



CITY COUNCIL MINUTES 14-010

5:00 p.m.

Wednesday, May 14, 2014

Council Chambers

Hamilton City Hall

71 Main Street West

Present: Mayor R. Bratina
Councillors B. McHattie, J. Farr, R. Morrow, S. Merulla, C. Collins,
T. Jackson, S. Duvall, T. Whitehead, B. Clark, M. Pearson,
B. Johnson, R. Powers, L. Ferguson, J. Partridge and R. Pasuta

Mayor Bratina called the meeting to order and called upon Jamie Wood, of the Living Hope non-denominational Christian Church, to lead Council in prayer.

APPROVAL OF THE AGENDA

The Clerk advised of the following changes to the agenda:

1. ADDED CORRESPONDENCE

- 5.14 Correspondence from the AMO Board of Directors respecting 2014-2016 Request for Nominations

Recommendation: For the consideration of Council

- 5.15 Petition to reduce the speed limit on Miles Road signed by 28 signatories

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

5.16 Correspondence from Turkstra Mazza Associates respecting the Fruitland-Winona Secondary Plan

- (i) On behalf of DalBello
- (ii) On behalf of Petar Djeneralovic
- (iii) On behalf of 820 Barton St. Inc.

Recommendation: Be received.

5.17 Correspondence respecting Item 5 on Planning Committee Report 14-004, 257, 259 and 261 Millen Road (Stoney Creek) (PED14042) (Ward 10)

- (i) Lorraine Smith
- (ii) Viv Saunders
- (iii) Suzanne Mooney
- (iv) Ron and Shirley Dowdy

Recommendation: Be received.

5.18 Correspondence from the Ministry of Transportation respecting the invitation of the Honourable Glen Murray to attend the General Issues Committee respecting Light Rail Transit

Recommendation: Be received.

5.19 Correspondence from Wood Bull LLP respecting Item 6 of Planning Report 14-006, 1125, 1143 and 1185 Wilson Street West, Ancaster

Recommendation: Be received and that the Planning Committee Minutes from April 15, 2014, be amended accordingly.

2. ADDED NOTICES OF MOTION

8.1 Clarity Respecting the Progressive Conservative's Plan to Reduce Spending

8.2 Moratorium on LRT Debate Until After the Provincial Election

8.3 Inclusion of 1 St. James Place, Hamilton in the Register of Property of Cultural Heritage Value or Interest

(Pearson/Johnson)

That the agenda for the May 14, 2014 meeting of Council be approved, as amended.

CARRIED

DECLARATIONS OF INTEREST

Councillor M. Pearson declared an interest to Bill 116, being a By-law to Adopt: Official Plan Amendment No. 16 to the Urban Hamilton Official Plan Respecting: 257, 259 & 261 Millen Road (Stoney Creek); Bill 117, being a By-law to Amend Zoning By-law No. 3692-92 (Stoney Creek), respecting the property located at 257, 259 and 261 Millen Road (Stoney Creek); and, Item 5.17, respecting the correspondence respecting Item 5 on Planning Committee Report 14-004, 257, 259 and 261 Millen Road, as she is a rental property owner.

CEREMONIAL ACTIVITIES

There were no ceremonial activities.

APPROVAL OF MINUTES

4.1 April 23, 2014

(Ferguson/Johnson)

That the Minutes of the April 23, 2014, meeting of Council be approved, as presented.

CARRIED

COMMUNICATIONS

(Pearson/Clark)

That Council Communications 5.1 through 5.19 be approved, as amended, as follows:

- 5.1 Correspondence from the Township of Muskoka Lakes respecting a resolution to request the Ministry of Government Services to correct errors in the Land Titles Electronic Registry System

Recommendation: **(Pearson/Johnson)** Be referred to the General Manager of Planning and Economic Development for a report to the Planning Committee.

- 5.2 Correspondence from the Niagara Peninsula Conservation Authority regarding Comments made by MPP Cindy Forster

Recommendation: **(Powers/Pasuta)** Be received.

- 5.3 Correspondence from the Grand River Conservation Authority respecting the Draft Plan of the Watershed Management Plan

Recommendation: **(Pasuta/Ferguson)** Be received and referred to the General Manager of Public Works for a report to the General Issues Committee.

- 5.4 Correspondence from Dr. Jennifer Lococo, Lococo Wellness Clinic, respecting Naturopathic Medicine Week

Recommendation: **(Pearson/Johnson)** Be received.

- 5.5 Correspondence from Michael Chan, the Minister Responsible for the 2015 Pan and Parapan American Games, respecting the Torch Relay Community Fund

Recommendation: **(Partridge/Pearson)** Be received.

- 5.6 Correspondence from Keanin Loomis, President & CEO, Hamilton Chamber of Commerce respecting Hamilton's Proposed B-Line LRT Project

Recommendation: **(Morrow/McHattie)** Be received and referred to the General Issues Committee.

- 5.7 Correspondence from Jim Horner, Director, Enbridge respecting an update on the Line 9B Reversal and Line 9 Capacity Expansion Project

Recommendation: **(Pearson/Ferguson)** Be received.

- 5.8 Petition to Re-establish the Confederation Park Boat Ramp Signed by 232 Signatories

Recommendation: **(Collins/Merulla)** Be received and referred to the General Manager of Public Works for a report to the Public Works Committee.

- 5.9 Correspondence from Bill Grahlman CD, President, 447 Wing Royal Canadian Air Force Association, respecting possible property acquisition by the City of Hamilton

Recommendations: **(Johnson/Pearson)** Be referred to the General Manager of Planning and Economic Development (Real Estate Section) for a report to the Planning Committee that provides the available options respecting the possible property acquisition of the 447 Wing Royal Canadian Air Force Association property.

- 5.10 Correspondence from Matt Johnston, IBI Group, Respecting Item 4 on Planning Committee Report 14-007, Proposed Zoning By-law Amendment Affecting Lands Located at 125 Wilson Street East (Ancaster) (PED14079)

Recommendation: **(Ferguson/Johnson)** Be received and referred to the Planner on file for their records.

- 5.11 Correspondence respecting Item 7 on Planning Committee Report 14-007, Amendments to Responsible Animal Ownership By-law 12-031 (PED09303(d)):

- (i) Julie Maue
- (ii) Ann Turnbull
- (iii) Natalie Pavicovic
- (iv) Nancy Young
- (v) Sarit Zalter
- (vi) Irene Dalton
- (vii) Brenda Duke
- (viii) Rome Miraldo

Recommendation: **(Johnson/Pearson)** Be received and referred to Senior Director of Parking and By-law Services for his records.

- 5.12 Correspondence from Ellen Hohs, President of the Lyme Disease Association of Ontario, respecting Lyme Disease Awareness Month

Recommendation: **(Partridge/Powers)** Be received.

- 5.13 Correspondence from the Town of Caledon respecting the Provincial Plan Review

Recommendation: **(Ferguson/Johnson)** Be supported.

- 5.14 Correspondence from the AMO Board of Directors respecting 2014-2016 Request for Nominations

Recommendation: **(Powers/Johnson)** Be TABLED to the May 28, 2014 meeting of Council for the provision of additional information.

- 5.15 Petition to reduce the speed limit on Miles Road signed by 28 signatories

Recommendation: **(Johnson/Pearson)** Be received and referred to the General Manager of Public Works for a report to the Public Works Committee.

- 5.16 Correspondence from Turkstra Mazza Associates respecting the Fruitland-Winona Secondary

Recommendation: **(Johnson/Powers)** Be received and referred to the Planner on file for their records.

5.17 Correspondence respecting Item 5 on Planning Committee Report 14-004, 257, 259 and 261 Millen Road (Stoney Creek) (PED14042)

- (i) Lorraine Smith
- (ii) Viv Saunders
- (iii) Suzanne Mooney
- (iv) Ron & Shirley Dowdy

Recommendation: **(Johnson/Powers)** Be received and referred to the Planner on file for their records.

5.18 Correspondence from the Ministry of Transportation respecting the invitation of the Honourable Glen Murray to attend the General Issues Committee respecting Light Rail Transit

Recommendation: **(Jackson/Collins)** Be received.

5.19 Correspondence from Wood Bull LLP respecting Item 6 of Planning Report 14-006, 1125, 1143 and 1185 Wilson Street West, Ancaster

Recommendation: **(Ferguson/Clark)** Be received and referred to the Planner on file for their records.

(Pasuta/Partridge)

That Council move into Committee of the Whole for consideration of the Committee Reports.

CARRIED

PLANNING COMMITTEE REPORT 14-007

7. Amendments to Responsible Animal Ownership By-law 12-031 (PED09303(d)) (City Wide) (Item 8.2)

(Johnson/Ferguson)

That Item 7 of Planning Report 14-007 respecting Amendments to Responsible Animal Ownership By-law 12-031 (PED09303(d)) (City Wide), be amended by deleting and replacing the recommendations, to read as follows:

7. Amendments to Responsible Animal Ownership By-law 12-031 (PED09303(d)) (City Wide) (Item 8.2)

- (a) That the Responsible Animal Ownership By-law 12-031 be amended to permit businesses/facilities to display prohibited animals for educational purposes provided that:

- (i) the property is zoned for the use;
 - (ii) the business/facility shares no HVAC system with any other use;
 - (iii) the business/facility is “self-contained” in accordance with Canada’s Accredited Zoos and Aquariums (CAZA) accreditation;
 - (iv) the business is not a pet store (does not offer animals for sale);
 - (v) the primary purpose of the business/facility is the display of animals and it is accredited by Canada’s Accredited Zoos and Aquariums (CAZA);
 - (vi) that the business is not physically attached to a residential unit or structure;
- (b) That the proposed by-law attached as Appendix “B” to Report PED09303(d)), which amends the Responsible Animal Ownership By-law 12-031 and which has been prepared in a form satisfactory to the City Solicitor be enacted;
- (c) That staff investigate annual inspections as part of the approval process, possibly through Canada's Accredited Zoos and Aquariums (CAZA);
- (d) That the Board of Health conduct a random inspection once a year at the facility; and,
- (e) That signage be placed to ensure the public is aware of the dangers and health issues associated with wild and dangerous animals.

The amendment to the motion CARRIED on the following recorded vote:

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

The main motion, as amended, CARRIED on the following standing recorded vote:

Yeas: Whitehead, Duvall, Jackson, Collins, Merulla, Morrow, Farr, Pearson, Johnson, Ferguson, Powers
Total: 11
Nays: Bratina, McHattie, Partridge, Pasuta, Clark
Total: 5

(Johnson/Partridge)

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

CARRIED

GENERAL ISSUES COMMITTEE REPORT 14-010

10. Civic Gateway Study (PW14044) (City Wide) (Item 7.2)

(Farr/McHattie)

- (a) That Item 10 of the General Issues Committee, respecting the Civic Gateway Study, be referred to the June 4, 2014 General Issues Committee.
- (b) That staff be directed to report back to the June 4, 2014 General Issues Committee; and,
 - (i) Notify the Ministry of Transportation to advise that the City of Hamilton would like to put a place marker on the property and to begin the process to secure that property for a municipal sign.
 - (ii) Meet with David Zimmer, Senior Landscape Architect, to determine if there is a possibility to work with him on a design for the Civic Gateway.
 - (iii) That the appropriate staff be directed to initiate an in-house call, seeking qualified staff who may undertake, in whole or in part, the necessary work required to achieve the desired results and potentially greatly mitigate costs.
 - (iv) Provide information respecting a Request for Proposal (RFP), outlining the costs associated with the design and installation of a Civic Gateway, and report back to the General Issues Committee;
 - (v) Seek out potential partnerships with various institutions and local businesses.

The above motion CARRIED on the following standing recorded vote:

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

11. Piers 5-8 Sewage Pumping Station and Facilities Municipal Class Environmental Assessment, Schedule B (PED14092) (Ward 2) (Item 7.3)

(Clark/Johnson)

That subsection (a) to Item 11 of General Issues Committee Report 14-010, respecting Piers 5-8 Sewage Pumping Station and Facilities Municipal Class Environmental Assessment, Schedule B, be amended by adding the words “and report back to the General Issues Committee with the results of the 30 day public review before proceeding with the detailed design and implementation” after the words “... 30 day public review period” to read as follows:

- (a) That the Acting General Manager of Planning and Economic Development be authorized and directed to file the Notice of Completion, and issue the Project File Report for the Class Environmental Assessment for Piers 5-8 Sewage Pumping Station Facilities for the mandatory 30-day public review period, ***and report back to the General Issues Committee with the results of the 30 day public review before proceeding with the detailed design and implementation;***

CARRIED

14. Illegal Dumping Pilot Project (PED11127(f)/PW11052(g)) (City Wide) (Item 8.3)

The item above CARRIED on the following vote:

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

15. Facility Naming Sub-Committee Report 14-002 - April 8, 2014 (Item 8.5)

The item above CARRIED on the following standing recorded vote:

Yeas: Bratina, Whitehead, Duvall, Jackson, Collins, Merulla, Morrow, Farr, McHattie, Clark, Pearson, Johnson, Ferguson, Powers, Pasuta, Partridge
Total: 16

17. Airport Implementation Task Force Report 14-001 (Added Item 8.7)

(Ferguson/Johnson)

That Item 17 of the General Issues Committee Report 14-010 be amended by adding the following subsections “l” and “m” to read as follows:

- (l) That the residents of Glancaster Road (7 to 8 homes) be allowed to hook up to the municipal water main in front of their homes.
- (m) That staff be directed to report back to the Public Works Committee with a report that outlines the costs associated with the connection of municipal water to those same homes.

CARRIED

Subsection (j) of Item 17 CARRIED on the following vote:

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

18(a) One-Way to Two-Way Street Conversions (Item 9.2)

The following motion was withdrawn:

(Powers/Whitehead)

That subsection (c) be deleted in its entirety.

(Ferguson/Merulla)

That the word "accelerated" be removed from sub-section (c).

The above amending motion CARRIED on the following vote:

Yeas: Bratina, Whitehead, Duvall, Jackson, Collins, Merulla, Morrow, Clark, Pearson, Johnson, Ferguson, Powers, Pasuta
Total: 13
Nays: Farr, McHattie, Partridge
Total: 3

18(b) One-Way to Two-Way Street Conversions (Item 9.2)

(Merulla/Bratina)

Whereas, the conversion of rural cross-sections to urban standards have fallen behind in the City's Capital Budget Implementation Plan;

And Whereas, families living in those neighbourhoods are being unnecessarily placed at risk;

And Whereas, many of these neighbourhoods are find in Hamilton;

Therefore Be it Resolved:

- (a) That staff be directed to report back to the Public Works Committee with the city-wide status of neighbourhoods requiring urbanization; and,
- (b) That staff be directed to report back to the Public Works Committee with a city-wide conversion strategy for urbanization in 2014, if possible, and for consideration in the 2015 Capital Budget process, as deemed appropriate by staff and the respective Ward Councillor.

**AMENDMENT CARRIED
MOTION AS AMENDED CARRIED**

(Merulla/Partridge)

That Information Item (h)(iii) respecting Public Art Piece Honouring L. M. Alexander (PED14089), which was TABLED at the May 7, 2014 meeting of the General Issues Committee, and reads as follows, be lifted and added as Item 20 to General Issues Committee Report 14-010:

20. Public Art Piece Honouring L.M. Alexander (PED14089) (City Wide)

- (a) That Tourism and Culture Division staff undertake a Public Art process to commission a Public Art piece honouring Lincoln MacCauley (L.M.) Alexander;
- (b) That the location for the L.M. Alexander Public Art piece be determined as part of the Focus Group consultation, as outlined in Report PED14089;
- (c) That the L.M. Alexander Public Art piece be funded from Public Art Reserve Fund 108044 in the amount of \$300,000;
- (d) That the item on the Outstanding Business List, respecting a public art piece honouring L.M. Alexander, be identified as completed and removed from the General Issues Committee Outstanding Business List.

(Merulla/Partridge)

- (a) That subsection (c) of Item 20 of General Issues Committee Report 14-010, respecting Public Art Piece Honouring L.M. Alexander (PED14089), be amended by deleting it in its entirety and inserting the following therein:
 - (c) That funding contributions towards the L.M. Alexander Public Art piece be sought from the Government of Canada, Government of Ontario, and the Conservative Party of Canada, and crowd funding opportunities.
- (b) That a subsection (e) be added to Item 20 of the General Issues Committee Report 14-010, which reads as follows:

- (e) That Mr. Alexander's son be involved in the Public Art Piece process honouring his father, Lincoln Alexander.

