CITY COUNCIL
MINUTES

Wednesday, September 13, 2006
7:00 p.m.
Council Chambers
Hamilton City Hall
71 Main Street West
Hamilton, Ontario

Present:   Mayor L. DiIanni
Councillors, D. Braden, B. Bratina, P. Bruckler, C. Collins,
T. Jackson, B. Kelly, M. McCarthy, B. McHattie, D. Mitchell,
S. Merulla, B. Morelli, M. Pearson, A. Samson, T. Whitehead

Absent with regrets:  Councillor M. Ferguson – Illness

Mayor Dilanni called upon Reverend Robert Matton of the Binbrook-Blackheath Pastoral Charge of the United Church of Canada, to lead the Council in prayer.

APPROVAL OF THE AGENDA

The Clerk advised of the following changes to the agenda:

(a) ADDED COMMUNICATIONS

5.14 Correspondence from Nicolette Horne, MHBC Regional and Urban Planning and Resource Development respecting Item 19 of Planning and Economic Development Committee Report 06-015 – Kirkwall Rural Settlement Area Boundary

Recommendation:  Be received

5.15 Correspondence from Michael Bryan respecting Item 20 of the Planning and Economic Development Committee report addressing GRIDS

Recommendation:  Be received
(b) **ADDED MOTIONS**

7.6 Remedial Work for properties known as 0000 Locke Street North and 00000 Crooks Street North

7.7 Establishment of a committee to explore the removal of buses from the Gore Park Area and potential pedestrianization of the area

7.8 Incorporation of Lands along Twenty Road in the required five-year review of the Official Plan and Master Plans

(c) **ADDED PRIVATE and CONFIDENTIAL ITEM**

Added Private and Confidential Matters respecting a litigation matter and a property matter

(Whitehead/McHattie)

That the Agenda for the City Council meeting being held on September 13, 2006, as amended, be approved. **CARRIED**

<table>
<thead>
<tr>
<th>DECLARATIONS OF INTEREST</th>
</tr>
</thead>
<tbody>
<tr>
<td>None</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>CEREMONIAL ACTIVITIES/ANNOUNCEMENTS</th>
</tr>
</thead>
</table>

Mayor DiIanni requested a moment of silence to recognize the death of Private Mark Graham, 1st Battalion of the Royal Canadian Regiment. He is the first soldier from Hamilton to die for his country since the Korean War.

Mayor DiIanni announced the passing of Carolyn Carter a Registered Practical Nurse who worked in Macassa Lodge since 1979 and was tragically killed in a car accident.

He also announced the passing of Enrico Mancinelli who was the Canadian Director of the Labourers' International Union of North America.

The following presentations were made by Mayor DiIanni:

3.1 **Award to Steelcare**

Mayor DiIanni invited Demetrius Tsafaridis and Bob Edwards of Steelcare to join him at the podium and acknowledged that their company was awarded the first LEED Gold Rating for an industrial facility in the country. This award is
presented for buildings which achieve reduced environmental impacts and lower operating costs.

3.2 2005 Heritage Community Recognition Awards

Mayor Dilanni invited Diane Dent and Stewart Leslie to join him at the podium and he presented them, on behalf of The Honourable Lincoln Alexander, Chairman of the Ontario Heritage Trust with an Ontario Heritage Trust recognition Certificate of Achievement Pin for their significant contributions to heritage preservation. Diane Dent addressed Council

3.3 “KaBoom Initiative” Award

Mayor Dilanni invited Don Gray and Betty Burgie to join him at the podium and presented them with the KaBoom Initiative award for a playground structure built in one day by the Oriole Crescent and Martha Street community of local citizens who rallied together in partnership with The Home Depot/KaBoom and CityHousing Hamilton.

3.4 Presentation by the Hamilton and District Labour Council

Mayor Dilanni invited Donald Fraser, President and Tom Atterton, Secretary of the Hamilton and District Labour Council to join him at the podium and presented them with a certificate commemorating the 50th anniversary of the District Labour Council’s chartering.

