tax supported budgets.

The goal of graffiti prevention programs for private properties is to encourage appropriate legal behaviour on private property.

5.3.2. Graffiti Remediation

Graffiti remediation on municipal properties is managed by City staff through property and facility cleanliness protocols, processes and services and directed through maintenance service levels approved annually by Council.

Graffiti remediation on private properties will be managed by the respective property owners in accordance with the Clean & Green Hamilton Strategy goals and vision and applicable By-laws and regulations.

Graffiti remediation can be achieved through the deployment of City staff, an approved contractor or in partnership with citizen volunteers through City-managed volunteer engagement programs. The goal of graffiti remediation programs is to restore properties to a graffiti-free state through rapid removal which can discourage the proliferation of graffiti.

5.4. Beautification

5.4.1. Beautification programs
Beautification programs for municipal properties will be managed by Public Works staff in collaboration with the Tourism and Culture division of Planning and Economic Development and in accordance with the Clean & Green Hamilton Strategy goals and vision.

Beautification programs for private properties will be coordinated by the Clean City Liaison Committee or through existing horticultural societies or program groups such as the Trillium Awards committee.

Plant and tree stock and services will be provided by the Public Works Department for municipal properties within established service levels approved annually by Council. Public art initiatives will be managed by the Culture section.

Municipal beautification programs will enhance streetscapes, parks, facilities and other municipal properties. Beautification activities can be achieved through the deployment of City staff or in partnership with citizen volunteers through City-managed volunteer engagement programs. Municipal beautification programs can be supported through sponsorships or partnerships with the private sector or community organizations.

The goals of beautification programs for municipal properties are to enhance the aesthetics and ecological integrity of the City, enhance population health and wellness, and help offset beautification costs to the tax supported budgets.

Programs will be managed in accordance with the Clean & Green Hamilton Strategy goals and vision and with relevant funding programs, By-laws and regulations. Beautification programs on private properties will enhance property, buildings and structures with the goals of enhancing the aesthetics and ecological integrity of the neighbourhood and enhance neighbourhood health, wellness and prosperity.
5.5. Environmental Stewardship

5.5.1. Environmental Stewardship – Municipal Properties

Environmental stewardship programs for municipal properties will be managed by Public Works staff in accordance with the Clean & Green Hamilton Strategy goals and vision and Vision 2020’s principle of maintenance of ecological integrity.

Program elements may include policies and protocols to: increase the urban forest canopy; enhance habitat and protect native plant, animal and fish species; manage invasive plant, animal and fish species; and enhance and protect ecosystems on municipal property. Environmental stewardship activities can be achieved through the deployment of City staff or in partnership with citizen volunteers through City-managed volunteer engagement programs. Municipal environmental stewardship programs can be supported through sponsorships or partnerships with private sector or community organizations.

The goals of environmental stewardship programs for municipal properties are to encourage ecological integrity and minimize human impact on natural habitats and ecosystems on municipal properties.

5.5.2. Environmental Stewardship – Private Properties

Environmental stewardship programs for private properties will be managed by the respective property owners – such as conservation authorities, commercial, or private property owners – or through recognized local environmental interest groups such as Environment Hamilton, Green Venture or Hamilton Industrial Environmental Association (HIEA) in accordance with the Clean & Green Hamilton Strategy vision and Vision 2020’s principle of maintenance of ecological integrity.

Program elements may include initiatives for the habitat enhancement and protection of native plant, animal and fish species (natural heritage); the management of invasive plant, animal and fish species; and enhancement and protection of ecosystems on private property. Environmental stewardship activities on commercial, industrial and institutional properties can be achieved.
through corporate social responsibility programs and through the engagement of employees and volunteers.

The goals of environmental stewardship programs for private properties are to encourage ecological integrity and minimize human impact on natural habitats and ecosystems on private properties.

The City of Hamilton’s Clean City Liaison Committee will assist with the coordination of City and community clean and green plans to help promote collaboration, community engagement and effective use of limited resources.

7. Commitment

Commitment techniques are effective in promoting desirable ecological and social behaviours. The Clean & Green Hamilton Strategy will employ commitment strategies such as charters with Hamilton property owners or managers as the primary target stakeholders. Charters to commit to the vision, principles and objectives of the Clean & Green Hamilton Strategy will be drafted for neighbourhoods, businesses, schools, volunteer organizations, conservation authorities and public utilities as well as City departments and provincial and federal ministries operating in Hamilton.

8. Monitoring and Evaluation

To ensure the Clean & Green Hamilton Strategy remains current and relevant to advances and changes to environmental, social and economic concerns, regular monitoring and evaluation of Clean & Green Hamilton’s strategy and objectives is necessary.

In collaboration with partner stakeholders, the City of Hamilton staff will commit to:

8.1. Regular program monitoring and evaluation

Programs and initiatives developed under the Clean & Green Hamilton Strategy shall include a monitoring and evaluation component. This can include, but is not limited to; service level standards, beautification indices, photographs, surveys, questionnaires and consultants.
8.2. Reporting to Council

Updates to Council on staff, stakeholder and partner activity related to the Clean & Green Hamilton Strategy will be provided through regular Clean & Green Hamilton Work Plan updates and other reporting mechanisms.

8.3. Review of the Clean & Green Hamilton Strategy

A stakeholder working group will henceforth undertake a full review of the Clean & Green Hamilton Strategy every five years. The working group’s tasks will include the review and analysis of data from cleanliness, beautification and environmental stewardship programs and initiatives. The identification of trends and gaps in long-term objectives will help inform the annual Clean & Green Hamilton Strategy work plans. The objective of the review is to ensure the Clean & Green Hamilton Strategy remains relevant for the current and foreseeable future as well as remaining congruent with relevant policies, strategies and legislation.
## Parts, Supplies, Equipment and Services for the City of Hamilton Environmental Laboratory

<table>
<thead>
<tr>
<th>Vendor Name</th>
<th>Goods</th>
<th>Services</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Anachemia Canada Inc.</strong></td>
<td>Supplier of Environmental Resource Associates (ERA) Single Blind Reference Standards</td>
<td>Provider of specialized standards utilized by the Environmental Laboratory to maintain ISO 17025 Accreditation</td>
</tr>
<tr>
<td><strong>Canadian Association for Laboratory Accreditation (CALA)</strong></td>
<td>Laboratory Accreditation Services and Laboratory Performance Testing Samples</td>
<td>On site ISO 17025 Laboratory Assessments and Provider of specialized standards utilized by the Environmental Laboratory to maintain ISO 17025 Accreditation</td>
</tr>
<tr>
<td><strong>Instruments Canada Company Ltd.</strong></td>
<td>Providing on-site calibration services for the laboratory certified thermometers and digesters</td>
<td>Providing on-site calibration services for the laboratory certified thermometers and digesters</td>
</tr>
<tr>
<td><strong>Delta Scientific Laboratory Products Ltd.</strong></td>
<td>Phenova (Wibby), High-Purity Standards and Inorganic Ventures certified reference standards and laboratory consumables</td>
<td>Provider of specialized standards and consumables utilized by the Environmental Laboratory to maintain ISO 17025 Accreditation</td>
</tr>
<tr>
<td><strong>Fisher Scientific</strong></td>
<td>Supplier of Millipore EZ-Pak® Membrane Filters used for regulatory drinking water analysis</td>
<td>Provider of specialized filters used in existing laboratory equipment</td>
</tr>
<tr>
<td><strong>Sigma-Aldrich Canada Ltd.</strong></td>
<td>SUPELCO Analytical certified reference standards and laboratory consumables</td>
<td>Provider of specialized standards utilized by the Environmental Laboratory to maintain ISO 17025 Accreditation</td>
</tr>
</tbody>
</table>

### Original Equipment Manufacturers and their representatives for parts, supplies, equipment & services

<table>
<thead>
<tr>
<th>Vendor Name</th>
<th>Goods</th>
<th>Services</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Abraxis, LLC</strong></td>
<td>Instruments, parts, supplies and service for microcystins ELISA analysis</td>
<td>OEM spare parts, supplies and services for existing equipment utilized by the Environmental Laboratory</td>
</tr>
<tr>
<td><strong>Agilent Technologies, Inc.</strong></td>
<td>Instruments, parts, supplies and service for trace metal (Varian Vista-PRO Axial CCD and SpectraAA 220FS) and trace organic analysis (Agilent GC/MSD System, Agilent GC/ECD and Tekmar Purge and Trap auto sampler with Agilent GC/MSD System)</td>
<td>OEM spare parts, supplies and services for existing equipment utilized by the Environmental Laboratory</td>
</tr>
<tr>
<td><strong>Dionex Canada Ltd.</strong></td>
<td>Instruments, parts, supplies and service for anion analysis</td>
<td>OEM spare parts, supplies and services for existing equipment utilized by the Environmental Laboratory</td>
</tr>
<tr>
<td><strong>Mandel Scientific Company Inc.</strong></td>
<td>Instruments, parts, supplies and service for PC-Titratr™ Chemistry System and three Lab Grade Lancer Dishwashers</td>
<td>OEM spare parts, supplies and services for existing equipment utilized by the Environmental Laboratory</td>
</tr>
<tr>
<td><strong>EMD Millipore Corporation</strong></td>
<td>Parts, supplies and service for Laboratory water purification systems for trace analysis</td>
<td>OEM spare parts, supplies and services for existing equipment utilized by the Environmental Laboratory</td>
</tr>
<tr>
<td><strong>SCP-Science Name Changed to Skalar Inc.</strong></td>
<td>Instruments, parts, supplies and service for Skalar Automated Chemistry Systems</td>
<td>OEM spare parts, supplies and services for existing equipment utilized by the Environmental Laboratory</td>
</tr>
<tr>
<td><strong>CEM Corporation</strong></td>
<td>Instruments, parts, supplies and service for Discover SP-D Microwave System</td>
<td>OEM spare parts, supplies and services for existing equipment utilized by the Environmental Laboratory</td>
</tr>
<tr>
<td><strong>Magnetar Corporation</strong></td>
<td>Maintenance and Upgrades to SIRIUS Laboratory Information Management System (LIMS) database</td>
<td>Maintenance and Upgrades to laboratory information management system (LIMS) database</td>
</tr>
</tbody>
</table>
## Parts, Supplies, Equipment and Services for the City of Hamilton Water Treatment Plant

<table>
<thead>
<tr>
<th>Vendor Name</th>
<th>Goods</th>
<th>Services</th>
</tr>
</thead>
<tbody>
<tr>
<td>4Imac Inc.</td>
<td>CMMS Software</td>
<td>Technical support for the modification of the City's existing Computerized Maintenance</td>
</tr>
<tr>
<td>A &amp; F Industries</td>
<td>Screw Conveyor System for loading Biosolids</td>
<td>OEM spare parts, equipment &amp; services for existing systems &amp; equipment</td>
</tr>
<tr>
<td>ACI Instrumentation Limited</td>
<td>Krohne Flow Meters, Primary controller, secondary measuring element, control</td>
<td>OEM spare parts &amp; services for existing equipment</td>
</tr>
<tr>
<td>Aerzen Canada Inc.</td>
<td>Aerzen Blowers</td>
<td>OEM spare parts &amp; services for existing equipment</td>
</tr>
<tr>
<td>Alfa- Laval</td>
<td>Centrifuges, specialized equipment, specialized testing</td>
<td>OEM parts, equipment and services</td>
</tr>
<tr>
<td>A.W. Chesterton Company</td>
<td>Chesterton mechanical seals for the pumps in the main pumphouse at the WWTP</td>
<td>OEM spare parts for pump mechanical seals.</td>
</tr>
<tr>
<td>C &amp; M Environmental Technologies Inc.</td>
<td>Environmental Dynamics International aeration diffuser bubbler system currently</td>
<td>OEM, replacement parts for the aeration systems.</td>
</tr>
<tr>
<td>Can-Am Instruments Limited</td>
<td>Hach/ Sigma samplers, pumps, motors, drives and other miscellaneous equipment.</td>
<td>OEM spare parts and services for existing equipment utilized by Plant Operations.</td>
</tr>
<tr>
<td>Cancoppas Limited</td>
<td>Aysix oxygen analyzers in the aeration tanks.</td>
<td>OEM spare parts for aeration analysis</td>
</tr>
<tr>
<td>Devine &amp; Associates Ltd.</td>
<td>Cla-Val Pressure Reducing Valves (PRV)</td>
<td>OEM spare parts and training for Cla- Val Valves. Require maintenance and repair on a</td>
</tr>
<tr>
<td>Dynamic Filtration Ltd.</td>
<td>Dynamic Filters</td>
<td>OEM support and supplies</td>
</tr>
<tr>
<td>Eaton Yale Company</td>
<td>Cutler Hammer Control equipment and switchgear.</td>
<td>Preventive maintenance, replacement parts, equipment and on-site services for Eaton</td>
</tr>
<tr>
<td>ESC Automation</td>
<td>HVAC system from Optimira Energy</td>
<td>OEM equipment and software support. Monitor and service the system in order to maintain the</td>
</tr>
</tbody>
</table>
## Parts, Supplies, Equipment and Services for the
### City of Hamilton Water Treatment Plant

<table>
<thead>
<tr>
<th>Company Name</th>
<th>Description</th>
<th>Supplier Details</th>
</tr>
</thead>
<tbody>
<tr>
<td>Fisher Heating Inc.</td>
<td>Investigate and repair the diesel fuel storage and delivery system in order to bring the</td>
<td>Provide all labour, equipment and materials necessary to complete emergency repairs to</td>
</tr>
<tr>
<td>General Electric Canada</td>
<td>General Electric equipment</td>
<td>OEM spare parts and on site support services for General Electric equipment and products.</td>
</tr>
<tr>
<td>H2Flow Equipment Inc.</td>
<td>OEM support and supplies for Trojan Ultra-Violet (UV) disinfection units</td>
<td>OEM spare parts for existing systems and equipment utilized by plant operations</td>
</tr>
<tr>
<td>Hach Sales &amp; Service Canada Inc.</td>
<td>OEM support and supplies for Hach equipment.</td>
<td>OEM preventative maintenance and calibration by technicians with technical resources,</td>
</tr>
<tr>
<td>Hibon Inc.</td>
<td>Hibon blowers currently provide air into the aeration system of the WTP</td>
<td>OEM spare parts for existing equipment utilized by Plant Operations</td>
</tr>
<tr>
<td>John Crane Canada Inc.</td>
<td>John Crane seals designed and fabricated specifically for centrifugal pumps</td>
<td>OEM spare parts</td>
</tr>
<tr>
<td>Lakeside Process Controls Ltd.</td>
<td>Rosemount Analyzers used in numerous processes throughout the water treatment</td>
<td>OEM spare parts and equipment for Rosemount Product.</td>
</tr>
<tr>
<td>L.J. Barton Mechanical Inc.</td>
<td>Waste gas flares (burners)</td>
<td>Provide all labour, equipment and materials necessary to maintain the existing Waste Gas</td>
</tr>
<tr>
<td>Metcon Sales &amp; Engineering Ltd.</td>
<td>ABB Turbidity Meters, including analyzers, switches, valves and other associated</td>
<td>OEM spare parts for existing ABB &amp; Prominent Equipment utilized by Plant Operations.</td>
</tr>
<tr>
<td>National Process Equipment</td>
<td>Recirculation chopper pumps that were manufactured by Vaughan Pumps and</td>
<td>OEM spare parts for existing equipment utilized by Plant Operations</td>
</tr>
<tr>
<td>Pencon Equipment Company</td>
<td>RoFlo Gas Compressors within the process systems, including full compressor</td>
<td>OEM spare parts for existing systems and equipment utilized by plant operations</td>
</tr>
<tr>
<td>Pro Aqua &amp; Shadrack Inc</td>
<td>Siemens Industry, Inc. Envirex Products</td>
<td>OEM spare parts supplies and services for existing Siemens Equipment and associated</td>
</tr>
<tr>
<td>Gerrie Electric</td>
<td>Rockwell (Allen-Bradely) VFD parts components and services</td>
<td>OEM spare parts for existing systems and equipment utilized by plant operations</td>
</tr>
<tr>
<td>Romatec Process Solutions</td>
<td>Seepex Pumping Systems, including pumps, motors, drives, etc.</td>
<td>OEM spare parts and assembly's for existing equipment utilized by Plant Operations</td>
</tr>
<tr>
<td>Rotork Controls (Canada) Ltd.</td>
<td>Rotork actuator systems, including various equipment and components such as</td>
<td>OEM spare parts and services</td>
</tr>
</tbody>
</table>
# Parts, Supplies, Equipment and Services for the City of Hamilton Water Treatment Plant

