General Issues Committee
MINUTES
9:30 a.m.
Monday, July 9, 2012
Council Chambers
Hamilton City Hall
71 Main Street West

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

Absent with Regrets: B. Clark – Personal

Also Present: C. Murray, City Manager
R. Rossini, General Manager, Finance and Corporate Services
G. Davis, General Manager, Public Works
T. McCabe, General Manager, Planning and Economic Development
J. A. Priel, General Manager, Community and Social Services
Dr. E. Richardson, Medical Officer of Health
D. Fisher, Acting City Solicitor
N. Everson, Director, Economic Development
C. Biggs, Legislative Co-ordinator

THE FOLLOWING ITEMS WERE REPORTED TO COUNCIL FOR CONSIDERATION:

1. Hamilton Police Services Board Monthly Report (PSB 12-061) (Item 5.1)
   (Pearson/Bratina)
   That Hamilton Police Services Board Monthly Report PSB 12-061 be received.
   CARRIED
2. Treasurer’s Apportionment of Land Taxes for Properties in Flamborough and Stoney Creek (FCS12005(d)) (Wards 10 and 15) (Item 5.3)

(Pearson/Bratina)
(a) That the 2012 land taxes in the amount of $1,630 for Plan 62M1125 Block 95, Flamborough (Roll #2518 303 420 23105 0000) be apportioned and split amongst the twenty newly created parcels as set out in Appendix A to Report FCS12005(d);

(b) That the 2012 land taxes in the amount of $1,528 for Plan 62M1125 Block 96, Flamborough (Roll #2518 303 420 23110 0000) be apportioned and split amongst the ten newly created parcels as set out in Appendix A to Report FCS12005(d);

(c) That the 2012 land taxes in the amount of $2,608 for 442 Millen Rd., Stoney Creek (Roll #2518 003 130 23437 0000) be apportioned and split amongst the thirty newly created parcels as set out in Appendix A to Report FCS12005(d). CARRIED

3. Tax Appeals under Section 357 and 358 of the Municipal Act (2001) (FCS12007(e)) (City Wide) (Item 5.4)

(Pearson/Bratina)
(a) That Appendix “A” attached to Report FCS12007(e) respecting the “Tax Write-Offs processed under Section 357 of the Municipal Act, 2001”, in the amount of $84,304 be approved;

(b) That Appendix “B” attached to Report FCS12007(e) 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 $154,780 be approved. CARRIED

4. Methods of Payment of Municipal Taxes (FCS12054) (City Wide) (Outstanding Business List – 2012 Budget Deliberations) (Item 5.5)

(Pearson/Bratina)
That Report FCS12054, respecting Methods of Payment of Municipal Taxes, be received for information purposes. CARRIED

5. Monthly Status Report of Tenders and Requests for Proposals for May 12, 2012 to June 6, 2012 (FCS12018(d)) (City Wide) (Item 5.6)

(Pearson/Bratina)
That Report FCS12018(d) respecting Monthly Status Report of Tenders and Requests for Proposals for May 12, 2012 to June 6, 2012, be received. CARRIED
6. **City of Hamilton/Ministry of Transportation Dedicated Gas Tax Funding Agreement (FCS12058) (City Wide) (Item 5.7)**

(Pearson/Bratina)

(a) That the Mayor and City Treasurer be authorized and directed to enter into an Agreement between the City of Hamilton and the Province of Ontario, related to the funding commitment made by the Province of Ontario to the Municipality under the Dedicated Gas Tax Funds for Hamilton’s Public Transportation Program;

(b) That the Mayor and City Treasurer be authorized and directed to execute the Letter of Agreement attached as Appendix “A” to Report FCS12058;

(c) That the By-law attached as Appendix “C” to Report FCS12058 authorizing and directing the Mayor and City Treasurer to sign a Letter of Agreement between the City of Hamilton and the Province of Ontario with respect to funding under the Dedicated Gas Tax Funds for Public Transportation Program, be passed;

(d) That, upon being passed, a certified copy of the By-law together with a signed Letter of Agreement be forwarded to the Ministry of Transportation. CARRIED

7. **Freedom of Information Quarterly Report (January 1 to March 31, 2012) (CL12004) (City Wide) (Item 5.8)**

(Pearson/Bratina)

That Report CL12004 respecting “Freedom of Information Quarterly Report”, be received. CARRIED