Mr. Fraser and Mr. Atterton presented Members of Council with a memento in honour of the District Labour Council’s 50th anniversary of its chartering.

APPROVAL OF MINUTES

(Collins/Morelli)
That the Minutes of the City Council Meeting held on August 9, 2006, be approved as presented.  
CARRIED

COMMUNICATIONS

(Bratina/Braden)
That Council Communications 5.1 to 5.15 be approved, as amended, as follows:

5.1 Correspondence from Geoffrey Dean, Chief of Staff, Office of the Minister for Sport respecting the establishment of a national sport and recreation infrastructure program for Canada

Recommendation: Be received
5.2 Correspondence from the Honourable George Smitherman, Minister of Health and Long-Term Care respecting the provision of $18,305,626 and a one-time grant of $65,000 for mandatory and related public health programs and services in Hamilton

Recommendation: Be received

5.3 Correspondence from Rose Janson respecting Green Cart Plan

Recommendation: Be received

5.4 Correspondence from the Honourable Gordon J. O'Connor, Minister of National Defence respecting the City’s letter to the Prime Minister requesting that a ship be named after the City of Hamilton

Recommendation: Be received

5.5 Correspondence from Premier Dalton McGuinty respecting the City’s request to amend the Ontario Works Act, 1997

Recommendation: Be received

5.6 Memorandum from the 911 Ontario Advisory Board respecting financial assistance to continue implementation and operation of 911 Emergency Number Systems in Ontario

Recommendation: Be received and referred to the General Managers of Finance and the Fire Chief for a joint report to the Corporate Administration Committee

5.7 Correspondence from the Honourable Jim Watson, Minister of Health Promotion respecting commitment of $109,035 to Healthy Living Hamilton for the period of January 1, 2006 to December 31, 2006

Recommendation: Be received

5.8 Correspondence from the Premier Dalton McGuinty respecting Ontario Municipal Water Association – water ownership

Recommendation: Be received

5.9 Correspondence from the City of Kingston requesting endorsement of a resolution addressing changes to the Municipal Act to permit licensing of multi-tenant housing

Recommendation: That Council petition the Provincial Government for changes to the Municipal Act to permit licensing of multi-tenant housing.
5.10 Correspondence from the City of Kingston requesting endorsement of a resolution addressing changes to the regulations under the Liquor Licence Act to curb the sale of large quantities of alcoholic beverages (eg. beer kegs) to persons other than those licensed to dispense alcohol.

Recommendation: That Council petition the Provincial Government for changes to the regulations under the Liquor License Act to curb the sale of large quantities of alcoholic beverages e.g. beer kegs to persons other than those licensed to dispense alcohol.

5.11 Correspondence from the Township of Loyalist respecting waste derived fuel in cement kilns.

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

5.12 Correspondence from the City of Guelph respecting impact on the Municipal Elections of individuals with unconfirmed citizenship.

Recommendation: That Council endorse the resolution respecting the impact on the Municipal Elections of individuals with unconfirmed citizenship.

5.13 Petition from Wade Perniac respecting sidewalk on Second Street North between King Street and Randall Avenue, Stoney Creek.

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

5.14 Correspondence from Nicolette Horne, MHBC, Regional and Urban Planning and Resource Development respecting Item 19 of the Planning and Economic Development Committee Report 06-015 – Kirkwall Rural Settlement Area.

Recommendation: Be received.

5.15 Correspondence from Michael Bryan respecting Item 20 of the Planning and Economic Development Committee report addressing GRIDS.

Recommendation: Be received.

