



**CITY COUNCIL
MINUTES 13-010
5:00 p.m.
Wednesday, May 8, 2013
Council Chambers
Hamilton City Hall
71 Main Street West**

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

**Absent with
Regrets:** Councillor– B. Johnson, vacation

Mayor Bratina called the meeting to order and called upon Dr. Peter Marshall, Pastor of Victory and Faith International Churches, to lead Council in prayer.

APPROVAL OF THE AGENDA

The Clerk advised of the following changes to the agenda:

1. ADDED CORRESPONDENCE

- 5.10 Correspondence from Steven A. Zakem, Aird & Berlis LLP, on behalf of DiCenzo Construction Company Limited, respecting Applications for Approval of a Zoning By-law Amendment, Draft Plan of Subdivision, Draft Plan of Condominium (Sonoma Homes Inc.), 1155 West 5th Street, Hamilton, ON

Recommendation: Be received.

- 5.11 Correspondence from John Paul Millar, of Millar, Alexander, on behalf of 1804487 Ontario Inc., respecting Applications for Rezoning, Plan of Subdivision, and Plan of Condominium, Sonoma Homes, 1155 West 5th Street, Hamilton Ontario

Recommendation: Be received.

3. ADDED NOTICES OF MOTION

- 8.2 Complaint to the Integrity Commissioner
- 8.3 Nomination for Election to Federation of Canadian Municipalities (FCM) Board of Directors

(Pearson/Partridge)

That the agenda for the May 8, 2013 meeting of Council be approved, as amended.

CARRIED

DECLARATIONS OF INTEREST

Mayor Bratina declared an interest with respect to Item 8.1 regarding a Complaint to the Integrity Commissioner as he is referenced in the motion.

CEREMONIAL ACTIVITIES/ANNOUNCEMENTS

None.

APPROVAL OF MINUTES

4.1 April 24, 2013

(Pearson/Pasuta)

That the Minutes of the April 24, 2013, meeting of Council be approved, as presented.

CARRIED

COMMUNICATIONS

(Whitehead/Duvall)

That Council Communications 5.1 through 5.11 be approved, as amended, as follows:

- 5.1 Petition from the Residents of Ofield Road North, Dundas respecting the Dangerous Conditions of Ofield Road North, Dundas, Ontario.

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

- 5.2 Correspondence from Mayor Bill Vrebosch, Municipality of East Ferris, respecting the Feed in Tariff Program council to support.

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

- 5.3 Correspondence from John Vesprini, respecting Poor Drainage on Lake Avenue Drive.

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

- 5.4 Correspondence from the Honourable Kathleen Wynne, Premier of Ontario, respecting the Canada-European Comprehensive Economic and Trade Agreement

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

- 5.5 Correspondence from the Municipality of Kincardine, respecting Off Road Vehicles on Highways

Recommendation: Be referred to the Agriculture and Rural Affairs Committee. **(Ferguson/Partridge)**

Item 5.5 CARRIED on the following votes:

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

- 5.6 Correspondence from Kurt Mungal, Manager of Events and Communications, respecting a Proclamation Request for “Freezie Fun Day” on June 14th

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

- 5.7 Correspondence from Debbie White, Founding Board Member, World Oceans Day Canada, respecting a Proclamation Request for “World Oceans Week”, June 1st to 8th

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

- 5.8 Correspondence from Rod Phillips, President and CEO of the Ontario Lottery and Gaming Corporation, respecting a Proposed Gaming Facility

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

- 5.9 Correspondence from Kathy Baker, respecting her Resignation from the Hamilton Library Board

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

- 5.10 Correspondence from Steven A. Zakem, Aird & Berlis LLP, on behalf of DiCenzo Construction Company Limited, respecting Applications for Approval of a Zoning By-law Amendment, Draft Plan of Subdivision, Draft Plan of Condominium (Sonoma Homes Inc.), 1155 West 5th Street, Hamilton, ON

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

- 5.11 Correspondence from John Paul Millar, of Millar, Alexander, on behalf of 1804487 Ontario Inc., respecting Applications for Rezoning, Plan of Subdivision, and Plan of Condominium, Sonoma Homes, 1155 West 5th Street, Hamilton Ontario

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

MOTION AS AMENDED CARRIED

(Ferguson/Powers)

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

CARRIED

PLANNING COMMITTEE REPORT 13-007

- Item 8 Urban Hamilton Official Plan Proposed Settlement of Part of Appeal by Gino and Olindo DalBello and Legal Direction (LS13011) (City Wide) (Item 12.2)**

(Farr/Morelli)

That Item 8 of the Planning Committee Report 13-007, respecting "Urban Hamilton Official Plan Proposed Settlement of Part of Appeal by Gino and Olindo DalBello and Legal Direction, be deleted in its entirety and replaced with the following in lieu thereof:

- (a) That Report LS13011 remain confidential, but that the appendices be made public in the event that a settlement is reached with the appellant;
- (b) That the amendments and modifications described in the recommendations contained in Appendix "A" to Report LS13011 be approved as the basis of a settlement of the appeal of the Urban Official Plan by Gino and Olindo DalBello as identified in Appendix "A" to Report LS13011; and,

- (c) That staff be directed to advise the Ontario Municipal Board that the City of Hamilton and Gino and Olindo DalBello have settled the DalBellos' appeal of the Urban Hamilton Official Plan on the basis of the recommendations contained in Appendix "A" to Report LS13011.

Amendment CARRIED
Main Motion as amended CARRIED

Item 9 Urban Hamilton Official Plan Proposed Settlement of Part of Appeal by Norman Vartanian (LS13012) (City Wide) (Item 12.3)

(Farr/Morelli)

That Item 9 of the Planning Committee Report 13-007, respecting, Urban Hamilton Official Plan Proposed Settlement of Part of Appeal by Norman Vartanian, be deleted in its entirety and replaced with the following in lieu thereof:

- (a) That Report LS13012 remain confidential, but that Appendix "A" to Report LS13012, be made public in the event that a settlement is reached with the appellant;
- (b) That the amendments and modifications described in the recommendations contained in Appendix "A" to Report LS13012 be approved as the basis of a settlement of Norman Vartanian's appeal; and,
- (c) That staff be directed to advise the Ontario Municipal Board that the City of Hamilton and Norman Vartanian have settled the Vartanian appeal of the Urban Hamilton Official Plan on the basis of the recommendations contained in Appendix "A" to Report LS13012.