8. **Hamilton Downtown Property Improvement Grant Program – 40 Bay Street South – HDPIGP 03-12 (PED12134) (Ward 2) (Item 5.9)**

(Pearson/Bratina)

(a) That a Hamilton Downtown Property Improvement Grant Program (HDPIGP) application submitted by 132 Main Street West Inc. (Darko Vranich), owner of the property at 40 Bay Street South, for a HDPIGP grant estimated at $875,619.94 over a maximum of a five (5) year period and based upon the incremental tax increase attributable to the redevelopment of 40 Bay Street South, be authorized and approved in accordance with the terms and conditions of the Program;

(b) That the Mayor and City Clerk be authorized and directed to execute the Grant Agreement, attached as Appendix “A” to Report PED12134, in a form satisfactory to the City Solicitor. CARRIED
9. **Hamilton-Wentworth District School Board (HWDSB) Surplus Land – Located at 1460 Upper James Street, described as Part of Lot 15, Concession 8 (formerly Township of Barton) City of Hamilton (PED12116) (Ward 8) (Item 5.10)**

**(Pearson/Bratina)**

(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 (HWDSB) that the City of Hamilton has no interest in the property located at 1460 Upper James Street, described as Part of Lot 15, Concession 8, as shown on Appendix “A” attached to Report PED12116;

(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 (HWDSB) of the City of Hamilton’s site requirements for the site as set out in Appendix "B" attached to Report PED12116. CARRIED

10. **Agreement to Accept Compensation, Section 30, Expropriations Act, 280 Fifty Road (NE corner of Fifth road and Highway 8), Stoney Creek, being Part 1 on Plan 62R-15996 (LS12014/ PED12132) (Ward 11) (Item 5.11)**

**(Pearson/Bratina)**

(a) That a Full and Final Release resulting from the provisions of Section 30 of the Ontario *Expropriations Act*, for vacant lands known as part of Lot 2, Concession 2 in the geographic Township of Saltfleet, all shown as Part 1 on Plan 62R-15996, being PIN 17371-0016(LT), comprising an area of 0.394 hectare (0.974 acre), having a frontage of 41.224 metres (135.25 feet) along the east limit of Fifty Road, known municipally as 280 Fifty Road, in the former City of Stoney Creek, now in the City of Hamilton, as shown on Appendix “A” to Report LS12014/ PED12132 attached, in the amount of $63,269.37, be approved and completed;

(b) That the final settlement payment of $63,269.37, being the difference between the settlement amount of $99,769.37 ($82,000 including the owner’s legal and appraisal costs plus $17,769.37 interest on unpaid land value) and the original Section 30 payment of $36,500, be charged to Capital Budget Item 59259-3620374100 (SC--Storm Drainage Works-Watercourse) and that the City make a payment to Manfred Rudolph in Trust for the Owner, the sum of $63,269.37 on the closing of this Agreement;
(c) That an amount of $12,000, as administrative compensation to the Real Estate Section for staff time on this transaction and appraisal fees, plus all Legal Service fees and disbursements, be funded from Capital Budget No. 3620374100 (SC-Storm Drainage Works-Watercourse) and credited to Account 45408-3560150200 (Property Purchases and Sales);

(d) That the Mayor and Clerk be authorized and directed to execute all necessary documents in a form satisfactory to the City Solicitor.  

CARRIED

11. Hamilton LEEDing the Way, LEED Grant Program Application (LGP 12-02) – 2227667 Ontario Ltd., 41 Bittern Street, Ancaster, Ontario (PED12133) (Ward 12) (Item 5.12)  

(Pearson/Bratina)  
(a) That Hamilton LEEDing the Way, LEED Grant Program Application LGP-12-02, submitted by 2227667 Ontario Ltd., for the property at 41 Bittern Street, for a LEED Grant not to exceed $543,600 payable to 2227667 Ontario Ltd. over a maximum of five (5) years, be authorized and approved in accordance with the terms and conditions of the LEED Grant Program Agreement;

(b) That the Mayor and Clerk be authorized and directed to execute, on behalf of the City, the LEED Grant Agreement with 2227667 Ontario Ltd., referred to in subsection (a) with respect to the development of 41 Bittern Street, and all necessary associated documents, all in a form satisfactory to the City Solicitor.  