CARRIED AS AMENDED

( idina/Bruckler)

That Council move into Committee of the Whole for consideration of the Standing Committee Reports. CARRIED
Item 19 Official Plan Amendments and New Official Plan - Rural Hamilton – Addendum Report, as directed by Committee on June 26, 2006 (PED06207(a)) (City Wide)

(Pearson/Mitchell)
That Item 19 respecting Official Plan Amendments and New Official Plan – Rural Hamilton Addendum Report be amended as follows:

(a) By adding the following as subsection (1) and (2) to the last subsection of this item noted as subsection (i) to read as follows:

(i) That approval be given to minor wording and Schedule changes for the Rural Hamilton Official Plan, as identified in Appendix “G” of Report PED06027(a):

(1) With respect to the Coreslab issue, that Appendix “G” to Report PED06207(a), Recommended Changes to Rural Hamilton Official Plan, b) Schedule/Map Changes, iii. Schedule D – Land Use designations (Volume 1), item 2, Highway 5 (Coreslab) be deleted in its entirety and be replaced with a new item 2, Highway 5 (Coreslab) as follows:

"To adjust the Urban Boundary to reflect Amendment No. 102 to the Flamborough Official Plan, as approved, which recognized these lands as within the Urban Boundary."

(2) With respect to Appendix G Text Changes, ii. Volume 3, item 2, Special Policy Area B be deleted in its entirety and be replaced with a new item 2, Special Policy Area B as follows.

"2.0 SPA B Future Urban Growth District
The lands identified as Special Policy Area B on Map A – Special Policy Areas, are generally bounded by Mud Street, Second Road and Hendershot Road on the east, Golf Club Road on the south, Trinity Church Road on the west and the existing urban boundary (west side of Centennial Parkway) on the north. Following a comprehensive growth management study known as GRIDS (Growth Related Integrated Development Strategy), Council has approved SPA B to be the preferred location of a future transit oriented urban community integrated with the existing land uses and servicing infrastructure of urban communities in the present Urban Area boundaries to the west and north."
2.1 The lands identified as SPA B are designated on Schedule D - Rural Land Use Designations, as Agriculture and Rural by this Plan and are subject to all relevant policies pertaining to agriculture and rural uses at this time. They shall not be construed to be within the Urban Area until such time as a comprehensive amendment has been developed by the City of Hamilton and approved to permit urban uses in part or all of such lands.

2.2 The City shall not accept nor approve a privately-initiated amendment to this Plan pertaining to SPA B prior to consideration of the municipally-initiated studies as set out below and the preparation and final approval of a municipally-initiated comprehensive amendment to permit urban uses in part or all of SPA B.

As part of the comprehensive amendment process, the City will complete background studies and conduct community planning and public consultation processes including the establishment of a Community Liaison Committee. The background studies and consultation processes shall assist in identifying the layout of future land uses, determining land supply and infrastructure requirements, and developing community growth management policies and designations. More specifically, the background studies shall include the following:

a) A comprehensive review and land budget analysis to determine the need for an urban boundary expansion which includes an assessment of occupied and vacant urban land, land use densities and intensification opportunities;

b) Environmental Impact Statements pertaining to the Natural Heritage System as required by applicable Official Plan and provincial policies;

c) Demonstrating that the public infrastructure which is planned or available will be suitable to service the future employment lands over the long term. This infrastructure shall include, but not be limited to, the provision of full municipal sanitary sewage and water supply and an appropriate transportation network;
d) Completion of a financing policy for urban services and other community infrastructure;

e) An assessment of agricultural capability which considers directing the urban growth district onto those lands which are not, or on lower priority lands, which are designated Agriculture;

f) Demonstrating that impacts from new or expanding urban areas on agricultural operations which are adjacent or close to the urban areas are mitigated to the extent feasible; and

g) Other studies and policies which the City deems necessary for the development of SPA B as a sustainable transit oriented urban community.