Amendment CARRIED
Main Motion as amended CARRIED

Item 10 Ancaster Wilson Street Secondary Plan (OPA 143) Proposed Settlement of the Appeal of Family Practice (Dixie) Ltd. (Dr. Allen Greenspoon) (LS13016) (Ward 12) (Item 12.4)

(Farr/Morelli)

That Item 10 of the Planning Committee Report 13-007, respecting Ancaster Wilson Street Secondary Plan (OPA 143) Proposed Settlement of the Appeal of Family Practice (Dixie) Ltd. (Dr. Allen Greenspoon), be deleted in its entirety and replaced with the following in lieu thereof:

- (a) That Report LS13016 remain confidential, but that Appendix "A" to Report LS13016 be made public in the event that a settlement is reached with the appellant;

- (b) That the amendments and modifications described in the recommendations contained in Appendix "A" to Report LS13016 be approved as the basis of a settlement of Family Practice (Dixie) Ltd.'s appeal of Official Plan Amendment 43, the Ancaster Wilson Street Secondary Plan; and,
- (c) That staff be directed to advise the Ontario Municipal Board that the City of Hamilton and Family Practice (Dixie) Ltd. have settled the Family Practice (Dixie) Ltd. appeal of Official Plan Amendment 143, the Ancaster Wilson Street Secondary Plan, on the basis of the recommendations contained in Appendix "A" to Report LS13016.

**Amendment CARRIED
Main Motion as amended CARRIED**

(Farr/McHattie)

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

CARRIED

GENERAL ISSUES COMMITTEE REPORT 13-010

Item 4 Metrolinx – Regional Funding Tools (FCS13002) (City Wide) (Item 7.1)

This Item CARRIED on the following votes:

Yeas: Bratina, Whitehead, Duvall, Jackson, Collins, Merulla, Morelli, Farr, Clark, Pearson, Ferguson, Powers, Pasuta, Partridge
Total: 14
Nays: McHattie
Total: 1
Absent: Johnson
Total: 1

(Pearson/Clark)

That Item 6 of the General Issues Committee Report, which reads as follows, be referred back to the General Issues Committee:

6. Feasibility Study and Business Case for the Development of a Tourism Gateway Centre and Declaration of Surplus Property and Sale of Land – 1400 Baseline Road, Stoney Creek (PED12228) (Ward 11) (Item 8.1)

That Report PED12228 respecting Feasibility Study and Business Case for the Development of a Tourism Gateway Centre and Declaration of Surplus Property and Sale of Land – 1400 Baseline Road, Stoney Creek, be received.

CARRIED

(Bratina/Partridge)

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

CARRIED

MOTIONS

7.1 Special Occasion Permit – Saving Second Base

(Duvall/Jackson)

WHEREAS, City Council has received Notice (attached hereto as Appendix “A”) from the Saving Second Base Organization that they wish to obtain a Special Occasion Permit to sell alcohol during games on July 13, 2013 and July 14, 2013;

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

THEREFORE, BE IT RESOLVED:

- (a) That the City of Hamilton hereby deems the games of the Second Base Organization, being held at Turner Park, 344 Rymal Road East, Hamilton, on July 13, 2013 from 11:00 a.m. to 10:00 p.m.; and, on July 14, 2013 from 11:00 a.m. to 6:00 p.m. as municipally significant; and,
- (b) That the Applicant be provided a copy of this resolution for inclusion with their application to the Alcohol & Gaming Commission of Ontario.

CARRIED

7.2 Special Occasion Permit – Wentworth Adult Mixed Slo-Pitch League

(Duvall/Jackson)

WHEREAS, City Council has received Notice (attached hereto as Appendix “A”) from the Wentworth Adult Mixed Slo-Pitch League that they wish to obtain a Special Occasion Permit to sell alcohol during their scheduled games;

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

THEREFORE, BE IT RESOLVED:

- (a) That the City of Hamilton hereby deems the games of the Wentworth Adult Mixed Slo-Pitch League, being held at Turner Park, 344 Rymal Road East, Hamilton, on the following dates and times as municipally significant:
- (i) June 21, 2013 from 5:00 p.m. to 11:00 p.m.,
 - (ii) June 22, 2013 from 11:00 a.m. to 11:00 p.m.
 - (iii) June 23, 2013 from 11:00 a.m. to 7:00 p.m.
 - (iv) August 23, 2013 from 5:00 p.m. to 11:00 p.m.
 - (v) August 24, 2013 from 11:00 a.m. to 11:00 p.m.
 - (vi) August 25, 2013 from 11:00 a.m. to 7:00 p.m.
- (b) That the Applicant be provided a copy of this resolution for inclusion with their application to the Alcohol & Gaming Commission of Ontario.

CARRIED

7.3 Special Occasion Permit – Ancaster Men’s Slo-Pitch – Heritage Tournament

(Ferguson/Powers)

WHEREAS, City Council has received Notice (attached hereto as Appendix “A”) from the Ancaster Men’s Slo-Pitch League that they wish to obtain a Special Occasion Permit to sell alcohol during games on July 7, 2013 and July 8, 2013;

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

THEREFORE, BE IT RESOLVED:

- (a) That the City of Hamilton hereby deems the Ancaster Men’s Slo-Pitch League – Heritage Tournament, being held at Ancaster Community Centre, 385 Jerseyville Road West, Ancaster, on July 7, 2013 and on July 8, 2013 from 11:00 a.m. to 9:00 p.m. each day as municipally significant; and,
- (b) That the Applicant be provided a copy of this resolution for inclusion with their application to the Alcohol & Gaming Commission of Ontario.

CARRIED

7.4 Special Occasion Permit – Ancaster Men’s Slo-Pitch – Year End Tournament

(Ferguson/Powers)

WHEREAS, City Council has received Notice (attached as Appendix “A” hereto) from the Ancaster Men’s Slo-Pitch League that they wish to obtain a Special Occasion Permit to sell alcohol during games on September 7, 2013, September 8, 2013, September 14, 2013 and September 15, 2013;

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

THEREFORE, BE IT RESOLVED:

- (a) That the City of Hamilton hereby deems the Ancaster Men's Slo-Pitch League – Year End Tournament, being held at Ancaster Community Centre, 385 Jerseyville Road West, Ancaster, on September 7, 2013, September 8, 2013, September 14, 2013 and September 15, 2013 from 11:00 a.m. to 9:00 p.m. each day as municipally significant; and,
- (b) That the Applicant be provided a copy of this resolution for inclusion with their application to the Alcohol & Gaming Commission of Ontario.

CARRIED

7.5 Objection to Liquor Licence Application Good Life Deli, 943 King Street East, Hamilton, Ontario

(Morelli/Farr)

WHEREAS, Good Life Deli located at 943 King Street East, Hamilton, Ontario has applied for a Liquor Licence;

AND WHEREAS, pursuant to sub-section 7.1(1) of the *Liquor Licence Act*, R.S.O. 1990, c. L.19, they shall consider a resolution of Council of the municipality, in which are located the premises for which a person makes an application to sell liquor or holds a licence to sell liquor, as proof of the needs and wishes of the residents of the municipality for the purposes of clause sub-section 6(2)(h) of the *Act*;

THEREFORE BE IT RESOLVED:

- (a) That the Alcohol and Gaming Commission of Ontario be advised that the City of Hamilton wishes to object to the Liquor Licence application, attached hereto Appendix "A", for Good Life Deli located at 943 King Street East, Hamilton, Ontario as the issuing of the licence would not be in the best interest of the public; and,
- (b) That should the Alcohol & Gaming Commission of Ontario deem that a Tribunal Hearing be held, that Legal Services be authorized and directed to represent the City of Hamilton at the scheduled Hearing.