CARRIED

12. 2012 Green Venture Base Funding (CM12010) (City Wide) (Item 5.13)  

(Pearson/Bratina)  
(a) That the City of Hamilton enter into an agreement to provide base funding for Hamilton-Wentworth Green Venture Incorporated (Green Venture) in the amount of $40,000 per year, as approved in the 2012 budget.

(b) That the Mayor and City Clerk be authorized to execute the said agreement, in a form satisfactory to the City Solicitor, on behalf of the City.  

CARRIED
13. **Centennial Parkway CNR Underpass Cost Sharing (PW12038) (Ward 5) (Item 5.14)**

   (Pearson/Bratina)
   (a) That the General Manager of Public Works be Authorized and Directed to enter into a cost sharing agreement with Canadian National Railways (CNR) in a form satisfactory to the City Solicitor, for the design, tender and reconstruction for the City components of CNR Centennial Parkway Underpass project;

   (b) That staff report back on final cost sharing amounts as part of the 2013 budget process. CARRIED

14. **Hamilton Downtown Multi-Residential Property Investment Program – 40 Bay Street South HDMRPIP12/02 (PED12113) (Ward 2) (Item 8.2)**

   (Farr/Jackson)
   (a) That a conditional loan commitment totaling $8,896,486 for Hamilton 132 Main Street Inc., (Darko Vranich) the registered owner of the property at 40 Bay Street South, be authorized and approved in accordance with the terms and conditions of the Hamilton Downtown Multi-Residential Property Investment Program.

   (b) That the Mayor and City Clerk be authorized and directed to execute a loan agreement together with any ancillary documentation required, to effect recommendation (a), above, in a form satisfactory to the City Solicitor.

   (c) That the General Manager of the Planning and Economic Development Department be authorized to approve and execute any loan amending agreements, together with any ancillary amending documentation, if required, provided that the terms and conditions of the Hamilton Downtown Multi-Residential Property Investment Program. CARRIED

15. **Procurement Service Delivery Model Change (FCS12049/PW12054) (City Wide) (Item 8.3)**

   (Pearson/Collins)
   That staff be authorized to proceed with the staff reorganization; converting a Specification Clerk position (Public Works) to a Procurement Specialist position (Corporate Services) in accordance with the procurement service delivery model change outlined in Report FCS12049/PW12054. CARRIED
16. Tax and Rate Operating Budget Variance Report to April 30, 2012 (FCS12050) (City Wide) (Item 8.4)

(Pearson/Collins) That Report FCS12050 respecting “Tax and Rate Operating Budget Variance Report to April 30, 2012”, be received. CARRIED

17. License Agreement with St. Demetrious Church, c/o Nathan Hondronicols (Licensee) – Field House, Victoria Park, 516 King Street West, Hamilton (CS121027/PED12131) (Ward 1) (Item 8.5)

(McHattie/Farr) (a) That a License Agreement between the City of Hamilton (Licensor) and St. Demetrious Church (Licensee), for the City owned Field House situated on lands known as Victoria Park, municipally known as 516 King Street West, Hamilton, as shown on Appendix “A” attached to Report CS12027/PED12131, be approved and completed;

(b) That the term of the License, being for a period of two (2) years at an annual rent of $2, be paid on the first day of commence and thereafter, and be credited to Deptid 791514 (Victoria Park Pool) Account No. 46083 Rent/Fees – Civic Property;

(c) That the Licensee will be responsible for costs relating to tenant fit ups and for paying all operating costs, utilities, and property taxes;

(d) That the Licensor and Licensee may cancel this Agreement with no penalty upon thirty (30) days written notice to the other party;

(e) That the Licensee utilizes the demised premises for the proposed use as a non-profit Café and for no other use without written consent of the Licensor;

(f) That the Mayor, General Manager of Finance and Corporate Services, and City Clerk be authorized and directed to execute the License Agreement in a form satisfactory to the Acting City Solicitor. CARRIED

18. Pan Am Stadium Land Use Agreement (PW12055) (Ward 3) (Item 8.6)

(Farr/Merulla) (a) That the General Manager of Public Works be authorized and directed to negotiate with Hamilton Wentworth District School Board and finalize a Land Use Agreement and any other auxiliary agreements respecting the acquisition of 0.92 acres of land situated at the north east corner of Melrose Avenue North and Cannon Street East by the City for the purpose of constructing the Pan Am Stadium and Parking Facility in a form satisfactory to the City Solicitor;
(b) That the area of the lands to be leased to the Hamilton Wentworth District School Board for parking purposes within the Pan Am precinct be declared surplus in accordance with the Procedural By-law for the Sale of Land, being By-law 04-299;

(c) That the Mayor and City Clerk, and appropriate City staff, as the case may be, be authorized and directed to sign the Land Use Agreement and any other documentation between the City and the Hamilton Wentworth District School Board required, in the opinion of the City Solicitor, to implement recommendation (a) in Report PW12055.  