2.3 In addition to the above, the City shall also prepare a Secondary Plan concurrently with, or immediately following, the approval of the comprehensive amendment. Through this Secondary Plan, the following additional requirements will be required:

a) Sub-watershed plans and Secondary Plan policies/designations related to the protection and/or management of natural heritage features and functions, including management objectives for storm water infrastructure;

b) The designation of appropriate employment land uses and policies pertaining to the design and density of such uses;

c) Completion of the City Wide Water/Wastewater (Lake Based System) Master Plan, the City-wide Storm Water Master Plan and the City Wide Transportation Master Plan, That will produce a comprehensive infrastructure servicing strategy for proposed urban land uses in SPA B and adjacent urban communities as may be relevant;

d) Completion of Class Environmental Assessments for major urban servicing infrastructure deemed to be essential for commencement or completion of development of all or part of SPA B lands; and,

e) An urban development staging, phasing or implementation strategy in keeping with City-wide
Master Plan priorities and Secondary Plan objectives;

2.4 The City shall establish a comprehensive public participation process that will include a Community Liaison Committee comprised of landowners, public agencies and appointed City Councillors to oversee the development of the Secondary Plan referred to in Policy 2.3.

2.5 Coincident with the adoption of a comprehensive amendment the City will repeal SPA B in its entirety.”

(Amendment CARRIED)

(Merulla/Morelli)
That Subsection (f) of Item 19 of the Planning and Economic Development Committee Report 06-015 be referred back to the Planning and Economic Development Committee.

(Amendment CARRIED)

The Amended Motion CARRIED on the following votes:

<table>
<thead>
<tr>
<th>Yeas</th>
<th>Dilanni, Bratina, Bruckler, Collins, Jackson, Kelly, McCarthy, McHattie, Merulla, Mitchell, Morelli, Pearson, Samson and Whitehead</th>
</tr>
</thead>
<tbody>
<tr>
<td>Total</td>
<td>14</td>
</tr>
<tr>
<td>Nays</td>
<td>Braden</td>
</tr>
<tr>
<td>Total</td>
<td>1</td>
</tr>
<tr>
<td>Absent</td>
<td>Ferguson</td>
</tr>
</tbody>
</table>

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

CORPORATE ADMINISTRATION COMMITTEE REPORT 06-012

Item 7 City of Hamilton Service Inventory (CM06014) (City Wide) (Item 5.7)

This Item CARRIED on the following votes:

<table>
<thead>
<tr>
<th>Yeas</th>
<th>Dilanni, Braden Bratina, Bruckler, Jackson, Kelly, McCarthy, McHattie, Merulla, Mitchell, Morelli, Pearson, Samson and Whitehead</th>
</tr>
</thead>
<tbody>
<tr>
<td>Total</td>
<td>14</td>
</tr>
<tr>
<td>Nays</td>
<td>Collins</td>
</tr>
<tr>
<td>Total</td>
<td>1</td>
</tr>
<tr>
<td>Absent</td>
<td>Ferguson</td>
</tr>
</tbody>
</table>
Item 17  Benefits for Eligible Non-Union Employees Working Past Age 65 (HUR06013) (City Wide) (Item 12.1)

This Item CARRIED on the following votes:

Yeas:  Dilanni, Bratina, Bruckler, Collins, Jackson, Kelly, McCarthy, McHattie, Merulla, Mitchell, Morelli, Pearson, Samson and Whitehead
Total:  14
Nays:  Braden
Total:  1
Absent: Ferguson

(Samson/Whitehead)
That the TWELFTH Report of the Corporate Administration Committee be adopted and the information section received.  CARRIED

---

STRATEGIC PLANNING AND BUDGETS COMMITTEE REPORT 06-008

(Samson/Whitehead)
That the EIGHTH Report of the Strategic Planning and Budgets Committee be adopted and the information section received.  CARRIED

---

PUBLIC WORKS, INFRASTRUCTURE AND ENVIRONMENT COMMITTEE REPORT 06-012

Item 10  Integrated Water and Wastewater Master Plan for the Lake-Based Systems – Class Environmental Assessment (PW06121) (City Wide)

(Collins/Merulla)
That the Nash Neighbourhood drop shaft project listed on Appendix “A” to Report PW06121 which is referenced in subsection (d) of Item 10 of Public Works, Infrastructure and Environment Committee Report 06-012 be referred back to the Public Works, Infrastructure and Environment Committee.  CARRIED