The amended Item 20 to read as follows:

- (a) That Tourism and Culture Division staff undertake a Public Art process to commission a Public Art piece honouring Lincoln MacCauley (L.M.) Alexander;
- (b) That the location for the L.M. Alexander Public Art piece be determined as part of the Focus Group consultation, as outlined in Report PED14089;
- (c) That funding contributions towards the L.M. Alexander Public Art piece be sought from the Government of Canada, Government of Ontario, and the Conservative Party of Canada and crowd funding sources.**
- (d) That the item on the Outstanding Business List, respecting a public art piece honouring L.M. Alexander, be identified as completed and removed from the General Issues Committee Outstanding Business List.
- (e) That Mr. Alexander's son be involved in the Public Art Piece process honouring his father.**

**AMENDMENT CARRIED
MOTION AS AMENDED, CARRIED**

The amendments to Item 20 above were CARRIED on the following vote:

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

The main motion, as amended, was CARRIED on the following vote:

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

(Bratina/Partridge)

That the TENTH Report of the General Issues Committee be adopted, as amended, and the information section received (attached hereto).

CARRIED

AUDIT, FINANCE & ADMINISTRATION COMMITTEE REPORT 14-004

**11. Assessment and Funding for Value for Money Audit Program (AUD14012)
(City Wide) (Item 8.7)**

- (a) That Report AUD14012 regarding the initial assessment of the Value for Money Audit Program be approved; and,
- (b) That the estimated costs of \$436,355 for the completion of the balance of the three year pilot project for the Value for Money Audit Program to March 2016 be approved for funding from the tax stabilization reserve.

Item 11 above CARRIED on the following vote:

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

(Powers/Clark)

That the FOURTH Report of the Audit, Finance & Administration Committee be adopted, and the information section received (attached hereto).

CARRIED

EMERGENCY & COMMUNITY SERVICES 14-003

(Merulla/Jackson)

That Item 9 of Emergency and Community Services Committee Report 14-003, respecting Veterans Parking, be amended by deleting the words "Planning Committee and the Emergency and Community Services Committee" and inserting the words "General Issues Committee" therein to read as follows:

9. Veteran's Parking (Item 9.2)

That staff be directed to investigate the implications to provide free parking, at City of Hamilton operated parking lots and on-street parking meters, for all Veterans with an Ontario Veterans licence plate and report back to the General Issues Committee.

**AMENDMENT CARRIED
MOTION AS AMENDED CARRIED**

(Farr/Morrow)

That the THIRD Report of the Emergency & Community Services Committee be adopted, as amended, and the information section received (attached hereto).

CARRIED

(Pasuta/Partridge)

That the Committee of the Whole Rise and Report.

CARRIED

MOTIONS

7.1 Special Occasion Permit – NSA Canada 2014 Men’s and Women’s World Series

(Duvall/Whitehead)

WHEREAS, City Council has received Notice (attached hereto as Appendix “A”) from NSA Canada that they wish to obtain a Special Occasion Permit to sell alcohol during their scheduled games;

AND WHEREAS, the Alcohol & Gaming Commission of Ontario requires that if a permit holder is not a registered charity or non-profit organization or association, that a resolution of the Council is required to designate the event as one of municipal significance;

THEREFORE, BE IT RESOLVED:

- (a) That the City of Hamilton hereby deems the games of the NSA Canada 2014 Men’s and Women’s World Series being held at Turner Park, 344 Rymal Road East, Hamilton, on the following dates and times as municipally significant:
 - (i) July 31, 2014 – 4:00 p.m. to Midnight
 - (ii) August 1, 2, 3, 2014 – 11:00 a.m. to Midnight
 - (iii) August 4, 2014 - 11:00 a.m. to 7:00 p.m.

- (b) That the Applicant be provided a copy of this resolution for inclusion with their application to the Alcohol & Gaming Commission of Ontario.

CARRIED

7.2 Amendment to Item 5 of Board of Health Report 14-003, Physician Recruitment Specialist Employment Contract (FCS14032) (City Wide)

(Ferguson/Clark)

That sub-section (a) to Item 5 of the Board of Health Report 14-003, respecting the Physician Recruitment Specialist Employment Contract as approved by Council on April 23, 2014, be amended by deleting the dates “March 2013” and “March 2016” and replacing them with the dates of “November 23, 2013” and “November 22, 2016, respectively, to read as follows:

**5. Physician Recruitment Specialist Employment Contract (FCS14032)
(City Wide) (Item 8.1)**

- (a) That the Physician Recruitment Specialist contract be extended for three years, commencing **November 23, 2013** and expiring **November 22, 2016**;
- (b) That the contents of the contract remain confidential.

CARRIED

7.3 Former King George School – Heritage Designation

(Morrow/McHattie)

Whereas 77 Gage Avenue North, Hamilton, is comprised of a two-storey brick building known as the former King George School, which opened in 1912 and was designed by architects Stewart & Witton in the Edwardian Classicism architectural style.

And Whereas 77 Gage Avenue North, Hamilton, is included in the Register of Property of Cultural Heritage Value or Interest as a non-designated property.

And Whereas the former King George School is believed to meet the criteria specified in Ontario Regulation 9/06 including, but not limited to: its design value as a representative example of the Edwardian Classicism architectural style and its associative value as an institutional building designed by prominent local architects Stewart & Witton.

And Whereas sufficient monies are contained in the Heritage Studies Reserve Account 112211 to retain a heritage planning consultant to conduct an expedited cultural heritage assessment of the former King George School, if necessary.
Therefore Be it Resolved:

- (a) That Planning staff be directed to conduct a cultural heritage assessment of 77 Gage Avenue North, Hamilton, and prepare a draft by-law for the purposes of designating the former King George School under Part IV of the *Ontario Heritage Act*, in accordance with the Council-approved Designation Process and in consultation with the Hamilton Municipal Heritage Committee, and report back to Planning Committee and Council for consideration as a high priority;
- (b) That the monies required to retain a heritage planning consultant to conduct an expedited cultural heritage assessment for the purposes of designating the former King George School under Part IV of the *Ontario Heritage Act* be acquired from the Heritage Studies Reserve Account 112211.

CARRIED

7.4 Clarity Respecting the Progressive Conservative's Plan to Reduce Spending

(Powers/Clark)

That the Mayor correspond with Tim Hudak, Leader of the Ontario Progressive Conservatives, to seek clarity and/or confirmation with respect to recent statements attributed to the Progressive Conservative's plan to reduce funding to Ontario municipalities.

CARRIED

7.5 Inclusion of 1 St. James Place, Hamilton in the Register of Property of Cultural Heritage Value or Interest

(Farr/Morrow)

- (a) That following consultation with the Hamilton Municipal Heritage Committee, 1 St. James Place, Hamilton be included as a non-designated property in the Register of Property of Cultural Heritage Value or Interest; and,
- (b) That Planning staff be directed to prepare a staff report including a Preliminary Evaluation of 1 St. James Place, Hamilton in accordance with the Council-approved Designation Process and report back to Planning Committee and Council for direction and prioritization of any further research and evaluation.

CARRIED

7.6 Fessenden Phase III Flood Protection Tender

(Whitehead/Duvall)

That staff be authorized and directed to award the Fessenden Phase III Flood Protection Tender.

That the portion of the Tender in excess of the approved budget, in the amount of up to \$1.6 million be funded from the Storm Sewer Capital Reserve (#108010).

(Clark/Merulla)

- (a) That the motion be referred to the Public Works Committee for discussion.
- (b) That staff be directed to report to the Public Works Committee respecting the Fessenden Phase III Flood Protection Tender matter.

CARRIED

NOTICES OF MOTIONS

Councillor R. Powers introduced the following Notice of Motion:

8.1 Clarity Respecting the Progressive Conservative's Plan to Reduce Spending

Whereas recent coverage of Ontario's Progressive Conservative Leader, Tim Hudak's election plan included reducing spending except in health care

Therefore, be it resolved:

That the Mayor correspond with Tim Hudak, Leader of the Ontario Progressive Conservatives, to seek clarity and/or confirmation with respect to recent statements attributed to the Progressive Conservative's plan to reduce funding to Ontario municipalities.

(Powers/Clark)

That the Rules be waived to allow the introduction of a motion respecting reduced funding to Ontario Municipalities.

CARRIED

For disposition of this matter, please refer to Item 7.4.

Councillor S. Merulla introduced the following Notice of Motion:

8.2 Moratorium on LRT Debate until after the Provincial Election

Whereas, the City of Hamilton has been working on the Rapid Transit initiative since 2008;

And whereas, the City of Hamilton first completed a feasibility study of Light Rail Transit (LRT) and the B-Line in 2008;

And whereas, the City of Hamilton has also completed 30 percent detailed design on the B-line;

And whereas, in 2010, a Benefits Case Analysis by Metrolinx was undertaken with respect to LRT in comparison to BRT on the B-Line;

And whereas, Hamilton City Council has provided unanimous support for LRT as described in the Rapid Ready Report, which was approved on February 27th, 2013;

And whereas, the City's Rapid Ready Report also speaks to the importance of investments in the entire transit system;

And whereas, City Council has provided Metrolinx with reports on funding tools and an investment strategy on May 8, 2013 and September 25, 2013 relating to Council's position of 100 percent capital funding;

And whereas, Council requested at its GIC meeting on April 16, 2014 that Transportation Minister Glen Murray be invited and attend an upcoming GIC meeting;

And whereas, Minister Murray has declined to attend a meeting;

And whereas, a provincial election has been called and will take place on June 12, 2014;

Therefore be it resolved:

That City Council put a moratorium on any LRT debates until after the June 12, 2014 provincial election at point of answer from the Province.

Councillor J. Farr introduced the following Notice of Motion:

8.3 Inclusion of 1 St. James Place, Hamilton in the Register of Property of Cultural Heritage Value or Interest

Whereas, 1 St. James Place, Hamilton (Ward 2), is believed to be of cultural heritage value or interest and may be worthy of designation under Part IV of the Ontario Heritage Act.

Therefore Be it Resolved:

- (a) That, following consultation with the Hamilton Municipal Heritage Committee, 1 St. James Place, Hamilton be included as a non-designated property in the Register of Property of Cultural Heritage Value or Interest; and,
- (b) That Planning staff be directed to prepare a staff report including a Preliminary Evaluation of 1 St. James Place, Hamilton in accordance with the Council-approved Designation Process and report back to Planning Committee and Council for direction and prioritization of any further research and evaluation.

(Farr/Morrow)

That the Rules be waived to allow the introduction of a motion respecting Inclusion of 1 St. James Place, Hamilton in the Register of Property of Cultural Heritage Value or Interest. **CARRIED**

For disposition of this matter, please refer to Item 7.5.

Councillor Whitehead introduced the following Notice of Motion:

8.4 Fessenden Phase III Flood Protection Tender

That staff be authorized and directed to award the Fessenden Phase III Flood Protection Tender.

That the portion of the Tender in excess of the approved budget, in the amount of up to \$1.6 million be funded from the Storm Sewer Capital Reserve (#108010).

(Whitehead/Duvall)

That the Rules of Order be waived to allow for the introduction of a motion respecting the Fessenden Phase III Flood Protection Tender.

CARRIED

For disposition of this matter refer to Item 7.6.

STATEMENT BY MEMBERS

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

PRIVATE AND CONFIDENTIAL

BY-LAWS

(Pasuta/Powers)

That the Bill List for the May 14, 2014 meeting of Council be amended by adding Bill number 122, which reads as follows, and renumbering the balance accordingly:

122 To Amend By-law No. 01-215 Being a By-law To Regulate Traffic
Schedule 5 – Stop Control

123 To Confirm proceedings of Council

CARRIED

(Pasuta/Powers)

That Bills No. 14-100 to 14-123 be passed, as amended, and that the Corporate Seal be affixed thereto, and that the By-laws be numbered and signed by the Mayor and the City Clerk to read as follows:

By-Law

100 A By-law to Set Optional Property Classes for the year 2014

By-Law

- 101 To Amend By-law No. 01-218, as amended,
Being a By-law To Regulate On-Street Parking
Schedule 5 – Parking Meters
Schedule 6 – Time Limit Parking
Schedule 8 – No Parking Zones
Schedule 12 – Permit Parking Zones
Schedule 13 – Stopping Zones
- 102 A By-law to Establish Tax Ratios and Tax Reductions for the Year 2014
- 103 A By-law to Set and Levy the Rates of Taxation for the Year 2014
- 104 A By-law to adopt Municipal Options for Tax Capping for the Year 2014
- 105 A By-law to Levy a Special Charge Upon the Rateable Property in the
Business Improvement Areas for the Year 2014
- 106 To Amend Zoning By-law No. 87-57, Respecting Lands Located 125 Wilson
Street East, in the former Town of Ancaster, now in the City of Hamilton
- 107 To Incorporate City Land Designated as Block 13 on Plan 62M-1083 into
Tews Lane
- 108 To Amend By-law No. 01-215 Being a By-law To Regulate Traffic
Schedule 5 – Stop Control
- 109 To Incorporate City Land Designated as Block 141 on Plan 62M-1131Into
Nisbet Boulevard
- 110 To Authorize the Borrowing upon Serial Debentures in the Principal Amount
of \$10,000,000.00 towards the Cost of a Certain Capital Work of the City of
Hamilton
- 111 To Adopt: Official Plan Amendment No. 18 to the Urban Hamilton Official
Plan Respecting: Lands located on the north side of Wilson Street West,
known municipally as 1125, 1143 and 1185 Wilson Street West, Ancaster
- 112 To Amend Zoning By-law No. 87-57 (Ancaster), Respecting Lands Located
at 1125, 1143 and 1185 Wilson Street West (Ancaster)
- 113 To Amend Zoning By-law No. 3692-92, Respecting Lands Located at 395
Fifty Road and 400 Winona Road (Stoney Creek)
- 114 To Adopt: Official Plan Amendment No. 19 to the Urban Hamilton Official
Plan Respecting: 139 Fall Fair Way, Binbrook

By-Law

- 115 To Amend Zoning By-law No. 464 (Glanbrook) Respecting the Property Located at 139 Fall Fair Way, Binbrook
- 116 To Adopt: Official Plan Amendment No. 16 to the Urban Hamilton Official Plan Respecting: 257, 259 & 261 Millen Road (Stoney Creek)
- 117 To Amend Zoning By-law No. 3692-92 (Stoney Creek), Respecting the Property Located at 257, 259 and 261 Millen Road (Stoney Creek)
- 118 To Repeal By-law No. 09-001 and to Amend Zoning By-law No. 6593 (Hamilton), Respecting Lands Located at 90 Charlton Avenue West, 85 Robinson Street, and 220 Park Street South, Hamilton
- 119 To Amend By-law No. 07-170, a By-law to License and Regulate Various Businesses
- 120 To Adopt: Amendment No. 17 to the Urban Hamilton Official Plan Respecting: The Fruitland-Winona Secondary Plan
- 121 To Amend By-law No. 12-031, a By-law for Responsible Animal Ownership
- 122 ~~To Amend By-law No. 01-215 Being a By-law To Regulate Traffic Schedule 5 – Stop Control~~
- 123 ~~To Confirm proceedings of Council~~

CARRIED

(Pearson/Johnson)

That there being no further business, the City Council meeting be adjourned at 9:41 p.m.

CARRIED

Respectfully submitted,

Mayor B. Bratina

R. Caterini
City Clerk



PLANNING COMMITTEE REPORT 14-007

As Amended by Council on May 14, 2014

9:30 am

Tuesday, May 6, 2014

Council Chambers

Hamilton City Hall

71 Main Street West

Present: Councillors B. Johnson (Chair), J. Partridge (1st Vice- Chair), C. Collins (2nd Vice Chair), J. Farr, B. Clark, L. Ferguson, R. Pasuta and M. Pearson

Absent with Regrets: Councillor T. Whitehead

THE PLANNING COMMITTEE PRESENTS REPORT 14-007 AND RESPECTFULLY RECOMMENDS:

1. Hamilton Historical Board Minutes - March 18, 2014 (Item 5.1)

That the Hamilton Historical Board Minutes from March 18, 2014, be received.