CARRIED

7.6 Consent to TradePort International Corporation to Permit the Holding and Staging of the 2013 Air Show at the John C. Munro Hamilton International Airport

(Ferguson/Powers)

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 2013 (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 consent be granted to the Licence, between Hamilton International Airport Limited and The Canadian Warplane Heritage Museum for the purposes of holding and staging an air show in June 2013; provided that Tradeport International Corporation, Hamilton International Airport Limited and/or The Canadian Warplane Heritage Museum supply insurance in favour of the City, in a form satisfactory to the City; and,
- (b) That the General Manager, of the Planning and Economic Development Department, be authorized and directed to execute any necessary documents in connection with the Licence, between Hamilton International Airport Limited and The Canadian Warplane Heritage Museum for the purposes of holding and staging an air show in June 2013 in a form satisfactory to the City Solicitor.

CARRIED

7.7 Re-Affirmation of Council's Position respecting Rapid Transit with Light Rail Transit (LRT) in the Eastgate to McMaster corridor as the Preferred Option (Report PW08043D)

(McHattie/Ferguson)

WHEREAS, City of Hamilton staff and City Council have been working on a detailed rapid transit plan, including LRT in the Eastgate to McMaster corridor, for several years in partnership with Metrolinx and the Province of Ontario;

AND WHEREAS, the Eastgate to McMaster rapid transit corridor is in the top 15 priorities for the Province of Ontario's Big Move Next Wave Projects;

AND WHEREAS, Hamilton City Council has been consistent in their support for LRT, subject to 100% funding;

AND WHEREAS on February 27, 2013, City Council voted unanimously to request 100% funding from the Province of Ontario for rapid transit with LRT, as the preferred option;

AND WHEREAS, City Council has previously provided direction to City staff to pursue LRT design in the Eastgate to McMaster corridor, in accordance with the Province's Big Move priority projects; having invested some \$10 million in planning, engineering and design;

AND WHEREAS the Chamber of Commerce's Light Rail Transit Task Force (members including Councillors Farr, Ferguson, McHattie, and Mayor Bratina) have been working diligently to promote LRT, in support of Council's position, and in conjunction with many other individuals and organizations in Hamilton;

AND WHEREAS, there are a variety of important transit investments that must be made in Hamilton, including implementing a fully-functioning A-Line transit service and expanding existing routes;

AND WHEREAS, in support of all these transit improvements, the City of Hamilton has submitted our comprehensive "Rapid Ready" report highlighting all of the City's Transit needs to the Province of Ontario;

THEREFORE BE IT RESOLVED:

- (a) That Council's February 27, 2013 decision, requesting 100% provincial funding from the Province of Ontario for LRT, be re-affirmed;
- (b) That the Mayor be directed to represent City Council's position on LRT to other government agencies and the private sector;
- (c) That the Mayor be directed to include Councillors Farr, Ferguson and McHattie when communicating on Council transit priorities with the Province of Ontario;
- (d) That a copy of Council's February 27, 2013 resolution respecting a B-Line LRT along the Eastgate to McMaster corridor, and a copy of this motion, be forwarded to the Honourable Kathleen Wynne, Premier of Ontario, the Honourable Glen Murray, Minister of Transportation, and Hamilton area M.P.P.'s.

This Item CARRIED on the following votes:

Yeas: Bratina, Whitehead, Duvall, Jackson, Collins, Merulla, Morelli, Farr, McHattie, Clark, Pearson, Ferguson, Pasuta, Partridge
Total: 14
Nays: Powers

Total: 1
Absent: Johnson
Total: 1

7.8 Personal Matter respecting an Identifiable Individual

Councillor Merulla withdrew his motion regarding the personal matter respecting an identifiable individual.

Mayor Bratina abstained from discussing and voting on the following matter and exited the Chambers.

7.9 Complaint to the Integrity Commissioner

(Merulla/Collins)

WHEREAS on April 24, 2013, during a meeting of City Council, the Mayor stepped away from his place at the table and approached the City Manager and said something to him while Council was debating Motion 7.2, respecting the Re-Affirmation of Council's Position regarding the B-Line Light Rail Transit on King Street;

AND WHEREAS, Sections 13.2 and 17.1 of the Code of Conduct for members of Council, being Appendix "H" of the City of Hamilton's Procedural By-law 10-057, as amended, may have been contravened;

THEREFORE BE IT RESOLVED:

That, pursuant to Section 8 of By-law 08-154, as amended, a By-law to establish the Office of the Integrity Commissioner, a complaint concerning the verbal exchange between Mayor Bratina and the City Manager at the Council meeting of April 24, 2013, regarding the alleged misconduct of Mayor Bratina in bullying City Manager Chris Murray, be referred to the Integrity Commissioner for review.

(McHattie/Ferguson)

That the question be called.

CARRIED

Item 7.9 CARRIED on the following votes:

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

**7.10 Nomination for Election to Federation of Canadian Municipalities (FCM)
Board of Directors**

(Collins/Merulla)

- (a) That the Council of the City of Hamilton endorse Councillor Terry Whitehead to stand for election on the Federation of Canadian Municipalities' Board of Directors and/or Advisory Committees;
- (b) That all associated costs, regarding Councillor Whitehead's attendance at the Federation of Canadian Municipalities' Board of Directors and/or Advisory Committee meetings, be charged to the General Legislative 300100 account.

CARRIED

NOTICES OF MOTION

Councillor S. Merulla introduced the following Notice of Motion:

8.1 HAMILTON POLICE SERVICE BOARD GOVERNANCE

WHEREAS under the *Police Services Act*, the City of Hamilton is mandated to provide for adequate and effective police services;

AND WHEREAS the standards for Police operations and Police behaviour are established by the Province, and there are legislative protections ensuring oversight by the Province and recourse to Ontario Police Services Commission;

AND WHEREAS the Police Services budget constitutes a significant component of the City's annual operating budget, for which the public holds Hamilton City Council accountable;

AND WHEREAS following the model used for public health and emergency services (fire and ambulance), Hamilton City Council believes that the governance of the Police Service Hamilton should align to more accurately reflect this accountability;

AND WHEREAS under the current statutory regime, the Hamilton Police Service is governed by a 7-member Police Services Board comprised 3 members of Council, one Council-appointed citizen, and 3 Provincially-appointed citizens;

AND WHEREAS Council believes that a change in the governance of the Police Service is fair, appropriate, accountable and transparent;

AND WHEREAS Council accepts and supports the key principles for Police Service governance; namely accountability and independence; in particular,

accountability, financially, and operationally to the citizens served, and independence in the carrying out of law enforcement;

AND WHEREAS Council supports a model where the Hamilton Police Service is governed directly by Council, as is the case with a number of Cities in Canada such as Quebec City, Quebec; Fredericton, New Brunswick; and, Charlottetown, Prince Edward Island;