---

Item 15  Environmental Bill of Rights Registry No. RA06E0008 – Province of Ontario Proposed Regulatory Amendments to Facilitate Waste Recycling, Use of Alternative Fuels and New and Emerging Waste Management Technologies (PW06122) (City Wide) (Item 8.6)

(Bruckler/Bratina)
That Item 15 of Public Works, Infrastructure and Environment Committee Report 06-012 respecting “Environmental Bill of Rights Registry No. RA06E0008 – Province of Ontario Proposed Regulatory Amendments to Facilitate Waste Recycling, Use of Alternative Fuels and New and Emerging Waste Management Technologies (PW06122) (City Wide)” be amended by adding the following as sub-section (f):
“(f) That with Municipal and Provincial waste diversion targets of 60 to 65%, that the Province of Ontario respectfully be requested to develop a program to offer incentives to industry to stimulate the research and manufacturing of new products from recycled materials.”

Amendment CARRIED
Motion as Amended CARRIED

(McCarthy/Merulla)
That the TWELFTH Report of the Public Works, Infrastructure and Environment Committee be adopted, as amended, and the information section received. CARRIED

SOCIAL SERVICES COMMITTEE REPORT 06-010

(Bratina/Bruckler)
That the TENTH Report of the Social Services Committee be adopted and the information section received. CARRIED

COMMUNITY SERVICES COMMITTEE REPORT 06-008

(Jackson/Kelly)
That the EIGHTH Report of the Community Services Committee be adopted and the information section received. CARRIED

CITY OF HAMILTON LICENSING COMMITTEE REPORT 06-007

(Merulla/Morelli)
That the SEVENTH Report of the City of Hamilton Licensing Committee be adopted and the information section received. CARRIED

MOTIONS

7.1(a) Motion to lift Item 13 of Public Works, Infrastructure and Environment Committee Report 05-007 from the table

(Pearson/Mitchell)
That Item 13 of Public Works, Infrastructure and Environment Committee Report 05-007 respecting Street Tree Removal Request – 49 Millen Road, tabled by Council on April 27, 2005, be lifted from the table.
13. **Street Tree Removal Request - 49 Millen Road (PW05044) - (Ward 10) (Item 9.5)**

That a request from the owner of a private residence at 49 Millen Road, (Ward 10), for the removal of seven trees located within the abutting municipal road allowance portion of their property be denied.

**CARRIED**

7.1(b) **Motion to delete Item 13 of the Public Works Infrastructure and Environment Committee Report 05-007.**

*(Pearson/Mitchell)*

That Item 13 of Public Works, Infrastructure and Environment Committee Report 05-007 respecting Street Tree Removal Request – 49 Millen Road, be deleted in its entirety as no further action is required.

**CARRIED**

7.2 **Soot Fall Out, Ward 4 – Residents’ Water Rebate**

*(Merulla/Morelli)*

That staff be directed to report back to the Corporate Administration Committee on a possible water rebate program for those residents affected by the soot fall out in Ward 4 in July/August, 2006.

**CARRIED**

7.3 **Student Housing Within Residential Neighbourhoods**

Councillor Whitehead indicated that he wished that Item 7.3 be a Notice of Motion – please refer to the Notice of Motion section.

7.4 **Traffic Calming Study Scenic Road between Goulding Avenue and Lavender Drive**

*(Whitehead/Merulla)*

(a) That the Traffic Engineering and Operations section be directed to initiate a traffic study on Scenic Road between Goulding Avenue and Lavender Drive, to examine traffic levels with the possibility of adding traffic calming measures or road expansion

(b) That the results of the traffic study be brought forward in the form of an information report to the Public Works, Infrastructure and Environment Committee

**CARRIED**
7.5 **Lister Block**

*Pearson/Mitchell*

That pursuant to a request from Mr. Alan Wells, the Provincial Mediator, for the Lister Block Working Group, that the time period for presentation of findings and recommendations with respect to Lister Block be made to City Council on September 27, 2006.