2. Application for Approval of a Draft Plan of Condominium (Common Element) (25CDM-201302) Affecting Lands Located at 421 Kitty Murray Lane (Ancaster) (PED14078) (Ward 12) (Item 6.2)

That approval be given to **Condominium Application 25CDM-201302, by Springbrook West Development Inc., Owner**, to establish a Draft Plan of Condominium (Common Element) to create a common element condominium road for 28 townhouse dwelling units on lands known as 421 Kitty Murray Lane (Ancaster), as shown on the attached location map marked as Appendix "A" to Report PED14078, subject to the following conditions:

- (a) That this approval shall apply to the plan, prepared by B.A. Jacobs Surveying Limited, and certified by Byran Jacobs, O.L.S., dated January

11, 2011, showing the condominium road labelled as Part 29 and residential dwelling lots as Parts 1-28, attached as Appendix "B" to Report PED14078;

- (b) That the final plan of condominium shall comply with all of the applicable provisions of Ancaster Zoning By-law No. 87-57, as amended by Zoning By-law 12-157;
- (c) That the final plan of condominium shall comply, in all respects, with the approved Site Plan (DA-12-091), to the satisfaction of the Director of Planning;
- (d) That the owner shall enter into a Development Agreement to ensure that the tenure of each of the proposed freehold townhouse dwellings having frontage on the condominium road has legal interest, in common, to the Common Elements Condominium, to the satisfaction of the City Solicitor;
- (e) That the owner shall agree to include in all offers of purchase and sale, a statement that advises the purchaser:
 - (i) Purchasers/tenants are advised that the City of Hamilton will not be providing maintenance or snow removal service for the private condominium road.
- (f) That the owner shall agree to:
 - (i) 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 subdivision.
 - (ii) Determine the location of all centralized mail receiving 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.
 - (iii) Provide the centralized mail facility at their own expense, as per Canada Post's multi-unit policy, which will be in effect for buildings and complexes with a common lobby, common indoor or sheltered space.
- (g) That the owner provide evidence to the satisfaction of the Senior Director of Growth Management, that the Condominium Approval Agreement and Condominium Agreement contains appropriate wording requiring the future Condominium Corporation to be responsible for maintenance,

repair and/or replacement of all common elements including, but not limited to, maintaining landscaping and fencing, as well as, the grading and drainage in accordance with the engineering drawings and other drawings approved through Site Plan application DA-12-091;

- (h) 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;
- (i) That the owner shall satisfy all conditions, financial or otherwise, of the City of Hamilton.
- (j) That a sign be erected on Redeemer property at the east fence line of the subject property stating, "Future Student Residence".

3. Application for an Amendment to the Urban Hamilton Official Plan and Town of Ancaster Zoning By-law for Lands Located at 1117 Garner Road East (PED14075) (Ward 12) (Item 6.3)

- (a) That approval be given to **Official Plan Amendment Application OPA-13-009, by Sonoma Homes Inc, Owner**, for Official Plan Amendment No. [REDACTED], for a change in designation from "Utility" to "Medium Density Residential 2c" on Map B.2.6-1 - Land Use Plan, and to establish a new Site Specific Policy Area F, within the Meadowlands Neighbourhood IV Secondary Plan, to permit a three-storey, mixed-use building containing offices on the ground floor, and 36 residential units on the second and third floors, on lands located at 1117 Garner Road East (Ancaster), as shown on Appendix "A" to Report PED14075, on the following basis:
 - (i) That the draft Official Plan Amendment, attached as Appendix "C" to Report PED14075, be adopted by City Council.
 - (ii) That the proposed Official Plan Amendment is consistent with the Provincial Policy Statement (2014) and the Places to Grow Growth Plan.
- (b) That approval be given to **Zoning By-law Amendment Application ZAC-12-036, by Sonoma Homes Inc, Owner**, for changes in zoning from the Motor Vehicle Services "C6-271" Zone, Modified, and Agricultural "A" Zone, to the Holding - Residential Multiple "H-RM6-658" Zone, Modified, to permit a three-storey, mixed-use building containing offices on the ground floor and 36 residential units on the second and third floors, on lands located at 1117 Garner Road East (Ancaster), as shown on Appendix "A" to Report PED14075, on the following basis:

- (i) That the draft By-law, attached as Appendix “C” to Report PED14075, 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 Map 1 to Schedule “B” of By-law No. 87-57; and,
- (iii) That the proposed changes in zoning are in conformity with the Urban Hamilton Official Plan (UHOP) upon finalization of Official Plan Amendment No. [REDACTED].

4. Proposed Zoning By-law Amendment Affecting Lands Located at 125 Wilson Street East (Ancaster) (PED14079) (Ward 12) (Item 6.4)

That **Zoning By-law Amendment Application ZAC-13-033, by Sonoma Homes, Owner**, for a change in zoning from the Existing Residential “ER” Zone, to the General Commercial “C3-655” Zone, Modified, with a Special Exception, on lands located at 125 Wilson Street East (Ancaster), as shown on Appendix “A” to Report PED14079, be approved, on the following basis:

- (a) That the draft By-law, attached as Appendix “B” to Report PED14079, which has been prepared in a form satisfactory to the City Solicitor, be enacted by Council;
- (b) That the amending By-law be added to Map 1 Schedule “B” of Zoning By-law No. 87-57;
- (c) That the proposed change in Zoning is in conformity with the Urban Hamilton Official Plan (UHOP);
- (d) That the Ward Councillor attend the Site Plan approval meeting and that the Site Plan be in general conformity with Appendix C, page 4 of 4, to Report PED14079, Proposed Zoning By-law Amendment Affecting Lands Located at 125 Wilson Street East (Ancaster).

5. Zoning By-law Amendment for Lands Located at 85 Robinson Street, 220 Park Street South and 90 Charlton Avenue West (Hamilton) (City Square) (PED14087) (Ward 2) (Item 6.5)

That approval be given to **Amended Zoning Application ZAC-13-004, by New Horizon Development (City Square) Corporation, Owner**, for a change in zoning from the “E/S-1600” (Multiple Dwellings, Lodges, Clubs, Etc.) District, Modified, to the “E/S-1600a” (Multiple Dwellings, Lodges, Clubs, Etc.) District,

Modified, to modify the setbacks for the existing and proposed development, and to permit the construction of an 11-storey multiple dwelling, on lands located at 85 Robinson Street, 220 Park Street South, and 90 Charlton Avenue West (Hamilton), as shown on Appendix "A" to Report PED14087, on the following basis:

- (a) That the Draft By-law, attached as Appendix "B" to Report PED14087, which has been prepared in a form satisfactory to the City Solicitor, be enacted by City Council;
- (b) That the amending By-law, attached as Appendix "B" to Report PED14087, be added to District Map No. W-5 of Zoning By-law No. 6593;
- (c) That the proposal is consistent with the Provincial Policy Statement (2014) and conforms to Places to Grow and the Urban Hamilton Official Plan;
- (d) That the parking be increased to a minimum of 119 spaces.

6. Food Trucks on Private Property, Places of Worship, Schools and Industrial Zones (PED12085(c)) (City Wide) (Item 8.1)

- (a) That Schedule 6, Food Service Vehicles – Class B, of the Business Licensing By-law No. 07-170, be amended to relax the regulations respecting Food Service Vehicles as follows:
 - (i) To permit Food Service Vehicles to operate on private properties for places of worship for fundraising efforts and schools for fundraising and special events no more than **twenty** days in a calendar year;
 - (ii) To permit Food Service Vehicles to operate within Industrial Business Parks and industrial zoned areas provided there is a 30 m separation from residential uses;
- (b) That Food Service Vehicles are only permitted to operate on private property where the zoning permits a restaurant (except in institutional and industrial areas as per recommendations (i) and (ii) of Report PED12085(c));
- (c) That Food Service Vehicles be prohibited on private property within 100 m of a Special Event Advisory Team event;
- (d) That in accordance with Recommendations (a), (b) and (c) of Report PED12085(c), the proposed By-law attached as Appendix "A" to Report

PED12085(c) which amends Schedule 6, Food Service Vehicles – Class B, of the Business Licensing By-law, and which has been prepared in a form satisfactory to the City Solicitor, be enacted.

7. **Amendments to Responsible Animal Ownership By-law 12-031 (PED09303(d)) (City Wide) (Item 8.2)**

- (a) That the Responsible Animal Ownership By-law 12-031 be amended to permit businesses/facilities to display prohibited animals for educational purposes provided that:
 - (i) the property is zoned for the use;
 - (ii) the business/facility shares no common wall or HVAC system with any other use;
 - (iii) the business is not a pet store (does not offer animals for sale);
 - (iv) the primary purpose of the business/facility is the display of animals and it is accredited by Canada's Accredited Zoos and Aquariums (CAZA);
 - (v) That the business is not physically attached to a residential unit or structure;
 - (vi) that the definition of self contained will be in accordance with CAZA accreditation.**
- (b) That the proposed by-law attached as Appendix "B" to Report PED09303(d)), which amends the Responsible Animal Ownership By-law 12-031 and which has been prepared in a form satisfactory to the City Solicitor be enacted;
- (c) That staff investigate annual inspections as part of the approval process, possibly through Canada's Accredited Zoos and Aquariums (CAZA);
- (d) That the Board of Health conduct a random inspection once a year at the facility;
- (e) That signage be placed to ensure the public is aware of the dangers and health issues associated with wild and dangerous animals.

FOR THE INFORMATION OF COUNCIL

(a) CHANGES TO THE AGENDA (Item 1)

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

DELEGATION REQUESTS

4.2 Delegation Requests respecting item 8.2 Amendments to Responsible Animal Ownership By-law 12-031:

- (i) Regan Russell
- (ii) Barry Kent MacKay
- (iii) Liz White
- (iv) Neva Novakovic
- (v) Patrick Tohill
- (vi) Julie Woodyer
- (vii) Rob Laidlaw
- (viii) Vivian Laflamme

DISCUSSION ITEMS

8.2 Amendments to Responsible Animal Ownership By-law 12-031 (PED09303(d)) (City Wide)

- (i) Correspondence from William Russell and Patricia Townson-Russell
- (ii) Correspondence from Regan Russell
- (iii) Correspondence from Liz Duchene
- (iv) Correspondence from Sheila Krekorian
- (v) Correspondence from Catharine Ens-Hurwood, Niagara Action for Animals
- (vi) Correspondence from Lori Sirianni
- (vii) Correspondence from Ann Crawford

NOTICE OF MOTION

10.1 Redevelopment of a City of Hamilton Owned Surface Parking Lot

10.2 Construction Information Ground Signs

The Agenda for the May 6, 2014 meeting of the Planning Committee was approved, as amended.

(b) DECLARATIONS OF INTEREST (Item 2)

None.

(c) APPROVAL OF MINUTES (Item 3)

(i) April 15, 2014

The Minutes of the April 15, 2014 Planning Committee meeting were approved.

(d) DELEGATION REQUESTS (Item 4)

(i) Delegation Request from Greg Tarry, Canada's Accredited Zoo's and Aquariums, respecting item 8.2 Amendments to Responsible Animal Ownership By-law 12-031 (Item 4.1)

The delegation request from Greg Tarry, Canada's Accredited Zoo's and Aquariums, respecting item 8.2 Amendments to Responsible Animal Ownership By-law 12-031, were approved.

(ii) Delegation Requests respecting item 8.2 Amendments to Responsible Animal Ownership By-law 12-031 (Item 4.2):

- (1) Regan Russell**
- (2) Barry Kent MacKay**
- (3) Liz White**
- (4) Neva Novakovic**
- (5) Patrick Tohill**
- (6) Julie Woodyer**
- (7) Rob Laidlaw**
- (8) Vivian Laflamme**

The delegation requests respecting item 8.2 Amendments to Responsible Animal Ownership By-law 12-031, were approved.

(e) PUBLIC HEARINGS AND DELEGATIONS (Item 6)

(i) Delegation from Anna Roberts and Viv Saunders respecting changes to Land Use Process and Procedures (Item 6.1)

The delegation from Anna Roberts and Viv Saunders respecting changes to Land Use Process and Procedures, was tabled to a future meeting.

(ii) Application for Approval of a Draft Plan of Condominium (Common Element) (25CDM-201302) Affecting Lands Located at 421 Kitty Murray Lane (Ancaster) (PED14078) (Ward 12) (Item 6.2)

In accordance with the provision of the Planning Act, Chair B. Johnson 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.

Glenn Wellings, on behalf of the applicant, requested clarification as to whether this application qualifies for waste removal

The agent's presentation respecting report PED14078 Application for Approval of a Draft Plan of Condominium (Common Element) (25CDM-201302) Affecting Lands Located at 421 Kitty Murray Lane (Ancaster), was received.

The public meeting respecting report PED14078 Application for Approval of a Draft Plan of Condominium (Common Element) (25CDM-201302) Affecting Lands Located at 421 Kitty Murray Lane (Ancaster), was closed.

The recommendations were amended by deleting recommendation (e) (ii), as follows:

- (e) (ii) This property is ineligible for municipal collection of Garbage, Recycling, Organics, and Leaf and Yard Waste. Collection of Garbage, Recycling, Organics, and Leaf and Yard Waste must

be provided through a Private Waste Hauler(s). Recycling is strongly encouraged.

The recommendations contained in Report PED14078 Application for Approval of a Draft Plan of Condominium (Common Element) (25CDM-201302) Affecting Lands Located at 421 Kitty Murray Lane (Ancaster), were amended by adding a new sub-section (j) as follows:

- (j) That a sign be erected on Redeemer property at the east fence line of the subject property stating, "Future Student Residence".

For disposition on this Item, refer to item 2.

(iii) Application for an Amendment to the Urban Hamilton Official Plan and Town of Ancaster Zoning By-law for Lands Located at 1117 Garner Road East (PED14075) (Ward 12) (Item 6.3)

In accordance with the provision of the Planning Act, Chair B. Johnson advised those in attendance that if a person or public body does not make oral submissions at a public meeting or make written submissions to the Council of the City of Hamilton before Council approves the zoning by-law and Urban Hamilton Official Plan amendments, 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.

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

The staff presentation respecting report PED14075, Application for an Amendment to the Urban Hamilton Official Plan and Town of Ancaster Zoning By-law for Lands Located at 1117 Garner Road East, was received.

Glenn Wellings, on behalf of the applicant, expressed that they support the recommendations

The agent's presentation respecting report PED14075, Application for an Amendment to the Urban Hamilton Official Plan and Town of Ancaster Zoning By-law for Lands Located at 1117 Garner Road East, was received.

Public Speakers:

1. Dov Ciscioli – 76 Bridgeport Cres., Hamilton, ON L9K 1K4

Mr. Ciscioli expressed concerns with his neighbouring property.

The public presentation respecting report PED14075, Application for an Amendment to the Urban Hamilton Official Plan and Town of Ancaster Zoning By-law for Lands Located at 1117 Garner Road East, were received.

The public meeting respecting report PED14075, Application for an Amendment to the Urban Hamilton Official Plan and Town of Ancaster Zoning By-law for Lands Located at 1117 Garner Road East, was closed.

For disposition on this Item, refer to item 3.

(iv) Proposed Zoning By-law Amendment Affecting Lands Located at 125 Wilson Street East (Ancaster) (PED14079) (Ward 12) (Item 6.4)

In accordance with the provision of the Planning Act, Chair B. Johnson advised those in attendance that if a person or public body does not make oral submissions at a public meeting or make written submissions to the Council of the City of Hamilton before Council approves the zoning by-law amendments, 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.

Tim Lee, Planner, provided an overview of the report with the aid of a PowerPoint presentation. A copy of the presentation has been included in the public record.

The staff presentation respecting report PED14079, Proposed Zoning By-law Amendment Affecting Lands Located at 125 Wilson Street East (Ancaster), was received.

Glenn Wellings, on behalf of the applicant, expressed that they support the recommendations. Concerns arose respecting roofing material.

The agent's presentation respecting report PED14079, Proposed Zoning By-law Amendment Affecting Lands Located at 125 Wilson Street East (Ancaster), was received.

Speakers:

1. Geoff Ondercin-Bourne – 125 Dalley Dr., Hamilton, ON L9G 1K4

Mr. Ondercin-Bourne expressed concerns with current tree coverage.

The public presentation respecting report PED14079, Proposed Zoning By-law Amendment Affecting Lands Located at 125 Wilson Street East (Ancaster), was received.

The public meeting respecting report PED14079, Proposed Zoning By-law Amendment Affecting Lands Located at 125 Wilson Street East (Ancaster), was closed.