<table>
<thead>
<tr>
<th>Company Name</th>
<th>Description</th>
<th>Services Provided</th>
</tr>
</thead>
<tbody>
<tr>
<td>Schneider Electric Canada Inc.</td>
<td>Schneider Electric. Electrical supply and control systems</td>
<td>OEM parts, Equipment and On-site services for Schneider Electrical Equipment &amp; Products.</td>
</tr>
<tr>
<td>Schwing Bioset</td>
<td>Schwing replacement parts</td>
<td>OEM spare parts for existing equipment utilized by Plant Operations</td>
</tr>
<tr>
<td>S.I.E. Millwright and Maintenance Services</td>
<td>Aerzen Blowers. SIE for repair and replacement.</td>
<td>OEM spare parts for existing equipment utilized by Plant Operations</td>
</tr>
<tr>
<td>Siemens Canada Limited</td>
<td>Siemens replacement parts and services</td>
<td>OEM spare parts supplies and services for existing Siemens Equipment and associated systems</td>
</tr>
<tr>
<td>Smart Turner Pumps</td>
<td>Smart Turner water pumps and motors.</td>
<td>OEM spare parts and support services for existing systems and equipment utilized by Plant Operations</td>
</tr>
<tr>
<td>Smith &amp; Loveless Inc.</td>
<td>Smith and Loveless process systems, including pumps, classifiers, grit separators, etc.</td>
<td>OEM spare parts for existing equipment utilized by Plant Operations</td>
</tr>
<tr>
<td>SPD Sales Limited</td>
<td>Grundfos Products including Alldos Products and ATI Technology Inc. Products</td>
<td>OEM spare parts for existing equipment utilized by Plant Operations</td>
</tr>
<tr>
<td>Syntec Process Equipment</td>
<td>Singer Pressure Reducing Valves (PRV)</td>
<td>OEM spare parts and service for Singer</td>
</tr>
<tr>
<td>T.D. Rooke Associates Ltd./Gratec Limited</td>
<td>Gratec Lightnin Mixers process systems, including mixers, drives, controllers, etc.</td>
<td>OEM equipment and spare parts for existing equipment utilized by Plant Operations</td>
</tr>
<tr>
<td>Transcat Inc.</td>
<td>Providing on-site calibration services to the instrumentation testing equipment.</td>
<td>On-site calibration of Instrumentation testing equipment.</td>
</tr>
<tr>
<td>Technical Standards &amp; Safety Authority</td>
<td>Providing safety management consultation for businesses and industries in Ontario.</td>
<td>Quality Assessed Facility (QAF) program: to ensure that each piece of equipment is</td>
</tr>
<tr>
<td>Wajax Industrial Components</td>
<td>Moyno Pumping Systems, including pumps, motors, drives, etc. and other miscellaneous</td>
<td>OEM spare parts and assemblies for existing equipment utilized by Plant Operations</td>
</tr>
<tr>
<td>Xylem Water Solutions / Xylem Inc.</td>
<td>ITT Flygt process systems, including pumps, mixers, drives, controllers, etc. and other</td>
<td>OEM spare parts for existing systems and equipment utilized by Plant Operations.</td>
</tr>
</tbody>
</table>
TO: Chair and Members Facility Naming Sub-Committee
WARD(S) AFFECTED: WARD 15

COMMITTEE DATE: October 22, 2012

SUBJECT/REPORT NO:
Renaming of Waterdown North Wetland Trails to John MacLennan Wetland Trails (PW12075) - (Ward 15)

SUBMITTED BY:
Gerry Davis, CMA
General Manager
Public Works Department

PREPARED BY:
Lynda Mackay
(905) 546-2424, Extension 2996

RECOMMENDATION

That the request to rename the area commonly known as "Waterdown North Wetland Trails" to the "John MacLennan Wetland Trails", referenced in Report PW12075 as Appendix A, be approved at this time as this request meets the criteria set out in the Municipal Property and Building Naming Policy.

EXECUTIVE SUMMARY

This report responds to a request from the Hamilton-Wentworth Stewardship Council in 2012, that staff investigate the possibility of renaming Waterdown North Wetland Trails after City of Hamilton resident Mr. John MacLennan.

Mr. MacLennan was a founding member of the Hamilton-Wentworth Stewardship Council and was instrumental in the development of the Waterdown North Wetland Trails.

The Waterdown North Wetland Trails is a multi-use recreational trail system located north of Waterdown, Ontario on 190 acres of land formerly owned by the Town of Flamborough and now the City of Hamilton. The Trails begin in Joe Sams Leisure Park and continue South through Leisure Park Open Space to Parkside Drive.

Alternatives for Consideration - See Page 4
FINANCIAL / STAFFING / LEGAL IMPLICATIONS

Financial: There are no financial implications for this recommendation as the Hamilton-Wentworth Stewardship Council is prepared and committed to covering the costs associated with replacing signage.

Staffing: Park staff will be required to install and maintain the signage as part of the regular park maintenance activities.

Legal: There are no legal implications.

HISTORICAL BACKGROUND

Waterdown North Wetland Trails

The Waterdown North Wetland Trails is a multi-use recreational trail system located north of Waterdown, Ontario on 190 acres of land formerly owned by the Town of Flamborough and now the City of Hamilton. The Trails begin in Joe Sams Leisure Park, 752 Centre Road, and continue South through Leisure Park Open Space to Parkside Drive.

The Waterdown North Wetland encompasses a few small swamps along the Grindstone Creek immediately north of the community of Waterdown. The wetland area is approximately 82 hectares in size consisting of broadleaf swamps. These small swamps are part of a larger wetland complex, the Lake Medad Valley Swamp. Together, these wetlands form a Provincially Significant Class 1 (highest ranking) Wetland Complex.

The trail system project was initiated by the Hamilton-Wentworth Stewardship Council and directed by members of the Waterdown North Wetland Trails Steering Committee. The Steering Committee consists of representatives of the Stewardship Council, Conservation Halton, Hamilton Conservation Authority, Waterdown Rod & Gun Club, the Town of Flamborough Pedestrians and Trails Happening Safely (PATHS) Committee and other volunteers from the community. The completion of the Trails was made possible through the strong commitment, resourcefulness, and leadership of Mr. John MacLennan, Chair of the Steering Committee.

The official opening of the Waterdown North Wetland Trails took place on Saturday June 2, 2001 before one hundred people. The event included remarks from John MacLennan, followed by Ancaster-Dundas-Flamborough-Aldershot MPP, Ted McMeekin, and Kevin Keith, Director of Parks for the City of Hamilton. A message was also read from the Honourable Herb Gray, Deputy Prime Minister and Minister responsible for the Government of Canada's Millennium Initiative.

Mr. John MacLennan

Born and raised in Hamilton, Mr. John MacLennan was a continual inspiration to his friends and colleagues and he worked tirelessly on many environmental projects in the Hamilton area. As a founding member of the Hamilton-Wentworth Stewardship Council,
Mr. MacLennan attracted many people to get involved in community efforts to improve our natural heritage.

Mr. MacLennan was a member of the Conservation Halton’s Board of Directors from 2001 to 2010 representing the City of Hamilton as a citizen appointee. As a determined, committed and resourceful environmentalist, Mr. MacLennan played a crucial part in the development of the Waterdown North Wetland Trails. His goal was to protect natural areas that provided for the growth and development of native plants, wildlife, fish, and birds. Mr. MacLennan was also a strong believer that nature, personal health, and well-being went hand in hand and was a fierce proponent of using nature as an education tool.

Mr. John MacLennan earned a degree from McMaster University in physical education, followed by a teaching certificate from the Ontario Teachers College. As a result of his teaching abilities, Mr. MacLennan was the recipient of numerous awards over the years.

- In 1993, he received the Pete Beach Award for educators who have a positive influence on students' lives.
- In 2000, he was inducted into McMaster University's Athletic Hall of Fame.
- In 2010 he was recipient of an award celebrating significant people in the community who made contributions to athletics and leadership.

Thanks to Mr. MacLennan’s personal devotion and dedication, the citizens of Hamilton are able to take pleasure in the many activities available at the Waterdown North Wetland Trails, be it cycling, skating, jogging, walking or just surrounding themselves with the tranquility that the Trails have to offer.

Mr. John MacLennan passed away suddenly on December 3, 2011.

POLICY IMPLICATIONS

This naming request can be considered as per the City of Hamilton Municipal Property and Building Naming Policy. The request meets the Policy Naming Criteria and Guidelines as set out in Section 4. (b) (iii) as detailed in the Analysis/Rationale for Recommendation section of this report.

RELEVANT CONSULTATION

Members of the Hamilton-Wentworth Stewardship Council, Conservation Halton, Grindstone Church, Ministry of Natural Resources, M.P.P. Ted McMeekin, and Ward 15 Councillor, Judi Partridge, have all provided background information on Mr. MacLennan’s contributions. Approval has been received from the MacLennan family for this dedication.
Policy Requirements

Council, at its meeting of December 14, 2005 approved the Strategic Planning and Budgets Report 05-014 which included Report 05-006 of the Facility Naming Subcommittee Item 8.3 "City of Hamilton Municipal Property and Building Naming Policy".

This policy serves to establish guidelines and regulations for the naming of municipal property and buildings in the City of Hamilton.

The City of Hamilton Municipal Property and Building Naming Policy has three accepted categories from which proposed names of municipal properties and buildings may be selected: geographic, historic, and prominent individuals/organizations (listed in priority order).

The Prominent Individual/Organization category, Section 4. (b) (iii), states that, names affiliated with individuals or organizations may include, but are not limited to individuals who, in a voluntary or philanthropic capacity, have made a significant contribution in the area of public service on a local, national, or international scale.

The following paragraphs document the contributions of Mr. John MacLennan:

Mr. John MacLennan was a continual inspiration to his friends and colleagues and he worked tirelessly on many environmental projects in the Hamilton area. As a founding member of the Hamilton-Wentworth Stewardship Council, Mr. MacLennan attracted many people to get involved in community efforts to improve our natural heritage.

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Committee may choose to deny the request; rename the park after Mr. John MacLennan by another name; or rename the park after another individual.
CORPORATE STRATEGIC PLAN


Environmental Stewardship

- Natural resources are protected and enhanced
- Aspiring to the highest environmental standards

Healthy Community

- An engaged Citizenry
- Individuals who make significant contributions to our Community/City are valued and appreciated.

APPENDICES / SCHEDULES

Appendix A - Aerial view of Waterdown North Wetland Trails
Joe Sams Leisure Park - Waterdown North Wetland Trails
THE BOARD OF HEALTH PRESENTS REPORT 12-009 AND RESPECTFULLY RECOMMENDS:

1. **2012 Accreditation Annual Review Results and 2010-2012 Work Plan Update (BOH08027(e)) (City Wide) (Item 5.1)**

   That Report BOH08027(e), respecting the 2012 Accreditation Annual Review Results and 2010-2012 Work Plan Update, be received.

2. **Infectious Disease and Environmental Health Report - January 2, 2012 to June 30, 2012 (BOH12030) (City Wide) (Item 5.2)**

   That report BOH12030, respecting Infectious Disease and Environmental Health Report - January 2, 2012 to June 30, 2012, be received.

3. **Continued Funding for Health Initiatives for Youth (BOH10003(a)) (City Wide) (Item 8.1)**

   (a) That the Board of Health approve the extension of the current contract with Health Initiatives for Youth Hamilton to provide provincially mandated

   Council – November 28, 2012
sexual health clinic services to residents of downtown central Hamilton, for the term of January 1, 2013 to December 31, 2014, with an option to further extend the contract until December 31, 2016, at an annual cost of $165,216 to be funded from the Public Health Services operating budget;

(b) That the Medical Officer of Health be authorized to execute an agreement between the City and Health Initiatives for Youth Hamilton to implement the above recommendation in a form satisfactory to the City Solicitor.

4. **2013-2014 Community Accountability Planning Submission to the Hamilton, Niagara, Haldimand, Brant Local Health Integration Network (BOH11005(a) (City Wide) (Item 8.2)**

   (a) That the 2013-2014 Community Accountability Planning Submission required by the Hamilton Niagara Haldimand Brant Local Health Integration Network for Public Health Services, Community Mental Health Promotion Program of the Mental Health and Street Outreach Services, and Alcohol, Drug & Gambling Services programs, to cover the upcoming 2013-2014 fiscal year, be approved;

   (b) That the Medical Officer of Health be authorized and directed to submit reports to meet accountability agreements as required by the Local Health Integration Network.

5. **The Health Impacts of Gambling (Item 9.1)**

   Whereas, the City of Toronto Public Health Department has released a position statement on “Gambling and Health” in reference to Toronto’s discussion on a casino, and;

   Whereas, Hamilton City Council is currently considering a new casino for Hamilton;

   Therefore, be it resolved that the Medical Officer of Health be directed to report back on the health impacts of gambling as soon as possible.

6. **Correspondence from the Minister of Health and Long-Term Care respecting the appointment of Dr. Meghani as an Associate Medical Officer of Health. (Item 11.2)**

   Recommendation: Be received
FOR THE INFORMATION OF THE COUNCIL:

(a) CHANGES TO THE AGENDA (Item 1)

1. ADDED NOTICES OF MOTION

   10.1 The Health Impacts of Gambling

2. ADDED GENERAL INFORMATION

   11.2 Correspondence from the Minister of Health and Long-Term Care respecting the appointment of Dr. Mehnani as an Associate Medical Officer of Health.

   Recommendation: Be received

The agenda was approved as amended.

(b) DECLARATIONS OF INTEREST (Item 2)

None

(c) MINUTES (Item 3)

   (i) October 15, 2012 (Item 3.1)

   The minutes from the October 15, 2012 Board of Health meeting were approved.

(d) CONSENT ITEMS (Item 5)

   (i) Community Food Security Stakeholders Advisory Sub-Committee Minutes – September 5, 2012 (Item 5.3)

   The minutes from the Community Food Security Stakeholders Advisory Sub-Committee Minutes, dated September 5, 2012, were received.

   (ii) Community Food Security Stakeholders Advisory Sub-Committee Minutes – October 3, 2012 (Item 5.4)

   The minutes from the Community Food Security Stakeholders Advisory Sub-Committee Minutes, dated October 3, 2012, were received.

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(e) PUBLIC HEARINGS/DELEGATIONS (Item 6)

(i) Delegation request from Mark Holland, representing the Heart & Stroke Foundation wishing to speak to the Board regarding how to make Hamilton a more cardiac safe City (approved at the October 15, 2012 Board of Health Meeting) (Item 6.1)

Mr. Holland was not in attendance for today’s meeting.

(ii) Delegation Request from Mitchell Blau, Environment Hamilton (EH) to present findings and recommendations of EH’s Dustbusters Initiative (approved at the October 15, 2012 Board of Health Meeting) (Item 6.2)

Mitchell Blau, spoke to the Committee respecting the findings of the Dustbusters Initiative. A copy of his PowerPoint presentation was retained for the record.

The presentation respecting the findings and recommendations of Environment Hamilton’s Dustbuster Initiative, was referred to the discussion respecting Neighbourhood Air Quality in Hamilton’s Industrial Core.

The presentation by Mitchell Blau, respecting the findings and recommendations of Environment Hamilton’s Dustbusters Initiative, was received.

(f) NOTICES OF MOTION (Item 10)

Councillor McHattie introduced the following notice of motion.

(i) The Health Impacts of Gambling (Item 10.1)

 Whereas, the City of Toronto Public Health Department has released a position statement on “Gambling and Health” in reference to Toronto’s discussion on a casino, and;

 Whereas, Hamilton City Council is currently considering a new casino for Hamilton;

 Therefore, be it resolved that the Medical Officer of Health be directed to report back on the health impacts of gambling as soon as possible.
The Rules of Order were waived to allow the introduction of a motion respecting the Health Impacts of Gambling.

Please refer to Item 5 for disposition of this matter.

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

(i) Outstanding Business List (Item 11.1)

Outstanding Business List item “A” respecting Community Garden Coordinator, was removed as the item is complete.

(h) ADJOURNMENT (Item 13)

With no further business the Board of Health adjourned at 2:15 p.m.

Respectfully submitted,

Mayor R. Bratina
Chair, Board of Health

Christopher Newman
Legislative Coordinator
THE PLANNING COMMITTEE PRESENTS REPORT 12-018 AND RESPECTFULLY RECOMMENDS:

1. Hamilton Historical Board (HHB) Annual Report (No Copy) (Item 7.1)

   That the presentation of the Annual Report from the Hamilton Historical Board (HHB), be received.

2. Committee of Adjustment Minor Variance Application HM/A-12:43 for the Property Known as 222 Wentworth Street South (Hamilton) - Supported by the Planning and Economic Development Department but Denied by the Committee of Adjustment (PED12138) (Ward 2) (Tabled from August 14, 2012) (Item 5.1)

   That Report PED12138, respecting Committee of Adjustment Minor Variance Application HM/A-12:43, to permit the conversion of the ground floor retail store into 3 residential dwelling units and establish an 8 unit multiple dwelling, at the property known as 222 Wentworth Street South (Hamilton), as shown on Appendix "A" to Report PED12138, supported by the Planning and Economic
Development Department, but Denied by the Committee of Adjustment, be received for information.