CARRIED

7.6 **Remedial Work for properties known as 0000 Locke Street North and 00000 Crooks Street North**

*McHattie/Merulla*

Whereas repairs may be carried out by the City in accordance with the City of Hamilton Site Alteration By-law 03-126 as amended, on properties known as 0000 Locke Street North (roll number 251801010550730), and 0000 Crooks Street North (roll number 251801010550720), which repairs may need to performed without delay to address a potential unsafe condition; and,

Whereas, the City of Hamilton Site Alteration Bylaw, Section 19, requires Council authorization should the cost to carry out remedial work on the property by the City, beyond an amount of $5,000, and;

Whereas, staff estimate the cost of the remedial work on this property will likely be below the $5,000 figure, and less than $10,000;

Therefore:

(a) That City Council hereby authorizes staff to conduct remedial work on the above properties in accordance with the Site Alteration Bylaw to an amount not exceeding $10,000.”

(b) That the appropriate by-law be enacted to provide for the higher repair cost limit for these properties.”

CARRIED

7.7 **Establishment of a committee to explore the removal of buses from the Gore Park Area and potential pedestrianization of the area**

*McHattie/Bratina*

That a committee be established consisting of (3) three members of Council, Councillors Bratina, McHattie and Collins and Mayor Dilanni, as Ex-Officio, and appropriate staff to explore the removal of buses from the Gore Park Area and the potential pedestrianization of this area.

CARRIED
7.8 Incorporation of Lands along Twenty Road in the required five-year review of the Official Plan and Master Plans

(Jackson/Mitchell)
Whereas by law, all municipal planning decision must comply with the Province’s Places to Grow Plan;
And whereas the Places to Grow plan caps the amount of land that may be added through a municipal urban boundary expansions to 20 years – GRIDS and the new Official Plan reflect these provincial requirements;
And whereas In May, 2005, Council approved the policy framework for the water and wastewater master plan;
And whereas included in this policy framework is the policy that “The City of Hamilton shall ensure that the design of water and wastewater infrastructure recognizes the potential for growth beyond the time horizon of the Official Plan” (i.e. 20 years)
And whereas the water and wastewater master plan identifies a new trunk sewer along Dickenson Road between Upper James and Nebo Road;
And whereas this new trunk sewer has been identified as being constructed in 2011;
And whereas in accordance with Council policy, the size of the future Dickenson Road trunk sewer will be designed to accommodate planned growth and future growth opportunities;
And whereas the Official Plan and the Master Plans are required to be reviewed by law every 5 years (i.e. in 2011 and every 5 years after);
And whereas as part of the Official Plan and Master Plan review, the City’s land budget and supply will be assessed, and, when warranted, additional growth areas will be identified to accommodate the City’s projected growth – in fact the rationale for the Official Plan Amendment for the Lower Stoney Creek area (SCUBE) was to ensure that the City maintained a 20 year supply of residential land);
And whereas given the constraints such as the Greenbelt and the Airport Noise Contours on where growth can occur in the City of Hamilton, then the logical area for examination and inclusion for future growth are the lands along Twenty Road
Therefore it is resolved that staff be directed to incorporate the lands along Twenty Road in the required five-year review of the Official Plan and Master Plans.

CARRIED

NOTICE OF MOTION

Councillor Whitehead presented the following Notice of Motion:
Student Housing Within Residential Neighbourhoods

Whereas, the Southam, Bonnington and Buchanan neighbourhoods in Ward 8 and the Ainslie Wood – Westdale neighbourhoods in Ward 1 have been under siege for several years with absentee landlords and delinquent tenants;

Whereas, in conjunction with other Ontario municipalities, we have been working for a number of years to determine a mechanism to regulate and license these student houses and unfortunately existing student lodging house by-laws have been challenged in the courts successfully;

Whereas, the residents in this area are frustrated and exhausted in dealing with the plethora of issues that they have experienced in the last number of years;

Therefore, be it resolved;

(a) That staff be directed to develop a strategy and report back to the Planning and Economic Development Committee on ways to address the proliferation of student housing within residential neighbourhoods

(b) That staff be directed to investigate and further report back on community referral organizations who refer clients to neighbourhoods with low-cost student housing

(c) That the Province of Ontario / AMO be forwarded a copy of this resolution.

