CITY COUNCIL
MINUTES
Wednesday, May 9, 2012
5:00 p.m.
Council Chambers
Hamilton City Hall
71 Main Street West

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

Absent with
Councillor S. Duvall – City Business

Regrets:
Councillor B. Johnson – Vacation
Councillor J. Partridge – City Business

Mayor Bratina called the meeting to order and introduced Maria Taormina. Mrs. Taormina spent her career working as an assistant librarian at the Hamilton Public Library, and then as a Catholic elementary school teacher and teacher librarian. Mayor Bratina asked Mrs. Taormina to lead Council in prayer.

APPROVAL OF THE AGENDA

The Clerk advised of the following changes to the agenda:

1. ADDED COMMUNICATIONS

5.11 Correspondence from OCHU/CUPE respecting Registered Practical Nurses Day

Recommendation: Be Received

5.12 Correspondence from John Levie, ASI Group, respecting Proposed Amendment to MOE Certificate of Approval, Waste Transfer & Material Recovery Centre CountryWide Recycling Inc. 900 Nebo Road Hamilton ON

Recommendation: Be Received
2. **ADDED NOTICES OF MOTION**

8.1 Consent to Tradeport International Corporation to permit the holding and staging of the 2012 Air Show at Hamilton International Airport

8.2 Canada (Attorney General) v. Bedford, 2012 ONCA 186

3. **ADDED BILLS**

Added Bills:
- 107 Removal of Part Lot Control, Block 74, Registered Plan No. 62M-1078, 310 Fall Fair Way

(Pasuta/Pearson)

That the Agenda for the City Council meeting being held on May 9, 2012, be approved, as amended.

CARRIED

<table>
<thead>
<tr>
<th>DECLARATIONS OF INTEREST</th>
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<tr>
<td>None</td>
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<tr>
<th>CEREMONIAL ACTIVITIES/ANNOUNCEMENTS</th>
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<tr>
<td>3.1 <strong>High School Business Heroes Competition – DeGroote School of Business at McMaster University</strong></td>
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Mayor Bratina welcomed Brodie Caverhill and Gabriel Cicchi from the DeGroote School of Business at McMaster University to the Council floor to present certificates to top three teams from the High School Business Heroes Competition. Team “Infinity” comprising of Julia Dinh, Abraham Lin, and Anam Vohra of Westmount Secondary, placed first in the competition. Team "JS Consulting" comprised of, Sarah Fulton and Jassin Kelly from Hillfield Strathallan College placed second, and Team "Flare", comprised of Mobeen Malik and Faizan Malik of Orchard Park Secondary School for placed Third. The Mayor congratulated the teams for their achievement and wished them continued success.

3.2 **Certificate Presentation - Driven to Quit Challenge**

Mayor Bratina recognized the achievement of Amy Ladoucer for winning the Driven to Quit Challenge and the support of her “buddy” Agata Mancini. The Mayor welcomed staff members Heidi McGuire, and Dr. Richardson to the Council floor to discuss the Driven to Quit Challenge and speak to the achievements of Ms. Ladoucer.
APPROVAL OF MINUTES

4.1 April 25, 2012

(Pearson/Pasuta)
That the Minutes of the April 25, 2012, meeting of Council, be approved, as presented.

CARRIED

COMMUNICATIONS

(Collins/Merulla)
That Council Communications 5.1 through 5.12 be approved, as amended, as follows:

5.1 Correspondence from The Town of Niagara-On-The-Lake respecting support for the City of Kingston’s resolution regarding provincial payment-in-Lieu of taxes

Recommendation: Be supported.

5.2 Correspondence from Oxford County respecting Support for the Resolution regarding future landfill construction or approval

Recommendation: Be referred to the General Manager of Public Works, for a report back to the Public Works Committee.

5.3 Correspondence from Dan Thompson, President, Canadian Tire Jumpstart Charities regarding proclaiming May 26 as “Jumpstart Day”.

Recommendation: Be received.

5.4 Correspondence from David Adames, President and CEO, the Hamilton Chamber of Commerce regarding Refreshment Vehicle Licensing.

Recommendation: Be received and referred to the Planning Committee for discussion

5.5 Correspondence from the Ministry of the Environment respecting Preparing for Implementation of Part IV of the Clean Water Act

Recommendation: Be received.

5.6 Correspondence from the Township of Wainfleet respecting Setback Distance and Indemnification for Wind Turbines

Recommendation: Be received.
5.7 Correspondence from the Ontario Hockey Association respecting Ice Costs Based on Player Residency

Recommendation: Be received and referred to the General Manager of Community Services for a report to the Emergency and Community Services Committee.

5.8 Correspondence from Barbara and Ronald Bayne respecting item 5 of Planning Report 12-007

Recommendation: Be received.

5.9 Correspondence from Barbara Hall, Chief Commissioner of the Ontario Human Rights Commission, respecting a request for Ontario Human Rights Code Day/Week Proclamation

Recommendation: Be received.

5.10 Correspondence from the Voice of Women, respecting Federal Government Military Budget and Municipal Services

Recommendation: Be received.

5.11 Correspondence from OCHU/CUPE respecting Registered Practical Nurses Day

Recommendation: Be received.

5.12 Correspondence from John Levie, ASI Group, respecting Proposed Amendment to MOE Certificate of Approval, Waste Transfer & Material Recovery Centre CountryWide Recycling Inc. 900 Nebo Road Hamilton ON

Recommendation: Be Received

Motion as amended CARRIED

(Clark/Pearson)
That Council move into Committee of the Whole for consideration of the Committee Reports.

CARRIED

PLANNING COMMITTEE REPORT 12-007

(Farr/Morelli)
That item (h)(i) be lifted from the information section of Planning Report 12-007 and added as a new item 8, to read as follows:
8. **Gorilla Cheese verses Gallagher’s Melt Down**

That a 24-person increase to what is a 36-person occupancy, for a three hour period (5:00 p.m. to 8:00 p.m.), May 18th, 2012 be permitted on a patio at Gallagher’s in order to allow for the Gorilla Cheese verses Gallagher’s Melt Down event (proceeds to Hamilton Food Share) pending approval from the AGCO.

CARRIED

8. **Gorilla Cheese verses Gallagher’s Melt Down**

*(Farr/Morelli)*

That a 24-person increase to what is a 36-person occupancy, for a three hour period (5:00 p.m. to 8:00 p.m.), May 18th, 2012 be permitted on a patio at Gallagher’s in order to allow for the Gorilla Cheese verses Gallagher’s Melt Down event (proceeds to Hamilton Food Share) pending approval from the AGCO.

CARRIED

*(Clark/Pearson)*

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

CARRIED

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**GENERAL ISSUES COMMITTEE REPORT 12-011**

*(Bratina/Pasuta)*

That item 1(c) of General Issues Committee Report 12-011, be amended by deleting the words, “of Report CM11013c”, following the words, “That KPMG LLP be retained to facilitate the negotiations with the proponents outlined in Recommendation a)” to read as follows:

(c) That KPMG LLP be retained to facilitate the negotiations with the proponents outlined in Recommendation a) based on the fee schedule contained in their Terms of Reference (attached hereto as Appendix “A”), and funded through the HECFI Reserves;

Amendment CARRIED  
Motion as amended CARRIED

*(Bratina/Pasuta)*

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

CARRIED
GENERAL ISSUES COMMITTEE REPORT 12-012

(Morelli/Jackson)
That Item 11 of the General Issues Committee be amended by receiving Item 11(a)(i) and (b), and refer Item 11(a)(ii) to the Planning Committee for discussion.

CARRIED

(Bratina/Pasuta)
That the TWELFTH Report of the General Issues Committee, be adopted, as amended and the information section received. (Attached hereto)

CARRIED

PUBLIC WORKS COMMITTEE REPORT 12-006

5. Standardization of Radio Communications, Next Stop Announcement and Automated Vehicle Location Equipment 2012 - 2014 (PW12033) (City Wide) (Item 8.1)

That the Transit Bus Radio Communications, Next Stop Announcement and Automated Vehicle Location system parts be standardized to the existing Motorola and Mentor Engineering parts supplied by Glentel Inc. in accordance with Purchasing Policy 14 - Policy for Standardization for the period of 2012 through 2014, in conjunction with the existing maintenance contract.

The motion CARRIED on the following recorded vote:


Total: 11

Nays: L. Ferguson, R. Pasuta

Total: 2

Absent: S. Duvall, B. Johnson, J. Partridge

Total: 3

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

CARRIED
BOARD OF HEALTH REPORT 12-004

(Bratina/Pasuta)
That the FOURTH Report of the Board of Health, be adopted, and the information section received. (Attached hereto)

CARRIED

(Clark/Pearson)
That the Committee of the Whole Rise and Report.

CARRIED

MOTIONS

7.1 Consent to Tradeport International Corporation to permit the holding and staging of the 2012 Air Show at Hamilton International Airport

(Ferguson/Pearson)
(a) That the City grant its consent to the Licence, provided that Tradeport International Corporation, Hamilton International Airport Limited and/or The Canadian Warplane Heritage Museum supply insurance in favour of the City, satisfactory to the City;

(b) That the General Manager of Planning and Economic Development be authorized to execute any necessary documents in connection with the resolution in Subsection (a), in a form satisfactory to the City Solicitor.

CARRIED

NOTICES OF MOTION

Councillor Ferguson introduced the following notice of motion:

8.1 Consent to Tradeport International Corporation to permit the holding and staging of the 2012 Air Show at Hamilton International Airport

Whereas by a lease dated July 19, 1996 (the "Lease"), the City of Hamilton, as landlord, leased to Tradeport International Corporation, as tenant, certain premises for the operation and management of the Hamilton International Airport (the "Airport");

And whereas Tradeport International Corporation, through its subsidiary Hamilton International Airport Limited, wishes to license the Airport to The Canadian Warplane Heritage Museum for the purposes of holding and staging an air show in June 2012 (the "Licence");

And whereas the Lease requires Tradeport International Corporation to obtain the consent of the City, as landlord, prior to entering into the Licence;
Therefore be it resolved:

(a) That the City grant its consent to the Licence, provided that Tradeport International Corporation, Hamilton International Airport Limited and/or The Canadian Warplane Heritage Museum supply insurance in favour of the City, satisfactory to the City;

(b) That the General Manager of Planning and Economic Development be authorized to execute any necessary documents in connection with the resolution in Subsection (a), in a form satisfactory to the City Solicitor.

(Powers/Ferguson)
That the Rules of Order be waived to allow for the introduction of a motion respecting Consent to Tradeport International Corporation to permit the holding and staging of the 2012 Air Show at Hamilton International Airport.

CARRIED

Councillor Merulla introduced the following notice of motion:

8.2 Canada (Attorney General) v. Bedford, 2012 ONCA 186

That the City of Hamilton supports the Federal Government’s appeal of the April 26, 2012 decision from Justices in Ontario’s Court of Appeal in Canada (Attorney General) v. Bedford, 2012 ONCA 186.

STATEMENT BY MEMBERS

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

PRIVATE AND CONFIDENTIAL

10.1 Closed Session Minutes – April 25, 2012

(Collins/Farr)
(a) That the Closed Session Minutes of the April 25, 2012 meeting of Council be approved, as presented;

(b) That the Closed Session Minutes of the April 25, 2012 meeting of Council, remain confidential and restricted from public disclosure.

CARRIED
BY-LAWS

(Collins/Merulla)
That Bills No. 12-104 to 12-108 be amended by adding the following Bill attached hereto, to read as follows:

<table>
<thead>
<tr>
<th>Bill No.</th>
<th>By-law No.</th>
<th>Description</th>
</tr>
</thead>
</table>
| 107      | 12-107     | Removal of Part Lot Control  
Block 74, Registered Plan No. 62M-1078  
310 Fall Fair Way |

Amendment CARRIED

(Collins/Merulla)
That Bills No. 12-104 to 12-108 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:

<table>
<thead>
<tr>
<th>Bill No.</th>
<th>By-law No.</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>104</td>
<td>12-104</td>
<td>To Amend Zoning By-law No. 464 (Glanbrook), Respecting the properties located at 2501, 2525 and 2537, Regional Road 56, Town of Binbrook</td>
</tr>
<tr>
<td>105</td>
<td>12-105</td>
<td>Being a By-law to Permanently Close an an Unassumed Portion of the Alley abutting 48 Woodbine Crescent, established by Registered Plan 200, City of Hamilton, designated as Part 1 on Plan 62R-18898</td>
</tr>
</tbody>
</table>
| 106      | 12-106     | To Amend By-law No. 01-218, as amended, Being a By-law To Regulate On-Street Parking  
Schedule 8 – No Parking Zones  
Schedule 9 – Alternate Side Parking  
Schedule 10 – Alternate Side Parking  
Schedule 12- Permit Parking Zones  
Schedule 14 – Wheelchair loading Zones |
| 107      | 12-107     | Removal of Part Lot Control  
Block 74, Registered Plan No. 62M-1078  
310 Fall Fair Way |
| 108      | 12-108     | To Confirm the Proceedings of Council |

Motion as amended CARRIED

(Pearson/Powers)
That there being no further business, the City Council meeting be adjourned at 6:50 p.m.