3. **Sharing The Names Of Owners Whose Dogs Are Involved in Attacks (LS12035) (preceding reports: PED11053/(a)/(b)) (City Wide) (Item 5.2)**

That Appendix “A” of Item 1 of Planning Report 12-013 respecting, Sharing the Names of Owners Whose Dogs Are Involved in Attacks, approved by Council on September 12, 2012, be deleted in its entirety and replaced with the amended Appendix “A” attached hereto.

4. **Revised Waterdown South Urban Design Guidelines (PED10171(a)) (Ward 15) (Item 5.3)**

That the Revised Waterdown South Secondary Plan Urban Design Guidelines, attached Report PED10171(a) as Appendix “B”, be approved and adopted.

5. **Extension of Project Compliance and Vital Services Programs (PED10049(i)) (City Wide) (Item 5.4)**

That the following two related pilot programs be extended until December 2013, or until such time as City Council makes a final decision on the creation of a license category for rental housing:

(a) The Proactive By-law Enforcement Pilot Program for Wards 1 to 8, to be funded from the Parking Reserve (Account # 108021);

(b) The temporary Vital Services Program, to be funded from the Tax Stabilization Reserve (Account # 110046).

6. **Food Service Vehicles – Designated Parking (PED12085(b)) (City Wide) (Item 5.5)**

That Information Report PED12085(b) respecting Food Service Vehicles – Designated Parking, be received.

7. **Pre-Christmas Free Parking Program – Concession Street Business Improvement Area (B.I.A.) (PED12225) (Wards 6 and 7) (Item 5.6)**

That the annual Pre-Christmas Free Parking Program, approved by City Council on June 25, 2003, be amended to include free on-street parking, on a trial basis
for one Christmas season, from December 10 to December 24, 2012, and limited
to two hours in duration, for the Concession Street Business Improvement Area
(B.I.A.).

8. **Enforcement of Accessible Parking Spaces on Municipal and Private Property (PED12226) (City Wide) (Item 5.7)**

That the Council direction of May 9, 2012 to update the design of accessible parking spaces for persons with disabilities for implementation into every parking lot within the City of Hamilton, and the corresponding By-law 01-220 (Private and Municipal Properties), be delayed until such time as the Province releases the new accessible parking space standards.

9. **Hamilton Historical Board (HHB) 2013 Volunteer Committee Budget Submission (PED12216) (City Wide) (Item 5.8)**

(a) That the Hamilton Historical Board’s 2013 base budget submission, attached as Appendix A to Report PED12216, in the amount of $14,340, be received and forwarded to the 2013 budget process;

(b) That in addition to the base funding, a one-time budget allocation for 2013 of $5,370.00, funded by the Hamilton Historical Board reserve, be received and forwarded to the 2013 budget process.

10. **Delegation from Abacu Mendoza respecting property maintenance and erosion (Item 6.1)**

That staff report back to the appropriate Committee with all options to address the erosion on the property.

11. **Application for Approval of a Draft Plan of Condominium (Common Elements) for Lands Located at 107 Padua Crescent, being Part of Block 19, Registered Plan 62M-1170, “Trillium Gardens - Phase 2” (Stoney Creek) (PED12201) (Ward 11) (Item 6.2)**

That approval be given to Draft Plan of Condominium Application 25CDM-201206, by DiCenzo Construction Company, Owner, to establish a common element condominium for, but not limited to, a private internal roadway, visitor’s parking area, and landscaped area, on the property located at 107 Padua Crescent (Stoney Creek), as shown on Appendix “A” to Report PED12201, subject to the following conditions:
(a) That this approval shall apply to the plan, prepared by Barich Grenkie Surveying Ltd., and certified by Edward J Grenkie, O.L.S., dated July 26, 2012, showing common elements for, but not limited to, a private internal roadway, visitor’s parking area, and landscaped area, attached as Appendix “B” to Report PED12201;

(b) That the Final Plan of Condominium shall comply with all of the applicable provisions of Stoney Creek Zoning By-law No. 3692-92, as amended;

(c) That the owner/developer shall provide to Union Gas Limited the necessary easements and/or agreements required by Union Gas Limited for the provision of gas services for this project, in a form satisfactory to Union Gas Limited;

(d) That the owner shall include the following warning clauses in the Development Agreement and all Purchase and Sale and/or any Rental or Lease Agreements required for occupancy:

   (i) Purchasers/Tenants are advised that the City of Hamilton will not be providing maintenance or snow removal service for the private condominium road;

   (ii) Home/business mail delivery shall be from a designated Centralized Mail Box;

   (iii) The developer/owner shall be responsible for officially notifying the purchasers of the exact Centralized mail Box locations prior to the closing of any home sales.

(e) That the owner/developer shall work with Canada Post to determine and provide temporary suitable Centralized Mail Box locations, which may be utilized by Canada Post until the curbs, boulevards, and sidewalks are in place in the remainder of the condominium, to the satisfaction of the Senior Director of Growth Management of the City of Hamilton and Canada Post;

(f) That the owner/developer shall install a concrete pad in accordance with the requirements of, and in locations to be approved by, Canada Post, to facilitate the placement of Community Mail Boxes, to the satisfaction of the Senior Director of Growth Management of the City of Hamilton and Canada Post;

(g) That the owner/developer shall identify the pads above on engineering servicing drawings. Said pads are to be poured at the time of the sidewalk and/or curb installation within each phase of the plan of condominium, to
the satisfaction of the Senior Director of Growth Management of the City of Hamilton and Canada Post;

(h) That the owner/developer shall determine the location of all centralized mailing facilities in co-operation with Canada Post, and to indicate the location of the centralized mail facilities on appropriate maps, information boards, and plans. Maps are also to be prominently displayed in the sales office(s) showing specific Centralized Mail Facility locations, to the satisfaction of the Senior Director of Growth Management of the City of Hamilton and Canada Post;

(i) That Canada Post's Multi-Unit Policy, which requires that the owner/developer provide the centralized mail facility, at their own expense, will be in affect for buildings and complexes with a common lobby, common indoor, or sheltered space;

(j) That the owner shall include the following warning clause in the Development Agreement and all Purchase and Sale and/or any Rental or Lease Agreements required for occupancy as related to the rear yard catchbasins to be constructed at the rear of 11, 31, 55, 73, and 85 Padua Crescent:

“Lot grading and drainage of these lands has been designed to require a rear yard catchbasin at the rear of this lot, with a connection to the mainline sewer. It is the sole responsibility of the owner of this lot to maintain and operate the rear yard catchbasin and its connection. The owner of this lot shall in no way interfere with, alter, change, or remove the rear yard catchbasin or its connection to the mainline sewer.”

(k) That the owner shall enter into a Development Agreement to ensure that the tenure of each of the proposed 34 freehold, semi-detached residential units has legal interest, in common, to the Common Elements Condominium, to the satisfaction of the City Solicitor;

(l) That the owner shall receive final approval of Part-Lot Control Application PLC-12-019 for the establishment of the respective building lots and/or any necessary easements and/or parts;

(m) That the final plan of condominium shall comply, in all respects, with the approved Site Plan (DA-11-162), to the satisfaction of the Director of Planning;

(n) That the owner shall satisfy all conditions, financial or otherwise, of the City of Hamilton.
12. **Application for Amendment to the Town of Ancaster Zoning By-law No. 87-57 for Lands Located at 446 Springbrook Avenue (Ancaster) (PED12208) (Ward 12) (Item 6.3)**

That approval be given to Amended Zoning Application ZAR-12-018, by Emidio and Maria Casimirri, Owners, for changes in zoning from the Agricultural “A” Zone to the Agricultural “H-A-654” Holding Zone (Block 1), and to the Residential “R4-555” Zone, Modified, with a Special Exception (Block 2), to permit land use regulations to facilitate a condition of Consent Application AN/B-12:39, thereby allowing the existing dwelling to be located on a severed lot and facilitate the future residential development of the remaining lands fronting onto Springbrook Avenue, on lands located at 446 Springbrook Avenue (Ancaster), as shown on Appendix “A” to Report PED12208, on the following basis:

(a) That the draft By-law, attached as Appendix “B” to Report PED12208, which has been prepared in a form satisfactory to the City Solicitor, be enacted by City Council;

(b) That the proposed changes in zoning are in conformity with the Hamilton-Wentworth Official Plan and Official Plan for the Town of Ancaster.

13. **Application for an Amendment to Hamilton Zoning By-law No. 6593 for the Property Located at 788 Upper Ottawa Street (Hamilton) (PED12207) (Ward 6) (Item 6.4)**

That approval be given to Zoning Application ZAC-12-011, by 1826240 Ontario Inc. (Zahra Arabkraramy), Owner, for a change in zoning to Hamilton Zoning By-law No. 6593 from the “C” (Urban Protected Residential, Etc.) District to the “H/S-1655” (Community Shopping and Commercial, Etc.) District, with a Special Exception, in order to permit a 3-storey, mixed-use building containing 8 dwelling units on the 2nd and 3rd floors and ground floor commercial uses, for the lands located at 788 Upper Ottawa Street (Hamilton), as shown on Appendix “A” to Report PED12207, on the following basis:

(a) That the draft By-law, attached as Appendix “B” to Report PED12207, which has been prepared in a form satisfactory to the City Solicitor, be enacted by City Council;

(b) That the change in zoning conforms to the Hamilton-Wentworth Official Plan and the City of Hamilton Official Plan.
14. Application to Amend Zoning By-law No. 90-145-Z for the Property Located at 533 Millgrove Side Road (Flamborough) (PED12209) (Ward 15) (Item 6.5)

(a) That Zoning By-law Amendment Application ZAC 09-036, by Domson Investments Ltd., Owner, to recognize existing and proposed uses of the Dutch Mill Country Market, 533 Millgrove Side Road (Flamborough), as shown on Appendix “A” to Report PED12209, and as generally presented in the submission by Ed Fothergill to the Economic Development and Planning Committee on October 5, 2010, that were deemed by City Council on October 13, 2010, to be agri-tourism and, accordingly, in conformity with both the Rural policies of the Hamilton-Wentworth Official Plan and the Agricultural policies of the Flamborough Official Plan, be deemed to comply with the land use policies of the Rural Hamilton Official Plan.

(b) That Zoning By-law Amendment Application ZAC-09-036, by Domson Investments Ltd., Owner, for a modification to the “A” (Agricultural) Zone to permit agri-tourism uses, including a tearoom, gift shop, and entertainment uses, on lands located at 533 Millgrove Side Road (Flamborough), as shown on Appendix “A” to Report PED12209, be approved, in part, to allow a gift shop and/or restaurant of an intensity that will not generate a combined sewage design flow capacity of greater than 10,000 L/day, on the following basis:

(i) That the draft By-law, attached as Appendix “B” to Report PED12209, which has been prepared in a form satisfactory to the City Solicitor, be enacted by City Council.

(ii) That the amending By-law be added to Schedule “A-11”, of Zoning By-law No. 90-145-Z.

(iii) That the proposed change in zoning is deemed by Council to be in conformity with the Rural Hamilton Official Plan.

(c) That the implementing Zoning By-law referred to in Recommendation (b)(i) of PED12209, and attached as Appendix "B", of the staff report regarding the Dutch Mill Farm Market be modified to allow additional banquet centre use of up to a maximum 150 people now (which includes the current 112 restaurant seating), and include a Holding "H" provision to additionally allow the banquet centre capacity of up to 250 along with the other existing agri-tourism uses;

(d) The Holding "H" provision shall not be lifted until the submission of additional Hydrogeological Investigation demonstrating that the uses can be adequately serviced by private water and sanitary services, to the satisfaction of the Manager of Development Planning, Heritage & Design

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and the Manager of Infrastructure and Source Water Planning, in consultation with Ministry of the Environment;

(e) That the approval be conditional on a satisfactory compliance agreement.

15. City Initiated Amendments to the Former City of Stoney Creek Official Plan, Urban Hamilton Official Plan, and Zoning By-laws 3692-92 and 05-200, for Lands Located at 1925 Rymal Road East (Stoney Creek) (PED12214) (Ward 9) (Item 6.6)

(a) That approval be given to Stoney Creek Official Plan Amendment No. ___ to redesignate the subject lands from “Mixed-Use-Medium Density” to “General Open Space” on Schedule A3-4 - Trinity West Secondary Plan, for the lands located at 1925 Rymal Road East (Stoney Creek), as shown on Appendix “A” to Report PED12214, to maintain the lands for open space purposes held in long term lease by the Hamilton Conservation Authority, on the following basis:

(i) That the Official Plan Amendment, attached as Appendix “B” to Report PED12214, be adopted by Council;

(ii) That the proposed Official Plan Amendment is consistent with the Provincial Policy Statement and Growth Plan for the Greater Golden Horseshoe (Places to Grow Plan), and conforms to the Region of Hamilton-Wentworth Official Plan.

(b) That Urban Hamilton Official Plan Amendment No. ___, to redesignate the subject lands from “Mixed-Use-Medium Density” to “Open Space” on Schedule E-1 - Urban Land Use Designations, and from “Mixed-Use-Medium Density” to “General Open Space”, and from “Mixed-Use-Medium Density” to “General Open Space” on Vol.2: Map B.7.7-1 - Trinity West Secondary Plan - Land Use Plan, attached as Appendix “E” to Report PED12214, be received and held in abeyance until such time as the relevant sections of the Urban Hamilton Official Plan come into force and effect; and when the relevant sections of the Urban Hamilton Official Plan come into force and effect, that Planning and Economic Development Department staff be directed and authorized to hold a Public Meeting, pursuant to the provisions of the Planning Act, to consider the proposed Urban Hamilton Official Plan Amendment, for lands located at 1925 Rymal Road East (Stoney Creek);

(c) That approval be given to rezone the subject lands from the Neighbourhood Development “ND” Zone of the former City of Stoney Creek Zoning By-law 3692-92 to an Open Space (P4, H50) Holding Zone, of Zoning By-law 05-200, to maintain the lands for open space purposes
held in long term lease by the Hamilton Conservation Authority, for lands located at 1925 Rymal Road East (Stoney Creek), as shown on Appendix “A” to Report PED12214, on the following basis:

(i) That the Draft By-law, attached as Appendix “C” to Report PED12214, which has been prepared in a form satisfactory to the City Solicitor, be enacted by Council;

(ii) That the Draft By-law, attached as Appendix “D” to Report PED12214, which has been prepared in a form satisfactory to the City Solicitor, be enacted by Council;

(ii) That the proposed rezoning is in conformity with the Region of Hamilton-Wentworth Official Plan, and will be in conformity with the former City of Stoney Creek Official Plan upon finalization of Official Plan Amendment No. □.

16. Taxi Cab Broker Participation in Seasonal Promotional Public Service Campaign with the LCBO (Item 9.1)

That taxi cab brokers be allowed to participate in a seasonal promotional public service campaign with the LCBO as it relates to the serious issue of drinking and driving, limited only to Saturdays from November 24, 2012 to December 29, 2012, subject to the following requirements:

(a) A document outlining the specifics of the promotional public service campaign be provided in advance to the satisfaction of the Issuer of the License;

(b) That the roof mount sign and any other advertising shall be approved in advance by the Issuer of the License and shall only be affixed to the taxi on Saturdays during the specified dates above;

(c) That the approval be conditional on an agreed to timeline by the applicant or compliance agreement.

17. Urban Hamilton Official Plan Proposed Settlements and Legal Direction (LS12024) (Item 12.1)

(a) That Report LS12024, Urban Hamilton Official Plan Proposed Settlements and Legal Direction, be received;

(b) That Report LS12024, Urban Hamilton Official Plan Proposed Settlements and Legal Direction, and recommendation (c)(5) remain confidential, but
that the appendices and recommendations (c)(1) to (c)(3), be made public in the event that a settlement is reached with the applicable appellant.

(c) That staff be directed to settle certain of the OMB appeals of Urban-Hamilton Official Plan on the following basis:

(4) In the event a settlement is not reached with DiCenzo Construction Company Limited, or 1800615 Ontario Inc. and 1536708 Ontario Inc. notwithstanding there being no material change to the factual or planning basis for the appeals by these companies, that the content of the draft minutes of settlement in Appendices E and F constitute the City’s response to the appeals by these companies to the Urban Hamilton Official Plan and Legal staff be authorized to submit such position on a with prejudice basis to the Ontario Municipal Board.

18. Supplementary Report regarding Urban Hamilton Official Plan Proposed Settlements and Legal Direction (LS12024(a)) (Item 12.2)

(a) That Report LS12024(a), Supplementary Report regarding Urban Hamilton Official Plan Proposed Settlements and Legal Direction, be received;

(b) That Report LS12024(a), Supplementary Report regarding Urban Hamilton Official Plan Proposed Settlements and Legal Direction, remain confidential, but that Appendix C and recommendation (c)(1), be made public in the event that a settlement is reached with the applicable appellant.