The recommendations contained in Report PED14079, Proposed Zoning By-law Amendment Affecting Lands Located at 125 Wilson Street East (Ancaster), were amended by adding a new sub-section (d), to read as follows:

- (d) That the Ward Councillor attend the Site Plan approval meeting and that the Site Plan be in general conformity with Appendix C, page 4 of 4, to Report PED14079, Proposed Zoning By-law Amendment Affecting Lands Located at 125 Wilson Street East (Ancaster).

For disposition on this Item, refer to item 4.

- (v) **Zoning By-law Amendment for Lands Located at 85 Robinson Street, 220 Park Street South and 90 Charlton Avenue West (Hamilton) (City Square) (PED14087) (Ward 2) (Item 6.5)**

- (i) **Correspondence from D. Joan Eagle**

In accordance with the provision of the Planning Act, Chair B. Johnson advised those in attendance that if a person or public body does not make oral submissions at a public meeting or make written submissions to the Council of the City of Hamilton before Council approves the zoning by-law amendments, 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.

Delia McPhail, Planner, provided an overview of the report with the aid of a PowerPoint presentation. A copy of the presentation has been included in the public record.

The staff presentation respecting Report PED14087, Zoning By-law Amendment for Lands Located at 85 Robinson Street, 220 Park Street South and 90 Charlton Avenue West (Hamilton) (City Square), was received.

Caroline Baker, GSP Group, and Jeff Paikin, New Horizon Development (City Square) Corporation, provided an overview of the application with the aid of a PowerPoint presentation. A copy of the presentation has been included in the public record.

The agents' presentation respecting Report PED14087, Zoning By-law Amendment for Lands Located at 85 Robinson Street, 220 Park Street South and 90 Charlton Avenue West (Hamilton) (City Square), was received.

Public Speakers:

1. Barb Henderson – 611-90 Charlton Ave W, Hamilton, ON L8P 0B4

Ms. Henderson expressed concerns to parking.

2. David Cheskewski – 603 - 69 Herkimer St, Hamilton, ON L8P 2G6

Mr. Cheskewski expressed concerns with density, parking issues, increased traffic.

3. Ernie Geisel – 40 Charlton Ave W, Hamilton, ON L8P 2C1

Mr. Geisel expressed concerns with the planning principals

4. Kirstin Godsave – 219 Park St S, Hamilton, ON L8P 0A2

Ms. Godsave expressed concerns with parking, traffic flow, and shadowing.

5. Janice Brown – 186 ½ Duke St., Hamilton, ON L8P 1Y2

Ms. Brown expressed concerns to previous meeting outcomes, density, minutes of settlement from 1996 with Latco (1986) Developments Ltd. Ms. Brown provided speaking notes with have been included in the public record.

The public presentations respecting Report PED14087, Zoning By-law Amendment for Lands Located at 85 Robinson Street, 220 Park Street South and 90 Charlton Avenue West (Hamilton) (City Square), were received.

The public meeting respecting Report PED14087, Zoning By-law Amendment for Lands Located at 85 Robinson Street, 220 Park Street South and 90 Charlton Avenue West (Hamilton) (City Square), was closed.

The correspondence respecting Report PED14087, Zoning By-law Amendment for Lands Located at 85 Robinson Street, 220 Park Street South and 90 Charlton Avenue West (Hamilton) (City Square), was received.

The recommendations contained in report PED14087, Zoning By-law Amendment for Lands Located at 85 Robinson Street, 220 Park Street South and 90 Charlton Avenue West (Hamilton) (City Square), were amended to include a new sub-section (d) as follows:

(d) That the parking be increased to a minimum of 119 spaces.

For disposition on this Item, refer to item 5.

(f) DISCUSSION ITEMS (Item 8)

(i) Food Trucks on Private Property, Places of Worship, Schools and Industrial Zones (PED12085(c)) (City Wide) (Item 8.1)

The recommendations contained in Report PED12085(c), Food Trucks on Private Property, Places of Worship, Schools and Industrial Zones, were amended in section (a)(i) by deleting the word, “ten”, before the words, “days in a calendar year” and replacing it with the word, “twenty”.

For disposition on this Item, refer to item 6.

- (ii) **Amendments to Responsible Animal Ownership By-law 12-031 (PED09303(d)) (City Wide) (Item 8.2)**
 - (i) **Correspondence from William Russell and Patricia Townson-Russell**
 - (ii) **Correspondence from Regan Russell**
 - (iii) **Correspondence from Liz Duchene**
 - (iv) **Correspondence from Sheila Krekorian**
 - (v) **Correspondence from Catharine Ens-Hurwood, Niagara Action for Animals**
 - (vi) **Correspondence from Lori Sirianni**
 - (vii) **Correspondence from Ann Crawford**

Bill Young and Paola Pianegonda, provided an overview of the report with the aid of a PowerPoint presentation. A copy of the presentation has been included in the public record.

Greg Tarry, Canada's Accredited Zoos and Aquariums, spoke to the containment of animals in a self containing structure, insurance, and the accreditation process.

The staff presentation respecting report PED09303(d), Amendments to Responsible Animal Ownership By-law 12-031, was received.

Delegations:

1. Regan Russell

Ms. Russell expressed that she used to work with the Region of Peel helping educate people on how to approach animals. Her concerns are related to the safety of children, how the animals are treated during school visits and what this teaches children.

2. Barry Kent MacKay

Mr. MacKay expressed that he works in animal and environmental protection. He spoke to handling snakes and the dangers.

3. Liz White

Ms. White expressed that she works on animal protection in municipalities. She spoke to inspection capacity in order to maintain public health. She also spoke to the transportation of animals to community functions and the implications to public health.

4. Neva Novakovic

Ms. Novakovic expressed that she works with Animal Justice Canada which does not condone the use of animals as entertainment.

5. Patrick Tohill

Mr. Tohill expressed that he is concerned that Little Ray's identifies that it is a rescue.

6. Julie Woodyer

Ms. Woodyer expressed that she is involved with Aspen Valley Wildlife Sanctuary. She expressed caution that CAZA certification may not protect public safety based on the inspection program.

7. Rob Laidlaw

Mr. Laidlaw, Zoo Check, spoke to public safety of dangerous animals.

8. Vivian Laflamme

Ms. Laflamme is an employee of the Hamilton-Burlington SPCA. She expressed that exotic animals require special care, especially in an emergency and emergency preparedness. She expressed that Little Ray's is a resource that the HBSPCA turns to should there be an emergency.

9. Steve Featherstone

Mr. Featherstone spoke to public safety at Little Ray's. He indicated that there have not been any incidents in 18-years and their policies exceed CAZA standards.

10. Paul Goulet

Mr. Goulet spoke to the policies at Little Ray's and spoke to the ability to perform their shows without large reptiles. He also indicated that public safety is their top priority.

11. Greg Tarry, Canada's Accredited Zoos and Aquariums

Spoke to the CAZA standards and their accreditation program. He indicated that Little Ray's has applied with all documentation to become an accredited zoo.

The delegations respecting report PED09303(d), Amendments to Responsible Animal Ownership By-law 12-031, were received.

The correspondence respecting report PED09303(d), Amendments to Responsible Animal Ownership By-law 12-031, was received.

Recommendation (a) contained in Report PED09303(d), Amendments to Responsible Animal Ownership By-law 12-031, was amended by adding a new sub-section (a)(v), to read as follows:

- (a) That the Responsible Animal Ownership By-law 12-031 be amended to permit businesses/facilities to display prohibited animals for educational purposes provided that:
 - (v) That the business is not physically attached to a residential unit or structure;

The recommendations contained in Report PED09303(d), Amendments to Responsible Animal Ownership By-law 12-031, were amended by adding new sub-sections (c), (d), (e) and (f), as follows:

- (c) That staff report back in time for Council on the self contained unit clause;
- (d) That staff investigate annual inspections as part of the approval process, possibly through Canada's Accredited Zoos and Aquariums (CAZA);
- (e) That the Board of Health conduct a random inspection once a year at the facility;
- (f) That signage be placed to ensure the public is aware of the dangers and health issues associated with wild and dangerous animals.

Yeas: C. Collins, B. Johnson, J. Farr, M. Pearson
Total: 4
Nays: R. Pasuta, B. Clark, J. Partridge
Total: 3
Absent: T. Whitehead, L. Ferguson

Total: 2

For disposition on this Item, refer to item 7.

(iii) Hamilton Municipal Heritage Committee Report 14-003 (Item 8.3)

Hamilton Municipal Heritage Committee Report 14-003 was referred back to the Hamilton Municipal Heritage Committee in respect to Appendix E to the Volunteer Committee Procedural Handbook which identifies procedures for communicating with any outside agency, including other levels of Government and the media.

(g) NOTICES OF MOTION (Item 10)

Councillor Farr introduced the following Notice of Motion:

(i) Redevelopment of a City of Hamilton Owned Surface Parking Lot (Item 10.1)

WHEREAS The City of Hamilton owns lands that are currently used for surface parking within the Downtown Community Improvement Plan area which is not the highest and best use of these lands;

AND WHEREAS it is a goal of the Downtown Community Improvement Plan area “To ensure a viable population of residents, jobs and visitors to the Project Areas that provide local business support, employment and economic opportunities” and “To make more efficient use of existing infrastructure”;

AND WHEREAS ss 106(3) of the Municipal Act, 2001 provides that the prohibition on a municipality granting bonuses in ss 106(1) does not apply where a Council exercises its authority within a community improvement project area pursuant to ss 28(6) or (7) of the Planning Act.

AND WHEREAS Section 8.2 of the Downtown and Community Renewal Community Improvement Plan states that “The City may also dispose, including sale, lease, or otherwise, of municipal land and buildings within any Community Improvement Project Area for the purpose of achieving the goals and objectives of this Plan”;

AND WHEREAS through the disposition of a surface parking lot the City of Hamilton can provide for the opportunity for the redevelopment of City owned lands currently utilized solely for the purpose of surface

parking, provide for additional residential and employment opportunities in the Downtown Community Improvement Plan area and achieve excellence in urban design;

NOW THEREFORE IT IS RESOLVED:

- (a) That Planning and Economic Development Department staff be directed and authorized to report back to Planning Committee by September, 2014 on:

A Request for Proposals process for the redevelopment of a City of Hamilton owned surface parking lot in which the City of Hamilton will facilitate the process through the conveyance of the City of Hamilton lands for the best offer subject to the successful project meeting the City of Hamilton's requirements including, but not limited to, matters of design, timing, density and affordability;

- (b) That in preparing the Request for Proposal, Planning and Economic Development Department staff report include a cost-benefit analysis on the redevelopment of the City-owned lands;
- (c) That Planning and Economic Development Department staff report back on the process for the evaluation and assessment of the Request for Proposals, including a stakeholder advisory committee and the composition of the committee.

Councillor Farr introduced the following Notice of Motion:

(ii) Construction Information Ground Signs (Item 10.2)

WHEREAS the Hamilton Sign By-Law No.10-197 regulates signs, including temporary "Construction Information Ground Signs" within the City of Hamilton;

AND WHEREAS the Hamilton Sign By-Law No.10-197 restricts the height (7.5 m) and size(maximum area 18.0 m² for a single-faced or 36.0 m² for a double or multi-faced Sign) of ground mount signs, including temporary "Construction Information Ground Signs";

AND WHEREAS there are available space challenges to locating "Construction Information Ground Signs" in the most visible and effective manner for many of the vital new developments occurring within the Downtown;

NOW THEREFORE IT IS RESOLVED:

- (a) That Planning and Economic Development Department staff be directed to review the provisions of the Hamilton Sign By-Law No.10-197 and to report back with possible alternatives to address the challenges in locating “Construction Information Ground Signs” associated with Downtown developments;
- (b) That staff be directed to use discretion in enforcing “Construction Information Ground Signs” in the Downtown area until the requested report is considered by Committee and City Council.

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

(i) Outstanding Business List Amendments (Item 11.1)

The following Outstanding Business List due dates were revised:

- (aa) Item L: Municipal Costs for Appeals to the Ontario Municipal Board for Municipal Decision on Mineral Aggregate Resource Developments
Current Due Date: May 6, 2014
Proposed Due Date: TBD
- (bb) Item KK: Delegation Request from MasonryWorx
Current Due Date: May 6, 2014
Proposed Due Date: May 20, 2014

The following item was removed from the Outstanding Business List:

- (aa) Item DD: Food Trucks on Private Property

(i) ADJOURNMENT

There being no further business, the Planning Committee adjourned at 5:03 p.m.

Respectfully submitted,

Councillor B. Johnson
Chair, Planning Committee

Vanessa Robicheau
Legislative Coordinator
Office of the City Clerk



**GENERAL ISSUES COMMITTEE
REPORT 14-010**

As Amended by Council on May 14, 2014

9:30 a.m.

Wednesday, May 7, 2014

Council Chambers

Hamilton City Hall

71 Main Street West

Present: Deputy Mayor M. Pearson (Chair)
Mayor R. Bratina
Councillors B. Clark, C. Collins, S. Duvall, J. Farr,
L. Ferguson, T. Jackson, B. Johnson, B. McHattie, S. Merulla,
R. Morrow, J. Partridge, R. Pasuta, R. Powers, T. Whitehead

**THE GENERAL ISSUES COMMITTEE PRESENTS REPORT 14-010 AND
RESPECTFULLY RECOMMENDS:**

**1. Dundas Business Improvement Area (B.I.A.) Revised Board of
Management (PED11032(b)) (Ward 13) (Item 5.2)**

That the following individuals be appointed to the Dundas BIA's Board of Management:

Tara Crugnale
Cindy Vertlieb

**2. Lease Extension with Community Living Hamilton - 191 York Boulevard,
Hamilton (PED14086) (Ward 2) (Item 5.3)**

- (a) That the City of Hamilton enter into a new Lease Agreement with Community Living Hamilton for the property known as 191 York Boulevard, Hamilton, as shown on Appendix "A" attached to Report PED14086, for a 20 year term at the nominal consideration of \$1 per annum;
- (b) That the Mayor and City Clerk be authorized and directed to execute the Lease in a form satisfactory to the City Solicitor and subject to all taxes being paid in full unless otherwise directed by the General Manager of Finance and Corporate Services.

Council May 14, 2014

- 3. Lease Extension with Community Living Hamilton - 91 Kentley Drive, Hamilton (PED14090) (Ward 5) (Item 5.4)**
 - (a) That the City of Hamilton enter into a new Lease Agreement with Community Living Hamilton for the property known as 91 Kentley Drive, as shown on Appendix "A" attached to Report PED14090, for a 20 year term at the nominal consideration of \$1 per annum;
 - (b) That the Mayor and City Clerk be authorized and directed to execute the Lease in a form satisfactory to the City Solicitor and subject to all taxes being paid in full unless otherwise directed by the General Manager of Finance and Corporate Services.

- 4. Request for Extension of Building Covenants from 1820587 Ontario Inc. (Wei Zhang), 536 Beach Boulevard, Hamilton (PED14093) (Ward 5) (Item 5.5)**
 - (a) That a request to extend building covenants imposed by the City upon 1820587 Ontario Inc. (Wei Zhang), owner of 536 Beach Boulevard, regarding his building lot described as Part 1, Plan 62R-19041, as shown on Appendix "A" attached to Report PED14093, be approved;
 - (b) That the dates for commencement and completion of construction be extended as follows: commencement of construction by October 31, 2014 and completion of construction by October 31, 2015;
 - (c) That the Mayor and City Clerk be authorized and directed to execute all necessary documents in a form satisfactory to the City Solicitor.

- 5. Hamilton-Wentworth District School Board Land - 360 Mohawk Road West, Part of Lot 18, Concession 6, former Township of Barton, now City of Hamilton (PED14098) (Ward 8) (Item 5.6)**
 - (a) That the Real Estate Section of the Economic Development Division of the Planning and Economic Development Department be authorized and directed to advise the Hamilton-Wentworth District School Board that the City of Hamilton has no interest in acquiring their land located at 360 Mohawk Road West, legally described as Part of Lot 18, Concession 6, former Township of Barton, now City of Hamilton, forming all of PIN 17031-0141, as shown on Appendix "A" attached to Report PED14098;
 - (b) That the Real Estate Section of the Economic Development Division of the Planning and Economic Development Department be authorized and directed to advise the Hamilton-Wentworth District School Board of the

City of Hamilton's site development requirements as identified in Appendix "B" attached to Report PED14098.