CARRIED
Respectfully submitted,

Mayor R. Bratina

R. Caterini
City Clerk
May 9, 2012
THE PLANNING COMMITTEE PRESENTS REPORT 12-006 AND RESPECTFULLY RECOMMENDS:

1. Information Package Respecting Sign By-Law Deliberations (PED05172(k)) (City Wide) (Item 5.1)

That Report PED05172(k), Information Package Respecting Sign By-Law Deliberations, be received.
2. Amendments to Telecommunication Tower and Antenna Protocol (PED09206(b)) (City Wide) (Item 5.2)

(a) That the amended City of Hamilton Telecommunication Tower and Antenna Protocol, attached as Appendix “A” to Report PED09206(b), be adopted;

(b) That the City Clerk forward a copy of the amended Protocol to Industry Canada and the Federation of Canadian Municipalities for information;

3. Community Mediation Services for Municipal Law Enforcement (PED11181(a)) (City Wide) (Item 5.3)

(a) That staff negotiate with Community Justice Initiatives for a 24-month pilot project to provide community mediation services for the Municipal Law Enforcement (MLE) Section;

(b) That staff report back to Planning Committee within three months with the full details, including the terms, conditions and costs of the proposed pilot project.

4. Hamilton Municipal Heritage Committee – Minutes 12-002 (Item 5.4)

That the Hamilton Municipal Heritage Committee Minutes 12-002, be received.

5. Proposed Official Plan Amendment and Zoning By-law Amendment Affecting Lands Located at 2555 Creekside Drive (Dundas) (PED12058) (Ward 13) (Item 6.2)

(a) That the Amended Official Plan Amendment Application OPA-09-055 by Alterra (Spencer Creek) Ltd., Owner be DENIED because the application is:

(i) Contrary to the intent of Amendment #9 of the former Town of Dundas Official Plan (proposed 389 units vis-à-vis 322 units over 5 sites);

(ii) Contrary to the agreed to intent of the defined zoning: Park and Recreation PR1/S-84 which would “limit the area of the clubhouse by requiring a minimum landscape area of 2,000 square metres for the side and rear yards as an outdoor amenity area”;
(b) That Legal staff be authorized to retain such consultants as they deem necessary to defend the City’s position if this matter is appealed to the Ontario Municipal Board;

(c) That the amount required to retain such consultants to defend the City’s position before the Ontario Municipal Board would be funded first through the 2012 budget, second through year-end corporate surpluses and lastly through the tax stabilization reserve.

6. Applications for Approval of an Official Plan Amendment and an Amendment to Hamilton Zoning By-law No. 6593 for Lands Known as 17 Ewen Road (Hamilton) (PED09103(b)) (Ward 1) (Item 8.1)

(a) That the Official Plan Amendment application (OPA-07-016) and Zoning By-law Amendment application (ZAC-07-062) by Auburn be DENIED for the reason that 17 Ewen Road is not an appropriate location for residential development;

(b) That Council recognizes that its decision denying Auburn’s OPA and ZBA applications will require changes to the designation for 17 Ewen Road in the Hamilton Urban Official Plan to remove residential uses and may also require additional changes to the Hamilton Urban Official Plan which is under appeal at the Ontario Municipal Board;

(c) That Planning and Legal staff be directed to report back to Planning Committee advising what changes to the Hamilton Urban Official Plan will need to be pursued at the OMB hearing of the Hamilton Urban Official Plan as a result of the denial of Auburn’s OPA and ZBA applications;

(d) That Legal staff be authorized to retain such consultants as they deem necessary to defend the City’s position if this matter is appealed to the Ontario Municipal Board;

(e) That the amount required to retain such consultants to defend the City’s position before the Ontario Municipal Board would be funded first through the 2012 budget, second through year-end corporate surpluses and lastly through the tax stabilization reserve.


8. Gorilla Cheese verses Gallagher's Melt Down

That a 24-person increase to what is a 36-person occupancy, for a three hour period (5:00 p.m. to 8:00 p.m.), May 18th, 2012 be permitted on a patio at Gallagher’s in order to allow for the Gorilla Cheese verses Gallagher’s Melt Down event (proceeds to Hamilton Food Share) pending approval from the AGCO.

FOR THE INFORMATION OF COUNCIL:

(a)  CHANGES TO THE AGENDA

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

DELEGATION REQUESTS

4.2 Delegation Request from Janice Brown, respecting the Durand Neighbourhood Association’s position with respect to the fire escape at 130 Herkimer St., Hamilton (for May 15, 2012)

4.3 Delegation Request from Jason Velenosi, respecting trap grease removal/pumping within the City of Hamilton (for May 15, 2012)

PUBLIC HEARINGS AND DELEGATIONS

New Item 6.1 Delegation from Renee Wetselaar, respecting Pocket Housing Business Plan by the Affordable Housing Flagship

6.2 Proposed Official Plan Amendment and Zoning By-law Amendment Affecting Lands Located at 2555 Creekside Drive (Dundas) (PED12058) (Ward 13)

Due to volume, public submissions are available online only

(i)  Added Public Submissions

(a) Correspondence from Kenneth Finkel
(b) Correspondence from Jo Streeter
(c) Correspondence from Peter and Cheryl Ennals
(d) Correspondence from Joanne Reid
(e) Correspondence from Dundas Community Council
(f) Correspondence from Charlotte Lavigne
(g) Correspondence from Roy and Patricia McKay
(h) Correspondence from Sheila Hamilton
(i) Correspondence from Carol Relf
(j) Correspondence from Judy Snider

(ii) Registered Public Speakers

(k) Brenda Khes
(l) Anita Finlayson
(m) Jim Boyd
(n) Larry Button
(o) Leo Laviolette
(p) Dr. Daniel Kollek
(q) Dr. Gord Cameron
(r) Allan Sharp
(s) Lyn Townsend
(t) Ross Cruikshank
(u) Jean Wilson
(v) Martin Hertzog
(w) Mary Maas
(x) Marilyn Bar-Or
(y) Peggy Findlay
(z) John Miltenbury
(aa) David Burrows
(bb) Constance Edwards
(cc) Christine Westerby
(dd) Ken Finkel
(ee) Marju Drynan
(ff) Nora Mishkel
(gg) Brian Walker
(hh) Fred Kennedy
(ii) Laura Mestelman
(jj) Suki Garson

DISCUSSION ITEMS

8.1 Applications for Approval of an Official Plan Amendment and an Amendment to Hamilton Zoning By-law No. 6593 for Lands Known as 17 Ewen Road (Hamilton) (PED09103(b)) (Ward 1)

PRIVATE & CONFIDENTIAL

12.3 Verbal Update - Applications for Approval of an Official Plan Amendment and an Amendment to Hamilton Zoning By-law No. 6593 for Lands Known as 17 Ewen Road (Hamilton) (PED09103(b)) (Ward 1)
The Agenda for the April 17, 2012 meeting of the Planning Committee was approved, as amended.

(b) DECLARATIONS OF INTEREST

None.

(c) APPROVAL OF MINUTES

(i) April 17, 2012

The Minutes of the April 17, 2012 Planning Committee meeting were approved.

(d) DELEGATION REQUESTS

(i) Delegation Request (for today’s meeting) from Brodie Caverhill and Gabriel Cicchi, respecting the DeGroote School of Business at McMaster University’s High School Business Heroes competition (Item 4.1)

The delegation request for today’s meeting from Brodie Caverhill and Gabriel Cicchi, respecting the DeGroote School of Business at McMaster University’s High School Business Heroes competition, was approved.

(ii) Delegation Request from Janice Brown, respecting the Durand Neighbourhood Association’s position with respect to the fire escape at 130 Herkimer St., Hamilton (for May 15, 2012) (Item 4.2)

The delegation request from Janice Brown, respecting the Durand Neighbourhood Association’s position with respect to the fire escape at 130 Herkimer St., Hamilton, was approved for a future meeting.

(iii) Delegation Request from Jason Velenosi, respecting trap grease removal/pumping within the City of Hamilton (for May 15, 2012) (Item 4.3)

The delegation request from Jason Velenosi, respecting trap grease removal/pumping within the City of Hamilton, was approved for a future meeting.
(e) CONSENT ITEMS

(i) Amendments to Telecommunication Tower and Antenna Protocol (PED09206(b)) (City Wide) (Item 5.2)

Item “Cell Phone Towers (Motion)” was identified as completed, and removed from the Planning Committee Outstanding Business List, as per Report PED09206(b).

For disposition on this Item, refer to item 2.

(ii) Community Mediation Services for Municipal Law Enforcement (PED11181(a)) (City Wide) (Item 5.3)

Ms. Snider’s letter was approved as part of the motion for item 6.2 (i)(j):

(i) Correspondence from Judy Snider

The correspondence from Judy Snider, respecting Community Mediation Services for Municipal Law Enforcement (PED11181(a)), was received.

For disposition on this Item, refer to item 3.

(f) PUBLIC HEARINGS AND DELEGATIONS

(i) Delegation from Renee Wetselaar, respecting Pocket Housing Business Plan by the Affordable Housing Flagship (Item 6.1)

Ms. Wetselaar, Social Planner - Social Planning and Research Council of Hamilton, Larry Huibers, Co-Chair - Affordable Housing Flagship, Executive Director - Housing Help Centre, and Conrad Zurini, Co-Chair - Affordable Housing Flagship, Broker - Remax Escarpment Realty, presented to Committee with the aid of a PowerPoint presentation. A copy of the presentation has been included in the public record.

The presentation from Renee Wetselaar, Larry Huibers and Conrad Zurini, respecting Pocket Housing Business Plan by the Affordable Housing Flagship, was received.

(a) The appropriate staff was requested to meet with the Pocket Housing group and their partners the Affordable Housing Flagship;

(b) Staff is to consult with the public on the Pocket Housing concept;
(c) Staff is to contemplate the legislative requirements as it relates to the pilot opportunities for Pocket Housing and report back to the Planning Committee.

(ii) Proposed Official Plan Amendment and Zoning By-law Amendment Affecting Lands Located at 2555 Creekside Drive (Dundas) (PED12058) (Ward 13) (Item 6.2)

Cam Thomas, Planner, provided an overview of the report with the aid of a PowerPoint presentation. A copy of the presentation has been included in the official record.

The staff presentation respecting Report PED12058, Proposed Official Plan Amendment and Zoning By-law Amendment Affecting Lands Located at 2555 Creekside Drive (Dundas), was received.

The applicant’s presentation was referred to after the public hearing.

(i) Added Public Submissions

The following items of correspondence respecting Report PED12058, Proposed Official Plan Amendment and Zoning By-law Amendment Affecting Lands Located at 2555 Creekside Drive (Dundas), were received:

(a) Correspondence from Kenneth Finkel
(b) Correspondence from Jo Streeter
(c) Correspondence from Peter and Cheryl Ennals
(d) Correspondence from Joanne Reid
(e) Correspondence from Dundas Community Council
(f) Correspondence from Charlotte Lavigne
(g) Correspondence from Roy and Patricia McKay
(h) Correspondence from Sheila Hamilton
(i) Correspondence from Carol Relf
(j) Correspondence from Judy Snider

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

(ii) Registered Public Speakers

(a) Brenda Khes – 200-29 Rebecca St., Hamilton, ON L8R 1B3

Ms. Khes, GSP Group, provided a planning overview of the site.

(b) Anita Finlayson – 706-1000 Creekside Dr., Dundas, ON L9H 7S6

Ms. Finlayson provided a short historical background of the site.

(c) Jim Boyd

Mr. Boyd provided an overview of the green space located at the site.

(d) Larry Button – 203-3000 Creekside Dr., Dundas, ON L9H 7S8

Mr. Button provided an overview of the Intensification and density.

(e) Leo Laviolette – 601-3000 Creekside Dr., Dundas, ON L9H 7S8

Mr. Laviolette provided an overview of the potential traffic, parking and congestion implications at the site.

(f) Ken Lawrence – 701-1000 Creekside Dr., Dundas, ON L9H 2S6

Mr. Lawrence provided an overview of concerns with privacy, wind effects and shading at the site.

(g) Dr. Daniel Kollek – 902-4000 Creekside Dr., Dundas, ON L9H 7S9

Dr. Kollek provided an overview of the health effects of removing sources of sunlight and wind effects provided by the green space at the site.
(h) Dr. Gord Cameron – 803-2000 Creekside Dr., Dundas, ON L9H 7S7

Dr. Cameron provided an overview of why green spaces make healthy communities.