STATEMENT BY MEMBERS

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

A moment of silence was held to recognize the victims of a recent shooting at Dawson College in Montreal.

PRIVATE AND CONFIDENTIAL

10.1 Matter respecting potential litigation – Verbal Report

10.2 Matter respecting labour negotiations – Verbal Report

10.3 Matter respecting litigation - Verbal Report

10.4 Real Estate issue – Verbal Report

(Jackson/Kelly)

That Council move In Camera to consider four matters respecting potential litigation, purchase of property and labour negotiations.  

CARRIED
(Pearson/Samson)  
That Council reconvene in Open Session.  

(Samson/Pearson)  
Whereas, City Council on November 24, 2004, in adopting Item 13 of Report 04-021 of the Planning and Economic Development Committee, approved the Real Estate Portfolio Management Strategy, and Consolidation of the Policy Procedures and Disposal By-law;

And Whereas, Section 4.3, “Acquisition” establishes criteria’s and principles surrounding acquisition of real property wherein property will only be acquired in support of municipal programs;

And Whereas, preliminary discussions had taken place to the acquisition of land municipally known as 150 King Street East, Dundas and, legally described as Lot 5 (Firstly and Secondly), Registrar’s Compiled Plan No. 1411 in the Town of Dundas (former), now in the City of Hamilton, more particularly described as Part 1 on Registered Reference Plan 62R-13710;

And Whereas, the Hamilton Conservation Authority has expressed an interest to the management of the subject property;

And Whereas, Council approval is therefore sought to direct the Real Estate Section of the Development and Real Estate Division of the Planning and Development Department to pursue negotiations with the owners of those lands municipally known as 150 King Street East, Dundas and, legally described as Lot 5 (Firstly and Secondly), Registrar’s Compiled Plan No. 1411 in the Town of Dundas (former), now in the City of Hamilton, more particularly described as Part 1 on Registered Reference Plan 62R-13710 for open space purposes;

And Whereas, before acquisition of any land, an appraisal of the subject’s fair market value must be obtained;

And Whereas, funding for the acquisition of the subject property will be funded through the Dundas Parkland Dedication Reserve Account 114050.

Now Therefore the Council of the City of Hamilton enacts as follows:

(a) That the Real Estate Section of the Development and Real Estate Division of the Planning and Development Department be authorized and directed to pursue negotiations with the owners of those lands municipally known as 150 King Street East, Dundas and, legally described as Lot 5 (Firstly and Secondly), Registrar’s Compiled Plan No. 1411 in the Town of Dundas (former), now in the City of Hamilton, more particularly described as Part 1 on Registered Reference Plan 62R-13710 for open space purposes;

(b) That one-half (1/2) the cost for the Appraisal Report shall be discounted from the purchase price upon successful negotiations;
(c) That funding for the acquisition of those lands as outlined in clause a) be funded from the Dundas Parkland Dedication Reserve Account 114050.

CARRIED

BY-LAWS

(Bratina/Bruckler)
That Bill Nos. 06-245 to 06-277 attached hereto be passed, that the corporate seal be affixed thereto and the By-laws be signed by the Mayor and the City Clerk, and numbered as 06-245 to 06-277:

06-245 245 To Amend By-law No. 01-215, To Regulate Traffic: Schedule 2 – Speed Limits

06-246 246 To Amend By-law No. 01-218, To Regulate On-Street Parking: Schedule 13 – No Stopping Zones

06-247 247 To Amend By-law No. 01-215, To Regulate Traffic: Schedule 2 – Speed Limits

06-248 248 To Amend By-law No. 01-215, To Regulate Traffic: Schedule 2 – Speed Limits

06-249 249 To Amend By-law No. 01-215, To Regulate Traffic: Schedule 5 – Stop Signs