CARRIED

19. Pan Am Stadium Precinct Sub-Committee Report 12-004 – June 25, 2012 (Item 8.7)

(a) Stadium Precinct Community Work - Rossetti

(McHattie/Farr)
That in order to build the stadium as a facility that operates year round, City staff be directed to ensure that the final plans for the new Pan Am Stadium include social, recreational and community uses that represent a substantial “net gain” in terms of the availability of these uses (locally and across the City).  

CARRIED


(Pearson/Partridge)

(a) Resignation of Vincent Raso from the Hamilton Future Fund Board of Governors

(i) That the resignation of Vincent Raso from the Hamilton Future Fund Board of Governors be received;  

(ii) That the membership of the Hamilton Future Fund Board of Governors be reduced from 16 to 15 members for the remainder of the 2010-2014 term.  

CARRIED

(b) Hamilton Future Fund Reserve Status and Project Funding as of December 31, 2011 (FCS12053 City Wide) (Item 5.1)

(Pearson/Johnson)
That Report FCS12053 respecting Hamilton Future Fund Reserve Status and Project Funding as of December 31, 2011, be received.  

CARRIED
(c) Request for Return of Future Fund Velodrome Grant

(Pearson/Partridge)
That the Future Fund grant of $5 million allocated towards the Velodrome be returned to the Future Fund CARRIED

21. Greater Bay Area Sub-Committee Report 12-001 – June 22, 2012 (Item 8.9)

(McHattie/Whitehead)
(a) That Councillor Brian McHattie be appointed as the City of Hamilton Co-Chair to the Greater Bay Area Sub-Committee for the 2010-2014 term of City Council;

(b) That Councillor Rick Craven, be appointed as the City of Burlington Co-Chair to the Greater Bay Area Sub-Committee for the 2010-2014 term of City Council. CARRIED

22. Request for All-Way Stop Control at the Intersection of Creanona Blvd. and Baseline Rd. (Ward 11) (Item 9.2)

(Johnson/Powers)
(a) That an all-way stop sign control be implemented at the intersection of Creanona Boulevard and Baseline Road;

(b) That the appropriate amendment to the City of Hamilton’s Traffic By-law No. 01-215 be passed. CARRIED

23. Beasley Neighbourhood Gardens – Ward 2 Infrastructure Improvement Reserve (Item 10.4)

(Farr/Whitehead)
That the following commitments be funded through the Ward 2 Infrastructure Improvement Reserve Account No. 108052:

(a) $10,000 toward the capital costs of the Beasley Neighbourhood Gardens;
(b) Up to $6,500 for improvements to the Beasley Skateboard Park;
(c) Up to $3,000 for fencing/gates for the protection of residents;
(d) Up to $6,000 for fencing for residents affected during the demolition of 245 Catharine Street North. CARRIED
24. Litigation – Development Charges By-law Appeals (LS12019) (Item 12.3)

(Powers/Pearson)
(a) That Report LS12019 respecting Litigation – Development Charges By-law Appeals, be received;
(b) That Report LS12019, including Appendices “A” and “B” thereto, remain confidential;
(c) That staff be directed to settle the OMB appeals of DC By-laws 09-143/09-144/11-173/11-174 and 11-175 by Parkside Hills Inc. and Silverwood Homes Limited in accordance with the draft Minutes of Settlement attached as Appendix “B” to report LS12019;
(d) That the City Solicitor, or designate, be authorized to execute the said Minutes of Settlement on behalf of the City.  CARRIED