6. Public Art Master Plan and Program- Annual Update (PED14088) (City Wide) (Item 5.7)

That Report PED14088 respecting "Public Art Master Plan and Program – Annual Update" be received.

7. Music Strategy Implementation Team: Terms of Reference (PED14001(a)) (City Wide) (Outstanding Business List Item) (Item 5.8)

That the Music Strategy Implementation Team: Terms of Reference, attached as Appendix "A" to Report 14-010 be approved.

8. Graffiti Management Program (PW14042) (City Wide) (Item 5.9)

That Report PW14042 respecting "Graffiti Management Program" be received.

9. Fraunhofer Project Centre for Biomedical Engineering and Advanced Manufacturing (BEAM) (PED14091) (City Wide) (Item 7.1)

(a) That a contribution of \$4 Million to McMaster University, to support the development of the Fraunhofer Project Centre for Biomedical Engineering and Advanced Manufacturing (BEAM) in Hamilton be approved in principle subject to subsection (d);

(b) That subject to the approval of Recommendation (a) above, that the contribution of \$4 Million from the City of Hamilton be comprised of the following components and conditions;

(i) Declaration of the former CP Lands property comprised of 16.5 acres located at 0 Chatham Street, described as Part of Lot 20, Concession 3 (Barton) and Part of Park Lots 11, 12, 14 and 15 on Plan 6R-17420, as surplus to the requirements of the City of Hamilton;

(ii) The lands described in Recommendation (b) (i) of Report PED14091, be disposed of at fair market value (to be determined by an external appraisal) to McMaster University or an affiliate (McMaster Innovation Park), save and except any lands required for municipal infrastructure (roads, sanitary / storm sewers, ancillary structures and/or easements or rights of way to facilitate municipal infrastructure);

- (iii) A cash contribution for the remaining amount necessary to meet the City of Hamilton's total commitment of \$4 Million will be funded from the Shovel Ready Industrial Land Reserve Account # 110060;
- (c) That the City of Hamilton's funding be conditional on McMaster University receiving the following specified financial contributions from the Province of Ontario (in the amount of \$4 Million) and the Federal Economic Development Agency for Southern Ontario (in the amount of \$8 Million) for the establishment and development of the Fraunhofer Project Centre for Biomedical Engineering and Advanced Manufacturing (BEAM);
- (d) That a Memorandum of Understanding, including mutually agreed upon key Performance Indicators, be prepared in a form satisfactory to the City Solicitor, General Manager of Planning and Economic Development and City Council, prior to the disbursement of any City funding to McMaster University for the establishment of this Institute;
- (e) That the Economic Development Division and/or McMaster University report back annually to City Council with a summary of the progress and economic benefits realized from this municipal investment.

Item 10 was referred back as outlined below:

10. Civic Gateway Study (PW14044) (City Wide) (Outstanding Business List Item) (Item 7.2)

- (a) That, as a short-term strategy, a Civic Gateway be installed in the vicinity of Highway 403 and Highway 6 Interchange subject to approval from the Ministry of Transportation;
- (b) That the total amount of \$230,000 for a Civic Gateway in the vicinity of Highway 403 and Highway 6 Interchange be funded from Council Strategic Capital Projects Reserves – 108022 in the amount of \$190,000 and from account 8090149100 in the amount of \$40,000;
- (c) That the operating impact of \$10,000 for the Highway 403 and Highway 6 gateway be considered as part of the 2015 budget deliberation process;
- (d) That, as a long-term strategy, Civic Gateways be investigated at Highway 6 and Freelon Road, Highway 403 and Alberton Road, and Queen Elizabeth Way and Fifty Road and related funding be considered as part of future capital budget submissions.

- (a) That Item 10 of the General Issues Committee, respecting the Civic Gateway Study, be referred to the June 4, 2014 General Issues Committee.
- (b) That staff be directed to report back to the June 4, 2014 General Issues Committee; and,
 - (i) Notify the Ministry of Transportation to advise that the City of Hamilton would like to put a place marker on the property and to begin the process to secure that property for a municipal sign.
 - (ii) Meet with David Zimmer, Senior Landscape Architect, to determine if there is a possibility to work with him on a design for the Civic Gateway.
 - (iii) Prepare a Request for Proposal (RFP), outlining the costs associated with the design and installation of a Civic Gateway, and report back to the General Issues Committee;
 - (iv) Seek out potential partnerships with various institutions and local businesses.

Sub-section (a) of Item 11 was amended by adding the words “and report back to the General Issues Committee with the results of the 30 day public review before proceeding with the detailed design and implementation” to read as follows

11. Piers 5-8 Sewage Pumping Station and Facilities Municipal Class Environmental Assessment, Schedule B (PED14092) (Ward 2) (Item 7.3)

- (a) That the Acting General Manager of Planning and Economic Development be authorized and directed to file the Notice of Completion, and issue the Project File Report for the Class Environmental Assessment for Piers 5-8 Sewage Pumping Station Facilities for the mandatory 30-day public review period **and report back to the General Issues Committee with the results of the 30 day public review before proceeding with the detailed design and implementation;**
- (b) That upon completion of the 30-day public review period, the Acting General Manager of Planning and Economic Development be authorized and directed to proceed with detailed design and implementation of the preferred solution of the Class Environmental Assessment for Piers 5-8 Sewage Pumping Station Facilities, provided that no Part II Orders to the Minister of the Environment are received.

12. Waste Collection Operations - Supplementary Information (PW14047) (City Wide) (Item 8.1)

- (a) That staff report annually to the Public Works Committee on waste collection program performance and route optimization;
- (b) That the waste collection route review process include consultation with waste collection employees and Local 5167 executive representatives.

13. Five-Year Plan regarding Two-Way Street Conversions (PW13097) (Item 8.2)

That Report PW13097 respecting “Five-Year Plan regarding Two-Way Street Conversions” be received.

14. Illegal Dumping Pilot Project (PED11127(f)/PW11052(g)) (City Wide) (Item 8.3)

That the Council-approved enforcement pilot to address illegal dumping across the City (Item 10 of General Issues Committee Report 12-010, approved by Council on April 25, 2012) be extended for an additional 18 months (until December 2015) subject to funding in the amount of \$300,000 from Public Works Account 512510 (Waste Collection Support) with any revenues generated through fees and fines being directed back to Account 512510 (Waste Collection Support) to offset the actual gross cost.

15. Facility Naming Sub-Committee Report 14-002 - April 8, 2014 (Item 8.5)

Naming of the New Ward 3 Seniors’ Centre the “Bernie Morelli Centre” (PW14034) (Ward 3)

That the request to name the new seniors’ centre, located at 1099 King Street East in Ward 3, the “Bernie Morelli Centre”, after the former City of Hamilton Councillor Bernie Morelli be approved as this request meets the approval of the City of Hamilton Municipal Property and Building Naming Policy.

16. Hamilton Farmers' Market Sub-Committee Report 14-002 - April 11, 2014 (Item 8.6)

Farmers’ Market Governance Model (CM12009(b)) (City Wide)

- (a) That staff report back with a governance model and implementation plan of a Municipal Not-for-Profit Corporation for the Hamilton Farmers’ Market;

- (b) That staff be directed to prepare a Business Case and conduct a public consultation with respect to a Not-for-Profit Corporation, as required by the Ontario Regulation 599/06 of the Municipal Act, 23001, respecting the creation of Municipal Services Corporations;
- (c) That the PowerPoint presentation (attached as Appendix "A" to Hamilton Farmers' Market Sub-Committee Report 14-002) which includes an update to the Hamilton Farmers' Market action register, as well as a proposed framework for the new Not-for-Profit Corporation framework, be received.

The following Item 17 was amended by adding subsections (l) and (m):

17. Airport Implementation Task Force Report 14-001 (Added Item 8.7)

- (a) **December 2013 Semi-Annual Report for the John C. Munro Hamilton International Airport (Item 4.1)**

That the December 2013 Semi-Annual Report for the John C. Munro Hamilton International Airport, prepared by Tradeport International, be received.

- (b) **Annual Auditor's Report on the Annual Schedule of Percentage Rent Computation regarding the John C. Munro Hamilton International Airport (PED14081) (City Wide) (Item 4.2)**

That Report PED14081 respecting the Annual Auditor's Report on the Annual Schedule of Percentage Rent Computation regarding the John C. Munro Hamilton International Airport be received.

- (c) **2013 Year-In-Review Pamphlet (Item 4.3)**

That the 2013 Year-In-Review Pamphlet for the Hamilton International Airport be received.

- (d) **2013-2014 John C. Munro Hamilton International Airport – City of Hamilton Joint Marketing Initiatives Update (PED13087(a)) (City Wide) (Item 4.4)**

That Report PED13087(a) respecting the 2013-2014 John C. Munro Hamilton International Airport – City of Hamilton Joint Marketing Initiatives Update be received.

- (e) **2014-2015 John C. Munro Hamilton International Airport – City of Hamilton Joint Marketing Initiatives Update (PED13087(a)) (City Wide) (Item 6.1)**

That the City of Hamilton allocate approximately \$100,000 from the Airport Joint Marketing Reserve Fund as the City's portion of the 2014-2015 John C. Munro Hamilton International Airport (HIA) – City of Hamilton Joint Marketing Initiatives as outlined in Report PED14083.

(f) 2014 Capital Expenditure Request for John C. Munro Hamilton International Airport (PED14082) (City Wide) (Item 6.2)

That the City of Hamilton allocate approximately \$275,000 from the Airport Capital Expenditures for Municipal Services Reserve Fund to install backflow prevention valves at the John C. Munro Hamilton International Airport as outlined in Report PED14082.

(g) Change of Name for the Airport Implementation Task Force (Item 7.1)

That the name of the Airport Implementation Task Force be changed to the Airport Sub-committee.

(h) Correspondence from Marvin and Bryna Wasserman respecting Airport Lands (Added Item 7.2)

That the Correspondence from Marvin and Bryna Wasserman respecting Airport Lands be received.

(i) Acquisition of 1659 Glancaster Road, Hamilton from Mary St. Julien (PED14072) (Ward 9) (Item 8.1)

The Report PED14072 respecting the Acquisition of 1659 Glancaster Road, Hamilton from Mary St. Julien be received.

(j) Acquisition of 0 and 2876 Highway No. 6, Hamilton from Bernard Wasserman and Marvin Wasserman (PED14073) (Ward 9) (Item 8.2)

That Report PED14073 respecting the Acquisition of 0 and 2876 Highway No. 6, Hamilton from Bernard Wasserman and Marvin Wasserman be received.

(k) Acquisition of 1691 Glancaster Road, Hamilton from Emidio and Rita Masi (PED14074) (Ward 9) (Item 8.3)

That Report PED14074 respecting the Acquisition of 1691 Glancaster Road, Hamilton from Emidio and Rita Masi (PED14074) (Ward 9) be received.

(l) That the residents of Glancaster Road (7 to 8 homes) be allowed to hook up to the municipal water main in front of their homes.

- (m) That staff be directed to report back to the Public Works Committee with a report that outlines the specific type(s) of contamination in each of the wells, if any, in the 7 to 8 homes on Glancaster Road, and the costs associated for the connection to the municipal water main to those same homes.

Subsection (c) of Item 18 was amended by removing the word “accelerated” and by adding Item 18(b):

18. (a) One-Way to Two-Way Street Conversions (Item 9.2)

Whereas the City’s capital budget, on average, accommodated approximately one 2-way conversion per year over the past decade; and,

Whereas there are currently 9 streets approved for future 2-way conversion (without funding) as part of the Downtown Transportation Master Plan (DTMP); and,

Whereas the necessary approvals are in place for the aforementioned 9 location; and,

Whereas there are no resources for conversions in the approved 2014 Capital Budget,

Therefore, be it resolved:

- (a) That Rebecca Street (between John Street and Wellington Street) be redesigned to accommodate 2-way traffic as part of the Traffic Department’s 2014 work plan;
- (b) That the 2014 Annual Traffic Calming Account No. 4041416102 be utilized as the funding source;
- (c) That as part of the 2015 Capital Budget process, staff provide an accelerated conversion strategy for the remaining 8 Downtown Transportation Master Plan streets (i.e., 2 per year or more) with funding alternatives including, but not limited to, existing Public Works Department block funding.

18. (b) One-Way to Two-Way Street Conversions (Item 9.2)

Whereas, the conversion of rural cross-sections to urban standards have fallen behind in the City’s Capital Budget Implementation Plan;

And Whereas, families living in those neighbourhoods are being unnecessarily placed at risk;

And Whereas, many of these neighbourhoods are find in Hamilton;

Therefore Be it Resolved:

- (a) That staff be directed to report back to the Public Works Committee with the city-wide status of neighbourhoods requiring urbanization; and,
- (b) That staff be directed to report back to the Public Works Committee with a city-wide conversion strategy for urbanization in 2014, if possible, and for consideration in the 2015 Capital Budget process, as deemed appropriate by staff and the respective Ward Councillor.

19. Hamilton Community Heritage Fund Loan Program - 64-70 James Street South, Hamilton; 1059 Highway No. 8, Stoney Creek; 107 Mill Street North, Waterdown (PED14085/LS14013) (Wards 2, 11 and 15) (Item 12.3)

- (a) That the City of Hamilton enter into the Forbearance Agreements attached as Appendices "A", "B" and "C" to Report PED14085/LS14013;
- (b) That the Mayor and City Clerk be authorized and directed to execute the Forbearance Agreements attached as Appendices "A", "B" and "C" to Report PED14085/LS14013, together with any ancillary documentation required, to effect Recommendation (a) to Report PED14085/LS14013 above, in a form satisfactory to the City Solicitor;
- (c) That Report LS14013/PED14085 respecting Hamilton Community Heritage Fund Loan Program - 64-70 James Street South, Hamilton; 1059 Highway No. 8, Stoney Creek; 107 Mill Street North, Waterdown and Appendices "A", "B" and "C" attached thereto remain confidential.

The following Item was added with the following highlighted amendments:

20. Public Art Piece Honouring L.M. Alexander (PED14089) (City Wide)

- (a) That Tourism and Culture Division staff undertake a Public Art process to commission a Public Art piece honouring Lincoln MacCauley (L.M.) Alexander;
- (b) That the location for the L.M. Alexander Public Art piece be determined as part of the Focus Group consultation, as outlined in Report PED14089;
- (c) **That funding contributions towards the L.M. Alexander Public Art piece be sought from the Government of Canada, Government of Ontario, and the Conservative Party of Canada and crowd funding sources.**

(d) That the item on the Outstanding Business List, respecting a public art piece honouring L.M. Alexander, be identified as completed and removed from the General Issues Committee Outstanding Business List.

(e) That Mr. Alexander's son be involved in the Public Art Piece process honouring his father.

FOR THE INFORMATION OF COUNCIL:

(a) CHANGES TO THE AGENDA (Item 1)

The Committee Clerk advised of the following changes:

ADDED DELEGATION REQUEST

For May 21 GIC Meeting

4.3 Request from Laura Ryan, Social Planning and Research Council of Hamilton-Wentworth, on behalf of Grade 7 Students from Westview Elementary School Photovoice Project, to present their findings with respect to community change following completion of their "photo-voice" project

ADDED DISCUSSION ITEM

8.7 Airport Implementation Task Force Report 14-001

ADDED NOTICE OF MOTION

10.1 Economic Benefits – Light Rail Transit (LRT) B-Line/Bus Rapid Transit (BRT)

ADDED PRIVATE & CONFIDENTIAL

12.6 Recovery of Sewage Treatment Costs – Litigation Update in Action No. 06-27631 (LS14019)

The agenda was approved as amended,

(b) DECLARATIONS OF INTEREST (Item 2)

None

(c) APPROVAL OF PREVIOUS MINUTES

(i) Minutes of the April 16, 2014 Meeting (Item 3.1)

The Minutes of the April 16, 2014 meeting of the General Issues Committee were approved, as presented.

(d) DELEGATION REQUESTS

(i) Requests from Mo Elbestawi, Vice-President, Research and Internal Affairs, McMaster University, to provide an Update on McMaster-Fraunhofer Project Centre, and from Dr. Johannes Boltze, M.D., Ph.D., Head of the Department of Cell Therapy, Fraunhofer IZI (Institute for Cell Therapy and Immunology), Leipzig, Germany, to speak to the McMaster-Fraunhofer Project Centre (Items 4.1 and 4.2)

The requests from Mo Elbestawi, Vice-President, Research and Internal Affairs, McMaster University, to provide an Update on McMaster-Fraunhofer Project Centre, and from Dr. Johannes Boltze, M.D., Ph.D., Head of the Department of Cell Therapy, Fraunhofer IZI (Institute for Cell Therapy and Immunology), Leipzig, Germany, to speak to the McMaster-Fraunhofer Project Centre were approved, and the rules of order were waived to allow the presentations to be provided at today's meeting.