06-250 250 To Amend By-law No. 01-215, To Regulate Traffic: Schedule 5 – Stop Signs

06-251 251 To Amend By-law No. 06-151, Respecting the Planting, Maintenance, and Preservation of Trees on or Affecting Public Property

06-252 252 To Impose a Watermain Rate Under the Municipal Act, 2001 upon Owners of Land Abutting Binbrook Road – Regional Road 56 to Approximately 800m Westerly

06-253 253 To Provide for Advance Voting and Reduced Voting Hours at Retirement Homes and Institutions for the 2006 Municipal Election

06-254 254 To Expropriate an Easement over certain lands in the City of Hamilton, Being Part of Lot 15, Concession 8, in the Geographic Township of Barton, Designated as Part 1 on Plan 62R-15255, Being Part of PIN 16912-0018(LT), Known Municipally as 1041 West 5th Street, Hamilton, for the purposes of sanitary sewer installations
06-255 255 To Expropriate an Easement over certain lands in the City of Hamilton, Being Part of Parcel 15-1, Section Barton 8(c), Being Part of Lot 15, Concession 8, in the Geographic Township of Barton, Designated as Part 3 on Plan 62R-15255. Subject to an Easement over Part 2 on Plan 62R-15255 as in Instrument LT356152, being Part of Pin 16912-0017(LT), Known Municipally as 1420 Upper James Street, Hamilton, for purposes of sanitary sewer installations.


06-258 258 Respecting Removal of Part Lot Control, Block 32, Registered Plan No. 62M-1047, Marz Homes (Clovervale).

06-259 259 Respecting Removal of Part Lot Control, Block 17, Registered Plan No. 62M-1030, Red Hill Vista Phase 2.

06-260 260 To Amend By-law No. 01-215, To Regulate Traffic: Schedule 2 – Speed Limits.


06-262 262 To Exempt the Property at 1510 Main Street West, in the City of Hamilton from Taxation for Municipal and School Purposes.

06-263 263 To Incorporate City Land Designated as Block 94 on Plan 62M-1035 into Great Oak Trail.

06-264 264 To Incorporate City Land Designated Part 2 on Plan 62R-10222 into Dynasty Avenue.

06-265 265 To Incorporate City Land Designated as Part 4 on Plan 62R-16832 into Lorenzo Drive.

06-266 266 To Incorporate City Land Designated as Parts 1 and 2 on Plan 62R-16591 into Rifle Range Road.
06-267 267 To Incorporate City Land Designated as Part 2 on Plan 62R-10269 into Fortissimo Drive

06-268 268 To Approve the Municipal Funding Agreement between the Association of Municipalities of Ontario and the City of Hamilton with Respect to Federal Public Transit Funding

06-269 269 To Amend Zoning By-law No. 6593 (Hamilton), Respecting the Rear Lands of 819 Rymal Road East, located at Part of Lot 7, Concession 8 (Geographic Township of Barton)

06-270 270 To Designate Land Located at 5 Brock Street North, Dundas, City of Hamilton as Property of Cultural Heritage Value

06-271 271 To Designated Land Located at 140 Erie Avenue, City of Hamilton as Property of Cultural Heritage Value

06-272 272 To Amend Zoning By-law No. 3692-92 (Stoney Creek), Respecting Lands Located at 11 Lakeside Drive

06-273 273 To Amend the Main Street West Esplanade Business Improvement Area By-law No. 90-197, as amended

06-274 274 To Amend Zoning By-law No. 6593 (Hamilton), Respecting Lands Located at 80 Springside Drive

06-275 275 To Amend Zoning By-law No. 3692-92 (Stoney Creek), Respecting Lands Located at 487 Glover Road

06-276 276 To Amend By-law No. 05-113, To Appoint a Chief Building Official, Deputies and Inspectors

06-277 277 To Confirm the Proceedings of City Council

The City Council meeting adjourned at 9:35 p.m.

Respectfully submitted,

Larry DiIanni
Mayor

Kevin C. Christenson
City Clerk
September 13, 2006