(c) That staff be directed to settle certain of the OMB appeals of Urban Hamilton Official Plan on the following basis:

(2) In addition to recommendation #4 in Report LS12024, in the event a settlement is not reached with DiCenzo Construction Company Limited, or 1800615 Ontario Inc. and 1536708 Ontario Inc. with respect to their appeal for any one or more of their properties prior to the next Ontario Municipal Board prehearing but a settlement is reached with respect to the appeals for other properties, that Legal staff conclude and present a settlement to the Ontario Municipal Board with respect to such properties in which a settlement has been reached.

19. Urban Hamilton Official Plan Proposed Settlements and Legal Direction (LS12024(b)) (Item 12.3)
(a) That Report LS12024(b), Urban Hamilton Official Plan Proposed Settlements and Legal Direction, be received;

(b) That Report LS12024(b), Urban Hamilton Official Plan Proposed Settlements and Legal Direction, remain confidential, but that the appendix and recommendation (c), be made public in the event that a settlement is reached with the appellant.

20. Appeals to the Ontario Municipal Board by Recchia Developments Inc. on the City of Hamilton's Refusal or Neglect to Adopt Amendments to the Town of Dundas Official Plan and Zoning By-law for Lands located at 231 York Road (Dundas) (LS12036) (Item 12.4)

(a) That Report LS12036, Appeals to the Ontario Municipal Board by Recchia Developments Inc. on the City of Hamilton's Refusal or Neglect to Adopt Amendments to the Town of Dundas Official Plan and Zoning By-law for Lands located at 231 York Road (Dundas), be received;

(b) That Report LS12036, Appeals to the Ontario Municipal Board by Recchia Developments Inc. on the City of Hamilton's Refusal or Neglect to Adopt Amendments to the Town of Dundas Official Plan and Zoning By-law for Lands located at 231 York Road (Dundas), remain confidential;

(c) That Official Plan Amendment Application OPA-11-019, by Recchia Developments Inc., Owner, for a change in designation and policy of the Town of Dundas Official Plan, in order to permit a residential development consisting of 1 single detached dwelling and 14 townhouse dwellings, be Denied on the following basis:

(i) The application does not meet the intent of the Town of Dundas Official Plan regarding infill development within existing residential neighbourhoods;

(ii) The proposed development would not be compatible with existing development within the surrounding area, which is characterized by low density single detached dwellings on large lots;

(iii) That the application has failed to address outstanding issues related to safe vehicular access.

(d) That Amended Zoning Application ZAC-11-066, by Recchia Developments Inc., Owner for changes in zoning in order to permit a residential developments consisting of 1 single detached dwelling and 14 townhouse dwellings, be denied on the following basis:
(i) The application does not meet the intent of the Town of Dundas Official Plan regarding infill development within existing residential neighbourhoods;

(ii) The proposed development would not be compatible with existing development within the surrounding area, which is characterized by low density single detached dwellings on large lots;

(iii) That the application has failed to address outstanding issues related to safe vehicular access.

21. OPA, ZBA and Draft Plan of Subdivision appeals for non-decision and Development Charge By-law Appeals by Parkside Hills Inc. for the property known municipally as 619 Centre Road, Hamilton (in the former municipality of Flamborough) (LS12031) (Delivered Under Separate Cover) (Item 12.5)

(a) That Report LS12031, OPA, ZBA and Draft Plan of Subdivision appeals for non-decision and Development Charge By-law Appeals by Parkside Hills Inc. for the property known municipally as 619 Centre Road, Hamilton (in the former municipality of Flamborough), be received;

(b) That Report LS12031, OPA, ZBA and Draft Plan of Subdivision appeals for non-decision and Development Charge By-law Appeals by Parkside Hills Inc. for the property known municipally as 619 Centre Road, Hamilton (in the former municipality of Flamborough), remain confidential except for Appendix "A" attached thereto which shall be publicly disclosed upon council adoption of the recommendations in Report LS12031;

(c) That the recommendations and reasons for said recommendations as set out in Appendix "A" to Report LS12031 in respect to the proposed OPA and draft Plan of Subdivision and as presented to the Ontario Municipal Board on October 24, 2012 be approved;

(d) That Council support the planning staff recommendation for rear yard setback 7m for townhouses within the draft Plan of Subdivision and that the zoning by-law, as otherwise recommended by staff as attached as Appendix "A" to Report LS12031 be approved;

(e) That the recommendations and reason for said recommendations contained in Report LS12031 in respect to the draft plan conditions submitted to the Ontario Municipal Board as Exhibit 17 be approved subject to further revisions recommended by planning staff including the
provision for a final lotting plan (condition 37) and a condition which addresses cost sharing arrangements between the Applicant, Parkside Hills Inc. and the owner of the adjoining subdivision, MC2 Homes Inc. (condition 49) with all conditions being set out in Appendix "A" to Report LS12031;

(f) That staff be directed to request that the Ontario Municipal Board hold its file open until such time as the Parkside Hills Inc. appeals of the Urban Hamilton Official Plan are resolved or determined by the Ontario Municipal Board;

(g) That staff be directed to settle the appeals of Parkside Hills Inc. and Silverwood Homes Limited of DC By-laws 09-143/09-144/11-173/11-174 and 11-175 to the Ontario Municipal Board in accordance with the executed Minutes of Settlement attached as Appendix "B" to Report LS12031;

(h) That the City Solicitor, or designate, be authorized and directed to execute the said Minutes of Settlement on behalf of the City.

FOR THE INFORMATION OF COUNCIL:

(a) CHANGES TO THE AGENDA (Item 1)

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

4. DELEGATION REQUESTS

4.3 Delegation Request from Danya Scime respecting concerns regarding zoning and future well being of tourism in Flamborough

6. PUBLIC HEARINGS AND DELEGATIONS

6.1(a) Delegation from Charlie Bois respecting Sunday Gun Hunting in the City of Hamilton
6.3 Application for Amendment to the Town of Ancaster Zoning By-law No. 87-57 for Lands Located at 446 Springbrook Avenue (Ancaster) (PED12208) (Ward 12)

(i) Correspondence from IBI Group

6.5 Application to Amend Zoning By-law No. 90-145-Z for the Property Located at 533 Millgrove Side Road (Flamborough) (PED12209) (Ward 15)

(i) Correspondence from Evans, Philp LLP
(ii) Correspondence from Peto MacCallum Ltd.
(iii) Correspondence from Turkstra Mazza
(iv) Letters of support from various citizens

10. NOTICE OF MOTIONS

10.1 Taxi Cab Broker Participation in Seasonal Promotional Public Service Campaign with the LCBO

12. PRIVATE AND CONFIDENTIAL

12.5 OPA, ZBA and Draft Plan of Subdivision appeals for non-decision and Development Charge By-law Appeals by Parkside Hills Inc. for the property known municipally as 619 Centre Road, Hamilton (in the former municipality of Flamborough) (LS12031) (Delivered Under Separate Cover)

The Agenda for the November 20, 2012 meeting of the Planning Committee was approved, as amended.

(b) DECLARATIONS OF INTEREST (Item 2)

None.

(c) APPROVAL OF MINUTES (Item 3)

(i) November 6, 2012

The Minutes of the November 6, 2012 Planning Committee meeting were approved.

(d) DELEGATION REQUESTS (Item 4)
(i) **Delegation Request from Darlene Miller respecting increased licensing fees for body rub parlors (Item 4.1)**

The delegation request from Darlene Miller, respecting increased licensing fees for body rub parlors, was approved for a future meeting.

(ii) **Delegation Request from James Roberts respecting the Hamilton Animal Control By-law (Item 4.2)**

The delegation request from James Roberts, respecting the Hamilton Animal Control By-law, was approved for a future meeting.

(iii) **Delegation Request from Danya Scime respecting concerns regarding zoning and future well being of tourism in Flamborough (Item 4.3)**

The delegation request from Danya Scime, respecting Item 6.5, Application to Amend Zoning By-law No. 90-145-Z for the Property Located at 533 Millgrove Side Road (Flamborough) (PED12209) (Ward 15), was approved for today’s meeting.

(e) **PRESENTATIONS (Item 7)**

(i) **Hamilton Historical Board (HHB) Annual Report (No Copy) (Item 7.1)**

A member of the Hamilton Historical Board (HHB) presented with the aid of a PowerPoint presentation. A copy of the presentation has been included in the public record.

For disposition on this Item, refer to item 1.

(f) **PUBLIC HEARINGS AND DELEGATIONS (Item 6)**

(i) **Delegation from Abacu Mendoza respecting property maintenance and erosion (Item 6.1)**

Mr. Mendoza presented to Planning Committee with the aid of speaking notes. A copy of the speaking notes has been included in the public record.

The delegation from Abacu Mendoza respecting property maintenance and erosion, was received.

For disposition on this Item, refer to item 10.
(ii) **Delegation from Charlie Bois respecting Sunday gun hunting in the City of Hamilton (Item 6.1(a))**

Mr. Bois presented to the Planning Committee detailing the rules for Sunday gun hunting, including that the City of Hamilton must register with the Ministry of Natural Resources in order to allow Sunday gun hunting within City limits.

The delegation from Charlie Bois respecting Sunday gun hunting in the City of Hamilton, was received.

(iii) **Application for Approval of a Draft Plan of Condominium (Common Elements) for Lands Located at 107 Padua Crescent, being Part of Block 19, Registered Plan 62M-1170, “Trillium Gardens - Phase 2” (Stoney Creek) (PED12201) (Ward 11) (Item 6.2)**

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 draft plan of condominium, 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.

No public speakers came forward.

The public meeting respecting, Report PED12201, Application for Approval of a Draft Plan of Condominium (Common Elements) for Lands Located at 107 Padua Crescent, being Part of Block 19, Registered Plan 62M-1170, “Trillium Gardens - Phase 2” (Stoney Creek), was closed.

The staff presentation respecting, Report PED12201, Application for Approval of a Draft Plan of Condominium (Common Elements) for Lands Located at 107 Padua Crescent, being Part of Block 19, Registered Plan 62M-1170, “Trillium Gardens - Phase 2” (Stoney Creek), was waived.

For disposition on this Item, refer to item 11.

(iv) **Application for Amendment to the Town of Ancaster Zoning By-law No. 87-57 for Lands Located at 446 Springbrook Avenue (Ancaster) (PED12208) (Ward 12) (Item 6.3)**
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 amendment to the zoning by-law, 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.

No public speakers came forward.

The public meeting respecting, Report PED12208, Application for Amendment to the Town of Ancaster Zoning By-law No. 87-57 for Lands Located at 446 Springbrook Avenue (Ancaster), was closed.

The staff presentation respecting, Report PED12208, Application for Amendment to the Town of Ancaster Zoning By-law No. 87-57 for Lands Located at 446 Springbrook Avenue (Ancaster), was waived.

For disposition on this Item, refer to item 12.

(v) Application for an Amendment to Hamilton Zoning By-law No. 6593 for the Property Located at 788 Upper Ottawa Street (Hamilton) (PED12207) (Ward 6) (Item 6.4)

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 amendment to the zoning by-law, 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.

No public speakers came forward.
Written Submission:

1. Joan Craig

A letter from Joan Craig expressing her opposition to the application was received at the November 20, 2012 Planning Committee.

The public meeting respecting, Report PED12207, Application for an Amendment to Hamilton Zoning By-law No. 6593 for the Property Located at 788 Upper Ottawa Street (Hamilton), was closed.

The staff presentation respecting, Report PED12207, Application for an Amendment to Hamilton Zoning By-law No. 6593 for the Property Located at 788 Upper Ottawa Street (Hamilton), was waived.

For disposition on this Item, refer to item 13.

(vi) Application to Amend Zoning By-law No. 90-145-Z for the Property Located at 533 Millgrove Side Road (Flamborough) (PED12209) (Ward 15) (Item 6.5)

(i) Correspondence from Evans, Philp LLP
(ii) Correspondence from Peto MacCallum Ltd.
(iii) Correspondence from Turkstra Mazza
(iv) Letters of support from various citizens

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 amendment to the zoning by-law, 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.

Chris Bell, Senior Planner, presented highlights of the report to the Planning Committee with the aid if a PowerPoint presentation. A copy of the presentation has been included in the public record.
The staff presentation respecting, Report PED12209, Application to Amend Zoning By-law No. 90-145-Z for the Property Located at 533 Millgrove Side Road (Flamborough), was received.

Public Speakers:

1. Danya Scime – 367 Highway 5 West Dundas, ON L9H 5E2
   
   Ms. Scime expressed concerns regarding zoning and future well being of tourism in Flamborough.

2. Mark Giavedoni, Evans Philp LLP – Commerce Place, 16th Floor, 1 King St. W, Hamilton, ON L8P 1A4
   
   Mr. Giavedoni, representing Nicodemo and Rosa Restagno, expressed concerns regarding traffic concerns and opposing the claim on agri-tourism.

The public presentations respecting, Report PED12209, Application to Amend Zoning By-law No. 90-145-Z for the Property Located at 533 Millgrove Side Road (Flamborough), were received.

The public meeting respecting, Report PED12209, Application to Amend Zoning By-law No. 90-145-Z for the Property Located at 533 Millgrove Side Road (Flamborough), was closed.

The correspondence respecting, Report PED12209, Application to Amend Zoning By-law No. 90-145-Z for the Property Located at 533 Millgrove Side Road (Flamborough), was received.

Ed Fothergill, agent on behalf of the applicant, expressed concern with the reduced size of the restaurant and the gift shop.

Dennis Kerr, consulting engineer on behalf of the applicant, addressed the hydro-geological study and the adequate capacity on site to ensure that the ground and surface water (on and off-site) is safe, and if there is adequate water supply on-site to avoid adverse effects of those off-site.

The agents' presentations respecting, Report PED12209, Application to Amend Zoning By-law No. 90-145-Z for the Property Located at 533 Millgrove Side Road (Flamborough), were received.
The recommendations in Report PED12209, Application to Amend Zoning By-law No. 90-145-Z for the Property Located at 533 Millgrove Side Road (Flamborough), were amended by adding new Sub-Sections (c), (d) and (e), as follows:

(c) That the implementing Zoning By-law referred to in Recommendation (b)(i) of PED12209, and attached as Appendix "B", of the staff report regarding the Dutch Mill Farm Market be modified to allow additional banquet centre use of up to a maximum 150 people now (which includes the current 112 restaurant seating), and include a Holding "H" provision to additionally allow the banquet centre capacity of up to 250 along with the other existing agri-tourism uses;

(d) The Holding "H" provision shall not be lifted until the submission of additional Hydrogeological Investigation demonstrating that the uses can be adequately serviced by private water and sanitary services, to the satisfaction of the Manager of Development Planning, Heritage & Design and the Manager of Infrastructure and Source Water Planning, in consultation with Ministry of the Environment;

(e) That the approval be conditional on an agreed to timeline by the applicant or compliance agreement.

The amendment CARRIED on the following vote:

Yeas: M. Pearson, J. Partridge, R. Pasuta, C. Collins, J. Farr
Total: 5
Nays: B. Clark
Total: 1
Absent: T. Whitehead, B. Johnson, L. Ferguson
Total: 3

For disposition on this Item, refer to item 14.

The Planning Committee recessed from 12:37 p.m. to 1:00 p.m.
(vii) **City Initiated Amendments to the Former City of Stoney Creek Official Plan, Urban Hamilton Official Plan, and Zoning By-laws 3692-92 and 05-200, for Lands Located at 1925 Rymal Road East (Stoney Creek) (PED12214) (Ward 9) (Item 6.6)**

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 amendment to official plans and the zoning by-laws, 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.

No public speakers came forward.

The public meeting respecting, Report PED12214, City Initiated Amendments to the Former City of Stoney Creek Official Plan, Urban Hamilton Official Plan, and Zoning By-laws 3692-92 and 05-200, for Lands Located at 1925 Rymal Road East (Stoney Creek), was closed.

The staff presentation respecting, Report PED12214, City Initiated Amendments to the Former City of Stoney Creek Official Plan, Urban Hamilton Official Plan, and Zoning By-laws 3692-92 and 05-200, for Lands Located at 1925 Rymal Road East (Stoney Creek), was waived.

For disposition on this Item, refer to item 15.

(g) **NOTICES OF MOTION (Item 10)**

Councillor Farr introduced the following Notice of Motion:

(i) **Taxi Cab Broker Participation in Seasonal Promotional Public Service Campaign with the LCBO (Item 10.1)**

That Council allow taxi cab brokers to participate in a seasonal promotional public service campaign with the LCBO as it relates to the serious issue of drinking and driving, limited only to Saturdays from Nov 24, 2012 to Dec 29, 2012, subject to the following requirements:
(a) A document outlining the specifics of the promotional public service campaign be provided in advance to the satisfaction of the Issuer of the License.