AND WHEREAS Council could, alternatively, support a model where the Police Services Board is comprised exclusively of members of Council (like the Hamilton Board of Health) or, alternatively, some combination of Councillors and citizens appointed by City Council, as is the case with several Cities in Canada such as with the Edmonton, Alberta Police Commission (9 Commissioners, all appointed by City Council; a combination of Councillors and citizens); the Regina, Saskatchewan Board of Police Commissioners (5 Commissioners all appointed by City Council; a combination of Councillors and citizens); and, the St. John, New Brunswick Board of Police Commissioners (7 Commissioners; 6 appointed by Council and a combination of Councillors and citizens and 1 by the Province, a citizen);

AND WHEREAS governance directly by Council or by a Police Services Board comprised of members of Council and/or citizens appointed by Council must, according to law, abide by and not interfere with the principle of independence for the Police Service in terms of law enforcement;

AND WHEREAS in terms of accountability, both financially and operationally, a Police Service should be prepared to answer to Council and to the community in that there are protections for the Police Service beyond a municipal council; namely to the Province and its Ontario Police Services Commission such that any direct governance by City Council or indirect governance by a Police Services Board comprised of members of Council and/or citizens appointed by Council would itself still have oversight from the Province;

AND WHEREAS the amalgamation of the municipalities in the former Region of Hamilton-Wentworth into one City of Hamilton was in part recognition of the maturity and commitment to responsibility that an amalgamated City would have through its City Council;

AND WHEREAS the Province should respect that maturity and sense of responsibility, and allow City Council to provide governance to the Police Service directly through Council or by way of a Police Services Board made up entirely of Council-appointed citizens, or a combination thereof, with such governance to be pursuant to the principles of accountability and independence and pursuant to any provincial regulations regarding the financing and operation of a Police Service.

THEREFORE, BE IT RESOLVED:

- (a) That the Province of Ontario be requested to amend the *Municipal Act* and/or the *Police Services Act*, and/or enact special legislation to either:
 - (i) Enable the Hamilton Police Services Board to be governed directly by Hamilton City Council, or
 - (ii) Enable the Hamilton Police Services Board to be appointed by Council and comprised entirely of City Councillors, or a combination of Councillors and citizens, as Council may determine;
- (b) That a copy of this resolution be forwarded to the Hamilton Police Chief and the Hamilton Police Service, assuring them that City Council will continue to respect and strongly support the Police Service under any form of governance, including abiding by the key principle of independence in law enforcement.
- (c) That a copy of this resolution be forwarded to the Premier, The Honourable Kathleen Wynne, and the Minister of Community Safety and Correctional Services, the Honourable Madeleine Meilleur for consideration.
- (d) That a copy of this resolution be forwarded to the Leader of the Opposition, Tim Hudak, the Leader of the NDP, Andrea Horwath, all Hamilton area M.P.P.s, and the Association of Municipalities of Ontario (AMO) seeking their endorsement.

Councillor S. Merulla introduced the following Notice of Motion:

8.2 Complaint to the Integrity Commissioner

Councillor Merulla presented the following notice of motion:

WHEREAS on April 24, 2013, during a meeting of City Council, the Mayor stepped away from his place at the table and approached the City Manager and said something to him while Council was debating Motion 7.2, respecting the Re-Affirmation of Council's Position regarding the B-Line Light Rail Transit on King Street;

AND WHEREAS, Sections 13.2 and 17.1 of the Code of Conduct for members of Council, being Appendix "H" of the City of Hamilton's Procedural By-law 13-301, as amended, may have been contravened;

THEREFORE BE IT RESOLVED:

That, pursuant to Section 8 of By-law 08-154, as amended, a By-law to establish the Office of the Integrity Commissioner, a complaint concerning the verbal exchange between Mayor Bratina and the City Manager at the Council meeting of April 24, 2013, be referred to the Integrity Commissioner for review.

(Merulla/Collins)

That the Rules of Order be waived in order to allow for the introduction of a motion, respecting a Complaint to the Integrity Commissioner.

CARRIED

For disposition of this matter, please refer to Item 7.9 above.

Councillor C. Collins introduced the following Notice of Motion:

**8.3 Nomination for Election to Federation of Canadian Municipalities (FCM)
Board of Directors**

- (a) That the Council of the City of Hamilton endorse Councillor Terry Whitehead to stand for election on the Federation of Canadian Municipalities' Board of Directors and/or Advisory Committees;
- (b) That all associated costs, regarding Councillor Whitehead's attendance at the Federation of Canadian Municipalities' Board of Directors and/or Advisory Committee meetings, be charged to the General Legislative 300100 account.

(Collins/Merulla)

That the Rules be waived to allow the introduction of a Motion respecting Election to the Federation of Canadian Municipalities' Board of Directors.

CARRIED

For disposition of this matter, please refer to Item 7.10 above.

STATEMENT BY MEMBERS

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

PRIVATE AND CONFIDENTIAL

10.1 Closed Session Minutes – April 24, 2013

The following was approved in Open Session:

(Duvall/Whitehead)

- (a) That the Closed Session Minutes of the April 24, 2013, meeting of the Council be approved, as presented.
- (b) That the Closed Session Minutes of the April 24, 2013 meeting of the Council, remain confidential and restricted from public disclosure.

CARRIED

10.2 Selection Committee Report 13-003 – April 23, 2013

The following was approved in Open Session:

(Whitehead/Duvall)

1. Resignation from the Hamilton Library Board (Added Item 1(a))

That the resignation from Kathy Baker from the Hamilton Library Board be received.

2. Hamilton Library Board Appointment (Item 4.2)

That Mary Ann Leach be appointed to serve on the Hamilton Library Board for a term commencing on May 9, 2013, and to expire with the current term of Council or until such time as a successor is appointed.

3. Hamilton Police Services Board Appointment (Item 4.3)

That Wlodzimierz Juchniewicz be appointed to serve on the Hamilton Police Services Board for a term commencing on May 9, 2013, and to expire with the current term of Council or until such time as a successor is appointed.

CARRIED

(Whitehead/Duvall)

That the THIRD Report of the Selection Committee be adopted and the information section received.

CARRIED

(Ferguson/Powers)

That the Committee of the Whole Rise and Report.

CARRIED

BY-LAWS

(Whitehead/Duvall)

That Bills No. 13-116 to 13-128 be passed, and that the Corporate Seal be affixed thereto, and that the By-laws be numbered and signed by the Mayor and the City Clerk to read as follows:

By-law No.