(i) Allan Sharp – 501-1000 Creekside Dr., Dundas, ON L9H 7S6

Mr. Sharp provided an overview of why protecting the green space is of great concern to the community.

(j) Ross Cruikshank – 409-50 Hatt St., Dundas, ON L8H 0A1

Mr. Cruikshank provided an overview of the concerns with the use of the property at the site.

(k) Jean Wilson – 302-3000 Creekside Dr., Dundas, ON L9H7S8

Ms. Wilson expressed concerns over the proximity of the new building to the existing buildings.

(l) Martin Herzog - 602-3000 Creekside Dr., Dundas, ON L9H 7S8

Mr. Herzog expressed concerns over the proximity, privacy and view obstruction should the new building be constructed.

(m) Mary Maas - 803-3000 Creekside Dr., Dundas, ON L9H 7S8

Ms. Maas expressed concerns over the promise of green space and commented that the lot was zoned as a park. She also was concerned over the wind effects of the existing site and with the inclusion of the new building.

(n) Constance Edwards - 903-3000 Creekside Dr., Dundas, ON L9H 7S8

Ms. Edwards expressed concerns over the wind effect on pedestrians.

(o) Peggy Findlay - 303-2000 Creekside Dr., Dundas, ON L9H 7S7
Ms. Findlay expressed concerns over the sunlight and shadows in her unit.

(p) John Miltenburg - 901-3000 Creekside Dr., Dundas, ON L9H 7S8

Mr. Miltenburg expressed concerns over the state of shadows should the new building be constructed.

(q) Marilyn Bar-Or - 802-3000 Creekside Dr., Dundas, ON L9H 7S8

Ms. Bar-Or expressed concerns over the view changes and obstructions and the sunlight loss caused by shadows.

(r) Marju Drynan – 901-4000 Creekside Dr., Dundas, ON L9H 7S9

Ms. Drynan expressed concerns over the new density issues.

(s) Laura Mestelman - 306-1000 Creekside Dr., Dundas, ON L9H 7S8

Ms. Mestelman expressed concerns over the traffic patterns within the area as of current and should the new development be constructed.

(t) Nora Mishkel - 902-3000 Creekside Dr., Dundas, ON L9H 7S8

Ms. Mishkel expressed concerns over the green space and the stated uses when the existing buildings were sold.

(u) Christine Westerby - 702-3000 Creekside Dr., Dundas, ON L9H 7S8

Ms. Westerby expressed concern over losing the green space, plus paying the extra for the escarpment view.

(v) Dr. Ken Finkel - 502-3000 Creekside Dr., Dundas, ON L9H 7S8

Dr. Finkel expressed concerns over the construction of the new building and the loss of green space.
Mr. Burrows expressed concerns over the loss of green space.

A resident from Amica retirement home expressed concerns over the parking issues that may arise from the new development.

The public hearing respecting Report PED12058, Proposed Official Plan Amendment and Zoning By-law Amendment Affecting Lands Located at 2555 Creekside Drive (Dundas), was closed.

The public presentations respecting Report PED12058, Proposed Official Plan Amendment and Zoning By-law Amendment Affecting Lands Located at 2555 Creekside Drive (Dundas), was received.

Lyn Townsend, legal counsel on behalf of the applicant, provided her concerns over the accuracy and authenticity models and drawings presented during the public hearing portion of today’s meeting. Ms. Townsend also expressed that the current building is shorter than the existing buildings. She also indicated that the current zoning of the land and provided a history of the designation of the land and clarified the current zoning. Ms. Townsend also addressed the wind study and the parking issues.

Rob Cooper, President of Alterra, spoke to the marketing and advertisement aspects of the site. He replied to Councillors questions respecting the original artists rendering of the site plan. Mr. Cooper indicated that disclaimers, contracts and information in the sales office was made available to clarify to purchasers that the builders did not intend to develop block 11 as a club house or green space.

Allan Sharp was allowed to speak to the developers comments.

The motion CARRIED on a STANDING RECORDED vote, as follows:

Yeas: M. Pearson, B. Johnson, L. Ferguson, R. Pasuta, C. Collins and T. Whitehead
Mr. Sharp expressed his knowledge of the marketing and advertisement aspects and spoke to the community aspects and also the materials used by the public speakers at today’s meeting.

The presentation from Allan Sharp respecting Report PED12058, Proposed Official Plan Amendment and Zoning By-law Amendment Affecting Lands Located at 2555 Creekside Drive (Dundas), be received.

Report PED12058, Proposed Official Plan Amendment and Zoning By-law Amendment Affecting Lands Located at 2555 Creekside Drive (Dundas), was amended by replacing “Appendix D” with the “REVISED Appendix D”.

The main motion CARRIED on a STANDING RECORDED vote, as follows:

Total: 8
Absent: J. Partridge
Total: 1

For disposition on this Item, refer to item 5.

(g) DISCUSSION ITEMS

(i) Applications for Approval of an Official Plan Amendment and an Amendment to Hamilton Zoning By-law No. 6593 for Lands Known as 17 Ewen Road (Hamilton) (PED09103(b)) (Ward 1) (Item 8.1)

Report PED09103(b), Applications for Approval of an Official Plan Amendment and an Amendment to Hamilton Zoning By-law No. 6593 for Lands Known as 17 Ewen Road (Hamilton), was lifted from the table.

The agent respecting Report PED09103(b), Applications for Approval of an Official Plan Amendment and an Amendment to Hamilton Zoning By-law No. 6593 for Lands Known as 17 Ewen Road (Hamilton), was allowed to speak to the item today.
Chris Pidgeon, GSP Group Inc., and Barry Card, Solicitor, provided an overview of Auburn’s position on the development.

The agent’s presentation respecting Report PED09103(b), Applications for Approval of an Official Plan Amendment and an Amendment to Hamilton Zoning By-law No. 6593 for Lands Known as 17 Ewen Road (Hamilton), was received.

The staff recommendations, as follows, were defeated:

(a) That approval be given to Official Plan Amendment Application OPA-07-016, Auburn Developments Inc. (Jamie Crich), Owner, for Amendment No.____ to the City of Hamilton Official Plan for changes in designations on Schedule “A” - Land Use Concept of the City of Hamilton Official Plan from “Industrial” to “Residential”, and to remove the lands from Schedule “B” - Special Policy Area of the City of Hamilton Official Plan, and on Schedule “N1” Land Use Plan, of the Ainslie Wood Secondary Plan in the City of Hamilton Official Plan from “Industrial” to “High Density Residential”, to permit a 10 storey multiple residential building, intended for the purpose of student accommodations, on lands located at 17 Ewen Road (Hamilton), as shown on Appendix “A” to Report PED09103, on the following basis:

(i) That the draft Official Plan Amendment, attached as Appendix “B” to Report PED09103, be adopted by City Council;

(ii) That the proposed Official Plan Amendment is consistent with the Provincial Policy Statement and conforms to the Hamilton-Wentworth Official Plan.

(b) That approval be given to Zoning Application ZAC-07-062, Auburn Developments Inc. (Jamie Crich), Owner, for a change in zoning from the “J” (Light and Limited Heavy Industry, Etc.) District, Modified, to the “E-3”-“H” (High Density Multiple Residential - Holding) District, Modified, to permit the development of a 10 storey multiple residential building, on lands located at 17 Ewen Road, as shown on Appendix “A” to Report PED09103, on the following basis:

(i) That the draft By-law, attached as Appendix “C” to Report PED00103, which has been prepared in a form satisfactory to the City Solicitor, be enacted by City Council;
(ii) That the amending By-law apply the Holding provisions of Section 36(1) of the Planning Act, R.S.O. 1990 to the subject lands by introducing the Holding symbol ‘H’ as a suffix to the proposed Zoning District. The Holding provision will prohibit the development of the subject lands until such time as a Record of Site Condition (RSC), and approved Site Plan implementing the recommendations of the approved Noise Study, have been submitted, to the satisfaction of the City of Hamilton’s Director of Planning, including an acknowledgement of receipt of the RSC by the Ministry of Environment (MOE);

(iii) That the proposed change in zoning is in conformity with the Hamilton-Wentworth Official Plan, and will be in conformity with the Hamilton Official Plan upon approval of Official Plan Amendment No.____.

(c) That Section 3.b) of the Draft By-law, contained in Appendix “C” to Report PED09103, be deleted in its entirety and replaced with the following:

“That the owner shall implement the approved noise control measures through an approved Site Plan application that is satisfactory to the City of Hamilton in meeting the Ministry of the Environment’s recommended sound level limits, to the satisfaction of the City of Hamilton, Director of Planning.”

For disposition on this Item, refer to item 6.

(h) MOTIONS

(i) Gorilla Cheese verses Gallagher’s Melt Down

The following motion was deferred to Council:

“That a 24-person increase to what is a 36-person occupancy, for a three hour period (5:00 p.m. to 8:00 p.m.), May 18th, 2012 be permitted on a patio at Gallagher’s in order to allow for the Gorilla Cheese verses Gallagher’s Melt Down event (proceeds to Hamilton Food Share) pending approval from the AGCO.”

(i) NOTICE OF MOTION

Councillor Farr presented the following Notice of Motion:
(i) **Gorilla Cheese verses Gallagher's Melt Down**

That a 24-person increase to what is a 36-person occupancy, for a three hour period (5:00 p.m. to 8:00 p.m.), May 18\textsuperscript{th}, 2012 be permitted on a patio at Gallagher’s in order to allow for the Gorilla Cheese verses Gallagher’s Melt Down event (proceeds to Hamilton Food Share) pending approval from the AGCO.

The rules were waived in order to allow for the motion respecting Gorilla Cheese versus Gallagher’s Melt Down to be heard as a motion at today’s meeting.

(j) **GENERAL INFORMATION AND OTHER BUSINESS**

(i) **Outstanding Business List Amendments (Item 11.1)**

The following items were deleted from the Outstanding Business List:

(A) Item P: Mediation Services for Municipal Law Enforcement

(B) Item Q: Cell Phone Towers (Motion)

(k) **PRIVATE AND CONFIDENTIAL**

(i) **Closed Session Minutes – April 17, 2012 (Item 12.1)**

The Closed Session Minutes of the April 17, 2012 meeting of the Planning Committee were approved, as presented, and are to remain confidential and restricted from public disclosure.

The Planning Committee moved into Closed Session at 6:00 p.m.

At 6:00 p.m., Committee moved into Closed Session to consider the confidential item 12.2 pursuant to Section 8.1, Sub-sections (e) and (f) of the City’s Procedural By-law and Section 239, Sub-sections (e) and (f) of the Ontario Municipal Act, 2001, as amended, as the subject matter pertains to litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board; and, the receiving of advice that is subject to solicitor-client privilege including communications necessary for that purpose.

The Planning Committee reconvened in Open Session at 6:25 p.m.
(ii) **Update of Hamilton Rural Official Plan and Hamilton Urban Official Plan OMB Appeals (LS12011) (Item 12.2)**

For disposition on this Item, refer to item 7.

(I) **ADJOURNMENT**

There being no further business, the Planning Committee was adjourned at 6:30 p.m.

Respectfully submitted,

Councillor B. Clark
Chair, Planning Committee

Vanessa Robicheau
Legislative Coordinator
Office of the City Clerk
May 1, 2012
THE GENERAL ISSUES COMMITTEE PRESENTS REPORT 12-011 AND RESPECTFULLY RECOMMENDS:

1. **Independent External Audit Review of HECFI Operations – Phase II (RFP) (CM11013(c))**

   (a) That the City Manager, together with KPMG, be authorized and directed to enter into negotiations with Global Spectrum/Live Nation, SMG/Forum Equity, AEG/Katz Group, Carmen’s and Sonic Unyon, and negotiate and finalize one or more proposed Memorandum(s) of Understanding subject to further approval of the City, with one or more of the aforementioned groups that permits hybrid options and that achieves the objectives of Council with respect to the operations of the HECFI Facilities;

Council – May 9, 2012
(b) That the proposed Memorandum(s) of Understanding achieved in Recommendation (a) above, together with the details of the HECFI Business Plan as presented to their Board, be presented to the General Issues Committee for their consideration to provide staff with directions or recommend Council approval necessary for entering into the preferred Memorandum(s) of Understanding and providing for an operation agreement(s) between the City and the preferred group(s);

That item 1(c) of General Issues Committee Report 12-011, be amended by deleting the words, “of Report CM11013c”, following the words, “That KPMG LLP be retained to facilitate the negotiations with the proponents outlined in Recommendation a)” to read as follows:

(c) That KPMG LLP be retained to facilitate the negotiations with the proponents outlined in Recommendation a) based on the fee schedule contained in their Terms of Reference (attached hereto as Appendix “A”), and funded through the HECFI Reserves;

(d) That members of the General Issues Committee be directed to abstain from discussing the Request for Proposal process with any of the existing proponents.