(b) That the roof mount sign and any other advertising shall be approved in advance by the Issuer of the License and shall only be affixed to the taxi on Saturdays during the specified dates above.

The rules were waived in order to allow for the motion respecting Enforcing Blocked Swales to be heard as a motion at today’s meeting.

For disposition on this Item, refer to item 16.

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

(i) Outstanding Business List Amendments (Item 11.1)

The following items were removed from the Outstanding Business List:

(a) Item C: Regulating Residential Rental Housing (Project Compliance Update)

(b) Item O: Built Environment Sub-committee Report March 19, 2012 – Enforcement of Accessible Parking violations on Private Property

(c) Item D: Dutch Mill Country Market, Millgrove Side Road

(i) PRIVATE AND CONFIDENTIAL (Item 12)

At 12:07 p.m., Committee moved into Closed Session to consider a confidential matter pursuant to Section 8.1, Sub-sections (e) and (f) of the City’s Procedural By-law and Section 239, Sub-sections (e) and (f) of the Ontario Municipal Act, 2001, as amended, as the subject matter pertains to litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board; and, the receiving of advice that is subject to solicitor-client privilege including communications necessary for that purpose.

The Planning Committee reconvened in Open Session at 12:37 p.m.
(i) **Urban Hamilton Official Plan Proposed Settlements and Legal Direction (LS12024) (Item 12.1)**

For disposition on this Item, refer to item 17.

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

For disposition on this Item, refer to item 18.

(iii) **Urban Hamilton Official Plan Proposed Settlements and Legal Direction (LS12024(b)) (Item 12.3)**

For disposition on this Item, refer to item 19.

(iv) **Appeals to the Ontario Municipal Board by Recchia Developments Inc. on the City of Hamilton's Refusal or Neglect to Adopt Amendments to the Town of Dundas Official Plan and Zoning By-law for Lands located at 231 York Road (Dundas) (LS12036) (Item 12.4)**

For disposition on this Item, refer to item 20.

(v) **OPA, ZBA and Draft Plan of Subdivision appeals for non-decision and Development Charge By-law Appeals by Parkside Hills Inc. for the property known municipally as 619 Centre Road, Hamilton (in the former municipality of Flamborough) (LS12031) (Delivered Under Separate Cover) (Item 12.5)**

For disposition on this Item, refer to item 21.

(j) **ADJOURNMENT**

There being no further business, the Planning Committee adjourned at 1:09 p.m.

Respectfully submitted,

Councillor B. Clark  
Chair, Planning Committee

Vanessa Robicheau

Council – November 28, 2012
DISCLOSURE POLICY

OWNER WHOSE DOG HAS ATTACKED A PERSON OR A PERSON’S ANIMAL

1. **Policy Statement**
   This Policy sets out when the Manager of Animal Services, Parking and By-law Enforcement, Planning Department ("Manager of Animal Services") may disclose the name of, charge against and last known address of an owner whose dog has attacked a person or a person’s animal.

   The Policy is not applicable to any information relating to a dog attack other than the name of, the charge against and the last known address of the owner.

2. **Definitions**
   For the purposes of this Policy:
   "**animal**" means any member of the animal kingdom, other than a human;
   "**attack**" includes an alleged attack and, when used as verb, includes to allegedly attack;
   "**charge**" means a charge under a City of Hamilton by-law or the Dog Owners’ Liability Act;
   "**owner**" means an adult who has care, control or possession of an animal; and
   "**victim**" means:
   (a) a person who has been attacked by an animal and includes:
       (i) when the person is a child, the child’s parent or guardian;
       (ii) when the person is incompetent or incapacitated, the person’s legal representative; or
   (b) an owner of an animal that has been attacked by another animal.

3. **Scope**
   This policy applies to animal attacks on a person or a person’s animal in the City of Hamilton that are investigated by Animal Services.

4. **Before a Charge is Laid / No Charge is Laid**
   (1) The Manager of Animal Services may not disclose the name and/or last known address of an owner whose dog has attacked a person or a person's animal before a charge in respect of the attack is laid.

   **Rationale**
   Disclosure is not provided before a charge is laid because this may be detrimental to proceeding with enforcement. (Section 8(1)(b) Municipal Freedom of Information and Protection of Privacy Act)

   In addition, the information is not yet publicly available through the courts.
(2) The Manager of Animal Services may not disclose the name and/or last known address of an owner whose dog has attacked a person or a person’s animal when no charge in respect of the attack is laid.

Rationale
Disclosure is not provided when no charge is laid because in most circumstances, this occurs when a reasonable belief that an offence took place is lacking.

In addition, the information is not yet publicly available through the courts.

(3) Despite subsections 4(1) and 4(2), the Manager of Animal Services may disclose the name and last known address of an owner whose dog has attacked a person or a person's animal before a charge in respect to the attack is laid or when no charge in respect of the attack is laid if the dog remains in the possession of the owner, in the form of a press release or by other means.

The Manager of Animal Services shall make a reasonable attempt in advance to provide the dog owner with the opportunity to make representations as to why the disclosure should not take place and shall consider any such representations before deciding whether to make a disclosure. The Manager of Animal Services will consult the City’s freedom of information staff and may consult legal staff in making a request for and responding to any representation. The timeline for responding to a request for a representation will be such that the objective of protecting the health and safety of residents of the City can be met.

Rationale
Disclosure of the name and the last known address is provided when the dog has not been impounded to protect the health and safety of residents of the City by making them aware of where the dog is kept and allowing them to take precautions to protect themselves and their animals against subsequent attacks. Notice of this disclosure will be provided to the dog owner in accordance with s. 14(1)(b) of Municipal Freedom of Information and Protection of Privacy Act which states that:

Personal privacy
14.(1) A head shall refuse to disclose personal information to any person other than the individual to whom the information relates except,

... 

(b) in compelling circumstances affecting the health or safety of an individual, if upon disclosure notification thereof is mailed to the last known address of the individual to whom the information relates;
5. **After a Charge is Laid**

   (1)(a) The Manager of Animal Services may disclose to the public the name of and the charge against an owner whose dog has attacked a person or a person’s animal after a charge with respect to the attack is laid upon request, in the form of a press release or by other means.

   **Rationale**

   Disclosure to the public of the name and the charge is provided after a charge is laid because it notifies the public of the City’s law enforcement activities and deters others from committing similar offences.

   In addition, the name and the charge, although difficult to obtain, are publicly available through the courts.

   (b) The Manager of Animal Services may disclose to the public the name of, the charge against and the last known address of an owner whose dog has attacked a person or a person’s animal after a charge with respect to the attack is laid and when the dog remains in the possession of the owner, in the form of a press release or by other means.

   The Manager of Animal Services shall make a reasonable attempt in advance to provide the dog owner with the opportunity to make representations as to why the disclosure should not take place and shall consider any such representations before deciding whether to make a disclosure. The Manager of Animal Services will consult the City’s freedom of information staff and may consult legal staff in making a request for and responding to any representation. The timeline for responding to a request for a representation will be such that the objective of protecting the health and safety of residents of the City can be met.

   **Rationale**

   Disclosure of the name, the charge and the last known address is provided after a charge is laid when the dog has not been impounded to protect the health and safety of residents of the City by making them aware of where the dog is kept and allowing them to take precautions to protect themselves and their animals against subsequent attacks. Notice of this disclosure will be provided to the dog owner in accordance with s. 14(1)(b) of *Municipal Freedom of Information and Protection of Privacy Act* which states that:

   **Personal privacy**

   14.(1) A head shall refuse to disclose personal information to any person other than the individual to whom the information relates except,

   

   . . .

   (b) in compelling circumstances affecting the health or safety of an individual, if upon disclosure notification thereof is mailed to the last known address of the individual to whom the information relates;

   In addition, the name, the charge and the last known address, although difficult to obtain, are publicly available through the courts.
(2) The Manager of Animal Services may disclose to a victim the name of, the charge against and the last known address of an owner whose animal has attacked a person or a person’s animal after a charge with respect to the attack is laid upon request.

The Manager of Animal Services shall make a reasonable attempt in advance to provide the dog owner with the opportunity to make representations as to why the disclosure should not take place and shall consider any such representations before deciding whether to make a disclosure. The Manager of Animal Services will consult the City’s freedom of information staff and may consult with legal staff in making a request for and responding to any representation. The timeline for responding for a request for a representation will be such that the objective of enabling a victim to seek redress can be met.

Rationale

Disclosure of the name, the charge and the last known address is provided after a charge is laid to a victim to enable them to seek redress.

In addition, the name, the charge and the last known address, although difficult to obtain, are publicly available through the courts.

6. Access Request under the Municipal Freedom of Information and Protection of Privacy Act

It is open to the public to make a formal access request to the City of Hamilton for the name and/or last known address of a dog owner under the Municipal Freedom of Information and Protection of Privacy Act. Such access requests should be directed to:

Manager, Records and Freedom of Information
City Clerk's Division
City Hall
71 Main Street West, 1st Floor
Hamilton, ON L8P 4Y5

(905) 546-2424 ext. 2743
(905) 546-2095 (fax)
clerk@hamilton.ca (email)

7. Review and Updating of Policy

This Policy will be reviewed and updated as required.
THE GENERAL ISSUES COMMITTEE PRESENTS REPORT 12-033 AND RESPECTFULLY RECOMMENDS:

1. International Village Business Improvement Area (B.I.A.) Revised Board of Management (PED10254(c)) (Wards 2 and 3) (Item 5.2)

    That the following individuals be appointed to the International Village B.I.A.'s Board of Management:

    Jeff Valentine
    Maurice Grant
2. Performance Measures for Innovation Factory (PED12023(a)) (City Wide) (Item 5.3)

That Report PED12023(a) respecting Performance Measures for Innovation Factory, be received.

3. Hamilton Downtown Property Improvement Grant Program – 235 Main Street West – HDPIGP 12/08 (PED12212) (Ward 1) (Item 5.4)

(a) That a grant in the estimated amount of $162,390.31 under the Hamilton Downtown Property Improvement Grant Program (HDPIGP) for Manhattan West Corporation (Ralph Frisina, Danny Frisina and Alfonso Jr. Frisina), owner of the property at 235 Main Street West, be authorized and approved in accordance with the terms and conditions of the Program;

(b) That the Mayor and City Clerk be authorized and directed to execute the Grant Agreement attached as Appendix "A" to Report PED12212, in a form satisfactory to the City Solicitor.

4. Request for Extension of Building Covenants from Minh Van Nguyen (Owner) of 912 Beach Boulevard, Hamilton (PED12213) (Ward 5) (Item 5.5)

(a) That a request to extend building covenants imposed by the City upon Minh Van Nguyen, owner of 912 Beach Boulevard, regarding a building lot described as Part 4 on Plan 62R-17407, being all of PIN 17568-0216 (LT) and shown on Appendix "A" attached to Report PED12213, be approved;

(b) That the date for commencement of construction be extended from December 6, 2012 to December 6, 2013 and that the date for completion of construction be extended from December 6, 2013 to December 6, 2014;

(c) That the Mayor and Clerk be authorized and directed to execute all necessary documents in a form satisfactory to the City Solicitor.
5. Declaration of Surplus and Sale of Vacant Land at 537 Wellington Street North to Roona Noorzad and to Terry Ann and Murray Ray wood (PED12219) (Ward 12) (Item 5.6)

(a) That City owned land municipally known as 537 Wellington Street North, legally described as Part of Lots 40 and 41, Registered Plan 327 (save and except retention of the front 3.048 metres (10 feet) for road widening), comprising an area of 153 square metres (1,644 square feet) on the west limit of Wellington Street North, City of Hamilton, identified as PIN 17157-0461 (LT) and Roll No. 251802017109680, as shown on Appendix “A” attached to Report PED12219, be declared surplus to the requirements of the City of Hamilton, in accordance with the “Procedural By-law for the Sale of Land”, being By-law No. 04-299;

(b) That the land described in Recommendation (a), above, be sold to the adjoining property owners, namely, Roona Noorzad of 541 Wellington Street North, owner to the north, and, to Terry Ann Wood and Murray Ray Wood of 535 Wellington Street North, the owners to the south;

(c) That two Offers to Purchase, each in the amount of $5,945, executed by Roona Noorzad as to the north half of the subject land, and, by Terry and Murray Wood as to the south half of the subject land, each transaction scheduled to close on January 18, 2013, be approved and completed subject to the conditions described in Recommendations (f) and (g), below, and that the total sale proceeds amounting to $11,890 be credited to Account No. 47702-3560150200 (Property Purchases and Sales);

(d) That the two deposit cheques, each in the amount of $595, being the required 10% of the purchase price, be held by the General Manager of Finance and Corporate Services, pending acceptance of these transactions;

(e) That the sale price of $5,945 in each transaction does not include the Harmonized Sales Tax (HST); should the HST be applicable and collected by the City, that the HST amount be credited to Account No. 22828 009000 (HST Payable);

(f) That the following condition be included in the Offer to Purchase received from Roona Noorzad of 541 Wellington Street North:

(i) The Purchaser acknowledges and agrees that the lands being conveyed by the City pursuant to the Offer to Purchase shall be registered in the same name and title of the current land holdings municipally known as 541 Wellington Street North, Roll No. 251802017109710, Property Identification Number (PIN) 17157-0462 (LT);
(g) That the following condition be included in the Offer to Purchase received from Terry and Murray Wood of 535 Wellington Street North:

(i) The Purchaser acknowledges and agrees that the lands being conveyed by the City pursuant to the Offer to Purchase shall be registered in the same name and title of the current land holdings municipally known as 535 Wellington Street North, Roll No. 251802017109650, Property Identification Number (PIN) 17157-0422(LT);

(h) That the City Clerk be authorized and directed to execute and issue a Certificate of Compliance for this transaction in the form prescribed pursuant to Section 268 of the Municipal Act, incorporating the following, if required:

(i) That the subject lands be declared surplus by inclusion in Report PED12219 to Council;

(ii) An internal appraisal of the fair market value of the real property intended to be sold was completed on March 27, 2012;

(iii) That, in accordance with the approved methods of giving Notice to the Public in the Real Property Sales Procedural By-law No. 04-299, Section 12(a) (6), sufficient notice to the public is given by way of Report PED12219 to City Council.

6. Locke Street Business Improvement Area (B.I.A.) Expansion of Boundaries (PED12221) (Ward 1) (Item 5.7)

(a) That the Locke Street B.I.A. boundaries be expanded as identified in Appendix "A" attached hereto;

(b) That the City Clerk’s Division be authorized and directed to circularize the existing and proposed expansion area with the notice of intent to amend the designating by-law in accordance with Sections 209, 210, 212 and 213 of the Municipal Act;

(c) That the City Solicitor be authorized and directed to prepare the necessary amending by-law;

(d) That the Urban Renewal Section be authorized and directed to prepare the necessary amendments to By-law 11-272 (the Downtown and Community Renewal Community Improvement Project Area By-law).
7. Ancaster Business Improvement Area (B.I.A.) – Proposed Budget and Schedule of Payment for 2013 (PED12222) (Ward 12) (Item 5.8)

(a) That the 2013 Operating Budget for the Ancaster B.I.A. (attached as Appendix “A” to Report PED12222), in the amount of $115,120, be approved;

(b) That the levy portion of the Operating Budget for the Ancaster B.I.A., in the amount of $93,300, be approved;

(c) That the General Manager of Finance and Corporate Services be authorized and directed to prepare the requisite by-law pursuant to Section 208, The Municipal Act, 2001, to levy the 2013 Budget, as referenced in sub-section (b), above;

(d) That the following schedule of payments for 2013 be approved:

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<td>January</td>
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Note: Assessment appeals may be deducted from the levy payments.

8. Arts Advisory Commission (AAC) 2013 Volunteer Committee Budget Submission (PED12217) (City Wide) (Item 5.9)

(a) That the Arts Advisory Commission’s 2013 base budget submission (attached as Appendix “A” to Report PED12217), in the amount of $9,000, be received and forwarded to the 2013 budget process.

(b) That in addition to base funding, that a one-time allocation for 2013 of $1,500, funded by the Arts Advisory Commission reserve, be received and forwarded to the 2013 budget process.

9. Ministry of Transportation (MTO) Decision re: Commercial Use of Two-Way Radios (PW12086) (City Wide) (Outstanding Business List Item) (Item 5.10)

That Report PW12086 respecting Ministry of Transportation (MTO) Decision re: Commercial Use of Two-Way Radios, be received.
10. Niagara to GTA Corridor – Presentation from Sue McMaster, Co-Chair, Citizens Opposed to Paving the Escarpment (Item 6.2)

(a) That representatives from the Ministry of Transportation, Metrolinx and Mr. Bruce McCuaig be invited to attend a future meeting of the General Issues Committee to provide and respond to questions with respect to the Niagara to GTA Corridor and recent Provincial announcements;

(b) That the Greater Bay Area Sub-Committee be requested to place the issue of the Niagara to GTA Highway and recent Provincial announcements on a future agenda for discussion.