116 To Amend By-law No. 01-215, To Regulate Traffic:
Schedule 5 – Stop Control

117 To Amend By-law No. 01-215, To Regulate Traffic:
Schedule 5 – Stop Control

- 118** To Amend By-law No. 01-215, To Regulate Traffic:
Schedule 5 – Stop Control
- 119** To Amend By-law No. 01-218, as amended, To Regulate On-Street Parking:
Schedule 8 – No Parking Zones
Schedule 12 – Permit Parking Zones
Schedule 14 – Wheelchair Loading Zones
- 120** Being a By-law to Permanently Close a Portion of Gunby Boulevard, being
Parts 11, 12 and 13 on Plan 62R-19547, City of Hamilton
- 121** Being a By-law to Permanently Close a Portion of Painter Terrace, being
Parts 6, 7, 8 and 9 on Plan 62R-19547, City of Hamilton
- 122** Being a By-law to Permanently Close a Portion of Rusk Terrace, being Parts
2, 3 and 4 on Plan 62R-19547, City of Hamilton
- 123** Respecting Removal of Part Lot Control, Block 111, Registered Plan No.
62M-932 “Glancaster Meadow”
(58 Bellstone Lane and 27 Blackburn Lane)
- 124** Respecting Removal of Part Lot Control, Lots 1-9 and 12-20, Registered Plan
No. 62M-1189, “101 Nash Road North” (Hamilton)
- 125** To Amend Zoning By-law No. 3692-92 (Stoney Creek), Respecting Lands
Located at 1365 and 1367 Baseline Road (Stoney Creek)
- 126** To Amend Zoning By-law No. 6593 (Hamilton), Respecting Lands Located at
1155 West 5th Street (Hamilton)
- 127** To Amend By-law No. 10-221, A By-law to Prescribe Standards for the
Maintenance and Occupancy of Property
- 128** To Confirm the Proceedings of City Council

CARRIED

(Pearson/Partridge)

That, there being no further business, the City Council meeting be adjourned at
7:20 p.m.

CARRIED

Respectfully submitted,

Mayor B. Bratina

R. Caterini, B. Comm., AMCT
City Clerk
Office of the City Clerk



**PLANNING COMMITTEE
REPORT 13-007**

AS AMENDED BY COUNCIL ON MAY 8, 2013

9:30 am

Tuesday, April 30, 2013

Council Chambers

Hamilton City Hall

71 Main Street West

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

Absent with Regrets: Councillor L. Ferguson - vacation

THE PLANNING COMMITTEE PRESENTS REPORT 13-007 AND RESPECTFULLY RECOMMENDS:

1. Expansion of Automatic Vehicle Location (AVL) Devices to Parking Operations and Maintenance Vehicles (PED13083) (City Wide) (Item 5.1)

That the procurement of Automatic Vehicle Location (AVL) devices (through Corporate Contract VOR-1021) for use in Parking Operations and Maintenance vehicles be funded from the Parking Reserve Account No.108021 in an amount not to exceed \$20,000.

2. Hamilton Municipal Heritage Committee – Minutes 13-003 (Item 5.2)

That the Hamilton Municipal Heritage Committee Minutes 13-003, be received.

3. **Applications for Amendments to the City of Stoney Creek Official Plan and Hamilton Zoning By-law No. 05-200 for Lands Located at 1361 Barton Street (Stoney Creek) (PED13073) (Ward 11) (Item 6.2)**

- (a) That approval be given to **Official Plan Amendment Application OPA-12-019, by the Hamilton Wentworth Catholic District School Board, Owner**, for Amendment No. [REDACTED] to the Stoney Creek Official Plan, to amend Schedule "A" General Land Use Plan to re-designate lands from "Special Policy Area 'F' - Parcel 'A'" to "Institutional", for the lands located at 1361 Barton Street, (Stoney Creek), as shown on Appendix "A" to Report PED13073, on the following basis:
- (i) That the draft Official Plan Amendment, attached as Appendix "B" to Report PED13073, be adopted by Council;
 - (ii) That the proposed Official Plan Amendment is consistent with the Provincial Policy Statement, and conforms to the Growth Plan for the Greater Golden Horseshoe and the Hamilton-Wentworth Official Plan.
- (b) That approval be given to **Zoning Application ZAC-12-050, by the Hamilton Wentworth Catholic District School Board, Owner**, for the addition of lands to Zoning By-law No. 05-200 to the Neighbourhood Institutional (I1, H51) Holding Zone, as shown on Schedule "A" to Report PED13073, on the following basis:
- (i) That the draft By-law, attached as Appendix "C" to Report PED13073, which has been prepared in a form satisfactory to the City Solicitor, be enacted by City Council;
 - (ii) That the amending By-law be added to Schedule "A", Map No. 1312, of Zoning By-law No. 05-200;
 - (iii) That the proposed change in zoning is in conformity with the Hamilton-Wentworth Official Plan, and will be in conformity with the City of Stoney Creek Official Plan upon finalization of Official Plan Amendment No. [REDACTED].
- (c) That the Ward Councillor meet with the Winona Peach Festival and Hamilton-Wentworth Catholic District School Board to discuss reciprocal use of parking lots;
- (d) That the Ward Councillor meet with Hamilton-Wentworth Catholic District School Board to discuss use of space for recreational programming;

- (e) That a copy of this resolution be forwarded to the Hamilton-Wentworth Catholic District School Board.

4. Application for Amendments to the City of Hamilton Zoning By-law No. 6593, Draft Plan of Subdivision, and Draft Plan of Condominium for Lands Located at 1155 West 5th Street (Hamilton) (PED13080) (Ward 8) (Item 6.3)

- (a) That approval be given to Amended Zoning Application ZAC-12-005, by Sonoma Homes, Owners, for a change in zoning from the “AA” (Agricultural) District to the “RT-30/S-1667” (Street Townhouse) District, Modified, with a Special Exception, to permit the development of up to 18 townhouses fronting onto a public road (Block 1), and up to 121 townhouses fronting onto an internal private condominium road as parcels of tied land (Block 2), on lands located at 1155 West 5th Street (Hamilton), as shown on Appendix “A” to Report PED13080, on the following basis:
 - (i) That the draft By-law, attached as Appendix “C” to Report PED13080, which has been prepared in a form satisfactory to the City Solicitor, be enacted by City Council;
 - (ii) That the amending By-law be added to Schedule “A”, Map No. W9d, of Zoning By-law No. 6593;
 - (iii) That the proposed changes in zoning are in conformity with the Hamilton-Wentworth and City of Hamilton Official Plans;
 - (iv) That upon finalization of the implementing By-law, the Mewburn Neighbourhood Plan be amended to revise the road pattern, as shown on Appendices “B” and “D”, and change the designation of the westerly portion of the subject lands from “Single and Double Residential” to “Attached Housing”.
- (b) That approval be given to Draft Plan of Subdivision Application 25T-201202, by Sonoma Homes, Owners, to establish a draft plan of subdivision, on lands located at 1155 West 5th Street (Hamilton), as shown on Appendix “D” to Report PED13080, subject to the following conditions, all in accordance with the financial Policies for Development and the City’s Parkland Dedication By-law, as approved by Council:
 - (i) That this approval apply to 25T-201202, prepared by Wellings Planning Consultants Inc., and certified by Bryan Jacobs, O.L.S., Revision 5, dated March 15, 2013, as red-line revised, showing 1 group townhouse block (Block 1), 3 blocks for a temporary stormwater management pond/future street townhouse blocks (Blocks 2, 3, 5), 1 block for a temporary stormwater management

pond/future public road (Block 4), a public road (Street "A"), 1 block for road widenings along West 5th Street (Block 6), and a 0.3m reserve block along the frontage of Blocks 2 and 3, attached as Appendix "D" to Report PED13080, subject to the owner entering into a Standard Form Subdivision Agreement, as approved by City Council, and with the Special Conditions attached as Appendix "E" to Report PED13080;