(e) That staff continue to provide updates with respect to costs incurred with the RFP process.

FOR THE INFORMATION OF COUNCIL:

(a) CHANGES TO THE AGENDA (Item 1)

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

(b) DECLARATIONS OF INTEREST (Item 2)

None

(c) PRESENTATION

(i) Independent External Audit Review of HECFI Operations – Phase II (RFP) (CM11013(c))

Tony Tollis introduced the KPMG team, including John Rockx, Bruce Peever, Vince Raso and Lyle Hall, HLT Advisory Inc.

Mr. Tollis indicated that the KPMG presentation will outline the recommendations of the consultants and the steps to move forward.
The Committee was also advised that HECFI has a new Business Plan which was presented to their Board in February. HECFI’s Business Plan will also presented to the Committee.

Mr. Tollis advised that there will be three options for the Committee’s consideration i.e., contract management option; revised HECFI Business plan; status quo. This does not preclude the Committee from providing further direction to pursue other viable options.

John Rockx of KPMG provided a power point presentation to the Committee, outlining the history, reviewing the six proponents received and the conclusions with respect to the process. The intention is to narrow down the field to a number of parties that Committee and Council will ultimately approve, and decisions as to which parties will be approached to develop the Memorandum of Understanding as outlined in the recommendations.

Mr. Rockx recognized the attendance of representatives from the various proponents, including Global Spectrum, SMG/Forum Equity, Sonic Unyon and Carmen’s Group.

Councillor Clark expressed his concern that the report does not include a weighting matrix. Staff responded that some proponents were reluctant to deal with City staff directly because of confidentiality issues or because the City is subject to Freedom of Information, and in some cases, people were not coming forward; therefore, KPMG was hired by the City to do the analysis and RFP that is more to the private sector approach to attract the caliber of interest desired. KPMG was responsible to carry out whatever due diligence was necessary for them to make their recommendation to the City. In terms of how and their matrix, the City was not involved. John Rockx indicated that the weighting matrix included approximately 30 factors. At the request of the Committee, staff indicated that a copy of the weighting matrix will be distributed to them.

Councillor Clark asked about successor rights with respect to the privatization/transfer of businesses from one business to another. Lora Fontana responded that under the Ontario Labour Relations Act, the Collective Agreement in place at the time of the transfer must be honoured by the new owner/operator/employer until the expiration of the agreement, unless negotiated otherwise between the parties.

On a motion, the presentation from John Rockx, Associate Partner, KPMG, respecting the Independent External Review of HECFI Operations – Phase II (Request for Proposals), was received.
On a motion, Item 3.1 respecting Independent External Audit Review of HECFI Operations – Phase II (RFP) was put on the floor.

On a motion, sub-sections (a) and (b) of Report CM11013(c) respecting Independent External Audit Review of HECFI Operations – Phase II (RFP), were deleted in their entirety and replaced with the following in lieu thereof:

(a) That the City Manager, together with KPMG, be authorized and directed to enter into negotiations with Global Spectrum/Live Nation, SMG/Forum Equity, AEG/Katz Group, Carmen’s and Sonic Unyon, and negotiate and finalize one or more proposed Memorandum(s) of Understanding subject to further approval of the City, with one or more of the aforementioned groups that permits hybrid options and that achieves the objectives of Council with respect to the operations of the HECFI Facilities;

(b) That the proposed Memorandum(s) of Understanding achieved in Recommendation (a) above, together with the details of the HECFI Business Plan as presented to their Board, be presented to the General Issues Committee for their consideration to provide staff with directions or recommend Council approval necessary for entering into the preferred Memorandum(s) of Understanding and providing for an operation agreement(s) between the City and the preferred group(s).

The Amendment CARRIED.

On a motion, the following was added as sub-section (d):

(d) That members of the General Issues Committee be directed to abstain from discussing the Request for Proposal process with any of the existing proponents.

The Amendment CARRIED.

On a motion, the following was added as sub-section (e):

(e) That staff continue to provide updates with respect to costs incurred with the RFP process.

The Amendment CARRIED and the Main Motion, as further amended, CARRIED.
There being no further business, the Committee adjourned at 2:33 p.m.

Respectfully submitted

Councillor C. Collins
Deputy Mayor

Carolyn Biggs
Legislative Co-ordinator
April 25, 2012
THE GENERAL ISSUES COMMITTEE PRESENTS REPORT 12-012 AND RESPECTFULLY RECOMMENDS:

1. Hamilton Police Services Board Monthly Report (PSB 12-032) (Item 5.1)

   That Hamilton Police Services Board Monthly Report PSB 12-049 be received.

2. Dundas Business Improvement Area (B.I.A.) – Revised Board of Management (PED11032(a)) (Ward 13) (Item 5.3)

   That Lori Eisenberger be appointed to the Dundas B.I.A.’s Board of Management:

   Council – May 9, 2012
3. **Ministry of Transportation (MTO) Surplus Land – Located at 724 York Road, described as Lot 1, Plan 1058, former Town of Dundas, now City of Hamilton (PED12070) (Ward 13) (Item 5.4)**

   (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 Ministry of Transportation that the City of Hamilton has no interest in acquiring their land located at 724 York Road, in the former Town of Dundas, now City of Hamilton, as shown on Appendix “A”, attached to Report PED12070;

   (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 Ministry of Transportation of the City of Hamilton's requirements for development of the site as identified in Appendix "B", attached to Report PED12070.

4. **Revival of the Main Street West Esplanade Business Improvement Area (PED12071) (Ward 1) (Item 5.5)**

   (a) That the Main West Esplanade Business Improvement Area (BIA) be reinstated as an active Business Improvement Area (BIA) per the boundaries outlined in the location map, attached as Appendix “B” to Report PED12071.

   (b) That the following individuals be appointed to the Main West Esplanade BIA for the remainder of the 2010-2014 term of Council:

   Councillor Jason Farr
   Councillor Brian McHattie
   Steve Pocrinic
   Sam Samad
   Alex Bovkis
   Adam Law

   (c) That the 2012 Operating Budget for the Main West BIA (attached as Appendix “A” to Report PED12071) be approved in the amount of $17,482.76;

   (d) That the levy portion of the Operating Budget for the Main West Esplanade BIA in the amount of $7,800.00 be approved;

   (e) That the General Manager of Finance and Corporate Services be hereby authorized and directed to prepare the requisite By-law pursuant to Section 208, *The Municipal Act, 2001*, to levy the 2012 Budget as referenced in sub-section (d) above;

   Council – May 9, 2012
(f) That the following schedule of payments for 2012 be approved:

<table>
<thead>
<tr>
<th>Month</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>May</td>
<td>2,600.00</td>
</tr>
<tr>
<td>July</td>
<td>2,600.00</td>
</tr>
<tr>
<td>October</td>
<td>2,600.00</td>
</tr>
</tbody>
</table>

(g) That Finance Staff be directed to issue a cheque to the Main West Esplanade BIA for the funds that remain in the account that was created to hold the funds of the BIA when it was declared dormant.

5. **Dundas Business Improvement Area Proposed Budget and Schedule of Payment for 2012 (PED12072) (Ward 13) (Item 5.6)**

(a) That the 2012 Operating Budget for the Dundas B.I.A. (attached as Appendix “A” to Report PED12072) be approved in the amount of $150,600;

(b) That the levy portion of the Operating Budget for the Dundas B.I.A. in the amount of $110,000 be approved; and,

(c) That the General Manager of Finance and Corporate Services be hereby authorized and directed to prepare the requisite By-law pursuant to Section 208, *The Municipal Act, 2001*, to levy the 2012 Budget as referenced in sub-section (b) above;

(d) That the following schedule of payments for 2012 be approved:

<table>
<thead>
<tr>
<th>Month</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>May</td>
<td>$55,000.00</td>
</tr>
<tr>
<td>July</td>
<td>$27,500.00</td>
</tr>
<tr>
<td>October</td>
<td>$27,500.00</td>
</tr>
</tbody>
</table>

Note: Assessment appeals may be deducted from the levy payments.

6. **Declaration of Surplus Property and Sale of Land – 36 Lakeside Drive, Hamilton (PED12074) (Ward 11) (Item 5.7)**

(a) That the property municipally known as 36 Lakeside Drive, legally described as Part of Lots 5 and 6, Plan 428, and designated as Parts 1,2,3 and 4 on Plan 62R-17506, comprising an area of 282 square metres (3,035 square feet) on the north limit of Lakeside Drive west of Jones Road, identified as PIN 17437-0160(LT) and Roll No. 251800303006200, shown in Appendix “A” attached to Report PED12074, be declared surplus to the requirements of the City of Hamilton;
(b) That the Real Estate Section of the Economic Development Division of the Planning and Economic Development Department be authorized and directed to sell the subject lands at fair market value, in accordance with the “Procedural By-law for the Sale of Land, being By-law 04-299.

7. Robert Tremblay, Insurance Bureau of Canada, respecting insurance coverage due to flooding (Item 6.1)

(a) That the presentation by Robert Tremblay, Director of Research, Insurance Bureau of Canada, respecting insurance coverage due to flooding, be received;

(b) That representatives from the Insurance Bureau of Canada be requested to provide annual presentations and updates to the General Issues Committee, including progress on the development of the Municipal Risk Assessment Tool;

(c) That the IBC be requested to invite representatives from insurance companies that hold large numbers of homeowners’ policies in the City to attend the annual update meetings.

8. Strategic Municipal Investment in the Arts (AAC12-002) (City Wide) (Item 7.2)

(a) That Report AAC12-002 respecting Strategic Municipal Investment in the Arts, be received;

(b) That the Arts Advisory Commission, through its Arts Funding Task Force, be directed to undertake the following steps as outlined in Report AAC12-001, leading to the development of recommendations for the establishment of a strategic arts investment model for the City of Hamilton:

   (i) develop recommendations for the establishment of a strategic arts investment model that will be effective for Hamilton and informed by the research and analysis presented in Report AAC 12-001;

   (ii) Conduct consultation with both internal and external stakeholders, including a public consultation session with the arts community, to seek feedback on the Task Force’s analysis and recommendations.
9. Municipal Cultural Indicators and Performance Measures (PED12068) (City Wide) (Item 7.1)

(a) That the “Municipal Cultural Planning Indicators and Performance Measures Guidebook”, attached as Appendix A to Report PED12068, be received;

(b) That staff be directed to report back to the General Issues Committee on a “made in Hamilton” Cultural Report Card of performance measures and indicators, including multi-cultural and ethnic aspects of the community, as part of the Cultural Plan approval process in 2013.


(a) That the following optional property classes be continued for the 2012 taxation year:

- New Multi-Residential
- Parking Lot and Vacant Land
- Large Industrial

(b) That, based on the 2012 final approved tax operating budget, the following final tax ratios be established for the 2012 taxation year:

- Residential 1.0000
- Multi-Residential 2.7400
- New Multi-Residential 1.0000
- Commercial (residual) 1.9800
- Parking Lot & Vacant Land 1.9800
- Industrial (residual) 3.2465
- Large Industrial 3.8069
- Pipeline 1.7367
- Farm 0.1982
- Managed Forest 0.2500

(c) That the following tax reductions be continued for the 2012 taxation year:

- Excess land subclass (residual commercial) 30%
- Excess land subclass (residual industrial) 30%
- Vacant land subclass (residual industrial) 30%
- Excess land subclass (large industrial) 30%
- Farmland awaiting development (1st subclass) 25%
- Farmland awaiting development (2nd subclass) 0%
(d) That the existing property tax relief deferral program for low-income seniors and disabled persons be continued for the 2012 taxation year;

(e) That the existing 40% tax rebate for eligible charities and similar organizations be continued for the 2012 taxation year;

(f) That the existing 30% vacancy rebate for eligible commercial and industrial properties be continued for the 2012 taxation year;

(g) That the existing 100% tax rebate for Veteran’s Clubhouses and Legion Halls be continued for the 2012 taxation year;

(h) That the existing Senior’s (65+) Tax Rebate Program be continued, with the following criteria updated for the 2012 taxation year:

   (i) **Income threshold** *(150% of GIS couple)* increased to $32,472 ($31,464 in 2011);

   (ii) **Assessment cap** *(120% of city-wide average for single family homes)* increased to $333,600 ($316,600 in 2011);

   (iii) **Rebate** increased by the CPI index to $170 ($165 in 2011);

(i) That, for the 2012 taxation year, the tax capping percentage for any assessment-related tax increases in the Commercial, Industrial and Multi-Residential property classes be set at the maximum allowable of 10%;

(j) That, for the 2012 taxation year, any capped property in the Commercial, Industrial and Multi-Residential property classes that is within $250 of its Current Value Assessment (CVA) taxes in 2012, be moved directly to its’ full Current Value Assessment (CVA) taxes;

(k) That, for the 2012 taxation year, the minimum percentage of Current Value Assessment (CVA) taxes for properties eligible for the new construction/new to class treatment be set at 100% of Current Value Assessment (CVA) taxes;

(l) That, for the 2012 taxation year, any property in the Commercial, Industrial and Multi-Residential property class which paid full Current Value Assessment (CVA) taxes in 2011, no longer be eligible for capping protection in 2012 and future years;

(m) That, for the 2012 taxation year, all properties eligible for a tax reduction under the existing capping program receive the full decrease, funded from the approved capping program operating budget;
(n) That, for the 2012 taxation year, the Area Rated Levies be approved as identified in Appendix A to report FCS12036 “2012 Tax Policies & Area Rating” attached hereto;

(o) That the Acting City Solicitor & Corporate Counsel be authorized and directed to prepare all necessary by-laws, for Council approval, for the purposes of establishing the tax policies and tax rates for the 2012 taxation year;

(p) That staff be directed to have consultation with the Seniors Advisory Committee with respect to the Seniors’ Tax Rebate program to provide feedback for the 2013 budget deliberations.