11. Wes Elliott and Ruby Montour, Six Nations Houdenosaunee, respecting Reversal of Pipeline #9 and the possibility of working together with the Confederacy on this issue (Added Item 4.8)

That the City Manager be directed to contact the Confederacy to arrange an information meeting with representatives of Six Nations Houdenosaunee and the City of Hamilton to address issues of common concern.

12. Strategic Plan 2012 Update and 2013 Corporate Business Plan (CM12017) (City Wide) (Deferred from November 7, 2012 General Issues Committee Meeting) (Item 7.1)

(a) That the 2013 Departmental Business Plan, attached as Appendix “A” to Report CM12027, be referred to their respective Standing Committees for approval;

(b) That staff be directed to develop a formal debt policy for the City of Hamilton and report to the Audit, Finance & Administration Committee

13. Waterfront and Shoreline – Initiatives and Priorities Update (PED09200(b)/PW12087) (City Wide) (Item 7.3)

That Report PED09200(b)/PW12087 respecting the Waterfront and Shoreline – Initiatives and Priorities Update, be received.
14. Expansion of Community Improvement Initiatives to Community Downtowns and Piers 5, 6, 7 and 8, and Expansion of the Downtown Hamilton Community Improvement Project Area (PED11118(a)) (Wards 1, 2, 3, 9, 11, 12, 13 and 15) (Item 7.4)

(a) That staff be directed to prepare amendments to the Downtown and Community Renewal Community Improvement Plan in order to:

(i) Expand the Hamilton Downtown Property Improvement Grant Program as a three (3) year pilot program to the Ancaster, Binbrook, Dundas, Stoney Creek and Waterdown Community Improvement Project Areas and the Barton, Concession, Locke Street, Ottawa Street and Westdale Village Business Improvement Areas and portions of the Barton Street Commercial Corridor including James Street to Wellington Street and Sherman Avenue to Strathearn Avenue, and Kenilworth Avenue North;

(ii) Expand the Hamilton Downtown Commercial Property Façade Improvement Grant Program as a three (3) year pilot program to the Ancaster, Binbrook, Dundas, Stoney Creek and Waterdown Community Improvement Project Areas and the Barton, Concession, Locke Street, Ottawa Street and Westdale Village Business Improvement Areas and portions of the Barton Street Commercial Corridor including James Street to Wellington Street and Sherman Avenue to Strathearn Avenue, and Kenilworth Avenue North;

(iii) Expand the Hamilton Heritage Property Grant Program to the Ancaster, Binbrook, Dundas, Stoney Creek and Waterdown Community Improvement Project Areas;

(iv) Expand the Downtown Office Tenancy Assistance Program as a three (3) year pilot program to the Ancaster, Binbrook, Dundas, Stoney Creek and Waterdown Community Improvement Project Areas;

(v) Increase the maximum loan under the Commercial Housing Loan and Grant Program currently offered in Downtown Hamilton, Hamilton’s Community Downtowns, Business Improvement Areas and other Commercial Corridors, as identified in the Downtown and Community Renewal Community Improvement Project Area By-law, from $10,000 per unit to a maximum of $200,000 per property, to $15,000 per unit to a maximum of $600,000 per property;

(vi) That the operating and capital budget impacts of these expansions be referred to the 2013 budget process;
(b) That subject to the approval of recommendation (a) (ii), above, the cost of expanding the Hamilton Downtown Commercial Property Façade Improvement Grant Program in 2013, in the amount of $250,000, be referred to the 2013 Capital Budget process for consideration;

(c) That subject to the approval of recommendation (a) (iii), above, the cost of expanding the Hamilton Heritage Property Grant Program in 2013, in the amount of $200,000, be referred to the 2013 Capital Budget process;

(d) That subject to the approval of recommendation (a) (v), above, the 2013 cost of increasing the maximum loan under the Commercial Corridor Housing Loan and Grant Program, in the amount of $5,000 for interest costs and $10,000 for the grant component of the program, be referred to the 2013 Operating Budget process for consideration;

(e) That the decision to designate a Community Improvement Project Area at Piers 5, 6, 7 and 8 be deferred pending analysis of outcomes of ongoing studies at the waterfront;

(f) That staff be directed to prepare amendments to the Downtown and Community Renewal Community Improvement Project Area By-law and the Downtown and Community Renewal Community Improvement Plan to add the properties indicated on the map (attached hereto as Appendix “B”) to the Downtown Hamilton Community Improvement Project Area;

(g) That staff be directed to investigate and report back to the General Issues Committee on a Community Improvement Project Area, and associated program initiatives, for the Mount Hope/Hamilton Airport gateway area at Homestead Drive and Airport Road, as shown on Appendix “C” attached hereto.

15. Hamilton Downtown Multi-Residential Property Investment Program – Increase of Line of Credit (PED12220/FCS12090) (City Wide) (Item 7.5)

Sub-sections (a) and (b) were amended as follows:

(a) That the loan commitments under the Hamilton Downtown Multi-Residential Property Investment Program (HDMRPIP) be increased from $26 million to $35 million provided that the total loan monies lent under the program at one time not exceed $35 million and that the increase be approved within the 2013 Operating Budget, and that the balance of the proposed increase to $45 million be referred to the 2013 budget process;
(b) That subject to the approval of recommendation (a), above, the estimated net operating budget increase for the 2013 interest cost in the amount of $200,000, associated with increasing the total loan monies to $35 million lent under the program at one time, be approved within the 2013 Operating Budget and that the balance of the proposed $400,000 be referred to the 2013 budget process;

(c) That, annually, any unused portion of the budgeted interest costs in recommendation (b), above, be transferred to the Downtown Hamilton Reserve Account #108036;

(d) That the maximum loan amount, advanced under the Hamilton Downtown Multi-Residential Property Investment Program for development of all-suite hotels, not exceed $18 million at one time;

(e) That the maximum loan amount, advanced under the Hamilton Downtown Multi-Residential Property Investment Program to a single developer or related group, not exceed $18 million at one time;

(f) That a maximum loan amount of $5 million, per development, be implemented for future loans under the Hamilton Downtown Multi-Residential Property Investment Program, providing City Council the option of increasing the maximum loan for projects at its sole discretion;

(g) That, subject to the approval of recommendations (a) through (f), above, the Hamilton Downtown Multi-Residential Property Investment Program Description, attached as Appendix “A” to Report PED12220/FCS12090, be approved and appended to the Downtown and Community Renewal Community Improvement Plan;

(h) That staff be directed to review the terms and conditions of the Hamilton Downtown Multi-Residential Property Investment Program on an annual basis and report back to the General Issues Committee during the first quarter of each year on the outcome of the review.

16. 2013 Tax Supported User Fees (FCS12080) (City Wide) (Item 8.1)

(a) That the 2013 User Fees contained in Appendix “A” to Report FCS12080 “2013 Tax Supported User Fees”, be approved and implemented;

(b) That the City Solicitor and Corporate Counsel be authorized and directed to prepare all necessary by-laws, for Council approval, for the purposes of establishing the user fees contained within this report.
17. **Committee Against Racism’s Anti-Racism Final Report Recommendations (FCS12095) (City Wide) (Outstanding Business List Item) (Item 8.2)**

(a) That the Committee Against Racism be thanked for their presentation, submission and recommendations;

(b) That the matter of language translation on the City’s website be referred for review and consideration to the Web Redevelopment project;

(c) That the Committee Against Racism be invited to present their findings regarding the gaps and obstacles and potential partnerships with respect to the feasibility study to establish a resource centre and telephone help line in Hamilton to the Audit, Finance & Administration Committee.

18. **Cootes to Escarpment Park System – Governance (PED08009(b)/ PW12082) (Wards 1, 13 and 15) (Item 8.3)**

(a) That the contents of the draft Memorandum of Understanding (MOU) document for the Cootes to Escarpment Park System, attached hereto as Appendix “D”, be endorsed;

(b) That Public Works Department staff be authorized to prepare the final Memorandum of Understanding (MOU), in consultation with the Steering Committee and based on the contents of the draft MOU document, referred to in sub-section (a);

(c) That the City Manager be authorized to sign the Memorandum of Understanding (MOU), on behalf of the City, when it is complete;

(d) That the budget, shown in the contents of the Memorandum of Understanding (MOU) document, attached as Appendix “B” to Report PED08009(b)/PW12082, and City commitment to providing $15,400 annually for three years from the Tax Stabilization Reserve be approved.

(e) That the intention of the partners to pursue Provincial and/or Federal Government legislation to create the Park System, and authorization for the Public Works Department staff to work toward this objective with the other partners, be endorsed. **CARRIED**
19. **Relationship between the Chambers of Commerce and the Hamilton Association of Business Improvement Areas and Update on the Revised Terms of Reference for the Hamilton Association of Business Improvement Areas (PED12224) (Wards 1, 2, 3, 4, 6, 7, 9, 12, 13 and 15) (Outstanding Business List Item) (Item 8.4)**

That Report PED12224 respecting Relationship between the Chambers of Commerce and the Hamilton Association of Business Improvement Areas and Update on the Revised Terms of Reference for the Hamilton Association of Business Improvement Areas (attached hereto as Appendix “E”) be received.

20. **Enbridge Pipelines Inc. Line 9A Flow Reversal Project**

(McHattie/Farr)

Whereas the Line 9A light crude oil pipeline reversal project has been approved by the National Energy Board;

And Whereas Hamilton the General Issues Committee received a report from staff on the Line 9A Enbridge pipeline reversal for light crude oil shipment,

And Whereas the General Issues Committee heard from a number of citizen delegations posing questions (see below for a list of questions/concerns);

And Whereas Enbridge submitted a pre-application letter to the National Energy Board on October 11, 2012 giving notice of an upcoming Line 9B Reversal and Line 9 Capacity Expansion Project application.

Therefore Be It Resolved:

(a) That City staff request additional information and report back to the General Issues Committee, as follows:

(i) Description of the public process around intervening in the Enbridge Line 9B Reversal and Line 9 Capacity Expansion Project application, expected in late November 2012;

(ii) Request information from the National Energy Board on:

(aa) Line 9A/9 pipeline integrity studies, including a comparison between the Kalamazoo River pipeline characteristics and the Line 9A/9 pipeline;

(bb) Impartial information on the corrosiveness of diluted bitumen as compared to ordinary crude oil and implications for pipeline safety, including possible spills;

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(cc) Providing the City of Hamilton with copies of any applications/ correspondence by Enbridge pertaining to Line 9A/9;

(iii) Request information from Enbridge Pipelines Inc. on:

(aa) Results of the pipeline “integrity digs” conducted on Line 9 in Flamborough;

(bb) How Enbridge can assist in monitoring drinking water wells;

(cc) Emergency response plan in case of a spill;

(b) That the City of Hamilton Emergency Response staff report back on whether or how a light, medium, heavy crude and diluted bitumen spill would be handled along the Line 9A/9 Enbridge pipeline, including how a response and cleanup would be funded, and how the City can request a bond from Enbridge to cover the costs of a spill;

(c) That Report PED12160/LS12022 respecting Enbridge Pipelines Incorporated – Line 9 Reversal Project, received by City Council on October 30, 2012 in approving Item 7 of General Issues Committee Report 12-029, be forwarded to the Association of Municipalities of Ontario and the Federation of Canadian Municipalities, inviting cooperation from other municipalities affected by the Enbridge Line 9A/9 pipeline;

(d) That the Mayor forward correspondence to Environment Canada requesting a full environmental assessment into Line 9A/9 being used to flow diluted bitumen east through Ontario to Quebec and Maine;

(e) That the Mayor forward correspondence to the Ontario Ministry of the Environment requesting that they support the need for a Federal environmental assessment on the Line 9A/9 Project.

21. Transfer of Item on Outstanding Business List (Item 11.1(c))

That Item C on the General Issues Committee (Corporate Services) Outstanding Business List respecting Open Data be referred to the Audit, Finance & Administration Committee.

(a) That Report LS12025 respecting Proposed Settlement of OMB Appeals of Development Charges By-laws 09-143/09-144/11-173/11-174/11-175 – 2054971 Ontario Inc., Paletta International (2000) Inc. and Waterdown Bay Ltd. – OMB Case No’s. DC090025 and DC110008, be received;

(b) That Report LS12025, including Appendices "A" and "B" thereto, remain confidential;

(c) That staff be directed to settle the OMB appeals of DC By-laws 09-143/09-144/11173/11-174 and 11-175 by 2054971 Ontario Inc. and Paletta International (2000) Inc. and Waterdown Bay Ltd. substantially in accordance with the draft Minutes of Settlement attached as Appendix "B" to report LS12025;

(d) That the City Solicitor, or designate, be authorized to execute the said Minutes of Settlement on behalf of the City.

23. **Update on Legal Issues for Airport Contamination (LS12032) (City Wide) (Outstanding Business List Item)**

(a) That the Mayor and City Clerk be authorized and directed to execute an agreement with TradePort International Corporation to extend the limitations on commencing litigation in respect of contamination at John C. Munro/Hamilton International Airport, in a form satisfactory to the Acting City Solicitor;

(b) That the contents of Report LS12032 respecting Update on Legal Issues for Airport Contamination, remain confidential.

FOR THE INFORMATION OF COUNCIL:

(a) **CHANGES TO THE AGENDA (Item 1)**

November 21, 2012

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

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ADDED DELEGATION REQUESTS

For Today’s Meeting

(i) Delegation Request from Professor James S. Quinn, Biology Department, McMaster University, to make a moral argument that links Line 9 to tar sands to sea level changes and displacement of coastal people (Added Item 4.2)
(Note: Don McLean to speak on behalf of Professor Quinn in his absence.)

(ii) Delegation Request from Richard Reble to provide information relevant to the Enbridge Pipelines Issue (Added Item 4.3)

(iii) Delegation Request from Matt Nash, on behalf of Environmental Defence, respecting Enbridge Line 9 Pipeline (Added Item 4.4)

(iv) Wes Elliott and Ruby Montour, Six Nations Houdenosaunee, respecting Reversal of Pipeline #9 and the possibility of working together with the Confederacy on this issue (Added Item 4.8) (Added at the request of Councillor B. McHattie)

For Future Meeting

(v) Delegation Request from Christine Gibson respecting the issue of accountability and transparency (Added Item 4.5)

(vi) Delegation Request from Madeleine Levy respecting commemoration and recognition of Raoul Wallenberg in the City of Hamilton (Added Item 4.6)

(vii) David Adames, President and CEO, Hamilton Chamber of Commerce, to address the City’s 2013 Capital Budget at the December 11, 2012 General Issues Committee Meeting (Added Item 4.7)

MOTIONS

(viii) Attachment to Item 9.1 respecting Enbridge Pipelines Line 9 Flow Reversal Project

ADDED NOTICE OF MOTION

(ix) Proceedings to Declare Surplus Property – 50 Main Street East, Hamilton (Added Item 10.1)
ADDED PRIVATE AND CONFIDENTIAL

(x) Proposed Settlement of OMB Appeals of Development charges By-laws 09-143/09-144/11-173/11-174/11-175 – 2054971 Ontario Inc., Paletta International (2000) Inc. and Waterdown Bay Ltd. – OMB Case No’s. DC090025 and DC110008 (LS12025) (City Wide) (Added Item 12.3)

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

(b) DECLARATIONS OF INTEREST (Item 2)

None

(c) APPROVAL OF PREVIOUS MINUTES

On a motion, the October 31 and November 7, 2012 Minutes of the General Issues Committee meetings were approved, as presented.

(d) DELEGATION REQUESTS

(i) On a motion, the following delegation requests were approved to present to the Committee at a future meeting:

(aa) Craig Foye, Hamilton Community Legal Clinic, respecting Pro-Poor and Community Economic Development Strategies;

(bb) Christine Gibson, respecting the issue of accountability and transparency;

(cc) Madeleine Levy, respecting commemoration and recognition of Raoul Wallenberg in the City of Hamilton

(dd) David Adames, President and CEO, Hamilton Chamber of Commerce, to address the City’s 2013 Capital Budget at the December 11, 2012 General Issues Committee Meeting

(ii) On a motion, the following delegation requests were approved, and the rules of order were suspended in order to allow these delegations to present to today’s meeting:

(aa) Professor James S. Quinn, Biology Department, McMaster University, to make a moral argument that links Line 9 to tar sands to sea level changes and displacement of coastal people (Item 4.2);

(bb) Richard Reble, to provide information relevant to the Enbridge Pipeline Issue (Item 4.3);

Council – November 28, 2012
(cc) Matt Nash, on behalf of Environmental Defence, respecting Enbridge Line 9 Pipeline (Item 4.4);

(dd) Wes Elliott and Ruby Montour, Six Nations Houdenosaunee, respecting Reversal of Pipeline #9 and the possibility of working together with the Confederacy on this issue (Added Item 4.8)

(e) CONSENT ITEMS

(i) Minutes of Various Sub-Committees (for information purposes only):

On a motion, the September 25, 2012 Minutes of the Arts Advisory Commission were received.