(ii) Request from Laura Ryan, Social Planning and Research Council of Hamilton-Wentworth, on behalf of Grade 7 Students from Westview Elementary School Photovoice Project, to present their findings with respect to community change following completion of their "photovoice" project (Added Item 4.3)

The request from Laura Ryan, Social Planning and Research Council of Hamilton-Wentworth, on behalf of Grade 7 Students from Westview Elementary School Photovoice Project, to attend the May 21 meeting of the General Issues Committee to present their findings with respect to community change following completion of their "photovoice" project was approved.

(e) CONSENT

(i) Minutes of Various Sub-Committees (For Information Purposes Only) (Item 5.1)

The following Minutes were received:

- (a) Business Improvement Area Advisory Committee - March 18, 2014
Council – May 14, 2014**

(ii) Graffiti Management Program (PW14042) (City Wide) (Item 5.9)

Staff were directed to:

- (a) report back on the feasibility of having a summer student proactively identify and catalogue the location of graffiti throughout the City (Wards 1 – 15);
- (b) explore and identify in all the problematic ward areas where artistic murals would be a possible solution and report back

See Item 8 for the further disposition of this matter.

(f) DELEGATIONS/PUBLIC HEARINGS

(i) Ted Gill, respecting Submission on Rapid Transit Planning in Hamilton (Item 6.1)

With the assistance of PowerPoint, Mr. Gill provided a presentation addressing the issue that “Hamilton needs to get on with implementing a Rapid Transit System....but is LRT the right technology for Hamilton?”

The issues that Mr. Gill spoke to included, but were not limited to, the following:

- Why re-evaluate BRT?
- Reports to Council have noted...
- Inconclusive research that LRT may not necessarily result in greater economic benefit than BRT in Hamilton
- Let’s find out
- Photos of the “Central Area” and “around proposed stations”
- The matter of permanence...
- Alternative fuels and propulsion
- Benefits of BRT as initial RT
- Summary/Request: That Council direct staff to re-evaluate bus rapid transit (BRT) for use as an interim and/or permanent RT technology, in parallel with all existing efforts to obtain funding for light rail transit (LRT), and report back to the appropriate Committee(s) at the earliest opportunity.

A copy of the PowerPoint presentation was submitted to the Clerk for the public record and can be viewed on the City of Hamilton website. Copies were distributed at the meeting.

Mr. Gill responded to questions from Committee.

The presentation from Mr. Ted Gill respecting “Rapid Transit Planning in Hamilton” was received.

Staff responded to questions from Committee.

(ii) Keanin Loomis, Hamilton Chamber of Commerce, respecting the 2014 Hamilton Economic Summit (Item 6.2)

Keanin Loomis, President and CAO of the Hamilton Chamber of Commerce addressed Committee and copies of a flyer respecting the 2014 Hamilton Economic Summit were distributed. He indicated that his purpose is to invite Council to the Economic Summit.

The presentation from Keanin Loomis from the Hamilton Chamber of Commerce respecting the “2014 Hamilton Economic Summit” was received.

(iii) Abdullah Mayo, Founder and Chief Executive Officer of Raise an Aim Inc., respecting "Civic Crowdfunding" (Item 6.3)

Abdullah Mayo, Founder and Chief Executive Officer of Raise an Aim Inc., appeared before the Committee to speak to the issue of “Civic Crowdfunding”. The company provides a crowd funding service specifically civic crowd funding.

With the assistance of a PowerPoint presentation, Mr. Mayo spoke to the following:

- What is RAim (Raise an Aim)
- How does it work
- Why RAim/Reasons
- Does it Work
- Building the Future. With you.

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

Mr. Mayo responded to questions from Committee.

Staff was directed to report back to the General Issues Committee with a high level overview of “civic crowd funding” and the feasibility of it being implemented.

The presentation from Abdullah Mayo, Founder and Chief Executive Officer of Raise an Aim Inc., respecting “Civic Crowdfunding”, was received.

The Chair introduced Doctors Mo Elbestawi, Johannes Boltze, and Jack Gauldie who will be making the following presentations:

- (iv) Mo Elbestawi, Vice-President, Research and Internal Affairs, McMaster University, to provide an Update on McMaster-Fraunhofer Project Centre (Item 4.1/6.4)**

Mo Elbestawi addressed Committee with the aid of a PowerPoint presentation and explained that the proposal is with respect to a partnership between McMaster University and Fraunhofer IZI (Institute of Cell Therapy and Immunology) in Leipzig, Germany.

Mr. Elbestawi provided an overview of the proposal and highlighted the positive economic benefit. Copies of the hand-out were distributed and a copy has been submitted to the Clerk for the public record.

The presentation from Mo Elbestawi, Vice-President, Research and Internal Affairs, McMaster University, respecting the “McMaster-Fraunhofer Project Centre”, was received.

- (v) Dr. Johannes Boltze, M.D., Ph.D., Head of the Department of Cell Therapy, Fraunhofer IZI (Institute for Cell Therapy and Immunology), Leipzig, Germany, to speak to the McMaster-Fraunhofer Project Centre (Item 4.2/6.5)**

Dr. Johannes Boltze addressed Committee with the aid of a PowerPoint presentation and provided background information respecting the Fraunhofer IZI (Institute for Cell Therapy and Immunology). Copies of the hand-out were distributed and a copy has been retained in the Clerk’s file for the public record.

The presentation from Dr. Johannes Boltze, Head of the Department of Cell Therapy, Fraunhofer IZI Institute, respecting the “McMaster-Fraunhofer Project Centre”, was received.

(g) PRESENTATIONS

- (i) Fraunhofer Project Centre for Biomedical Engineering and Advanced Manufacturing (BEAM) (PED14091) (City Wide) (Item 7.1)**

Neil Everson, Acting General Manager of Planning and Economic Development, provided a PowerPoint presentation with respect to the Fraunhofer Project Centre, and spoke to the following:

- Why Biomedical Engineering and Advanced Manufacturing (BEAM) is important to Hamilton
- BEAM Funding Model
- Financing Plan for City Funding
- Economic Impact Forecast – Deloitte Professional Services

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

Copies of a five year assessment of the qualitative and quantitative impact of the Fraunhofer Project prepared by Deloitte Professional Services for McMaster University were distributed.

The presentation from Neil Everson, Acting General Manager of Planning and Economic Development, respecting the “Fraunhofer Project Centre for Biomedical Engineering and Advanced Manufacturing (BEAM)”, was received.

Staff and the delegations, including Doctor Jack Gauldie from McMaster University responded to questions from Committee.

Subsection (a) of the recommendations was amended by including the words “in principle subject to subsection (d)” after the word “approved”;

The amendment CARRIED and the main motion as amended CARRIED on the following standing recorded votes:

Yeas:	Bratina, Pearson, Clark, Johnson, Ferguson, Pasuta, Partridge, Whitehead, Duvall, Jackson, Merulla, Collins, Morrow, Farr, McHattie
Total:	15
Nays:	0
Absent:	Powers
Total:	1

See Item 9 for the disposition of this item.

(ii) Civic Gateway Study (PW14044) (City Wide) (Outstanding Business List Item) (Item 7.2)

Andrew Grice, Manager of Policy and Programs addressed Committee with the aid of a PowerPoint presentation.

The Committee was provided with a hand-out which spoke to the following:

- Previous Council Direction

- History of Civic Gateways
- Public Voting Options
- Gateway Site Key Maps: Site 1 – Highway 403 near Highway 6 Interchange; Site 2 – Highway 6 near Freelon Road; Site 3 – Highway 403 near Alberton Road; Site 4 – the QEW at Fifty Road; Site 5 – QEW Pedestrian Bridge at Red Hill Valley Parkway
- 2014 – Proposed Gateway Strategy
- 2014 – Gateway Concept Detailed Design Development
- Short-term Timeline
- Rendering – Short-term Strategy (Civic Gateway at Highway 403 near Highway 6 (Location #1)).

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

The presentation respecting the “Civic Gateway Study” was received.

A motion to refer Report PW14044 respecting “Civic Gateway Study” to the 2015 budgets process LOST on the following standing recorded votes:

Yeas: Pasuta, Partridge, Collins, Merulla
Total: 4
Nays: Bratina, Pearson, Ferguson, Whitehead, Duvall, Jackson, Morrow, Farr
Total: 8
Absent: Powers, Clark, Johnson, McHattie
Total: 4

The Main motion CARRIED on the following standing recorded votes:

Yeas: Bratina, Pearson, Ferguson, Whitehead, Duvall, Jackson, Morrow, Farr
Total: 8
Nays: Pasuta, Partridge, Collins, Merulla
Total: 4
Absent: Powers, Clark, Johnson, McHattie
Total: 4

See Item 10 for the disposition of this item.

(iii) Piers 5-8 Sewage Pumping Station and Facilities Municipal Class Environmental Assessment, Schedule B (PED14092) (Ward 2) (Item 7.3)

The presentation respecting the “Piers 5-8 Sewage Pumping Station and Facilities Municipal Class Environmental Assessment, Schedule B” was waived.

See Item 11 for the disposition of this item.

(h) DISCUSSION ITEMS

(i) Waste Collection Operations - Supplementary Information (PW14047) (City Wide) (Item 8.1)

The staff recommendations were approved including subsection (a) as follows:

- (a) That staff report back to the Public Works Committee on the feasibility of expediting the installation of GPS on all City of Hamilton waste collections vehicles prior to the end of 2014.

See Item 12 for the disposition of the balance of this item.

(ii) Five-Year Plan regarding Two-Way Street Conversions (PW13097) (Item 8.2)

Report PW13097 respecting “Five-Year Plan regarding Two-Way Street Conversions”, tabled by the General Issues Committee on December 4, 2013, was lifted from the table.

See Item 13 for the disposition of this item.

(iii) Public Art Piece Honouring L. M. Alexander (PED14089) (City Wide) (Outstanding Business List Item) (Item 8.4)

Report PED14089 respecting “Public Art Piece Honouring L.M. Alexander” was TABLED until the May 14, 2014 Council meeting in order to allow staff to prepare amendments to the recommendations as per Committee’s direction.

(i) MOTIONS

(i) Review of Arts Funding (Item 9.1)

This Item was referred to the next General Issues Committee meeting.

(j) NOTICES OF MOTION

Councillor B. McHattie indicated that he wished to defer the following Notice of Motion until after the Provincial Election:

(i) Economic Benefits – Light Rail Transit (LRT) B-Line/Bus Rapid Transit (BRT) (Added 10.1)

Whereas Hamilton City Council approved the Rapid Ready Report in February 2013, recommending the B-Line King Street Light Rail Transit (LRT) corridor, and;

Whereas the Rapid Ready Report states the case for LRT as the technology with the greatest economic development benefits, and;

Whereas the Rapid Ready Report includes the LRT 30% design as required by Metrolinx and the Province of Ontario, and;

Whereas in their Spring 2014 budget, the previous Liberal Provincial Government allocated \$15B to rapid transit projects in the GTHA, and;

Whereas the City of Hamilton's share of the \$15B on a per capita basis is \$1.2B, which could fund the \$800M B-Line LRT and the A-Line Bus Rapid Transit (BRT, at an approximate cost of \$250M), and;

Whereas some in the community believe BRT to be a better choice than LRT.

Therefore Be It Resolved:

That staff be requested to report back on the economic benefits of the Light Rail Transit (LRT) B-Line as compared to a Bus Rapid Transit (BRT), referencing analysis contained in the Council-approved Rapid Ready Report.

Councillor T. Whitehead indicated that he wished to defer the following Notice of Motion until after the Provincial Election:

(ii) Re-evaluation of Cost and Business Case for B-line vs A-line (New Business)

That staff be directed to re re-evaluate the cost and business case for the B-line vs. A-line, to determine whether the A-line should be considered priority.

(k) OTHER BUSINESS/GENERAL INFORMATION

(i) Outstanding Business List Items

(aa) Revised Due Dates

The due date for the following item on the Outstanding Business List was amended as follows:

Item O: Citizens' Committee Report on Farmers' Market White Paper
Due Date: May 7, 2014
Revised Due Date: May 21, 2014

(bb) Items to be removed from the Outstanding Business List:

The following item was deemed complete and removed from the Outstanding Business List:

Item JJ: Hamilton Music Festival (Item 8.4)

(l) PRIVATE & CONFIDENTIAL

(i) Closed Session Minutes – April 16, 2014 (Item 12.1)

- (a) The Closed Session Minutes from the April 16, 2014 meeting of the General Issues Committee were approved as presented;
- (b) The Closed Session Minutes from the April 16, 2014 meeting are to remain confidential and restricted from public disclosure.

The Committee moved into Closed Session at 3:00 p.m. to receive an update from external legal counsel and to consider other matters pursuant to Sub-sections (e) and (f) of the City's Procedural By-law and Section 239.2 of the Ontario Municipal Act, 2001, as amended, as the subject matters pertain to:

- (a) litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board respecting “Bell Canada Municipal Access Agreement”;
- (b) 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 “Hamilton Community Heritage Fund Loan Program – 64-70 James Street South, Hamilton; 1059 Highway No. 8, Stoney Creek; and 107 Mill Street North, Waterdown”;
- (c) 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 “Potential Litigation related to Contaminated Property”;
- (d) litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board respecting “H.E.C.F.I. Contract”;
- (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 “Recovery of Sewage Treatment Costs – Litigation Update in Action No. 06-27631”.

The Committee reconvened in Open Session at 4:50 p.m.

(ii) Bell Canada Municipal Access Agreement (Item 12.2)

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

(iii) Hamilton Community Heritage Fund Loan Program – 64-70 James Street South, Hamilton; 1059 Highway No. 8, Stoney Creek; and 107 Mill Street North, Waterdown (PED14085/LS14013) Wards 2, 11 and 15 (Item 12.3)

See Item 19 for the disposition of this item.

(iv) Potential Litigation relating to Contaminated Property (LS14014/PW14045) (Ward 3) (Item 12.4)

- (a) That the City Solicitor and General Manager of Public Works be authorized and directed to take all necessary steps in accordance with Report LS14014./PW14045 respecting Potential Litigation relating to Contaminated Property and report back to the General Issues Committee;
- (b) That the contents of Report LS14014/PW14045 remain confidential.

(v) H.E.C.F.I. Contract – Verbal Update (Item 12.5)

A verbal update was provided to Committee in Closed Session with nothing to report in Open Session

(vi) Recovery of Sewage Treatment Costs – Litigation Update in Action No. 06-27631 (LS14019) (Item 12.6)

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

(m) ADJOURNMENT

That there being no further business, the Committee adjourned at 7:17 p.m.

Respectfully submitted

Councillor M. Pearson
Deputy Mayor

Ida Bedioui
Legislative Co-ordinator
Office of the City Clerk

**City of Hamilton
Music Strategy Implementation Team
Terms of Reference**

1. Mandate

The Hamilton Music Strategy Implementation Team will facilitate the realization of the goals and objectives of the Music Strategy and will ensure a continued connection with the community. The Music Strategy Implementation Team will focus their activities on the four goals and twelve objectives identified in the City of Hamilton’s Council approved Music Strategy, PED14001 (January 29, 2014).

The Music Strategy Implementation Team has a shared responsibility for music and to broaden the leadership required to implement the City of Hamilton Music Strategy.

2. Nature of Authority

The establishment of a Music Strategy Implementation Team is a City Council-endorsed recommendation. The Music Strategy Implementation Team works with the City staff who will report to the General Issues Committee regarding the implementation of the Music Strategy.

Some aspects of the Music Strategy align with the mandates of other organizations, committees or groups. The Music Strategy Implementation Team will liaise with existing and emerging organizations, committees or groups as appropriate in order to oversee the governance and implementation of the Music Strategy goals and objectives acting as a catalyst to build community capacity in the music industry.