11. Report 12-003 of the Advisory Committee for Persons with Disabilities – April 10, 2012 (Item 8.4)

That Item 11 of the General Issues Committee be amended by receiving Item 11(a)(i) and (b), and refer Item 11(a)(ii) to the Planning Committee for discussion.

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

(i) That Planning, Zoning and Bylaw Enforcement staff be directed to work in co-ordination to design standardized accessible parking spots, for implementation into every parking lot within the City of Hamilton, whether private or public, to meet the Ministry of Transportation guidelines for accessible parking spaces and for enforcement.

(ii) That staff be directed to review by-law 01-220 and update it to include the enforcement of violations of accessible parking spots by Bylaw Enforcement staff and the Hamilton Police Service, including accessible parking spots on private property, without the current requirements for permission from the owners.

(b) Lynwood Charlton Centre - Radial Separation By-law

That staff be directed to report to the Advisory Committee of Persons with Disabilities respecting the Lynwood Charlton Centre and the Human Rights implications of the radial separation by-law.
12. **Settlement of Court Action No. 2306/03 – Personal Injury Claim – HECFI (LS12012) (City Wide) (Item 12.3)**

(a) That the City (HECFI) settle Court Action No. 2306/03 by payment of the amount of $395,000 from the Claims Reserve Account for all claims, including damages, Family Law Act claims, interest and costs;

(b) That Report LS12012 respecting Settlement of Court Action No. 2306/03 not be released as a public document as the information relates to pending litigation affecting the City.

13. **Purchase of Part of 669 Nebo Road – Part of Lot 14, Concession 1, Township of Glanford, now City of Hamilton, from Coco Paving Inc. (Principal – Jenny Coco) (PED12075) (Ward 11) (Item 12.4)**

That an exchange/purchase of lands between the City of Hamilton and Coco Paving Inc. be approved on the following basis:

(a) That City lands municipally known as 5726 and 5738 Twenty Road identified as Parcel “A” in Appendix “A” to PED12075, forming part of Lot 14, Concession 1 in the former Township of Glanford, having a total area of 0.50 ha (1.26 ac) form part of this proposed transaction with Coco Paving Inc.;

(b) That the Real Estate Section of the Economic Development Division be authorized and directed to offer Coco Paving Inc. the land described in Recommendation (a) as partial compensation for lands held by Coco Paving Inc. described as:

Part 1, Plan 62R-19284, being Part of Lot 14, Concession 1 in the former Township of Glanford (as shown on Appendix “B” to Report PED12075 attached) having an area of 2.225 ha (5.498 acres) and Part 10, Plan 62R-17987, being Part of Lot 14, Concession 1 in the former Township of Glanford (as shown on Appendix “B” to Report PED12075 attached) having an area of 684 square metres (0.169 ac), together comprising a total area of 2.29 ha (5.667 ac);

(c) That the Real Estate Section of the Economic Development Division be authorized and directed to compensate Coco Paving at the negotiated value per Appendix C for 1.78 ha (4.407 ac) required by the City for stream realignment;

(d) That the financial details of the acquisition, outlined in Appendix “C” attached to Report PED12075, remain confidential until final disposition by Council and the completion of the transaction;
(e) That as consideration, the amount of $2.00, payable to the owner pursuant to an agreement be deducted from the purchase price;

(f) That should HST be applicable and collected by the City, the HST amount shall be credited to Account No. 22835-009000 (HST Payable);

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

FOR THE INFORMATION OF COUNCIL:

(a) CHANGES TO THE AGENDA (Item 1)

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

ADDED PRESENTATION

(i) Item 8.2 – Strategic Municipal Investment in the Arts (AAC 12-002) (City Wide) (Added Item 7.2)

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

(b) DECLARATIONS OF INTEREST (Item 2)

None

(c) APPROVAL OF PREVIOUS MINUTES

On a motion, the April 18, 2012 Minutes of the General Issues Committee were approved, as presented.

(d) DELEGATION REQUESTS

On a motion, the delegation request from Chris McGuckin, Aggregate Forum of Ontario, respecting continuous improvement of aggregate industry practices, was approved.

(e) CONSENT ITEMS

(i) Minutes of Various Sub-Committees (For Information Purposes Only) (Item 5.2)

On a motion, the following Sub-Committee Minutes were received:

Council – May 9, 2012
(aa) Advisory Committee for Persons with Disabilities – March 13, 2012

(bb) Open for Business Sub-Committee – March 28, 2012

(cc) Joint City of Hamilton/Hamilton-Wentworth District School Board Task Force – April 5, 2012

(f) PUBLIC HEARING/DELEGATION

(i) Robert Tremblay, Insurance Bureau of Canada, respecting Insurance Coverage due to Flooding (Item 6.1)

Tony Tollis introduced Robert Tremblay, Director of Research, Insurance Bureau of Canada (IBC) who has been with the IBC for the past 14 years. As part of the adaptation to climate change file, Mr. Tremblay is leading IBC’s development of the Municipal Risk Assessment Tool (MRAT). Once completed, this innovative software package will contain current geological and hydrological data to assist municipalities and decision-makers to identify areas that are at risk for severe water damage.

Heather Mack, Director of Government Relations

Mr. Tremblay provided a power point presentation entitled, “Sewer Backflow Insurance Coverage: A Shared Concern”, and spoke to the following issues:

The Issue
- Size of recent events
- National claims trends
- Why is this a problem
- Infrastructure
- Shared concerns

MRAT Concept
- How can we predict infrastructure risk?
- Municipal Risk Assessment Management Tool (MRAT)
- What is MRAT?

Project Status
- Initiated project in 2009
- Project was delayed

Benefits for Municipalities
- Availability of Insurance
- Additional decision-making tool
- Updated rainfall climatic information
- Help prioritize infrastructure investment
- Build a case for infrastructure programs
Public Policy Implications/Issues
- Need for additional funding
- IBC part of FCM Infrastructure Forum
- IBC ready to support municipal requests

The power point presentation is available for viewing on the City of Hamilton website.

Mr. Tremblay further commented:

- IBC would be happy to facilitate a meeting with the City’s Public Works staff and insurance underwriters
- MRAT will be in place by 2013, which should increase availability for flood insurance

Ms. Heather Mack, Director of Government Relations at the IBC, and John McLennan, the City’s Risk Management and Insurance Coordinator, were in attendance to respond to questions of the Committee.

Staff advised that they will send out an e-mail to the Committee members with the IBC’s hotline number and the number for the Ombudsman, and will continue to work with the IBC in the development of the MRAT tool to get better pricing, coverage and knowledge of risks for current and future events.

Staff is currently conducting a water, sewer and storm rate review and will be bringing forward a report with options on what to do with pricing/ cost. $450 million of flood-related types of work and SERGE projects are in the 10-year capital plan. Staff will continue to communicate the message that as much work as possible is being done with the funds that are available.

Councillor Clark requested that the IBC provide their Mission Statement.

On a motion, the following were added as sub-sections (b) and (c):

(b) That representatives from the Insurance Bureau of Canada be requested to provide annual presentations and updates to the General Issues Committee, including progress on the development of the Municipal Risk Assessment Tool;

(c) That the IBC be requested to invite representatives from insurance companies that hold large numbers of homeowners’ policies in the City to attend the annual update meetings.

The Amendment CARRIED and the Main Motion, as amended, CARRIED.
(g) STAFF PRESENTATIONS

(i) Municipal Cultural Indicators and Performance Measures (PED12068) (City Wide) (Item 7.1)

Alice Sabourin, Senior Project Manager, provided a power point presentation respecting the cultural plan and cultural indicators.

The presentation addressed the following:

- Defining Culture – Cultural heritage, cultural workers, cultural industries, cultural organizations, natural heritage, festivals and events, stories and cultural spaces
- Transforming through Culture
- Measuring Culture’s Impact
- Benefits to City, Community, Cultural Sector
- Cultural Indicators
- Categories of Cultural Indicators
- Made in Hamilton Report Card

Anna Bradford, Acting Director of Tourism and Culture, and Patti Tombs, Manager of Cultural Initiatives, were in attendance to respond to questions of the Committee.

The presentation is available for viewing on the City of Hamilton website.

On a motion, the presentation respecting Municipal Cultural Indicators and Performance Measures, was received.

On a motion, sub-section (b) be amended by the inclusion of “multi-cultural and ethnic aspects of the community”, to read as follows:

“(b) That staff be directed to report back to the General Issues Committee on a “made in Hamilton” Cultural Report Card of performance measures and indicators, including multi-cultural and ethnic aspects of the community, as part of the Cultural Plan approval process in 2013.”

The Amendment CARRIED and the Main Motion, as amended, CARRIED.
(ii) Strategic Municipal Investment in the Arts (AAC12-002) (City Wide)  
(Added Item 7.2 (formerly 8.2))

Anna Bradford provided background information with respect to the Arts Advisory Committee, including its composition, and introduced the members from the Committee who would be providing the presentation, including Tricia LeClair, Co-Chair of the Arts Advisory Commission and Kristine Germann, Chair of the Arts Funding Task Force and Kelly Hill, Hill Strategies Research. Jennifer Kaye, Manager of Arts and Events, and Anna Bradford, Acting Director of Tourism and Culture, also attended to respond to questions of the Committee.

The presentation, entitled, “Strategic Municipal Investment in the Arts: A Report on Findings from the City of Hamilton Arts Advisory Commission’s Arts Funding Task Force” was distributed to the Committee and is available for viewing on the City’s website.

The presentation included:

- Why an Arts Funding Task Force?
- Work of the Arts Funding Task Force to date
- Funding Snapshot
- Gaps identified in City’s current approach to arts investment
- Strategic Funding Approach
- Benefits to the City and benefits to the community
- Summary of research into arts funding and non-financial supports

- City of Hamilton: Funding and non-financial supports
- Role and Structure of funding in select cities
- Comparison cities: per capita funding via arts and culture granting program(s)
- Situation of individual artists
- Survey findings: Individuals/organizations
- Request: (1) to develop a strategic arts investment model for Council’s consideration; and (2) to consult with the arts community to ensure that our proposed model meets community needs

Councillor Collins requested additional information with respect to the components that are included in the costs for the comparison cities for per capita funding via arts and culture granting program(s).

Councillor Collins requested staff to forward information on what is included in the costs for the comparison cities for per capita funding.

On a motion, the presentation respecting “Strategic Municipal Investment in the Arts”, was received.
DISCUSSION ITEMS

(i) 2012 Tax Policies and Area Rating (FCS12036) (City Wide) (2012 Budget Outstanding Business List Item) (Item 8.1)

On a motion, the following was added as sub-section (p) and the balance of the sub-sections re-numbered accordingly:

“(p) That staff be directed to have consultation with the Seniors Advisory Committee with respect to the Seniors’ Tax Rebate Program to provide feedback for the 2013 budget deliberations.”

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

(ii) Report 12-002 of the Accountability and Transparency Sub-Committee – March 29, 2012 (Item 8.3)

On a motion, Report 12-002 of the Accountability and Transparency Sub-Committee was referred back to the Sub-Committee for legal consultation and further discussion.

The Motion to Refer CARRIED on the following Standing Recorded Vote:

Yeas: McHattie, Collins, Jackson, Duvall, Whitehead, Partridge, Pasuta, Powers

Total Yeas: 8

Nays: Farr, Morelli, Merulla, Johnson, Clark

Total Nays: 5

Absent: Bratina, Ferguson, Pearson

Total Absent: 3

MOTIONS

None.