(f) PUBLIC DELEGATIONS/HEARINGS

(i) Susan McMaster, on behalf of Citizens Opposed to Paving the Escarpment and the Stop Escarpment Highway Coalition respecting the Niagara to GTA Highway Issue (Item 6.1)

Susan McMaster, Co-Chair of Citizens Opposed to Paving the Escarpment and member of the Stop Escarpment Highway Coalition (SEHC), appeared before the Committee to provide information with respect to recent events relative to the Niagara to GTA Corridor.

With the assistance of power point, Ms. McMaster showed a map which outlines the new highway and highway expansion corridor alternatives. She also addressed concerns relating to vehicle congestion today, and in twenty-five years.

A copy of Ms. McMaster’s comments are attached hereto as Appendix “F”. A copy of the power point presentation was submitted to the Clerk for the public record and is on the City of Hamilton website for review.

On a motion, the presentation from Susan McMaster respecting the Niagara to GTA Highway, was received.

(ii) Professor James S. Quinn, Biology Department, McMaster University respecting Line 9 (Item 4.2)

Don McLean, speaking on behalf of Dr. James Quinn; presented a power point presentation which addressed the on-going clean-up of the July 2010 spill into the Kalamazoo River in Michigan, and the collateral damage to wildlife.
A copy of Dr. Quinn’s presentation was submitted to the Clerk for the public record and is on the City of Hamilton website for review.

On a motion, the presentation from Don McLean, on behalf of Professor James Quinn, respecting Enbridge Line Pipeline, was received.

(iii) Richard Reble to provide information relevant to the Enbridge Pipelines Issue (Item 4.3)

Richard Reble appeared before the Committee to ask the Committee to explore every avenue it can to protect Hamiltonians from potential catastrophes caused by Enbridge Inc. in connection with the flow of diluted bitumen through Line 9, part of which runs through environmentally sensitive rural lands of Hamilton.

A copy of Mr. Reble’s comments are attached hereto as Appendix “G”.

On a motion, the presentation from Richard Reble respecting the Enbridge Pipeline issue, was received.

(iv) Matt Nash, on behalf of Environmental Defence, respecting Enbridge Line 9 Pipeline (Item 4.4)

Matt Nash appeared before the Committee and spoke to Enbridge’s response time to the spill in Kalamazoo. He expressed his view that Line 9 should be reversed, and requested that a letter be sent to the Ministry of the Environment requesting an environmental assessment. He also urged that a message of solidarity be sent out to other municipalities. The Committee requested Mr. Nash to send copies of the National Transportation Safety Board’s report and as much information as appropriate to the Committee members to assist in their decision-making.

On a motion, the presentation from Matthew Nash on behalf of Environmental Defence, was received.

(v) Wes Elliott and Ruby Montour, Six Nations Houdenosaunee, respecting Reversal of Pipeline #9 and the possibility of working together with the Confederacy on this issue (Added Item 4.8)

Wes Elliott appeared before the Committee and advised that the Confederacy sent a letter to the Ministry of the Environment outlining their concerns regarding the Enbridge Project, with a copy being sent to Enbridge as well. Mr. Elliott advised that he would provide a copy of this letter to the Committee. Mr. Elliot stated that the honour of the Crown is at stake. He suggested that the City has experience with and has set precedence in dealing with the Confederacy i.e., Red Hill Valley agreement. Mr. Elliott suggested that this Council deal with the Confederacy’s
concerns respecting the pipeline to formulate a plan together and in return, the Confederacy can assist the City with issues at the airport.

Ruby Montour addressed the Committee and indicated that they are aware of and paying attention to what Enbridge is doing, which is not acceptable. The Six Nations Houdenosaunee is looking for a peaceful solution to this problem. She also cautioned that the possibility exists that violence can occur over this issue.

On a motion, the presentation from Wes Elliott and Ruby Montour, Six Nations Houdenosaunee, respecting Reversal of Pipeline #9 and the possibility of working together with the Confederacy on this issue, was received.

(i) Ken Hall, Enbridge Pipelines Inc., to provide additional information respecting the Enbridge Line 9B Reversal and Line 9 Capacity Expansion Project (Item 6.1)

On a motion, the five-minute presentation time limit was excepted for the Enbridge Pipelines delegation be permit adequate time for their presentation and to respond to questions of the Committee.

The Enbridge Pipelines Inc. delegation consisted of the following:

Ken Hall, Senior Advisor, Public Affairs
Graham White, Manager of Corporate Communications
Trevor Grams, Director of Integrity Management
Scott Ironside, Director of Integrity Management
Margery Fowke, Senior Counsel, Regulatory Affairs, and
Franz Preugger, Operations Supervisor, Westover Terminal

The delegation provided a power point presentation to the Committee which addressed the following:

Introduction Ken Hall
• Crude Types to Flow
• Clarifications
• Facts on Corrosivity
• Actions for Corrosion Management

Enbridge Presenter for Integrity: Trevor Grams
• Importance of Pipeline Integrity
• Integrity Management System
• Inline Monitoring and Inspection
• Integrity Excavation Program
• Line 9B Integrity Activities
• Project Need, Project Scope; Regional Map

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Enbridge Presenter on Emergency Response: Franz Pruegger
- Emergency Preparedness
- Pipelines Today

Enbridge Presenter on Regulatory: Margery Fowke
- Regulatory Environment
- Participating in NEB Proceeding
- Basic NEB Hearing Steps
- NEB Hearing Order
- Process Advisors
- Participant Funding Program
- Other Relevant NEB Documents
- Conclusions/Questions

A copy of the power point presentation was submitted to the Clerk for the public record and can be viewed on the City of Hamilton website.

Councillor Clark indicated that he wished the Minutes to reflect that he did not meet with Enbridge representatives prior to their presentation at today’s meeting.

Councillor Pearson requested additional information from Enbridge respecting the Control Centre Group.

On a motion, the presentation from the representatives of Enbridge Pipelines Inc. respecting the Line 9B Reversal and Line 9 Capacity Expansion Project, was received.

Due to loss of quorum, the meeting recessed at 1:15 p.m.

The Committee reconvened at 9:30 a.m. on Tuesday, November 27, 2012.

November 27, 2012

(a) **CHANGES TO THE AGENDA**

The Clerk advised of the following change:

(i) **Revised Motion – Item 9.1 – Enbridge Pipelines Inc. Line 9A Flow Reversal Project**

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

(b) **DECLARATIONS OF INTEREST**

None
Continuation of November 21 General Issues Committee Agenda:

(g) PRESENTATIONS

(i) Arts Advisory Commission Annual Report (Item 7.2)

Patricia LeClair, Chair of the Arts Advisory Commission and Executive Director of the Hamilton Children’s Choir, appeared before the Committee to provide the AAC Annual Report. With the assistance of a power point presentation, Ms. LeClair spoke to the following:

- Current Status
- Mandate
- Current Status
- Accomplishments during 2011-2012
- Current Priorities
- Priority Project – Arts Funding
- What is required in order to Succeed
- List of Arts Advisory Commission Members

At the request of Councillor J. Farr, Ms. LeClaire provided a brief update on the Children’s Choir invitation to China recently to educate and share what and how things are done. The Choir also had the opportunity to compete and won the grand prize in the children’s category choir. The visit was a great success and the Choir has been invited back. Ms. LeClair advised that the Choir, which consisted of 35 children and young adults aged 11 to 22, were great ambassadors for music and for the City of Hamilton.

A copy of the power point presentation was submitted to the Clerk for the public record and is available for viewing on the City of Hamilton website.

On a motion, the presentation respecting the Arts Advisory Commission Annual Report, was received.

(ii) Strategic Plan 2012 Update and 2013 Corporate Business Plan (CM12017) (City Wide) (Item 8.1)

Chris Murray, City Manager, provided a presentation on the Strategic Plan 2012 Update and 2013 Corporate Business Plan and focused on two key aspects which included:

Appendix “A” – 2013 Corporate-Based Departmental Business Plans;
Appendix “B” – 2012 Strategic Plan Progress Update.
With the assistance of a power point presentation, Mr. Murray spoke to the following:

- 3 Strategic Priority Areas; 13 Strategic Objectives; 64 Strategic Actions
- Progress to date in regard to the completion of the Strategic Actions: 6 completed, 53 in progress; 5 not yet started
- 2013 Business Plans
- Relationship of Business Planning with Strategic Planning
- Recommendations contained in Report CM12017.

With respect to the recommendation contained in Report CM12017, Mr. Murray pointed out that the presentation respecting the Planning and Economic Development Business Plan will be presented to the General Issues Committee as Planning reports to both the Planning Committee and the General Issues Committee.

On a motion, the presentation respecting the Strategic Plan 2012 Update and 2013 Corporate Business Plan, be received.

(iii) Waterfront and Shoreline – Initiatives and Priorities Update (PED09200(b)/PW12087) (City Wide) (Item 7.3)

Chris Phillips, Senior Director, Planning and Economic Development, Waterfront Development Office, provided a power point presentation to the Committee respecting the Waterfront and Shoreline – Initiatives and Priorities, and spoke to the following:

- Implementation Plan
- Council Direction Strategic Plan 2012-2015
- Map of the West Harbour Area
- Confederation Park
- “Corporate Team” Structure
- 2012-2013 Projects and Studies Underway
- Harbour West Concept Plan
- Piers 5, 6, 7 and 8 Servicing Investigation Studies
- 2013-2015 Proposed Projects – Capital Budget Forecast
- Outcomes and Next Steps
- Timelines
- Review of Recommendations

A copy of the power point presentation was submitted to the Clerk for the public record and can be viewed on the City of Hamilton website.

On a motion, the staff presentation respecting the Waterfront and Shoreline – Initiatives and Priorities Update, was received.
On a motion, staff was directed to provide a status update to the General Issues Committee during the first quarter of 2013.

(iv) Expansion of Community Improvement Initiatives to Community Downtowns and Piers 5, 6, 7 and 8, and Expansion of the Downtown Hamilton Community Improvement Project Area (PED11118(a)) (Wards 1, 2, 3, 9, 11, 12, 13 and 15) (Item 7.4)

Glen Norton provided introductory remarks advising that staff is reporting back on several issues expressed by the Committee at previous meetings.

Hazel Milsome, Financial Incentives Co-ordinator, and Alan Waterfield, Senior Planner, provided a power point presentation and spoke to the following:

- Map of Community Improvement Project Areas, illustrating downtown Hamilton and five community downtowns
- Expanded Programs
  - Proposed Expanded Financial Incentives: Programs currently offered within the DHCIPA; programs currently offered within the DHCIPA and BIA’s
- Other Initiatives
  - Commercial Corridor Housing Loan and Grant Program currently offered within all CIPA’s
- Awareness Campaign and Marketing Support
- Community Improvement Project Areas
- Downtown Hamilton CIPA Expansion
  - East side of Victoria Avenue North, from Barton to Birge
  - Balance of the former Royal Oak Dairy lands
- Piers 5, 6, 7 and 8
- Mount Hope/Airport Gateway CIP Study
- Next Steps

A copy of the power point presentation was submitted to the Clerk for the public record and can be viewed on the City of Hamilton website.

On a motion, the presentation respecting Expansion of Community Improvement Initiatives to Community Downtowns and Piers 5, 6, 7 and 8, and Expansion of the Downtown Hamilton Community Improvement Project Area, was received.
On a motion, Sub-sections (a)(i) and (ii) were amended to include the BIA’s that are not located within Downtown Hamilton or Community downtowns, namely Barton, Concession, Locke Street, Ottawa Street and Westdale Village, and portions of the Barton Street Commercial Corridor including James Street to Wellington Street and Sherman Avenue to Strathearne Avenue, and Kenilworth Avenue North.

The Amendment CARRIED.

On a motion, Sub-section (a) was further amended by adding the following as sub-section (a)(vi):

(a)(vi) That the operating and capital budget impacts of these expansions be referred to the 2013 budget process.

The Amendment CARRIED.

The Main Motion, as amended, CARRIED.

The Committee recessed and reconvened at 1:45 p.m.

(v) Hamilton Downtown Multi-Residential Property Investment Program – Increase of Line of Credit (PED12220/FCS12090) (City Wide) (Item 7.5)

Glen Norton provided introductory remarks commenting that the request for an increase to the line of credit for the Hamilton Downtown Multi-Residential Property Investment Program is a positive indication that good things are happening in the City.

Hazel Milsome, Financial Incentives Co-ordinator, and July Lam, Senior Business Development Consultant, provided a power point presentation and spoke to the following:

- Request to Increase Line of Credit – Summary
- Origin of the HDMRPIP
- Downtown Hamilton Community Improvement Area
- Current HDMRPIP Terms, Loan Limits and Balances
- Proposed Increase to Loan Limits
- Proposed Limits on Development
- Potential/In Progress Applications
- Existing and New Applications Cash Flow
- Increased Assessment
- Increased Annual Tax Revenue
- Benefits of Increasing HDMRPIP Loan Limits
- Increased Cost/Benefits in Dollars
- Summary and Recommendations
A copy of the power point presentation was submitted to the Clerk for the public record and can be viewed on the City of Hamilton website.

On a motion, the presentation respecting Hamilton Downtown Multi-Residential Property Investment Program – Increase of Line of Credit, was received.

On a motion, Sub-sections (a) and (b) were amended by deleting the words, “referred to the 2013 Budget Process for Council’s consideration”, and replaced with the words, “approved within the 2013 Operating Budget” in lieu thereof.

The Amendment CARRIED on the following Standing Recorded Vote:

Yeas: McHattie, Farr, Morelli, Collins, Jackson, Merulla, Bratina
Total Yeas: 7
Nays: Duvall, Whitehead, Partridge, Pasuta, Johnson, Pearson
Total Nays: 6
Absent: Clark, Powers, Ferguson
Total Absent: 3

The Main Motion, as amended, CARRIED on the following vote:

Yeas: McHattie, Farr, Morelli, Collins, Jackson, Merulla, Bratina
Total Yeas: 7
Nays: Duvall, Whitehead, Partridge, Pasuta, Johnson, Pearson
Total Nays: 6
Absent: Clark, Powers, Ferguson
Total Abent: 3

(h) DISCUSSION ITEMS

(i) 2013 Tax Supported User Fees (FCS12080) (City Wide) (Item 8.1)

The Motion CARRIED on the following Recorded Vote:

Yeas: Pearson, Johnson, Pasuta, Partridge, Bratina, Merulla, Morelli, Whitehead, Jackson, Collins, Farr, McHattie
Total Yeas: 12
Nays: Duvall
Total Nays: 1
Absent: Clark, Ferguson, Powers
Total Abent: 3
(ii) Committee Against Racism’s Anti-Racism Final Report Recommendations (FCS12095) (City Wide) (Outstanding Business List Item) (Item 8.2)

On a motion, Sub-section (c) was amended to include the words, “to the Audit, Finance and Administration Committee” following the word, “Hamilton”.

The Amendment CARRIED and the Main Motion, as amended, CARRIED.

(i) MOTIONS

(i) Enbridge Pipelines Inc. Line 9A Flow Reversal Project (Item 9.1)

On a motion:

(aa) Sub-section (b) was amended by including the words, “light, medium, heavy crude and ” following the word, “a”;

(bb) Sub-sections (d) and (e) were amended by deleting the words, “appropriate staff”, and replacing with the word “Mayor” in lieu thereof.

The Amendments CARRIED and the Main Motion, as amended, CARRIED.