3. Role

The Music Strategy Implementation Team will:

- Review the Hamilton Music Strategy goals, objectives and actions along with suggested lead partners to recommend methods of implementation of the strategy;
- Report on the progress of the Music Strategy;
- Communicate the value of music to Hamilton’s overall vitality;
- Identify issues and opportunities to support sector development;
- Recommend new actions to or updates in the Music Strategy;
- Cultivate community partnerships - identify, facilitate and support community collaboration and engagement;
- Consult on updates to the Music Strategy; and,
- Provide recommendations to and receive recommendations from staff and other committees or boards associated with music in Hamilton.

4. Composition

- a. Members are selected by a cross-departmental staff selection committee through an application process. The team shall not exceed 12 members including 1 City staff representative.
- b. As recommended by participants in the Music Working Group there shall be diverse representation from the community: musicians; multicultural music genres/origins; venues; Regional Tourism; youth; music education; industry representation – managers, event organizers, record labels, promoters, recording studios; Not for Profit/support industries; Festivals/Events (outside of venues); City Staff Coordinator. One representative on the Music Strategy Implementation Team shall be a member of the City of Hamilton Arts Advisory Commission or their designate.
- c. The duration of membership is for a minimum of two years from May 1, 2014 to April 30, 2016.
- d. A Chair and Vice Chair shall be appointed annually by a majority vote of the Music Strategy Implementation Team.
- e. Any vacancies during the committee term, if required, will be appointed by the Chair and Vice Chair of the Team and the Director, Tourism and Culture Division and/or Manager of Tourism and Creative Industries.

5. Responsibilities of Members

- a. Members are expected to prepare for and attend all scheduled meetings of the Music Strategy Implementation Team and participate in the discussions and deliberations.
- b. Members may be asked to represent the Music Strategy Implementation Team at events and to make presentations as required.
- c. A member, who misses two consecutive meetings, without being excused by the Chair, may be asked to resign.

6. Meetings

- a. Quorum consists of a majority of the membership plus one.
- b. Meetings occur bi-monthly, starting with monthly meetings to move the Strategy action plan forward. Additional meetings will be at the call of the Chair or as determined by the Music Strategy Implementation Team.

7. Reporting

Reports (when required) shall be forwarded to the General Issues Committee through City staff in accordance with established City policy and procedures.

8. Resources

- a. Designated staff will attend meetings and assist in preparing agendas, minutes and performing tasks related to the Music Strategy Implementation Team activities.
- b. Additional staff and community stakeholders may attend meetings, as needed, to discuss specific items and/or in an advisory capacity.
- c. Meeting space will be provided by the City of Hamilton.

9. Remuneration

Members of the Music Strategy Implementation Team will serve without remuneration. All expenses associated with travel to or from meetings will be the responsibility of each member.

10. Conflict of Interest

A conflict of interest is defined as a situation in which the personal, professional or business interests of a member or a close relative / associate of the member are in conflict with the member’s ability to contribute to achieving the overall goals of the Music Strategy Implementation Team. A conflict of interest arises when a person or close associate may benefit or appear to benefit from that position financially or in some other inappropriate way.

11. Code of Conduct

Members of the Music Strategy Implementation Team will:

- a. Act with honesty and integrity.
- b. Exercise due care, diligence and skill.
- c. Act in good faith in the best interest of citizens and society.
- d. Act fairly and impartially.
- e. Use information appropriately.
- f. Use their position appropriately.
- g. Demonstrate leadership and stewardship.

12. Review

The Terms of Reference will be reviewed annually in collaboration with City staff and updated as required.

13. Background

Council approved the Music Strategy in January 2014 and established the City of Hamilton commitment to position music as a tool for city-building. The Music Strategy represents a shift within the Corporation and it cites four broad transformational goals

and twelve expanded objectives founded on best practices, research and included extensive stakeholder consultations. The goals are as follows:

1. Strengthen the local music industry.
2. Grow audiences and appreciation of music.
3. Increase access to music experiences.
4. Cultivate music creation and talent.

The full strategy and background document with objectives can be found on the Tourism Hamilton web site <http://www.tourismhamilton.com/music-film>.

The Music Strategy contains the following Vision and Mission:

Vision

A thriving music industry, creative music community and eclectic music scene. As a major player in the Canadian music industry, Hamilton attracts and cultivates talent. Music contributes to a diverse economy and enriches the lives of those who live, work, play and learn in Hamilton.

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The Music Strategy celebrates “all things music” in Hamilton. It guides the activities of its partners to create and nurture an environment where music and the music industry flourishes, grows and prospers.

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AUDIT, FINANCE & ADMINISTRATION COMMITTEE REPORT 14-004

9:30 a.m.
Monday, May 12, 2014
Council Chambers
Hamilton City Hall
71 Main Street West

Present: Councillors R. Powers (Chair), B. Clark (Vice Chair),
C. Collins, B. Johnson, M. Pearson, R. Morrow

THE AUDIT, FINANCE & ADMINISTRATION COMMITTEE PRESENTS REPORT 14-004 AND RESPECTFULLY RECOMMENDS:

1. 2014 First Quarter Emergency and Non-competitive Procurements Report (FCS14013) (City Wide) (Item 5.2)

That Report FCS14013, respecting the 2014 First Quarter Emergency and Non-competitive Procurements Report, be received.

2. Treasurer's Investment Report 2013 Fiscal Year by Aon Hewitt (FCS14027) (City Wide) (Item 5.3)

That Report FCS14027, Treasurer's Investment Report 2013 Fiscal Year by Aon Hewitt, as provided to Council, be forwarded to the Hamilton Future Fund Board of Governors for information.

3. Tax Appeals under Sections 357 and 358 of the *Municipal Act* (2001) (FCS14016(a)) (City Wide) (Item 5.4)

(a) That Appendix "A" attached to Report 14-004, respecting the Tax Appeals processed under Section 357 of the *Municipal Act*, 2001, in the amount of \$157,997, be approved;

- (b) That Appendix “B” attached to Report 14-004, respecting the Tax Appeals due to a Gross or Manifest Clerical Error, Pursuant to Section 358 of the *Municipal Act*, 2001, in the amount of \$5,997, be approved.

4. Employee Attendance Report 2013 (HUR14003) (City Wide) (Item 7.1)

That Report HUR10443, respecting the Employee Attendance Report 2013, be referred, for this one time only, to the General Issues Committee.

5. Enforcement of Businesses Operating Without a Licence (PED13037(b)) (City Wide) (Item 8.1)

- (a) That the Acting General Manager of Planning and Economic Development be authorized and directed to increase the complement of Licensing and Permits Officers by 1.0 FTE, offset by reducing the complement of Parking Control Officers by 1.0 FTE, and that the net increase (estimated at \$21,000) be funded from the Parking and By-law Services Division Operating Budget;
- (b) That approval be given to a one-time Capital expenditure (estimated at \$25,000) for the purchase of one vehicle funded from the Parking Reserve Account #108021;
- (c) That the matter, respecting a Work Plan to Address Performance Audit Report 2013-14 – Unlicensed Businesses, be referred to the Planning Committee.

6. Reserve Policies Update (FCS14028) (City Wide) (Item 8.2)

- (a) That the Reserve Policy for the Administration of Financial Reserves and Reserve Funds, attached as Appendix “C” to Report 14-004, be approved;
- (b) That the Reserve Policy for the Tax Stabilization Reserve, attached as Appendix “D” to Report 14-004, be approved;
- (c) That the Reserve Policy for the Unallocated Capital Levy Reserve, attached as Appendix “E” to Report 14-004, be approved;
- (d) That the Reserve Policy for the Waste Management Recycling Reserve, attached as Appendix “F” to Report 14-004, be approved;

- (e) That the Reserve Policy for the Enterprise Fund Reserve, attached as Appendix "G" to Report 14-004, be approved.

7. Capital Projects' Budget Appropriation and Work-in-Progress Transfer Policy (FCS14031) (City Wide) (Item 8.3)

- (a) That the proposed Capital Projects' Budget Appropriation and Work-in-Progress Transfer Policy, as outlined in Appendix "H" attached to Report 14-004, be approved;
- (b) That the Capital Projects' Monitoring Policy be amended as per Appendix "I" attached to Report 14-004.

8. Grants Sub-Committee Report 14-002, April 17, 2014 (Item 8.4)

(a) 2014 Community Partnership Program (GRA14003) (City Wide) (Item 5.1)

- (i) That the 2014 Community Partnership Program recommended funding allocation, in the amount of \$3,166,239, (as outlined in the attached Appendix "J" to Report 14-002), be approved;
- (ii) That the grant for the Canadian Red Cross Society for the Emergency Community Assistance Program (ECAP), in the amount of \$30,000, be tabled until a suitable replacement can be found;
- (iii) That, in the case where a successful grant applicant has outstanding arrears with the City of Hamilton, the grant first be applied against the outstanding arrear as of December 31, 2014, with the remainder to be paid to the organization, in accordance with the Community Partnership Program payment plan;
- (iv) That, for 2014, the unallocated balance of \$66,133 in the Special Events category of the Community Partnership Program (CPP) be transferred to the CPP contingency budget;
- (v) That the remaining balance of \$20,172 in the Community Partnership Program (CPP) contingency budget be committed for 2014 unexpected CPP funding; and,
- (vi) That funding in excess of the 30% maximum guidelines for the following programs, within the Community Partnership Program, be approved in 2014:

1. St. Matthew's House - Roxborough Centre – 41% (\$5,739)
2. Canadian Red Cross ECAP – 33% (\$30,000) – TABLED
3. Victorian Order of Nurses – 32% (\$55,508)
4. Glanbrook Support Program – 32% (\$12,027)
5. Wesley Urban Ministries – 31% (\$25,000)
6. Living Rock – Wellness Works – 43% (\$33,428)
7. Salvation Army – Grace Haven – 45% (\$74,000)
8. Ancaster Heritage Days – 39% (\$26,722)
9. Flamborough Santa Claus Parade – 38% (\$16,520)
10. Hamilton Labour & District Council – 42% (\$23,143)
11. Community Child Abuse Council – 40% (\$4,457)
12. Gursikh Sangat Hamilton-Wentworth – 48% (\$3,625)
13. Hamilton Cycling Club – 48% (\$15,276)
14. Hamilton Santa Claus Parade Committee – 64% (\$46,231)
15. Hamilton Scout/Guide Parade Committee – 46% (\$10,410)
16. Hamilton Wentworth District School Board - Ancaster High School – 34% (\$9,102)
17. Hamilton-Wentworth Catholic District School Board – 57% (\$4,309)
18. Hellenic Community of Hamilton & District – 85% (\$1,544)
19. Hellenic Community of Hamilton & District – 53% (\$1,130)
20. McMaster Engineering Society – 79% (\$1,130)
21. Slainte Irish Pub – 62% (\$5,572)
22. St. Mary's Church – 39% (\$1,544)
23. St. Stanislaus Kostka Church – 79% (\$1,544)
24. St. Stanislaus Kostka Church – 77% (\$1,544)
25. Terry Fox Foundation – 54% (\$1,921)
26. Terry Fox Foundation – 88% (\$1,544)
27. Golden Horseshoe Motorcycle Ride for Dad Hamilton Chapter – 75% (\$3,084);

(vii) That the 2014 base figures be maintained in the 2014 Community Partnership Program for the following groups:

1. St. Mary's Church for the Our Lady of Angels Festival in the amount of \$1,920 in the Special Events category;

2. The Association of Saint John the Baptist for the St. John the Baptist Celebration in the amount of \$2,059 in the Special Events category; and,
 3. Golden Horseshoe Motorcycle Ride for Dad Hamilton Chapter in the amount of \$3,084 in the Special Events category.

- 9. Audit Report 2013-18 - Corporate Services - Investments (AUD14011) (City Wide) (Item 8.5)**
 - (a) That the Management Action Plans, as detailed in Appendix “K” of Report 14-004 be approved; and,
 - (b) That the General Manager of Finance and Corporate Services be directed to instruct the appropriate staff to have the Management Actions Plans (attached as Appendix “K” to Report 14-004) implemented.

- 10. Audit Report 2014-01 – Public Works – Fuel Usage (AUD14015) (City Wide) (Item 8.6)**
 - (a) That the Management Action Plans as detailed in Appendix “L” of Report 14-004 be approved; and,
 - (b) That the General Manager of Public Works be directed to instruct the appropriate staff to have the Management Action Plans (attached as Appendix “L” to Report 14-004) implemented.

- 11. Assessment and Funding for Value for Money Audit Program (AUD14012) (City Wide) (Item 8.7)**
 - (a) That Report AUD14012 regarding the initial assessment of the Value for Money Audit Program be approved; and,
 - (b) That the estimated costs of \$436,355 for the completion of the balance of the three year pilot project for the Value for Money Audit Program to March 2016 be approved for funding from the tax stabilization reserve.

12. Audit Report 2013-10 – Corporate Services – Information Security and Identity & Access Management Review (AUD14014) (City Wide) (Item 8.8)

- (a) That the Management Action Plans, as detailed in Private and Confidential Appendix “M” of Report 14-004 be approved;
- (b) That the General Manager of Finance and Corporate Services be directed to instruct the appropriate staff to have the Management Action Plans (attached as Private and Confidential Appendix “M” to Report 14-004) implemented; and,
- (c) That the Appendix “M” to Report 14-004, respecting Audit Report 2013-10 – Corporate Services – Information Security and Identity & Access Management Review, remain confidential and restricted from public disclosure.

FOR THE INFORMATION OF COUNCIL:

(a) CHANGES TO THE AGENDA (Item 1)

There were no changes to the agenda.

The agenda for the May 12, 2014 Audit, Finance & Administration Committee meeting was approved, as presented.

(b) DECLARATIONS OF INTEREST (Item 2)

There were no declarations of interest.

(c) APPROVAL OF MINUTES OF PREVIOUS MEETING (Item 3)

(i) April 14, 2014 (Item 3.1)

The Minutes of the April 14, 2014 meeting of the Audit, Finance and Administration Committee were approved, as presented.

(d) Various Advisory Committee Minutes (Item 5.1)

The following Advisory Committee Minutes were received:

- (a) Aboriginal Advisory Committee Minutes, February 6, 2014
- (b) Aboriginal Advisory Committee Minutes, March 6, 2014
- (c) Hamilton Mundialization Committee Minutes, January 15, 2014
- (d) Hamilton Mundialization Committee Minutes, February 19, 2014
- (e) LGBTQ Advisory Committee Minutes, February 20, 2014
- (f) Status of Women Committee, January 23, 2014

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

(i) Amendments to the Outstanding Business List (Item 11.1)

1. The proposed new due dates for the following Outstanding Business List items were approved:
 - (aa) Item "N" – Status of the Implementation and Incorporation of City-Wide Cash Handling Guidelines
Current Due Date: May 12, 2014
Proposed New Due Date: June 9, 2014
 - (bb) Item "P" – Provision of Information Technology Services for Global Spectrum
Current Due Date: April 14, 2014
Proposed New Due Date: June 9, 2014

(f) ADJOURNMENT (Item 13)

There being no further business, the Audit, Finance & Administration Committee, adjourned at 9:49 a.m.

Respectfully submitted,

Councillor R. Powers, Chair
Audit, Finance & Administration Committee

Stephanie Paparella
Legislative Coordinator
Office of the City Clerk



EMERGENCY & COMMUNITY SERVICES COMMITTEE REPORT 14-003

As Amended by Council on May 14, 2014

1:30 p.m.

Monday, May 12, 2014

Council Chambers

Hamilton City Hall

71 Main Street West

Present: Councillor, J. Farr, Chair
Councillor S. Merulla, Vice-Chair
Councillors S. Duvall, T. Jackson, B. McHattie, R. Morrow,
J. Partridge and T. Whitehead

Also present: Councillor B. Johnson

THE EMERGENCY AND COMMUNITY SERVICES COMMITTEE PRESENTS REPORT 14-003 AND RESPECTFULLY RECOMMENDS:

1. 2013-2014 Ontario Works Service Plan (CS11010(a) (City Wide) (Item 5.2)

That Report CS11010(a) respecting 2013-2014 Ontario Works Service Plan be received.

2. 2012-2015 Early Years Community Plan Implementation Strategy (CES14017) (City Wide) (Item 7.1)

That Report CES14017 respecting 2012-2015 Early Years Community Plan Implementation Strategy, be received.

3. Hamilton Veterans Committee Report 14-001 (Item 8.2)

(a) That the mandate of the Hamilton Veterans Committee be amended to reflect the following:

Reporting to Council, through the Emergency and Community Services Committee, the Hamilton Veterans Committee oversees the planning and delivery of military remembrance and commemoration activities on behalf

of the City of Hamilton. When directed by Council, the Committee will provide input on projects and issues that are of concern to Hamilton Veterans.