25. Litigation – St. Mary’s Cement – NAFTA Claims (LS12020) (Item 12.4)

(Partridge/Pasuta)
(a) That Report LS12020 respecting Litigation – St. Mary’s Cement – NAFTA Claims, be received;
(b) That Report LS 12020, together with Appendices “A” and “B” thereto, remain confidential;
(c) That the Mayor and City Solicitor be authorized and directed to execute the Agreement attached as Appendix “B” to report LS12020;
(d) That the Mayor and the City Solicitor, as the case may be, be authorized to execute such additional documentation that is required, in the opinion of the City Solicitor, to facilitate the defence of the matter.  CARRIED

FOR THE INFORMATION OF COUNCIL:

Tim McCabe introduced Ed VanderWindt, recently appointed to the position of Director of Building Services and Chief Building Official for the City of Hamilton. Mr. VanderWindt brings to the City 27 years of experience in building area, including 16 years as Chief Building Official with the Town of Ancaster and then with Haldimand County.

(a) CHANGES TO THE AGENDA (Item 1)

The Committee Clerk advised of the following changes to the agenda:
ADDED NOTICES OF MOTION

(i) Request for Implementation of Two-way Traffic for a 100-metre Stretch on Stuart Street, north of Barton Street East (Added as Item 10.1)

(ii) Enbridge Inc. Pipeline Flow Reversal Project (Added as Item 10.2)

(iii) Ontario Lottery and Gaming Corporation – Establishment of a Gaming Facility (Added as Item 10.3)

(iv) Beasley Neighbourhood Gardens – Ward 2 Infrastructure Improvement Reserve (Added as Item 10.4)

(Pearson/Pasuta)
That the agenda be approved, as amended. CARRIED

(b) DECLARATIONS OF INTEREST (Item 2)

None

(c) APPROVAL OF PREVIOUS MINUTES

(Whitehead/Morelli)
That the June 20 and June 25 (special), 2012 minutes of the General Issues Committee meeting be approved, as presented. CARRIED

(d) DELEGATION REQUESTS

(i) Delegation Request from Gary Beveridge, Good Shepherd Centre Hamilton, respecting Loan Request (Item 4.1)

(Whitehead/Morelli)
That the delegation request from Gary Beveridge, Good Shepherd Centre Hamilton, respecting Loan request, be approved, and that the rules of order be waived to allow Mr. Beveridge to address the Committee at today’s meeting. CARRIED

(e) CONSENT ITEMS

(i) Minutes of Sub-Committees:

(Pearson/Bratina)
That the following Sub-Committee Minutes be received:

(aa) Arts Advisory Commission – February 28, 2012
(bb) Arts Advisory Commission – March 27, 2012
(cc) Open for Business Sub-Committee – May 23, 2012 CARRIED
(ii) Hamilton-Wentworth District School Board (HWDSB) Surplus Land – Located at 1480 Upper James Street, described as Part of Lot 15, Concession 8 (formerly township of Barton), City of Hamilton (PED12118) (Ward 8)

The Motion CARRIED on the following recorded vote:

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

(h) PRESENTATIONS

(i) Gary Beveridge, Good Shepherd Centre, respecting $5 Million Loan Request for Good Shepherd Square, Hamilton

Gary Beveridge appeared before the Committee to speak to the $5 million loan request from the Good Shepherd Centre to put toward Good Shepherd Square. Mr. Beveridge also acknowledged the attendance of members of their Board to respond to questions of the Committee.

With the assistance of a power point presentation, Mr. Beveridge spoke to the following:

- “Our Request” - $5 million loan to be repaid over years at 0% rate of interest, as in the Downtown Multi-Residential Investment Program; purpose of loan is to bridge pledges from their Capital Campaign; loan is not to be used for current operations; to be used to replace interim financing
- Benefits of Good Shepherd Square.

Mr. Beveridge concluded his presentation with the request for continued support in serving Hamiltonians i.e., 5-year loan at 0%, to be repaid from pledges received.

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

(McHattie/Pearson)
That the presentation from Gary Beveridge on behalf of Good Shepherd Centre Hamilton respecting $5 million loan request, be received.
CARRIED
(g) DISCUSSION ITEMS

(i) Good Shepherd Centre’s Request for a Loan from the City of Hamilton (FCS12035) (Ward 1)

(McHattie/Jackson)
That the $5 million loan request from the Good Shepherd Centre Hamilton be referred to the Hamilton Future Fund for their consideration and report back to the General Issues Committee.