NOTICES OF MOTION

None.

OTHER BUSINESS

(i) Corporate Services Outstanding Business List

On a motion, the matter respecting Seniors’ Tax Rebate Program was identified as completed and removed from the 2012 Budget Outstanding Business List.

Council – May 9, 2012
12.1 Minutes of Closed Session Meetings – April 18, 2012

On a motion, the Minutes of the Closed Session Meeting of the General Issues Committee held on April 18, 2012 were approved. These Minutes will remain confidential and restricted from public disclosure in accordance with the exemptions provided in the Municipal Freedom of Information and Protection of Privacy Act.

On a motion, the Committee moved into closed session pursuant to subsections 8.1(b), (c), (e) and (f) of the City’s Procedural By-law and Sections 239.2(b), (c), (e) and (f) of the Municipal Act as the subject matters pertain to:

(b) personal matters about an identifiable individual, including municipal or local board employees,

(c) a proposed or pending acquisition or disposition of land by the municipality or local board;

(e) litigation or potential litigation, including matters before an administrative tribunals, affecting the municipality or local board;

(f) advice that is subject to solicitor-client privilege, including communications necessary for that purpose.

respecting:

12.3 Settlement of Court Action No. 2306/03 – Personal Injury Claim – HECFI

12.4 Purchase of Part of 669 Nebo Road – Part of Lot 14, Concession 1, Township of Glanford, now City of Hamilton, from Coco Paving Inc. (Principal – Jenny Coco) (PED12075) (Ward 11)

The Committee reconvened in Open Session at 2:44 p.m.

12.3 Settlement of Court Action No. 2306/03 – Personal Injury Claim – HECFI

See Item 12 for the disposition of this item.

12.4 Purchase of Part of 669 Nebo Road – Part of Lot 14, Concession 1, Township of Glanford, now City of Hamilton, from Coco Paving Inc. (Principal – Jenny Coco) (PED12075) (Ward 11)

See Item 13 for the disposition of this item.
There being no further business, the Committee adjourned at 2:46 p.m.

Respectfully submitted

Councillor S. Duvall
Deputy Mayor

Carolyn Biggs
Legislative Co-ordinator
May 2, 2012
Public Works Committee  
REPORT 12-006  
9:30 a.m.  
Monday, May 7, 2012  
Council Chambers  
Hamilton City Hall  
71 Main Street West  

Present: Councillors B. McHattie (Chair), L. Ferguson (Vice-Chair)  
Councillors C. Collins, R. Pasuta, T. Jackson, S. Duvall,  
T. Whitehead  

Absent with  
Regrets:  
Councillor R. Powers – City Business  

Also Present:  
R. Rossini, General Manager Finance and Corporate Services  
J. Mater, Acting General Manager, Public Works  
B. Goodger, Operations & Waste Management  
P. Parker, Director of Support Services  
C. Murdoch, Director of Environmental Services  
G. Moore, Director of Engineering Services  
D. Hull, Director of Transit  
R. Norman, Acting Director, Environment and Sustainable  
Infrastructure  
C. Wildeman, Senior Project Manager, Transportation,  
Energy and Facilities  
A. Grozelle, Legislative Co-ordinator, City Clerk’s Office  

THE PUBLIC WORKS COMMITTEE PRESENTS REPORT 12-006 AND  
RESPECTFULLY RECOMMENDS:  

1. Pavement Cut Restorations (PW12036) (City Wide) (Item 5.3)  
   That Report PW12036 respecting, Pavement Cut Restorations, be received.  

2. Community Based Social Marketing Pilot Program (PW12040) (Wards 1, 2  
   and 8) (Item 5.4)  
   That Report PW12040 respecting, Community Based Social Marketing Pilot  
   Program, be received.  

Council – May 9, 2012
3. **Multi-Residential Waste Diversion Program Update (PW11096(a))(City Wide) (Item 7.1)**

(a) That Report PW11096(a) respecting Multi-Residential Waste Diversion Program Update, be received.

(b) That staff immediately utilize all available resources to work with multi-residential, superintendents and building owners to increase the participation and diversion rates in medium and poor performing buildings;

(c) That staff be directed to report back to the Public Works Committee in June 2012 with a plan of action to address the multi-residential sector waste rates and enforcement;

(d) That the Green Cart program be immediately implemented in all municipally owned and operated facilities.

4. **Quick Wins - Transit Passenger Information Technology at the MacNab Transit Terminal (PW11079(a)) (City Wide) (Item 8.3 & 7.2)**

(a) That the General Manager, Public Works, be authorized and directed to issue a Purchase Order to Trapeze Software Inc. for the necessary equipment and software for the Real Time Transit Passenger Information Technology at the MacNab Transit Terminal and arrange for the installation of the equipment described in Report PW11079(a) to an upset limit of $565,000, including taxes and contingencies, to be charged to the Metrolinx Quick Wins Reserve #108047, Project id 5300855100;

(b) That the General Manager of Public Works be authorized and directed to execute all negotiated Agreements for the Transit Passenger Information Technology equipment and software with Trapeze Software Inc. in a form acceptable to the City Solicitor;

(c) That the General Manager, Public Works, be authorized to provide a copy of Report PW11079(a) to the Metrolinx CEO and Chair of the Metrolinx Board for their information.

5. **Standardization of Radio Communications, Next Stop Announcement and Automated Vehicle Location Equipment 2012 - 2014 (PW12033) (City Wide) (Item 8.1)**

That the Transit Bus Radio Communications, Next Stop Announcement and Automated Vehicle Location system parts be standardized to the existing Motorola and Mentor Engineering parts supplied by Glentel Inc. in accordance with Purchasing Policy 14 - Policy for Standardization for the period of 2012 through 2014, in conjunction with the existing maintenance contract.

_Council – May 9, 2012_
Public Works Committee - 3- Report 12-006

6. Forestry Building Renovations - 1301 Upper Ottawa Street (PW12037)(City Wide) (Item 8.2)

(a) That renovations to the Forestry operations building located at 1301 Upper Ottawa Street be approved;

(b) That staff be authorized to issue a Fixed Price - Request for Proposals for the renovations;

(c) That a new Project ID - Forestry Yard Renovations be created and that it be funded to a total project value of $2,100,000, firstly from the Forestry Divisions 2012 year end surplus, secondly from the Public Works 2012 year end surplus, and finally from the 2012 year end Corporate surplus and the Unallocated Tax Stabilization Reserve.

7. DARTS 2011 Deficit Funding (PW12039) (City Wide) (Item 8.4)

That the General Manager of Public Works be authorized to pay D.A.R.T.S. an additional $205,101.51 for services provided for the year 2011, over and above those funds approved under the 2011 Transit budget allocation.

8. Speed Hump Installation Beulah Avenue (Item 9.1)

(a) That a Speed Hump and associated signs (4) be installed mid-block on Beulah Avenue between Hillcrest Avenue and South Street;

(b) That funding, to an upset limit of $15,000, for the Speed Hump and associated signs be charged to Account # 55401-3301249201, Ward 1 Area derived funding.

9. Revised Terms of Reference Clean City Liaison Committee (Item 9.2)

That the revised Terms of Reference of the Clean City Liaison Committee, attached hereto as Appendix A to Report 12-006, be approved.

10. Installation of Stop Sign at John Street North and Wood Street (Item 10.2)

(a) That staff be directed to install a stop sign on John Street North at Wood Street;

(b) That the appropriate amending by-law be passed.

Council – May 9, 2012
FOR THE INFORMATION OF COUNCIL:

(a) CHANGES TO THE AGENDA (Item 1)

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

(i) That item 8.3 Report PW11079a respecting Quick Wins - Transit Passenger Information Technology at the MacNab Transit Terminal be moved to the Presentation Section of the Agenda to be heard as Item 7.2.

(ii) Added Notice of Motion Item 10.3 respecting Region of Halton Discussions for Processing of Source Separated Organics.

(iii) Added Notice of Motion 10.4 respecting Binbrook Capital Budget Reappropriation (Ward 11)

(iv) Added Notice of Motion 10.5 respecting Installation of Bicycle Racks/Storage at City Facilities

The May 7, 2012 Public Works Committee Agenda was approved, as amended.

(b) DECLARATIONS OF INTEREST (Item 2)

None

(c) MINUTES (Item 3)

The following Minutes of the Public Works Committee were approved as presented:

(i) April 2, 2012
(ii) April 16, 2012

(d) CONSENT ITEMS (Item 5)

(i) Hamilton Cycling Committee, Minutes (Item 5.1.1)

The following Minutes of the Hamilton Cycling Committee, were received:

(a) January 11, 2012
(b) February 1, 2012

(ii) Halton-Hamilton Source Protection Committee Minutes – January 24, 2012 (Item 5.2)

The Minutes of the January 24, 2012 Halton-Hamilton Source Protection Committee, were received.

Council – May 9, 2012
PRESENTATIONS (Item 7)

(i) Multi-Residential Waste Diversion Program Update (PW11096(a))(City Wide) (Item 7.1)

Pat Parker, Director of Support Services, addressed the committee with the aid of a PowerPoint presentation. A copy of the presentation has been included in the official record.

Pat Parker outlined the efforts and work done to date on the Multi-Residential Waste Diversion Program. She discussed the participation and capture rates as they apply to the multi-residential sector. She outlined the challenges in increasing participation rates such as, the need to go through property owners or building managers to communicate with residents and difficulties in monitoring.

Committee members discussed how the contamination rates impact the participation rates. Staff indicated that 18% of the organic waste is captured in the waste diversion; however the rest of the green cart materials are contaminated.

Committee members asked how many staff are dedicated to contacting and communication with the estimated 1000 plus multi-residential buildings in Hamilton. Staff indicated that currently there is one student who works on this along with the Customer Service Coordinators who assist when specific buildings have issues.

The staff presentation respecting the Multi-Residential Waste Diversion Program update, was received.

For disposition on this matter refer to Item 3.

(ii) Quick Wins - Transit Passenger Information Technology at the MacNab Transit Terminal (PW11079(a)) (City Wide) (Item 8.3 & 7.2)

Carol Wildeman Senior Project Manager, Transportation, Energy and Facilities Services, addressed the committee with the aid of a PowerPoint presentation. A copy of the presentation has been included in the official record.

Carol Wildeman discussed the Transit Passenger Information Technology and how it will make real time arrivals available at the McNab Terminal. She discussed how the technology will be expandable upon to build a wider notification system in Hamilton.
Committee members asked whether this system could be used for Go or Burlington buses. Ms. Wildeman indicated that currently this would depend upon Metrolinx implementing a similar notification technology across their system.

The staff presentation respecting Quick Wins - Transit Passenger Information Technology at the MacNab Transit Terminal, was received.

For disposition on this matter refer to Item 4.

(f) DISCUSSION ITEMS (Item 8)

(i) Standardization of Radio Communications, Next Stop Announcement and Automated Vehicle Location Equipment 2012 - 2014 (PW12033) (City Wide) (Item 8.1)

That the Transit Bus Radio Communications, Next Stop Announcement and Automated Vehicle Location system parts be standardized to the existing Motorola and Mentor Engineering parts supplied by Glentel Inc. in accordance with Purchasing Policy 14 - Policy for Standardization for the period of 2012 through 2014, in conjunction with the existing maintenance contract.

The Motion CARRIED on the following vote:

Total: 6
Nays: L. Ferguson, R. Pasuta
Total: 2
Absent: R. Powers
Total: 1

(ii) Forestry Building Renovations - 1301 Upper Ottawa Street (PW12037)(City Wide) (Item 8.2)

Sub-section (c) was deleted in its entirety and replaced with the following:

(c) That a new Project ID - Forestry Yard Renovations be created and that it be funded to a total project value of $2,100,000 firstly from the divisions 2012 year end surplus, secondly from the Public Works 2012 year end surplus and finally from the 2012 year end Corporate surplus or the Unallocated Tax Stabilization Reserve.

For disposition on this matter refer to Item 6.
(g) MOTIONS (ITEM 9)

(i) Region of Halton Discussions for Processing of Source Separated Organics (Added Item 10.3 & 9.1)

That the General Manager of Public Works, or his designate(s) be authorized and directed to enter into discussions with staff from the Region of Halton for the purpose of continued Source Separated Organics processing while maintaining capacity for the residents of the City of Hamilton and to report back to the Public Works Committee on the outcome and possible recommendations resulting from those discussions.