(j) NOTICE OF MOTION

Councillor C. Collins introduced the following Notice of Motion:

Declaration of Surplus Property – 50 Main Street East, Hamilton (Old Courthouse)

(a) That Real Estate staff initiate proceedings to declare 50 Main Street East (Old Courthouse) as surplus;

(b) That once declared surplus, staff be authorized and directed to negotiate the sale of the subject lands;

(c) That in the event of the sale of 50 Main Street East, that the proceeds of the transaction be deposited into a Reserve and earmarked as a possible funding source for the purchase of surplus School Board properties;
(d) That in the event of the sale of 50 Main Street East, Corporate Facilities staff report back to the General Issues Committee on the feasibility of closing the following Work-in-Progress (WIP) accounts:

(i) Facility Upgrade – Courthouse – 50 Main Street East  
    Account No. 3541041019  
    Balance as at August 31, 2012: $261,185.96

(ii) Courthouse Parking Improvements – 50 Main Street East  
    Account No. 3540941932  
    Balance as at August 31, 2012: $411,642.01

(iii) Old Courthouse Facility Upgrade  
    Account No. 3540741733  
    Balance as at August 31, 2012: $161,865.86

(iv) McMaster Facility Capital Replacement Reserve  
    Account No. 108039  
    Balance: $231,787 (2012 Projected)

(j) GENERAL INFORMATION/OTHER BUSINESS (Item 11.1)

(i) Outstanding Business Items List

(aa) On a motion, the revised due dates for the following items on the Outstanding Business List were approved:

Corporate Services

Item D: 2012 Ontario Municipal Partnership Fund Allocations  
Due Date: November 21, 2012  
Revised due Date: Q1 2013

Planning

Item A: Canadian Ballet Youth Ensemble  
Due Date: November 21, 2012  
Revised Due Date: January 16, 2013

Item D: Removal of Fill from Toxic Contaminated Site at Hamilton Airport  
Due Date: November 21, 2012  
Revised Due Date: April 17, 2013

Item F: Hamilton LEEDing the Way  
Due Date: November 21, 2012  
Revised Due Date: January 16, 2013
Item G:  City of Hamilton Events Strategy  
Due Date: November 21, 2012  
Revised Due Date: December 5, 2012

Public Works

Item F:  Rapid Transit Maintenance and Storage Facility  
Due Date: November 21, 2012  
Revised Due Date: Q1 2013

(bb) On a motion, the following items were removed from the Outstanding Business List:

City Manager

Item F:  Provincial Action Plan for Health Care

Item I:  MTO Decision re: Commercial Use of Two-way Radios

Corporate Services

Item C:  Anti-Racism Final Report Recommendations

Planning

Item C:  HABIA Terms of Reference and Strategic Plan

Item O:  Terms of Reference for School Board Properties Sub-Committee

2012 Budget Deliberations

Item D:  Early Retirement Packages

Item E:  Additional Budget Savings

(k) PRIVATE & CONFIDENTIAL

12.1 Closed Session Minutes – November 7, 2012

On a motion, the Minutes of the Closed Session Meeting of the General Issues Committee held on November 7, 2012 were approved. These Minutes will remain confidential and restricted from public disclosure in accordance with the exemptions provided in the Municipal Freedom of Information and Protection of Privacy Act.

Council – November 28, 2012
On a motion, the Committee moved into Closed Session pursuant to subsections (e) and (f) of the City’s Procedural By-law and Section 239.1(e) and (f) of the Municipal Act as the subject matters pertain to:

(e) litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board; and
(f) advice that is subject to solicitor-client privilege, including communications necessary for that purpose

respecting:

12.2 Update on Legal Issues for Airport Contamination (LS12032) (City Wide) (Outstanding Business List Item);

12.3 Proposed Settlement of OMB Appeals of Development Charges By-laws 09-143/09-144/11-173/11-174/11-175 – 2054971 Ontario Inc., Paletta International (2000) Inc. and Waterdown Bay Ltd. – OMB Case No’s. DC090025 and DC110008 (LS12025) (City Wide)

The Committee reconvened in Open Session at 4:15 p.m.

12.2 Update on Legal Issues for Airport Contamination (LS12032) (City Wide) (Outstanding Business List Item)

Staff direction provided In Camera.

See Item 22 for the disposition of this item.

12.3 Proposed Settlement of OMB Appeals of Development Charges By-laws 09-143/09-144/11-173/11-174/11-175 – 2054971 Ontario Inc., Paletta International (2000) Inc. and Waterdown Bay Ltd. – OMB Case No’s. DC090025 and DC110008 (LS12025) (City Wide)

See Item 23 for the disposition of this item.

1) Adjournment

(Collins/Jackson)

There being no further business, the Committee adjourned at 4:17 p.m.

Respectfully submitted

Councillor S. Merulla
Deputy Mayor

Carolyn Biggs
Legislative Co-ordinator
Office of the City Clerk

Council – November 28, 2012
Potential expansion of the Downtown Hamilton Community Improvement Project Area
Proposed Study Area Boundary for the Potential Mount Hope/Airport Gateway Community Improvement Project Area
This document provides the substantive content (but not the specific wording) of a Memorandum of Understanding concerning the Cootes to Escarpment Park System.

**Purpose of MOU:**

- Establish the Cootes to Escarpment Park System.
- Establish a framework for joint decision-making among the parties.
- Affirm the intention of the parties to seek special recognition provincially, federally, and internationally, as may be appropriate, and to seek outside funding for projects and programs supportive of the Park System as a collaborative of the partner agencies.
- Affirm commitments of financial and in-kind support from each party.

**Cootes to Escarpment Park System:**

The Cootes to Escarpment Park System is a collaborative initiative amongst the parties to protect, connect, and restore natural lands between the Niagara Escarpment and Cootes Paradise/Hamilton Harbour, and to provide ecologically compatible recreation, education, and research opportunities on lands within Park System.

The parties acknowledge the definition of Park System lands set out in the *Cootes to Escarpment Park System Conservation and Land Management Strategy*, and acknowledges that new lands will be added to the Park System from time-to-time.

Each party commits to participate as a partner in the Cootes to Escarpment Park System, which involves participating in the Governing Council and the Management Committee, making cash and in-kind contributions, and participating in Cootes to Escarpment Park System initiatives.

**Framework for Joint Decision-Making:**

The Cootes to Escarpment Park System will inform, but not replace or supersede, the land management and other responsibilities of the parties, and will not supersede the legal rights and responsibilities of private and public land owners.

Each party determines how Park System matters and decisions link to its internal organizational and decision-making structure, including consultation with and approvals from its Board or Council.
The Park System is to be governed by two bodies: Governing Council and Management Committee. Each party has one representative on each of the two bodies, respectively.

**Governing Council:**

- One senior decision-maker or elected official from each of the parties, with authority to make significant decisions and secure commitments on behalf of partner organization.

- Responsible for governance and strategic planning, significant legal or financial matters.

- Meets 2-3 times per year.

**Management Committee:**

- One management-level representative from each of the parties, with authority to make operational decisions and commitments on behalf of partner organization.

- Responsible for implementation of strategic directions, objectives, and activities set by the Governing Council, and decisions taken by the Governing Council.

- Meets regularly (e.g. monthly).

**Framework for Joint Decision-Making:** (continued)

Secretariat, consisting of Park System Coordinator (and other staff, as needed) coordinates and undertakes administration, projects, and programs. Reports to Chair of Management Committee

Hamilton Harbour Remedial Action Plan Coordinator, while not a party to MOU, is invited to be non-voting resource member of both the Governing Council and Management Committee.

**Special Legislation:**

Parties agree to seek special legislation from the Ontario and Federal Governments for one or more of the following:

- Officially create/recognize the Park System.

- Recognize the significance of natural and cultural heritage.
• Designate particular geographic area as the Cootes to Escarpment Park System.

• Confer particular powers on parties for application on Park System lands through specific park/protection area legislation (e.g. powers under the Ontario Provincial Parks and Conservation Reserves Act)

**Contributions:**

Parties agree to commit cash and in-kind resources, as needed. Cash contributions specified in schedule to agreement (see Schedule 1 below).

Cash contributions will be held by one of the parties on behalf of the others. Funds will be managed by Park System Coordinator, subject to policies and procedures of party holding the funds. Park System Coordinator will produce detailed Financial Report annually.

**Work Plans:**

Work plans will be prepared by the Management Committee and Park System Coordinator to achieve the vision, mission, and objectives articulated in the Cootes to Escarpment Park System Conservation and Land Management Strategy.

**Reporting and Review:**

There will be regular reporting and review of progress.

**Term of Agreement:**

3-years, renewable, with written consent of parties.

**Termination:**

90-days written notice for party to leave agreement; immediate if party becomes insolvent or ceases operations.
### Schedule 1

#### Financial Contributions from Parties: 2013 - 2015

<table>
<thead>
<tr>
<th>Party</th>
<th>2013</th>
<th>2014</th>
<th>2015</th>
<th>Total</th>
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<tbody>
<tr>
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<td>City of Burlington</td>
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<td>15,400</td>
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<td>15,400</td>
<td>15,400</td>
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<td>15,400</td>
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<td>Hamilton Conservation Authority</td>
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<td>15,400</td>
<td>15,400</td>
<td>46,200</td>
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<tr>
<td>Hamilton Naturalists’ Club</td>
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<td>3,300</td>
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<tr>
<td>McMaster University</td>
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<td>Royal Botanical Gardens</td>
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<td><strong>TOTAL CONTRIBUTIONS</strong></td>
<td>110,000</td>
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<td>110,000</td>
<td>330,000</td>
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#### Operating Budget 2013 - 2015

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<th>Category</th>
<th>2013</th>
<th>2014</th>
<th>2015</th>
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<tr>
<td>Staff salaries and benefits</td>
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<td>Park System Coordinator</td>
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<td>Operating supplies &amp; expenses</td>
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<td>Communications materials</td>
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<td>Telephone and Internet</td>
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<td>Computer costs</td>
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<td>Meeting expenses</td>
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<td>2,000</td>
<td>6,000</td>
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<td>Travel</td>
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<td>3,300</td>
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<td>Finance and administration</td>
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<td>18,000</td>
<td>17,200</td>
<td>53,950</td>
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<tr>
<td><strong>TOTAL OPERATING COSTS</strong></td>
<td>110,000</td>
<td>110,000</td>
<td>110,000</td>
<td>330,000</td>
</tr>
</tbody>
</table>
Mandate

To provide a forum for individual BIAs which encourages and facilitates receiving and sharing of information relating to initiatives affecting small businesses and business districts in the City of Hamilton.

Role of Advisory Committee Members

It shall be the role of the members of the Advisory Committee to share with their individual BIAs information received at meetings and consult with, and seek input when required, from its members on matters referred to the Advisory Committee by City Council.

Membership

1. Membership will be open to each BIA who will submit the name of one representative and one alternate to attend meetings of the Advisory Committee

2. One Member of Council

3. Membership is for the Term of Council

Election of Chair and Vice-Chair

A Chair and Vice Chair will be selected from amongst the Advisory Committee members through a nomination process.

City of Hamilton Staff

A member of the City Clerk’s Legislative Team will provide legislative support to the Advisory Committee, and the Advisory Committee will follow all processes and procedures established by the City of Hamilton.

Departmental staff will act as Liaisons and provide updates and presentations on matters referred to the Advisory Committee by Council and Senior Management Team.

Meetings

Meetings will be at the call of the Chair.
November 21, 2012

Delegation

General Issues Committee, City of Hamilton

RE: Niagara to GTA Corridor – Ministry of Transportation submission of report and recommendation to Transportation Minister Chiarelli.

- Thank you for the opportunity to provide an update on the Ministry of Transportation’s (MTO) Niagara to GTA project.

- I would like to remind the committee of the position taken on September 14, 2010, on the NGTA highway and congratulate your support of study groups 1 and 2 – for optimizing existing transportation network and that new/expanded non-road infrastructure be implemented. This committee also expressed concern regarding a highway included under group 4 and the subsequent impact to Flamborough. (Niagara to GTA Corridor Planning and EA Study Update - PW05054a/PED10113

- The SEHC has worked with Halton Region and City of Burlington on this issue as recent events unfolded. A public meeting attracting over 500 attendees was held in Burlington on October 23, 2012. Also a program on COGECO was aired in October.

- We have learned that the MTO has submitted their recommendation to the Transportation Minister Chiarelli. The Minister is reported to be very unhappy with the recommendation.

- We have been advised that the Minister has asked for a submission offering alternatives.

- Halton Regional Chair Carr and Burlington Mayor Goldring have met with the Minister in October to discuss the issue.

- We believe a new corridor, which would devastate Flamborough, has been recommended. Note that all routes rip through Flamborough and devastate the area.

- The SEHC is concerned that the old 403 / 407, originally identified as option “C” under the Mid Peninsula Highway is the route of choice.

www.stophighway.com
http://nohighway.blog.com
• We remain dismayed at the continued push for a highway when it is clearly not an answer to the transport problems at hand.

• Having studied the MTO’s reports on the NGTA for the last 10 years, we have found the study to be severely flawed, antiquated and misguided.

• The right question has yet to be asked. Any answer must be in the context of the whole.

• The right question is how to increase mobility in the GTA?

• The problem faced is congestion in the GTA. As per Metrolinx, that congestion starts at Burlington and continues on to Toronto. In 25 years, that pattern remains the same, just more so. This highway will do nothing to address that problem.

• The highway will lead to sprawl and undermine the agriculture industry in Flamborough. It will also undermine economic opportunity to become a breadbasket to both domestic and international markets in the future - because of the advantages location as climate change impacts food production globally.

• All routes will detrimentally impact our environmentally sensitive Class 1 wetlands and source water.

• The SEHC will be submitting recommendations to the Minister on alternatives. It will focus on mobility for people and goods. It will include transit, light rail and rail. We see mobility hubs where people live work and play. We see increased mobility for Hamilton and the GTA.

• We will call for the Minister to reject the MTOs recommendation, stop the EA process and remove group 4. And do what has failed to be done. Focus on the right problem, which is relieving congestion in the GTA. Spend taxpayer money where the problem lies.

• We remain firm in our stand against a highway through Flamborough, whether in culminates in Burlington or further north. It simply isn’t needed.

• I referred to SEHC’s collaboration with Halton Region and the City of Burlington. We would appreciate such an opportunity to work with Hamilton as well.

Thank you for your kind attention.

Susan McMaster
Co-Chair, Citizens Opposed to Paving the Escarpment
A proud member of
The Stop Escarpment Coalition
Congestion today...
...And in 25 years
Oral presentation to the General Issues Committee on Nov. 21, 2012 by Richard Reble

I’ll start with my conclusion: The General Issues Committee needs to explore every avenue it can to protect Hamiltonians from potential catastrophes caused by Enbridge Inc. in connection with the flow of diluted bitumen through Line 9, part of which runs through environmentally sensitive rural lands of Hamilton.

The way that I arrived at that conclusion was by examining some of Enbridge’s verifiable actions and inactions, starting with a spill from its Line 10, a pipeline from Hamilton to Buffalo, in Binbrook in 2001. According to Binbrook resident John McGreal, it took 12 hours for the company to shut off the flow. That pipeline, by the way, was only 29 years old. much younger than Line 9.

The next spill on my list was the rupture of Enbridge’s Line 6b in Michigan on July 25, 2010, my thinking being that surely Enbridge had learned something in the 11 years since 2001.

I would like to stress that the 2010 spill needn’t have happened if Line 6b had been properly excavated and repaired in 2005 which was when Enbridge first discovered corrosion and cracks along the 43-year old pipeline. It didn’t.

What did happen was that Line 6b ruptured, spilling one million gallons of diluted bitumen from the tar sands. The tarry bitumen contaminated 38 miles of the Kalamazoo River and sickened approximately 320 people, resulting in the evacuation and eventual purchase of 160 homes. According to a Hamilton activist, the late Maggie Hughes, who recently made a power
point presentation to Council on this same topic, some of those who sickened subsequently died.

In July 2012, the U.S. National Transportation Safety Board (NTSB) concluded that Enbridge: 1) "took advantage of weak regulations, 2) "tolerated a "culture of deviance" on safety, and 3) failed to detect and properly respond to the largest and costliest oil pipeline spill in U.S. history.

When the pipeline ruptured the company failed to respond to the emergency with either adequate manpower or proper spill containment methods.

Instead of concentrating at the source of its spill, initial responders used booms nearly eight miles downstream. As a result more oil contaminated more wetlands and waterways, resulting in a $800 million clean-up or "five times more costly than any other accident."

At the beginning of the emergency Enbridge used the wrong spill technology at the wrong place and at the wrong time. "It did not have adequate response on site." Nor did local responders have access to Enbridge's response plans.

Due to a series of repeated errors in Enbridge's pipeline control room the NTSB described the entire disaster an example of an "organizational accident" due to "team performance breakdown."

In fact, the company had a 10-minute rule that mandated that operators shut down a line showing a dramatic drop in pressure. But during the Michigan leak operators systematically violated or ignored company rules as well as pipeline warning systems so many times over a 17-hour period that NTSB had
to conclude that the company's control room suffered a "culture of deviance."

"One of the things I'm concerned about is the lack of learning," said Chairman Hersman of the NTSB which is a much milder statement than I would have been inclined to use myself had I been in his position.

After Enbridge's $800-million clean-up, pipeline lobbyists bragged that the company had scrubbed and polished the Kalamazoo River so thoroughly that the company had left river cleaner than before the spill.

Despite this claim, the U.S. Environmental Protection Agency saw fit, just last month, to order Enbridge back to the site of the oil spill to clean up remaining pools of bitumen contaminating a 38-mile stretch of the Kalamazoo River. The $800 million spent over the two years it took to clean up of one million gallons of oil (200,000 more than Enbridge reported spilled) was apparently not worth doing the job properly.

And thus my conclusion: This committee needs to explore every avenue it can to protect Hamiltonians from potential catastrophes caused by Enbridge Inc. in connection with the flow of diluted bitumen through Line 9,