The Motion to Refer CARRIED on the following unanimous vote:

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

(h) MOTIONS

(i) Hamilton Health Sciences Urgent Care Centre in West Hamilton – Reduction to Hours of Operation (Item 9.1)

Councillor McHattie advised that he would retain this as a Motion until the August meeting of the General Issues Committee.

(ii) Enbridge Inc. Pipeline Flow Reversal (Item 10.2)

(McHattie/Farr)
That staff be directed to investigate the Enbridge Inc. pipeline flow reversal project and the potential impact

The Motion CARRIED on the following recorded vote:

Yeas: Bratina, Ferguson, Pearson, Johnson, Powers, Whitehead, Duvall, Jackson, Merulla, Farr, McHattie
Total Yeas: 11
Nays: Pasuta, Partridge
Total Nays: 2
Absent: Clark, Collins, Morelli
Total Absent: 3

(i) NOTICES OF MOTION

(i) Councillor B. McHattie introduced the following Notice of Motion:
Request for Implementation of Two-way Traffic for a 100-metre stretch on Stuart Street, north of Barton Street East

Whereas Stuart Street, from Bay Street to Queen Street North, features two-way traffic flow with the exception of a short 100-metre stretch just north of Barton Street;

And Whereas an important and expanding Hamilton business, AVL Manufacturing, operates on Stuart Street just north of Barton Street and requires two-way traffic to facilitate goods movement.

Therefore be it resolved:

(a) That staff work with the Ward 1 Councillor and AVL Manufacturing to make the change from one-way to two-way traffic along the remaining 100-metre stretch of Stuart Street, north of Barton Street East;

(b) That an appropriate amendment to the City of Hamilton Traffic By-law 01-215, be approved.

(ii) Councillor B. McHattie introduced the following Notice of Motion:

Enbridge Inc. Pipeline Flow Reversal Project

Whereas Enbridge Inc. has submitted a proposal to reverse the flows of their pipeline from Hamilton to Sarnia (with the Village of Westover in Flamborough being the local hub) so it can carry diluted tar sands bitumen (dilbit) toward the east coast;

And Whereas the Hearing on that application has recently occurred in London;

And Whereas, the change in pipeline flow is being challenged by Environmental Defence, the Pembina Institute and Equiterre, as well as a Cambridge community newspaper;

And Whereas if approved, Enbridge Inc. states that Line 9 will transport between 50,000 and 90,000 barrels per day, but acknowledges that it is capable of carrying “beyond 150,000 bpd”;

And Whereas an environmental assessment document by Enbridge Inc. notes the presence of two environmentally-significant areas and a Provincially-significant wetland near the Westover installations, as well as portions of both Spencer Creek and Fairchild Creek;
And Whereas, there have been a number of spills of bitumen from pipeline accidents in recent months throughout Alberta, with the Government of Alberta launching a special inquiry.

Therefore be it resolved:

That staff be directed to investigate the Enbridge Inc. pipeline flow reversal project and the potential impacts on Hamilton, and report back to the General Issues Committee.

(McHattie/Whitehead)

That the rules of order be waived in order to allow for the introduction of a motion respecting Enbridge Inc. Pipeline Flow Reversal. **CARRIED**

See Information Item (h)(ii) for the disposition of this item.

(iii) Councillor S. Merulla introduced the following Notice of Motion:

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

Whereas City Council on April 11, 2012 confirmed its support for Flamboro Downs Slots and Race Track as Council's number one priority and requested the Provincial Government to explore new formulas to keep operations such as Flamboro Downs Slots and Race Track sustainable to the benefit of our community;

And Whereas the Ontario Lottery and Gaming Corporation (OLGC) has identified Gaming Zones as geographic areas where regulated private-sector providers will be allowed to operate a single gaming facility, subject to approvals;

And Whereas the OLGC has identified Hamilton/Burlington as one of the 29 Gaming Zones;

And Whereas inside gaming zones, each operator will be allowed to establish a new facility, operate the current facility, or relocate existing facilities within the boundaries of the zone, subject to relevant approvals, including:

(i) OLG’s approval of business case;

(ii) Municipal approval from the host municipality for the establishment and operation of a gaming facility in that municipality;

And Whereas the citizens of the City of Hamilton should be afforded the opportunity to voice their say in this matter.
Therefore Be It Resolved:

That the Province be requested to put a moratorium on the selection process of a casino in the Hamilton/Burlington area pending the results of a question being placed on the 2014 Municipal Election Ballot in the City of Hamilton gauging public support.