(h) NOTICES OF MOTION (Item 10)

Councillor McHattie introduced the following Notice of Motion

(i) Sale of Part of King Street as shown on Registered Plan No. 904, City of Hamilton, designated as Parts 1 & 2 on 62R-18937, being Part of PIN 17474-0412 (LT) to M. Mintz (Item 10.1)

Whereas the subject property, legally known as Part of King Street, Registered Plan No. 904, City of Hamilton, designated as Parts 1 & 2 on Plan 62R-18937, being Part of PIN 17474-0412 (LT), forms part of the King Street unopened road allowance and interest has been expressed by the adjoining owner, Mr. M. Mintz, to acquire said lands; and

Whereas a Road Closure Application had been initiated by the City of Hamilton in 2008 to formally stop up, close and sell the land designated as Parts 1 & 2 on Plan 62R-18937; and

Whereas the Real Estate Section of the Economic Development Division of the Planning and Economic Development Department had been in negotiations with Mr. M. Mintz as of August 2009 on the disposition of the land designated as Parts 1 & 2 on Plan 62R-18937 for an initially appraised market value of $115,000 determined through an internal in-house appraisal; and

Whereas the Real Estate Section of the Economic Development Division of the Planning and Economic Development Department in accordance with By-law 04-299, "Procedural By-law for the Sale of Land" updated the internal in-house appraisal to a date which is within one year of an intended sale. The estimated subject’s market value of the land as of April 2012 is now $185,000; and

Whereas, the market value of land and houses in the Ainslie Wood - Westdale area has artificially increased due to the widespread speculation in student housing, and the change in value identified by the City in this
case is related to the sale of three homes in the vicinity of this property, directly resulting in the increased value of the land; and

Whereas selling City land at significantly below market value to private interest is not in conformity to City policies unless such an arrangement is deemed by City Council to be in the best public interest; and

Whereas, Mr. Mintz has been maintaining the City property adjacent to his house for the past 40 years; and

Whereas Mr. M. Mintz, has requested the acquisition of Part of King Street as shown on Registered Plan No. 904, City of Hamilton, designated as Parts 1 & 2 on Plan 62R-18937, being Part of PIN 17474-0412 (LT) at the sale price of $115,000 pursuant to the City of Hamilton's original offer of August 2009 justified as Mr. M. Mintz has maintained and utilized the subject land for over 40 years; and

Whereas the Council of the City of Hamilton is empowered under Section 34 of the Municipal Act, 2001, S.O. 2001, c.25 as amended, to permanently close any highway or part of a highway.

Therefore be it Resolved:

(a) That the Real Estate Section of the Economic Development Division of the Planning and Economic Development Department be authorized and directed to dispose of Part of King Street as shown on Registered Plan No. 904, City of Hamilton, designated as Parts 1 & 2 on 62R-18937, being Part of PIN 17474-0412 (LT), on an as is, where is basis, to the adjoining owner, Mr. M. Mintz for $115,000, subject to:

(i) An Offer to Purchase (Highway Closure) for the sale of Part of King Street as shown on Registered Plan No. 904, City of Hamilton, designated as Parts 1 & 2 on 62R-18937, being Part of PIN 17474-0412 (LT), be executed to the satisfaction of the City Solicitor prior to the Road Closure application proceeding to Committee and Council for consideration; and

(ii) The Road Closure Application initiated by the City of Hamilton to formally stop up, close and sell the land designated as Parts 1 & 2 on Plan 62R-18937 receiving final approval.

(b) The General Manager, Public Works, be authorized and directed to bring forth the Road Closure Report for Committee and Council’s consideration upon execution of the Closure referred in a(i) above;

(c) That the City Solicitor be authorized and directed to complete the real estate transaction on the terms and conditions set out herein.
(d) That the Mayor and City Clerk be authorized and directed to execute all necessary documents in a form satisfactory to the City Solicitor.

Councillor Collins introduced the following Notice of Motion

(ii) Installation of Stop Sign at John Street North and Wood Street (Item 10.2)

(a) That staff be directed to install a stop sign on John Street North at Wood Street;

(b) That an appropriate amending by-law be passed.

On a Motion the rules of order were waived to allow a Motion respecting the Installation of Stop Sign at John Street North and Wood Street.

For disposition on this matter refer to Item 10.

Councillor Ferguson introduced the following Notice of Motion

(iii) Region of Halton Discussions for Processing of Source Separated Organics (Added Item 10.3)

Whereas, the City of Hamilton’s Central Composting Facility has been processing Source Separated Organics from the Region of Halton for the past four (4) years; and

Whereas, the City of Hamilton has been receiving revenue for the processing of Source Separate Organics from the Region of Halton; and

Whereas, the City of Hamilton Public Works Committee directed staff at its February 7, 2011 meeting to determine ways to manage capacity and keep revenues for composting Source Separated Organics at the Central Composting Facility; and

Whereas, Halton Regional Council at its meeting of April 18, 2012 accepted report PW-33-12 that recommended “That Council authorize staff to initiate discussions with the City of Hamilton for the processing of Source Separated Organic Waste at the City of Hamilton’s Centralized Composting Facility”;

Therefore be it Resolved, that the General Manager of Public Works, or his designate(s) be authorized and directed to enter into discussions with staff from the Region of Halton for the purpose of continued Source Separated Organics processing while maintaining capacity for the residents of the City of Hamilton and to report back to the Public Works
Committee on the outcome and possible recommendations resulting from those discussions.

On a Motion the rules of order were waived to allow the introduction of a Motion respecting Region of Halton Discussions for Processing of Source Separated Organics

For disposition on this matter refer to information Item (g)(i)

Councillor Duvall introduced the following Notice of Motion

(iv)  Binbrook Capital Budget Reappropriation (Ward 11) (Added Item 10.4)

Whereas, the original Glanbrook Sports Complex Master Plan (2006) identified a soccer field expansion to support the growing needs of the Glanbrook Youth Soccer and in recent years the potential for participation by the citywide Hamilton Sparta Soccer Club at the Glanbrook Sports Complex; and

Whereas, the Hamilton Sparta Soccer Club involvement has now been scaled back due to the Glanbrook Youth Soccer focusing on community soccer at the Glanbrook Sports Complex; and

Whereas, the original Glanbrook Sports Complex Master Plan (2006) recommended increasing the number of soccer fields, the recent data information related to the Community Services Department – Recreation Division's Outdoor Recreation Facilities & Sports Field Provision Plan (CS11064(a)), has determined, through consultation, that the proposed soccer field programming needs of the Glanbrook Sports Complex Master Plan of 2006 be reduced thereby allowing for current funding of the Glanbrook Sports Complex Park to be distributed elsewhere within the Glanbrook area

Therefore be it Resolved:

(a) That staff be directed to re-appropriate funding from the existing Project ID 4400656513 Glanbrook Sports Complex Park ($780,000) to the following new project “Fairgrounds Community Park” in the amount of $550,000 (including $25,000 towards associated operational costs) to fund enhanced active park/recreational opportunities which include; a community level spray pad, multi-purpose court and other amenities at Fairgrounds Community Park (Fall Fair Way and Binbrook Road);

(b) That the remaining $230,000 in funding, allotted to Project ID 4400656513 Glanbrook Sports Complex Park, be transferred to the Glanbrook Capital Reserve Account 108033;
(c) That staff be directed to report back to the Public Works Committee with recommendations for park development / redevelopment opportunities in the Mount Hope Area of Glanbrook (Ward 11).

Councillor McHattie introduced the following Notice of Motion

(v) Installation of Bicycle Racks/Storage at City Facilities (Added Item 10.5)

Whereas, the Shifting Gears Cycling Plan calls for bike racks and storage across Hamilton; and

Whereas, the City of Hamilton should show leadership by installing bike facilities at its own buildings.

Therefore, be it Resolved:

That bike racks and bike storage facilities (where needed) be installed at all City facilities and that these amenities be included in the plans for any City facility restoration projects and new building projects.

(i) ADJOURNMENT

There being no further business, the Public Works Committee adjourned at 11:36 p.m.

Respectfully submitted,

Councillor B. McHattie, Chair
Public Works Committee

Andy Grozelle
Legislative Co-ordinator
May 7, 2012
CLEAN CITY LIAISON COMMITTEE
TERMS OF REFERENCE

1 Introduction

1.1 Committee Name
Clean City Liaison Committee (CCLC)

1.2 Statement of Purpose
To engage individuals to take greater responsibility for improving our Hamilton community environments by providing education, assistance and promotion.

1.3 Committee Mandate
Reporting through the Public Works Committee, the Clean City Liaison Committee will provide input and advice to staff and Council on engaging citizens to take greater responsibility for improving our community environments. The CCLC’s primary focus is on effecting behaviours and attitudes conducive to a clean, healthy and safe community through leadership and action.

The committee will provide input and guidance to City staff, Council and other stakeholders on community involvement, private sector involvement and identification of resources to sustain Clean City programs and initiatives that aim to beautify our community, promote environmental stewardship and prevent litter, illegal dumping and graffiti.

1.4 Accountability
The CCLC is a Volunteer Advisory Committee that advises Council through the Public Works Committee. The Advisory Committee must comply with the Procedural By-laws, the Advisory Committee Handbook and operational policies and procedures.

2 CCLC Roles and Responsibilities

The role of the Clean City Liaison Committee is to encourage Hamilton residents, property owners and visitors to engage in neighbourhood/community initiatives that aim to beautify our community and prevent litter, illegal dumping and graffiti.

This volunteer committee will assist in connecting community volunteers with litter, illegal dumping, graffiti and beautification programs as well as promoting desired behaviours in the community that support the Clean City goals. The roles and responsibilities of the Clean City Liaison Committee include, but are not limited to, the following:
(a) Provide input and advice to Council, through reports to the Public Works Committee, and City staff on engaging citizens, property owners and visitors in litter, illegal dumping, graffiti and beautification programs.

(b) Demonstrate leadership in action through participation in events and activities.

(c) Assist with outreach and education opportunities related to litter, illegal dumping, graffiti and beautification programs.

(d) Review reports, studies and other documents on litter, illegal dumping, graffiti and beautification issues that may be presented to the CCLC by the City, consultants, community organizations or the general public, and to provide input and recommendations, through written Volunteer Committee reports regarding these issues through the Public Works Committee.

(e) Form subcommittees, from within the CCLC membership, to deal with specific issues as they arise.

(f) Examine and advise on issues brought forward by members of the community including businesses, residents, education sector, local organizations and special interest groups.

(g) Assist in identifying and facilitating resolution of community concerns regarding litter, illegal dumping, graffiti and beautification.

(h) Attend and actively participate in committee meetings.

3 Membership

The CCLC membership will reflect a broad range of socio-economic and environmental interests in the community, including residents, businesses, education and local organizations.

3.1 General

(a) Members must declare any conflict of interest issues prior to discussion or decision-making of any matter with which they believe they have an pecuniary interest;

(b) Members are asked to review all documents, agendas and minutes presented to them to make informed decisions; and

(c) Some activities of the CCLC may require additional time commitments dependent upon the nature of the project undertaken.
3.2 Composition

The composition of the Clean City Liaison Committee will include the following voting members:

The CCLC will have a total of up to 13 members, comprised of:

- Citizen members-at-large (four)
- Citizen members who own/have experience related to the Hamilton business community (two)
- Youth Representative(s) (up to two)
- Council representative(s) (up to two)
- HABIA representative (one)
- Education Representative (one from each of the Hamilton-Wentworth District School Board and the Hamilton-Wentworth Catholic District School Board)

Staff and Outside Resources, as required:

- CCLC Staff Liaison
- Hamilton Police Service representative
- Economic Development and Planning – Municipal Law Enforcement representative
- Public Works – Operations & Waste Management representative
- Corporate Services – Customer Service Section representative
- Other staff representatives, as required

Subcommittee membership can be expanded to include further community representation as deemed appropriate, upon approval of Council.

3.3 Attendance and Vacancies

If a member is absent for three (3) meetings in a calendar year without approval from the CCLC, the member may be subject to replacement.

New members will be appointed in accordance with the procedures of the Office of the City Clerk.

3.4 Term of Office

The term-of-office for CCLC members will expire to coincide with the term of Council or until such time as successors are appointed by Council.
BOARD OF HEALTH
REPORT 12-004
1:30 p.m.
Monday, May 7, 2012
Council Chambers
Hamilton City Hall

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

Absent with regrets: Councillor R. Powers – City Business
Councillor B. Johnson – City Business

Also Present: Dr. E. Richardson, Medical Officer of Health
Dr. C. Mackie, Associate Medical Officer of Health
Dr. N. Tran, Associate Medical Officer of Health
D. Barr-Elliott, Director; S. Brown, Healthy Living Division
R. Hall, Director; E. Mathews, Health Protection Branch
G. McArthur, Director; Clinical and Preventative Services
D. Sheehan, Director; Family Health Division
T. Bendo, Director; Planning and Business Improvement
C. Newman, Legislative Coordinator

THE BOARD OF HEALTH PRESENTS REPORT 12-004 AND RESPECTFULLY RECOMMENDS:

1. Neighbourhood Air Quality in Hamilton’s Industrial Core

   (a) That, staff bring forward the Terms of Reference, and Action Plan to the Board of Health, and a funding request be submitted to the Ministry of the Environment to assist with the costs of a pollution study;

   (b) That staff be directed to establish an Air Quality Task Force, which is to include key stakeholders to determine whether pollution in neighbourhoods near Hamilton’s industrial core is impacting human health, and report to the Board of Health.
2. Photovoice: Engaging Students In School/Neighbourhood Planning (BOH12007) (Wards 2, 3 and 4) (Item 7.1)

That Report BOH12007, respecting Photovoice: Engaging Students In School/Neighbourhood Planning, be received.