- (b) That the membership of the Hamilton Veterans Committee be revised to –
Up to 9 members of which one may be a member at large.

Members are required to be a City of Hamilton resident AND one of the following:

A veteran; OR

A current or former member of the Canadian Forces; OR

A current or former member of the Canadian Forces Reserves.;
OR

Meet the requirement of a member at large.

A member (at large) is required to demonstrate a special interest in veterans' projects and issues through their work in the community

4. Hamilton Veterans Committee Report 14-002 (Item 8.3)

- (a) That the Eligibility Criteria for the "Fields of Honour", Woodland Cemetery – Section 18 be revised to include:
- (i) Veterans and their Partners;
 - (ii) War Veterans who were members of Her (His) Majesty's or Allied Armed Forces, on active service during periods of war subsequent to the Korean War;
 - (iii) Members of the Canadian Armed Forces who have served in all Peace-Keeping Conflicts and were honourably discharged; and,
 - (iv) Members of the Canadian Armed Forces who are honourably discharged.
- (b) That all other criteria and protocols for the "Fields of Honour" be updated to reflect current Hamilton Municipal Cemetery policies and procedures.

5. Hamilton Veterans Committee Report 14-003 (Item 8.4)

- (a) That Council, on behalf of the Hamilton Veterans Committee, the only municipal organization of its kind in Canada, invite the Minister of Veterans Affairs, The Honourable Julian Fantino to:

- (i) Participate in one of the committee's monthly meetings;
 - (ii) Participate in the re-opening of Veteran's Place at Gore Park in 2015;
 - (iii) Endorse a discussion led by the Hamilton Veterans Committee with the Royal Canadian Legion Branches and other Veterans organizations in the City of Hamilton to campaign to Federal and Provincial Governments to develop a funding formula for the future sustainability for those organizations; and,
 - (iv) Fund the development of a yearly event poster and brochure that highlights places (memorial halls, cenotaphs, Fields of Honour) where citizens can go to remember.
- (b) That staff be directed to assist the Veterans Committee in facilitating discussions with the various Veterans organizations regarding issues of sustainability including the preparation of the work plan to include a timeline to complete this research.

6. Housing and Human Rights (CES14023) (City Wide) (Item 8.5)

That Report CES14023 respecting Housing and Human Rights be received.

7. Pressure at Emergency Shelters Serving Single Homeless Women (CS13051(a)) (City Wide) (Item 8.6)

That the General Manager of Community and Emergency Services be authorized and directed to provide \$152,150 from the Community and Emergency Services departmental surplus, the Social Services Initiative Reserve (#112214), or any combination thereof to Good Shepherd Centres to increase the number of emergency shelter beds from 20 to 30 at Mary's Place for the period of June 1, 2014 to May 31, 2015.

8. Fee Waiver Policy Update (CES14001) (City Wide) (Outstanding Business List Item) (Item 8.7)

That the Revised Fee Waiver/Reduction Policy attached as Appendix "A" to Report 14-003, be approved.

The following Item was amended by deleting the words “Planning Committee and Emergency and Community Services Committee” and inserting the words “General Issues Committee” therein:

9. Veteran's Parking (Item 9.2)

That staff be directed to investigate the implications to provide free parking, at City of Hamilton operated parking lots and on-street parking meters, for all Veterans with an Ontario Veterans licence plate and report back to the ~~Planning Committee and the Emergency and Community Services Committee~~ General Issues Committee.

FOR THE INFORMATION OF COUNCIL:

A. CEREMONIAL ACTIVITY

1. Public Access Defibrillation Success

On February 20, 2014 Mr. Steven Yull, the Principal at Queen Victoria School collapsed in front of his staff. The Vice Principal, Ms Holly Shanlin, initiated CPR and successfully used the Automated External Defibrillator (AED) which had just been installed in the school four months prior and the training completed only two months prior.

Chair Farr called Ms. Holly Shanlin, Mr. Derek Walker and Mr. Phil Melki to the podium to receive their Certificates of Recognition for providing assistance.

Chair Farr also called Mr. Steven Yull, Principal of Queen Victoria School to the podium to address Committee.

(a) CHANGES TO THE AGENDA (Item 1)

The Committee Clerk advised of the following added delegation request:

- (i) David Steckham of the Hamilton Veteran's Committee wishing to speak to Item 9.2 respecting Veteran's Parking. (Added Item 4.2)

The agenda was approved as amended.

(b) DECLARATIONS OF INTEREST (Item 2)

There were none declared.

(c) APPROVAL OF MINUTES OF PREVIOUS MEETING (Item 3)

The Minutes of the March 24, 2014 meeting were approved as presented.

(d) DELEGATION REQUESTS (Item 4)

- (i) Matt Thompson, Beasley Neighbourhood Association, to speak at the September 8, 2014 meeting to report on the Beasley Residential Temperature Project.**

The delegation request from Matt Thompson of the Beasley Neighbourhood Association, to speak at the September 8, 2014 meeting to report on the Beasley Residential Temperature Project was approved.

- (ii) David Steckham of the Hamilton Veteran's Committee wishing to speak to Item 9.2 respecting Veteran's Parking. (Added Item 4.2)**

The delegation request from David Steckham of the Hamilton Veteran's Committee wishing to speak to Item 9.2 respecting Veteran's Parking was approved and the rules of order were waived to allow Mr. Steckham to address Committee at today's meeting.

(e) CONSENT ITEMS (Item 5.1)

The following Advisory Committee Minutes were received:

- (i) Tenant Advisory Committee Minutes February 26, 2013
- (ii) Tenant Advisory Committee Notes April 30, 2013
- (iii) Tenant Advisory Committee Minutes March 26, 2013
- (iv) Tenant Advisory Committee Minutes June 12, 2013
- (v) Tenant Advisory Committee Minutes November 4, 2013
- (vi) Tenant Advisory Committee Minutes December 12, 2013
- (vii) Tenant Advisory Committee Minutes February 6, 2014
- (viii) Food & Shelter Advisory Committee Minutes February 13, 2014

- (ix) Seniors Advisory Committee February 7, 2014
- (x) Seniors Advisory Committee March 7, 2014
- (xi) Hamilton Veterans Committee March 11, 2014

(f) PUBLIC HEARINGS/DELEGATIONS

(i) Matt Jelly respecting proposal of a series of reforms to the City of Hamilton's Zero Tolerance Policy for Violence in Recreational Properties & Facilities (Approved March 24, 2014) (No copy)

Matt Jelly addressed Committee and read from the City of Hamilton's Zero Tolerance Policy for Violence in Recreational Properties & Facilities

He noted that all people and citizens should be held to the same standards. Council and the City Manager chose not to take action against a recent incident involving a Councillor and a member of the public who was in attendance at City Hall. If this had happened to a Councillor or a staffer there would have been consequences.

He urged Council to enact a city wide zero tolerance policy that also includes Councillors without requiring an application to the Integrity Commissioner.

Committee received the delegation.

(ii) David Steckham of the Hamilton Veteran's Committee wishing to speak to Item 9.2 respecting Veteran's Parking. (Added Item 4.2)

David Steckham addressed Committee and read from a prepared statement. He advised that he served in the Canadian Armed Forces for 20 years. He acknowledged that free Veteran's parking was approved with stipulations. He is looking to have the stipulations removed.

He outlined the duties of the members of the armed forces who wear the following hats:

Green Beret
Maroon Beret
Blue Beret
Air Force Wedge
Air Force Beret

He noted that all can be traded in for combat helmets.

He acknowledged there is a concern for potential abuse. In his opinion only the spouses of veterans, who have provided a support role to those serving their country, may be in a position take advantage of free parking. Hamilton is unique as it is the only city in all of Canada who has a Veteran's Committee. The City has spent tens of thousands of dollars for a war memorial for veterans who have died in combat – what about the living?

Mr. Steckham responded to questions from Committee. Committee received the delegation.

For disposition of this matter refer to Item 9 and Information Item (i)(ii).

(g) PRESENTATIONS

(i) 2012-2015 Early Years Community Plan Implementation Strategy (CES14017) (City Wide)

Jody Guilmette, Manager of the Early Years Program and Debbie Meyers, Chair of Best Start Network addressed Committee with the aid of a PowerPoint presentation. Copies of the hand-out were distributed and a copy has been retained in the Clerk's file for the public record.

They covered the following topics:

- What is Early Years Community Plan?
- Importance of the Early Years Community Plan
- Key Findings of the Early Years Community Plan
- Inclusion – How will these challenges be addressed?
- Child Care Stabilization and Transformation – How will these challenges be addressed?
- System Integration – How will these challenges be addressed?
- Access to Information - How will these challenges be addressed?
- Next steps.

The presenters responded to questions from Committee. Committee received the presentation and the staff report.

(h) DISCUSSION ITEMS (Item 8)

(i) Senior Advisory Committee Report 14-006 (Item 8.1)

Recommendations 1 and 2 of the Seniors Advisory Committee Report 14-006 were referred to the Fire Chief and the Paramedics Chief for report back to Committee.

Recommendation 3 was referred to the Director of Transportation for report back to Committee.

(ii) Hamilton Veterans Committee Report 14-001 (Item 8.2)

Committee amended subsection (a) of the recommendation by deleting the words “appropriate standing” and inserting the words “Emergency and Community Services” therein.

For disposition of this matter refer to Item 3.

(iii) Hamilton Veterans Committee Report 14-003 (item 8.4)

Committee amended subsection (a) of the recommendation by inserting the words “City Council on behalf of” after the word “That”

For disposition of this matter refer to Item 5.

(iv) Fee Waiver Policy Update (CES14001) (City Wide)(Item 8.7)

Committee approved the staff report respecting Fee Waiver Policy Update including subsection (b) as follows:

- (b) That the item respecting the Fee Waiver Policy be considered complete and removed from the Emergency & Community Services Committee Outstanding Business List.

(i) MOTIONS (Item 9)

(i) Urban Fitness Trail (Item 9.1)

Committee amended Item 9.1 respecting Urban Fitness Trail

- (a) by deleting the words “*undertake an assessment to develop the first*” and inserting the words “*investigate the feasibility of developing an*” therein;

- (b) by adding the following subsection (b):

- (b) *That staff be further directed to brief the Ward Councillor on the investigative results, and report back to Committee on any proposed work plans/budget as required to implement any new project.*

The amended Item 9.1 was approved and reads as follows:

Whereas, the City of Hamilton has a significant parcel of land dormant in the McQuesten Neighbourhood; and

Whereas, the McQuesten Neighbourhood is in the process of developing the first urban farm which conforms to better Public Health, Community Services and Neighbourhood Strategies to be the best place in Canada to raise a child, promote innovation, engage citizens and provide diverse economic opportunities; and

Whereas, the obesity issue as it pertains to Public Health is of concern;

Therefore be it resolved:

- (a) That staff be directed to investigate the feasibility of developing an urban fitness trail in that parcel of land that would connect to the Redhill Valley Trail, the Bruce Trail and the Hamilton-Brantford Rail Trail thereby providing an expansion on the City's existing trail system which is second to none;
- (b) That staff be further directed to brief the Ward Councillor on the investigative results, and report back to Committee on any proposed work plans/budget as required to implement any new project.

(ii) Veteran's Parking (Item 9.2)

The motion was amended by adding the words "and the Emergency and Community Services Committee" after the words "Planning Committee".

(j) ADJOURNMENT (Item 13)

There being no further business, the Emergency & Community Services Committee meeting adjourned at 3:12 p.m.

Respectfully submitted,

Councillor J. Farr, Chair
Emergency & Community Services Committee

Ida Bedioui
Legislative Co-ordinator
Office of the City Clerk

FEE WAIVER/REDUCTION POLICY

PURPOSE

The purpose of the City of Hamilton's Fee Waiver/Reduction Policy is to provide financial assistance, in the form of a fee waiver or reductions for recreation facility and park rentals in those cases where imposition of a fee would create a financial hardship.

DEFINITIONS

Facility

Means a recreation facility operated by the City of Hamilton where the fees charged and permit issued for its use are administered by the Recreation Division.

Park

Means a park operated by the City of Hamilton where the fees charged and permit issued for its use are administered by the Recreation Division.

Affiliated

Means a sport or recreation organization that is formally affiliated with the City of Hamilton as per the Recreation Division's "*Affiliation Policy for Hamilton Minor Sports Organizations*".

Community Group

Means a non-profit group or corporation that is active in a community for a sport and leisure purpose, or that generally operates for the betterment of the community (e.g. minor sport organization, neighborhood association, service club, special interest club). This definition is distinct and different than that of "Commercial Group".

Commercial Group

Means a for-profit group or corporation that operates an event or business for the purposes of making a profit. This definition is distinct and is different than that of "Community Group".

GENERAL

- Fees will not be waived for an applicant that has an overdue amount owing to the City.
- Fees will not normally be waived on a retroactive basis, e.g., after an event has occurred.
- If the organization is a recipient of a grant through the Community Partnership Program (CPP), the purpose of which is to cover the cost of recreation facility or park rental fees, then no fee waiver will be considered.

- All applicants must comply with any and all insurance requirements and associated costs. Insurance fees are ineligible for fee waivers.
- Meeting all of the criteria does not guarantee that a rental fee will be waived.
- Only the Divisional Director of Recreation has the authority to approve a fee waiver under the provisions of the policy.

ELIGIBILITY

Groups

- Affiliated not-for-profit sport and recreation associations, not-for-profit arts and culture groups
- Community groups

Activities

- One-time activity or event where the imposition of a fee would create financial hardship to the organization or group.

NON-ELIGIBILITY

Groups

- Commercial groups
- Non-residents
- Individuals
- College & University Athletics (Varsity & Intramural)

Activities

- Sequential activities (daily, weekly, monthly,) such as seminars, courses, clinics, programs etc.
- Annual (or sequential) fundraising activities and events.
- Any activity where it cannot be demonstrated that the imposition of a fee will cause a financial hardship to the group applying for a fee waiver or reduction.

Examples:

- Requests for relief from facility permit fees for sequential use of arenas, meeting rooms, playing fields, surfaces and gymnasiums (e.g. regular league play).

- Sequential meetings (daily, weekly, monthly, etc.).
- Requests for fee waivers or reductions where the City has already offset the cost of those fees through some other means or funding mechanism (i.e. CPP Grant).
- Requests for relief which do not otherwise meet above eligibility criteria.

FEE WAIVER AMOUNTS

Eligible groups and activities may be entitled to a 100% Fee Waiver (or part thereof) based on the merit of the activity, if they are able to demonstrate financial hardship.

PROCEDURE

1. All eligible groups must complete a Fee Waiver Request Application Form, outlining the purpose of the activity and related organizational information and applicable information supporting a claim of financial hardship.
2. The Application Form must be submitted a minimum of four weeks prior to the date requested, to the Recreation Division – Facility Booking Section in order to ensure timely processing. *Application forms received after this time will be processed however, groups must assume responsibility for any consequences associated with delays in the confirmation/administration process.*
3. The Sport Development Administrative Clerks will first confirm that the facility is available on the date(s) and time(s) requested.
4. If the required facility (or suitable alternative) is available, the Application Form will be forwarded to the Divisional Director of Recreation for review and decision on approval.
5. Eligible groups will be notified by Sport Development Administrative Clerks, within two weeks from the time that availability of the requested facility (or suitable alternative) has been confirmed.
6. Sport Development Administrative Clerks will process a facility permit inclusive of any partial fees (if applicable).
7. The group or organization remains responsible for any/all terms & conditions outlined in the use of City facilities, including retrieving their permit in advance and having it present throughout the duration of their use.
8. Sport Development Administrative Clerks will credit facility accounts with the appropriate balance of revenues owing, from the City's fee waiver account.

EVALUATION & REPORTING

Staff will report to Council on an annual basis, as part of the Operating Budget Process, with a detailed account of the total numbers of fee waiver granted by group and related cost.

APPEALS

Any group who has been denied a fee waiver within the Divisional Director of Recreation's authority to approve under the policy may appeal the decision to the General Manager of Community & Emergency Services. If the fee waiver has been denied by the General Manager, the group may appear before Council (Emergency and Community Services Committee) to present their rationale for receiving a fee waiver.

Groups wishing to appear before Council must contact the City Clerk to register as a delegation.