(iv) Councillor J. Farr introduced the following Notice of Motion:

**Beasley Neighbourhood Gardens – Ward 2 Infrastructure Improvement Reserve**

Whereas in 2012 Council approved the Area Rating Capital Re-Investment Policy;

And Whereas each of the affected Wards has a total of $1.26 million for consideration in 2012;

And Whereas for 2012, through the Area Rating Capital Re-Investment Policy report, staff recommended that any projects being considered through the Special Capital Re-Investment be directed through formal reporting to General Issues Committee for consideration and approval;

And Whereas the guidelines with respect to the process and the nature of investments identified that the Special Capital Re-Investment may be targeted at infrastructure and/or one-time funding of a principally-capital nature to address the infrastructure deficit/shortfall within affected Wards, in addition to funding of a one-time nature, which may include funding that is committed, in an effort to leverage similar funding from outside organizations or senior levels of government;

And Whereas the Beasley Neighbourhood Gardens are expected to require a total investment of about $28,000, and currently has financial support from a number of funding sources/donators.

Therefore Be It Resolved:

That the following commitments be funded through the Ward 2 Infrastructure Improvement Reserve Account No. 108052:

(a) $10,000 toward the capital costs of the Beasley Neighbourhood Gardens;
(b) Up to $6,500 for improvements to the Beasley Skateboard Park;
(c) Up to $3,000 for fencing/gates for the protection of residents;
(d) Up to $6,000 for fencing for residents affected during the demolition of 245 Catharine Street North.
(Farr/Powers)
That the rules of order be waived in order to allow for the introduction of a motion respecting Beasley Neighbourhood Gardens – Ward 2 Infrastructure Improvement Reserve.

See Item 23 for the disposition of this item.

(j) OTHER BUSINESS

(i) Outstanding Business List (Item 11.1)

(Powers/Pearson)
(a) That the revised due dates for the following items on the Outstanding Business List be approved:

Public Works

(i) Item B: Waterdown Aldershot East-West Transportation Corridor – Noise and Lighting Mitigation  
Due Date: September 19, 2012  
Revised Due Date: December 5, 2012

(ii) Item C: HWDSB Surplus Land at 161 Meadowlands Blvd.  
Due Date: August 13, 2012  
Revised Due Date: Q1 2013  
CARRIED

(Pearson/Bratina)
(b) That the following items be removed from the Outstanding Business List:

2012 Budget

Methods of Payment of Municipal Taxes (FCS12054) (City Wide)  
(Outstanding Business List – 2012 Budget Deliberations)  
CARRIED

(k) PRIVATE & CONFIDENTIAL

12.1 Minutes of Closed Session Meetings – June 25, 2012

(Pearson/Partridge)
(a) That the Minutes of the Closed Session Meeting of the General Issues Committee held on June 25, 2012 be approved;

(b) That these Minutes remain confidential and restricted from public disclosure in accordance with the exemptions provided in the Municipal Freedom of Information and Protection of Privacy Act.  
CARRIED
(Pearson/Powers)

That the Committee, move into closed session at 11:40 a.m. pursuant to subsections 8.1(c), (e) and (f) of the City’s Procedural By-law and Sections 239.2(c), (e) and (f) of the Municipal Act as the subject matters pertain to:

(d) personal matters about an identifiable individual, including municipal or local board employees respecting the Tourism and Culture Division, Planning and Economic Development Department; and

(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: Litigation – Development Charges By-law Appeals; and Litigation – St. Mary’s Cement – NAFTA Claims.

CARRIED

The Committee reconvened in Open Session at 12:28 p.m.

(i) Tourism and Culture Division, Planning and Economic Development Department (Item 12.2)

No action to report.

(ii) Litigation – Development Charges By-law Appeals (LS12019) (Item 12.3)

See Item 24 for the disposition of this item.

(iii) Litigation – St. Mary’s Cement – NAFTA Claims (LS12020) (Item 12.4)

See Item 25 for the disposition of this item.

(I) ADJOURNMENT

There being no further business, the Committee adjourned at 12:30 p.m.

Respectfully submitted

Councillor L. Ferguson
Deputy Mayor

Carolyn Biggs
Legislative Co-ordinator
July 9, 2012