3. Options for Funding a Model Program for Nutritious Food (BOH12005/CS12015) (City Wide) (Item 8.1)

That Report BOH12005/CS12015, respecting Options for Funding a Model Program for Nutritious Food, be received.

4. Issues Response and Service Standards (BOH12006) (City Wide) (Item 8.2)

That Report BOH12006 respecting, Issues Response and Service Standards, be received.

5. Communication Policy Between Medical Officer of Health and Board of Health (PH06038(a)) (City Wide) (Item 8.3)

That the policy regarding communication between the Medical Officer of Health and the Board of Health, as described in Appendix A attached to Board of Health Report 12-004, be approved.

6. Water Fluoridation (Item 9.1)

(a) That Health Canada be requested to regulate the fluorosilicate hexafluorosilicic acid (H2SiF6) and sodium Silicofluoride (Na2SiF6), used as a treatment for dental cavities in drinking water, either as:

(i) A drug under the Food and Drug Act, or as

(ii) An additive and/or supplement through the Bureau of Chemical Safety;

(b) That all chemicals, especially fluorosilicates, added to drinking water for the purpose of treating dental decay undergo:

(i) New drug applications and be assigned drug numbers by Health Canada; and/or,

(ii) Assessment by the Bureau of Chemical Safety for inclusion in the
Food Additive Dictionary;

(c) That classification of fluorosilicates as a drugs and/or additives/supplements shall be based on at least one long term toxicology study to determine health effects in humans;

(d) That at least one properly conducted, appropriately controlled trial be used to provide effectiveness as the basis for a new drug classification, and/or inclusion in the Food Additive Dictionary;

(e) That staff contact Dr. Satish Deshpande, Team Leader, Water Standards Section, Ontario Ministry of the Environment, to request a copy of the NSF Standard 60 required toxicology studies of the product used for fluoridation in Hamilton, to ensure its safety at the maximum use level, including effects from any potential contaminants in the product;

(f) That the City of Hamilton make the above recommendations to Health Canada, to reassure the citizens of Hamilton that the use of fluorosilicates added to drinking water for the purpose of treating dental decay is safe and what the health effects are;

(g) That Health Canada support municipalities on this issue by undertaking peer reviewed studies on municipal jurisdictions who have recently removed fluoride from drinking water;

(h) That a copy of this resolution be sent to the Federal and Provincial Minister of Health, and Hamilton area MPs and MPPs;

(i) That Hamilton area MPs and MPPs be requested to follow up on this issue with the Minister of Health and report back to the Hamilton Board of Health with a response.

7. Oral Health Reports to the Board of Health (Item 9.2)

That the Medical Officer of Health and Public Health Services be directed to provide written “Oral Health” reports, beginning in 2013 and thereafter once per term of City Council or as required or requested by the Board of Health.

FOR THE INFORMATION OF COUNCIL:

(a) CHANGES TO THE AGENDA (Item 1)

The Clerk advise of the following changes to the agenda:
1. ADDED DELEGATION REQUEST
   
   (i) Craig Foye representing the Hamilton Community Legal Clinic respecting their support of a “Model Program for Nutritious Food” (Added as Item 4.5)
   
   (ii) Cindy Mayor to provide information to the Board of Health regarding the motion on water fluoridation on the May 7, 2012 Board of Health Agenda (Added as Item 4.6)

   The May 7, 2012 Board of Health agenda was approved, as amended.

(b) DECLARATIONS OF INTEREST

None

(c) MINUTES (Item 3)

(i) April 16, 2012 (Item 3.1)

   The minutes from the April 16, 2012 Board of Health meeting, were approved.

(d) DELEGATION REQUESTS (Item 4)

   (a) Delegation request 4.1 through to 4.6 were approved to speak at today’s meeting, as they are respecting a matter on today’s agenda;

   (b) The approved delegations were renumbered 8.1(i) through 8.1(vi) respectively.

   (i) Elizabeth McGuire, representing the Campaign for Adequate Welfare and Disability Benefits (CAWDB) respecting their support of a “Model Program for Nutritious Food” (Item 4.1)

   (ii) Marg Harris and Bill Medeiros, representing the Hamilton Organizing for Poverty Elimination (HOPE) formerly Hamilton 25 respecting their support of a “Model Program for Nutritious Food” (Item 4.2)

   (iii) Maureen Leyland, representing the Social Action Committee, Ontario, Association of Social Workers, Hamilton & District Branch respecting their support of a “Model Program for Nutritious Food” (Item 4.3)
(iv) Anne Newbigging, representing the Canadian Federation of University Women, Hamilton Chapter respecting their support of a “Model Program for Nutritious Food” (Item 4.4)

(v) Joanna Laranjo, representing the Registered Nurses Association of Ontario respecting a “Model Program for Nutritious Food” (Item 4.5)

(vi) Craig Foye, representing the Hamilton Community Legal Clinic respecting their support of a “Model Program for Nutritious Food” (Added as Item 4.6)

(vii) Cindy Mayor to provide information to the Board of Health regarding the motion on water fluoridation (Added as Item 4.7)

The approval of delegation request 4.7 was differed to section 9 of the Agenda, as the motion has to be moved and seconded before a delegate could speak to the item.

(e) PUBLIC HEARINGS/DELEGATIONS (Item 6)

(i) Lorna Moreau respecting health concerns related to neighbourhood air quality (Item 6.1)

Ms. Moreau spoke to her concerns related to neighbourhood air quality. Her comments included, but were not limited to, the following:

Ms. Moreau spoke to the air quality in the McAnulty neighbourhood, her focus was on the air pollutants emitted by industries located in Hamilton’s north end of the City. She suggested that the City undertake studies to investigate if pollution in Hamilton’s industrial core is influencing human health.

The delegation by Lorna Moreau respecting health concerns related to neighbourhood air quality, was received.

(f) PRESENTATIONS (Item 7)

(i) Photovoice: Engaging Students In School/Neighbourhood Planning (BOH12007) (Wards 2, 3 and 4) (Item 7.1)

Kelly Scott, of the Health Living Division, spoke to the Board respecting the Photovoice program. Ms. Scott introduced students Rhonda and Jane, from Holy Name of Jesus Catholic School to present their Photovoice presentation. Photovoice was designed to allow students to discuss and
identify issues in their communities.

The presentation respecting Photovoice: Engaging Students In School/Neighbourhood Planning, was received.

(g) DISCUSSION ITEMS (Item 8)

(i) Options for Funding a Model Program for Nutritious Food (BOH12005/CS12015) (City Wide) (Outstanding Business List Item) (Item 8.1)

Dr. Richardson gave an overview of Report. Her comments included, but were not limited to the following:

Dr. Richardson indicated that the Board requested staff to seek out alternative funding sources to implement a nutritious food program. Staff indicated that funding sources were not available at the provincial level. Staff also assessed ways to make such a program available to more individuals.

(a) Elizabeth McGuire, representing the Campaign for Adequate Welfare and Disability Benefits (CAWDB) respecting their support of a “Model Program for Nutritious Food”

Ms. McGuire spoke to the benefits of implementing a Model Program for Nutritious Food for single individuals receiving Ontario Works Benefits.

(b) Marg Harris and Bill Medeiros, representing the Hamilton Organizing for Poverty Elimination (HOPE) formerly Hamilton 25 respecting their support of a “Model Program for Nutritious Food”

Ms. Harris and Mr. Medeiros spoke to the importance of the proposed program on those single individuals who are receiving Ontario Works benefits.

(c) Maureen Leyland, representing the Social Action Committee, Ontario, Association of Social Workers, Hamilton & District Branch respecting their support of a “Model Program for Nutritious Food”

Ms. Leyland spoke to the benefits of implementing a Model Program for Nutritious Food for single individuals receiving Ontario Works Benefits.
(d) Anne Newbigging, representing the Canadian Federation of University Women, Hamilton Chapter respecting their support of a “Model Program for Nutritious Food”

Ms. Newbigging spoke to the benefits of implementing a Model Program for Nutritious Food for single individuals receiving Ontario Works Benefits.

(e) Joanna Laranjo, representing the Registered Nurses Association of Ontario respecting a “Model Program for Nutritious Food”

Ms. Laranjo spoke to the benefits of implementing a Model Program for Nutritious Food for single individuals receiving Ontario Works Benefits.

(f) Craig Foye, representing the Hamilton Community Legal Clinic respecting their support of a “Model Program for Nutritious Food”

Mr. Foye spoke to the benefits of implementing a Model Program for Nutritious Food for single individuals receiving Ontario Works Benefits.

The delegate presentations respecting Report BOH12005/CS12015), Options for Funding a Model Program for Nutritious Food, were received.

The following motion LOST on a standing recorded vote, as follows:

Yeas:   S. Duvall, J. Farr, S. Merulla, B. Morelli
Total:   4
Nays:  R. Bratina, B. Clark, C. Collins, L. Ferguson, T. Jackson,
        J. Partridge, M. Pearson, T. Whitehead
Total:   8
Absent:   B. Johnson, B. McHattie, R. Pasuta, R. Powers
Total:   4

(a) That a pilot program to give a $20.00 gift certificate to single individuals receiving Ontario Works Benefits, for Hamilton farmers markets, be approved for a five month term spanning from June 2012 until October 2012

(b) That Public Health Staff report back to the Board of Health upon the completion of the pilot program.
(h) MOTIONS (Item 9)

(i) Water Fluoridation (Item 9.1)

Councillor McHattie introduced the following motion.

Whereas the Supreme Court of Canada ruled in the City of Toronto that fluoride was being used as a drug in the water system;

Therefore be it resolved:

(a) That Health Canada be requested to regulate the fluorosilicate hexafluorosilicic acid (H2SiF6) and sodium Silicofluoride (Na2SiF6), used as a treatment for dental cavities in drinking water, either as:

(i) A drug under the Food and Drug Act, or as

(ii) An additive and/or supplement through the Bureau of Chemical Safety;

(b) That all chemicals, especially fluorosilicates, added to drinking water for the purpose of treating dental decay undergo:

(i) New drug applications and be assigned drug numbers by Health Canada; and/or,

(ii) Assessment by the Bureau of Chemical Safety for inclusion in the Food Additive Dictionary;

(c) That classification of fluorosilicates as a drugs and/or additives/supplements shall be based on at least one long term toxicology study to determine health effects in humans;

(d) That at least one properly conducted, appropriately controlled trial be used to provide effectiveness as the basis for a new drug classification, and/or inclusion in the Food Additive Dictionary;

(e) That staff contact Dr. Satish Deshpande, Team Leader, Water Standards Section, Ontario Ministry of the Environment, to request a copy of the NSF Standard 60 required toxicology studies of the product used for fluoridation in Hamilton, to ensure its safety at the maximum use level, including effects from any potential contaminants in the product;

(f) That the City of Hamilton make the above recommendations to Health Canada, to reassure the citizens of Hamilton that the use of
fluorosilicates added to drinking water for the purpose of treating dental decay is safe and what the health effects are;

(g) That Health Canada support municipalities on this issue by undertaking peer reviewed studies on municipal jurisdictions who have recently removed fluoride from drinking water;

(h) That a copy of this resolution be sent to the Federal and Provincial Minister of Health, and Hamilton area MPs and MPPs;

(i) That Hamilton area MPs and MPPs be requested to follow up on this issue with the Minister of Health and report back to the Hamilton Board of Health with a response.

9.1(a) Cindy Mayor to provide information to the Board of Health regarding the motion on water fluoridation on the May 7, 2012 Board of Health Agenda (Added as Item 4.6)

The delegation request by Cindy Mayor to provide information to the Board of Health regarding the motion on water fluoridation on the May 7, 2012 Board of Health Agenda, was approved.

Ms. Mayor spoke to the importance of the motion that was before the Board.

The delegation by Cindy Mayor regarding the motion on water fluoridation, was received.

(i) ADJOURNMENT (Item 13)

The Board of Health adjourned at 5:15 p.m.

Respectfully submitted,

Mayor R. Bratina
Chair, Board of Health

Christopher Newman
Legislative Coordinator
May 7, 2012