- (ii) That Condition 16 in Appendix "E" to Report PED13080, be amended by deleting the words, "temporary turning circle";
 - (iii) That Appendix "D" to Report PED13080 be amended to remove the reference to a temporary turning circle block from the Proposed Revised Plan of Subdivision;
 - (iii) That payment of Cash-in-Lieu of Parkland will be required, pursuant to Section 42 of the Planning Act, prior to the issuance of each Building Permit. The Cash-in-lieu payment will be calculated at a rate of 1 hectare for each 300 dwelling units proposed, to which payment shall be based on the value of the land on the day prior to the issuance of the first Building Permit for each said block;
 - (iv) Acknowledgement that there will be no City share for any municipal works associated with this development;
- (c) That approval be given to Condominium Application 25CDM-201201, by Sonoma Homes, Owners, to establish a draft plan of condominium (Common Elements Condominium) to create a condominium road, parking, and amenity area for a 121 unit townhouse development, on a portion of the lands located at 1155 West 5th Street (Block 2 on Appendix "A"), in the former City of Hamilton, as shown on Appendix "F" to Report PED13080, subject to the following conditions:
- (i) That this approval applies to the plan prepared by Wellings Planning Consultants Inc., and certified by Bryan Jacobs, O.L.S., dated March 15, 2013, as red-lined revised, showing the condominium road, parking, and amenity area, attached as Appendix "F" to Report PED13080;
 - (ii) That the Final Plan of Condominium complies with all of the applicable provisions of Zoning By-law No. 6593;
 - (iii) That the owner enters into a Development Agreement to ensure that the tenure of each of the proposed freehold units has legal interest, in common, to the Common Elements Condominium, to the satisfaction of the City Solicitor;

- (iv) That the owner receives final approval of a Part Lot Control Application, and the implementing By-law, to the satisfaction of the Director of Planning;
- (v) That the owner includes the following warning clauses in the Development Agreement, all Purchase and Sale Agreements, and any rental or lease agreements required for occupancy:

“Purchasers are advised that the City of Hamilton will not be providing maintenance or snow removal service for the private condominium road.”

“Purchasers are advised that owners of lots located at the end of dead-end lanes may not receive curb-side collection of waste, but will instead be required to place their waste at the nearest intersection on waste collection days.”

- (vi) That the owner includes the following clause in the Development Agreement, all Purchase and Sale Agreements, and any rental or lease agreements required for occupancy:

“The garages provided are intended for use as parking by owners. Owners/occupants are responsible for ensuring that parking provided for their lot will meet their needs. There is no opportunity for on-street overflow parking on West 5th, and visitor parking is intended strictly for visitors”.

- (vii) That the owner agrees to register a common element drainage easement, to the satisfaction of the Senior Director of Growth Management Division;

- (viii) That the owner provides the Director of Development Engineering with evidence that satisfactory arrangements, financial or otherwise, have been made with a telecommunication service provider, approved by the Canadian Radio and Telecommunication Commission (CRTC), that adequate telecommunication service will be provided to the condominium, including 9-1-1 emergency calling service that identifies, at a minimum, the caller’s name and location information;

- (ix) That the owner satisfies any conditions, financial or otherwise, of the City of Hamilton.

5. Enforcement of Blocked Swales (PED13084) (City Wide) (Item 8.2)

- (a) That in accordance with the February 13, 2013 City Council directive to undertake a two year pilot program to enforce the Property Standards By-law to restore swales where there is an easily identifiable obstruction:
 - (i) That the Terms of Reference for the pilot program, as detailed in Appendix “A”, attached hereto, be approved;
 - (ii) That one temporary Drainage Enforcement Officer (1 FTE), estimated at \$95,000 annually, and one vehicle and equipment, with a one time \$40,000 Capital cost, be funded from the Parking Reserve (Account No. 108021);
 - (iii) That any proceeds from associated fees and charges be directed back to the Parking Reserve (Account No. 108021) to offset the cost;
 - (iv) That the Property Standards By-law No. 10-221 be amended to facilitate enforcement of blocked swales where there is an easily identifiable obstruction, and that the draft by-law, attached as Appendix “B” to Report PED13084, prepared in a form satisfactory to the City Solicitor, be enacted;
- (b) That a temporary student (1/3 FTE), estimated at \$14,000 annually, be funded from the Development Fee Stabilization Reserve (Account No. 110086) to assist in scanning paper copies of previously approved grading plans.

6. Proposed Official Plan Amendment and Zoning By-law Amendment for Property at 257, 261, 263, 267 Parkside Drive (Flamborough) (Ward 15) (PED13043) (Item 8.3)

- (a) That Amended Official Plan Amendment Application OPA-12-006, by Branthaven Rosart Development Corporation, Owner, for Official Plan Amendment No. [REDACTED], to the former Town of Flamborough Official Plan, to amend the Waterdown North Secondary Plan to include and designate the subject lands “Medium Density Residential 1”, and to add Site-Specific Area No. [REDACTED] to limit the maximum density to 55 units per net residential hectare, for the development of 44 townhouse dwelling units, on lands located at 257, 261, 263, and 267 Parkside Drive, as shown on Appendix “A” to Report PED13043, be approved on the following basis:
 - (i) That the draft Official Plan Amendment, attached as Appendix “B” to Report PED13043, be adopted by Council.

- (ii) That the proposed Official Plan Amendment is consistent with the Provincial Policy Statement, and conforms to the Places to Grow Growth Plan and Hamilton-Wentworth Official Plan.
- (b) That **Urban Hamilton Official Plan Amendment No. by Branthaven Rosart Development Corporation, Owners**, to permit the lands located at 257, 261, 263, and 267 Parkside Drive to be adopted into the Waterdown North Secondary Plan, designated Medium Density Residential 3, and identified as a Area Specific Policy - Area [REDACTED], to permit 44 townhouse dwelling units with a maximum density of 55 units per net residential hectare, as shown on Appendix “C” to Report PED13043, be received and held in abeyance until such time as the relevant sections of the Urban Hamilton Official Plan come into force and effect; and when the relevant sections of the Urban Hamilton Official Plan come into force and effect, that Planning and Economic Development Department staff be directed and authorized to hold a Public Meeting, pursuant to the provisions of the Planning Act, to consider the proposed Urban Hamilton Official Plan Amendment.
- (c) That **Amended Zoning Application ZAC-12-15, by Branthaven Rosart Development Corporation, Owner**, for a change in zoning from the Urban Residential “R1-6” Zone to the Medium Density Residential “R6-26-H” Zone, with a Special Exception and Holding provision, to permit the development of 44 townhouse dwelling units, on lands located at 257, 261, 263, and 267 Parkside Drive, as shown on Appendix “A” to Report PED13043, be approved on the following basis:
- (i) That the Draft By-law, attached as Appendix “D” to Report PED13043, which has been prepared in a form satisfactory to the City Solicitor, be enacted by Council.
 - (ii) That the amending By-law be added to Schedule “A” of Zoning By-law No. 90-145-Z.
 - (iii) That the proposed change in Zoning conforms to the Hamilton-Wentworth Official Plan.
 - (iv) That the proposed change in Zoning will be in conformity with the Town of Flamborough Official Plan upon approval of Official Plan Amendment No. [REDACTED].
 - (v) That Recommendation (c) of Report PED 13043 be amended to permit a maximum of 44 townhouse dwelling units with the following additional modifications:

- (aa) No vehicular access from the subject lands to Truedell Circle and Centre Road shall be permitted; and
 - (bb) To establish a site specific parking requirement of 2 parking spaces per unit plus 0.4 visitor parking spaces (18 spaces for the proposed 44 units) be provided and maintained.
- (d) That staff be directed to ensure that the site plan provides:
- (i) A private pedestrian connection from the subject lands to the future extension of Truedell Circle;
 - (ii) That the applicant enter into an external works agreement with the City of Hamilton to provide for the design and installation, at the applicant's cost, for the provision of a median island and signage within the Parkside Road allowance to prevent left turn movements to and from the site from the easterly right-in/right-out driveway as shown on the concept plan. The median island is to be installed prior to occupancy;
 - (iii) That the access driveway be located at the westerly limits of the subject lands to align centerline-to-centreline with the existing driveway on the lands to the south.
- (e) That staff be directed and authorized to amend the implementing Official Plan Amendments and Zoning By-laws, as attached as Appendices "B", "C" and "D" to Report PED 13043, for presentation to City Council;
- (f) That pursuant to Section 34(17) of the Planning Act, the proposed changes to the by-law do not require that any further notice be given because the changes are a result of the comments received during the consideration of this matter by the City of Hamilton.

7. Off-Site Standing Committee Meetings

That the Governance Review Sub-Committee investigate and report back to the General Issues Committee with a template/policy that seeks to address requests to host Standing Committee meetings at locations other than Hamilton City Hall.

8. Urban Hamilton Official Plan Proposed Settlement of Part of Appeal by Gino and Olindo DalBello and Legal Direction (LS13011) (City Wide) (Item 12.2)

- (a) That Report LS13011 remain confidential, but that the appendices be made public in the event that a settlement is reached with the appellant;
- (b) That the amendments and modifications described in the recommendations contained in Appendix "A" to Report LS13011 be approved as the basis of a settlement of the appeal of the Urban Official Plan by Gino and Olindo DalBello as identified in Appendix "A" to Report LS13011; and,
- (c) That staff be directed to advise the Ontario Municipal Board that the City of Hamilton and Gino and Olindo DalBello have settled the DalBellos' appeal of the Urban Hamilton Official Plan on the basis of the recommendations contained in Appendix "A" to Report LS13011.

9. Urban Hamilton Official Plan Proposed Settlement of Part of Appeal by Norman Vartanian (LS13012) (City Wide) (Item 12.3)

- (a) That Report LS13012 remain confidential, but that Appendix "A" to Report LS13012, be made public in the event that a settlement is reached with the appellant;
- (b) That the amendments and modifications described in the recommendations contained in Appendix "A" to Report LS13012 be approved as the basis of a settlement of Norman Vartanian's appeal; and,
- (c) That staff be directed to advise the Ontario Municipal Board that the City of Hamilton and Norman Vartanian have settled the Vartanian appeal of the Urban Hamilton Official Plan on the basis of the recommendations contained in Appendix "A" to Report LS13012.

10. Ancaster Wilson Street Secondary Plan (OPA 143) Proposed Settlement of the Appeal of Family Practice (Dixie) Ltd. (Dr. Allen Greenspoon) (LS13016) (Ward 12 - Ancaster) (Item 12.4)

- (a) That Report LS13016 remain confidential, but that Appendix "A" to Report LS13016 be made public in the event that a settlement is reached with the appellant;
- (b) That the amendments and modifications described in the recommendations contained in Appendix "A" to Report LS13016 be

approved as the basis of a settlement of Family Practice (Dixie) Ltd.'s appeal of Official Plan Amendment 43, the Ancaster Wilson Street Secondary Plan; and,

- (c) That staff be directed to advise the Ontario Municipal Board that the City of Hamilton and Family Practice (Dixie) Ltd. have settled the Family Practice (Dixie) Ltd. appeal of Official Plan Amendment 143, the Ancaster Wilson Street Secondary Plan, on the basis of the recommendations contained in Appendix "A" to Report LS13016.

FOR THE INFORMATION OF COUNCIL:

(a) CHANGES TO THE AGENDA (Item 1)

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

1. DELEGATION REQUESTS

- 4.1 Delegation request from John Ariens respecting Item 8.1, Proposed Niagara Escarpment Plan Amendment (PED11052(a)), on today's agenda.
- 4.2 Delegation request from David Tang respecting Item 6.3, Application for Amendments to the City of Hamilton Zoning By-law No. 6593, Draft Plan of Subdivision, and Draft Plan of Condominium for Lands Located at 1155 West 5th Street (Hamilton) (PED13080), on today's agenda.

2. DISCUSSION ITEMS

- 8.3 Motion – Revised recommendations for Report PED13043, Proposed Official Plan Amendment and Zoning By-law Amendment for Property at 257, 261, 263, 267 Parkside Drive.

Proposed Official Plan Amendment and Zoning By-law Amendment for Property at 257, 261, 263, 267 Parkside Drive (Flamborough) (Ward 15) (PED13043) (*Tabled from the March 19, 2013 Planning Committee Meeting*)

The Agenda for the April 30, 2013 meeting of the Planning Committee was approved, as amended.

(b) DECLARATIONS OF INTEREST (Item 2)

None.

(c) APPROVAL OF MINUTES (Item 3)

(i) April 16, 2013

The Minutes of the April 16, 2013 Planning Committee meeting were approved.

(d) DELEGATION REQUESTS (Item 4)

(i) Delegation request from John Ariens respecting Item 8.1, Proposed Niagara Escarpment Plan Amendment (PED11052(a)), on today's agenda (Item 4.1)

The delegation request from John Ariens respecting Item 8.1, Proposed Niagara Escarpment Plan Amendment (PED11052(a)), for today's agenda, was approved.

(ii) Delegation request from David Tang respecting Item 6.3, Application for Amendments to the City of Hamilton Zoning By-law No. 6593, Draft Plan of Subdivision, and Draft Plan of Condominium for Lands Located at 1155 West 5th Street (Hamilton) (PED13080), on today's agenda (Item 4.2)

The delegation request from David Tang respecting Item 6.3, Application for Amendments to the City of Hamilton Zoning By-law No. 6593, Draft Plan of Subdivision, and Draft Plan of Condominium for Lands Located at 1155 West 5th Street (Hamilton) (PED13080), for today's agenda, was approved.

(e) PUBLIC HEARINGS AND DELEGATIONS (Item 6)

(i) Delegation from Kim Houtmeyers respecting regulations for ornamental ponds (Item 6.1)

Ms. Houtmeyers provided an overview of her presentation with the aid of a PowerPoint presentation. A copy of the presentation has been included in the public record.

The presentation from Kim Houtmeyers respecting regulations for ornamental ponds, was received.

- (a) Staff were directed to provide a report on the City of Hamilton's current rural and urban by-laws for the regulation of ornamental ponds;
- (b) Staff are to provide a definition of ornamental ponds;
- (c) Staff are to provide a review of other municipalities by-laws and provincial legislation with respect to regulation of ornamental ponds;
- (d) Staff are to review and provide recommendations based on the concerns provided in Kim Houtmeyers' presentation.

(ii) Applications for Amendments to the City of Stoney Creek Official Plan and Hamilton Zoning By-law No. 05-200 for Lands Located at 1361 Barton Street (Stoney Creek) (PED13073) (Ward 11) (Item 6.2)

In accordance with the provision of the Planning Act, Chair J. Farr 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 amendment 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.

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

The staff presentation respecting Report PED13073, Applications for Amendments to the City of Stoney Creek Official Plan and Hamilton Zoning By-law No. 05-200 for Lands Located at 1361 Barton Street (Stoney Creek), was received.

James Webb, planning consultant, provided an overview of the report and agreed with the recommendations from staff and confirmed that the owner is communicating with the Winona Peach Festival representatives to avoid and conflict during the festival.

The agent's presentation respecting Report PED13073, Applications for Amendments to the City of Stoney Creek Official Plan and Hamilton Zoning By-law No. 05-200 for Lands Located at 1361 Barton Street (Stoney Creek), was received.

Public Speaker:

1. Georgina Beattie – PO Box 10002, Winona, ON L8P 5R1

Ms. Beattie expressed concerns with the possibility of the school becoming a secondary school, rather than elementary and what the process would be, that parking on site should be extended for parents, the number of buses, and that the traffic study include Fifty Road. Also that the owner, Ward Councillor and the Winona Peach Festival organizers all work cooperatively.

The public presentations respecting Report PED13073, Applications for Amendments to the City of Stoney Creek Official Plan and Hamilton Zoning By-law No. 05-200 for Lands Located at 1361 Barton Street (Stoney Creek), were received.

The public meeting respecting Report PED13073, Applications for Amendments to the City of Stoney Creek Official Plan and Hamilton Zoning By-law No. 05-200 for Lands Located at 1361 Barton Street (Stoney Creek), was closed.

The recommendations contained in PED13073, Applications for Amendments to the City of Stoney Creek Official Plan and Hamilton Zoning By-law No. 05-200 for Lands Located at 1361 Barton Street (Stoney Creek), were amended by adding new sub-sections (c), (d) and (e), to read as follows:

- (c) That the Ward Councillor meet with the Winona Peach Festival and Hamilton-Wentworth Catholic District School Board to discuss reciprocal use of parking lots;
- (d) That the Ward Councillor meet with Hamilton-Wentworth Catholic District School Board to discuss use of space for recreational programming;
- (e) That a copy of this resolution be forwarded to the Hamilton-Wentworth Catholic District School Board.

- (f) Staff were directed to have formal discussions with CN regarding any/all improvements including a grade separation at the Fifty Road Crossing;
- (g) Staff are to report back on the timeline of the improvements on Fifty Road including the Barton Street intersection to accommodate current and future developments.

For disposition on this Item, refer to item 3.

(iii) Application for Amendments to the City of Hamilton Zoning By-law No. 6593, Draft Plan of Subdivision, and Draft Plan of Condominium for Lands Located at 1155 West 5th Street (Hamilton) (PED13080) (Ward 8) (Item 6.3)

In accordance with the provision of the Planning Act, Chair J. Farr advised those in attendance that if a person or public body does not make oral submissions at a public meeting or make written submissions to the Council of the City of Hamilton before Council approves the zoning by-law amendment, draft plan of subdivision and draft plan of condominium, the person or public body is not entitled to appeal the decision of the Council of the City of Hamilton to the Ontario Municipal Board, and the person or public body may not be added as a party to the hearing of an appeal before the Ontario Municipal Board unless, in the opinion of the Board, there are reasonable grounds to do so.

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

The staff presentation respecting Report PED13080, Application for Amendments to the City of Hamilton Zoning By-law No. 6593, Draft Plan of Subdivision, and Draft Plan of Condominium for Lands Located at 1155 West 5th Street (Hamilton), was received.

Public Speaker:

1. David Tang – 1 First Canadian Place, 100 King St. W., Suite 1600, Toronto, ON M5X 1G5

Mr. Tang expressed concerns as outlined in the item of correspondence presented at this meeting. A copy of the correspondence has been included in the public record.

2. Steven Zakem – Brookfield Place, 181 Bay St., Suite 1800, Box 754, Toronto, ON M5J 2T9

Mr. Zakem expressed concerns as outlined in the item of correspondence presented at this meeting. A copy of the correspondence has been included in the public record.

The public presentations respecting Report PED13080, Application for Amendments to the City of Hamilton Zoning By-law No. 6593, Draft Plan of Subdivision, and Draft Plan of Condominium for Lands Located at 1155 West 5th Street (Hamilton), was received.

Glenn Wellings, agent, expressed agreement with the recommendations, but did have concern with the temporary turning circle.

The agent's presentation respecting Report PED13080, Application for Amendments to the City of Hamilton Zoning By-law No. 6593, Draft Plan of Subdivision, and Draft Plan of Condominium for Lands Located at 1155 West 5th Street (Hamilton), was received.

The correspondence respecting Report PED13080, Application for Amendments to the City of Hamilton Zoning By-law No. 6593, Draft Plan of Subdivision, and Draft Plan of Condominium for Lands Located at 1155 West 5th Street (Hamilton), was received.

The public meeting respecting Report PED13080, Application for Amendments to the City of Hamilton Zoning By-law No. 6593, Draft Plan of Subdivision, and Draft Plan of Condominium for Lands Located at 1155 West 5th Street (Hamilton), was closed.

The recommendations contained in Report PED13080, Application for Amendments to the City of Hamilton Zoning By-law No. 6593, Draft Plan of Subdivision, and Draft Plan of Condominium for Lands Located at 1155 West 5th Street (Hamilton), were amended by deleting the words, "a temporary turning circle block," in recommendation (b)(i), and by adding new sub-sections (b)(ii) and (b)(iii) and renumbering the remaining, to read as follows:

"(b)(ii) That Appendix "E" to Report PED13080, be amended by deleting Condition 16 respecting turnarounds;

(b)(iii) That Appendix "D" be amended to remove the reference to a temporary turning circle block;"

For disposition on this Item, refer to item 4.

(f) DISCUSSION ITEMS (Item 8)

(i) Proposed Niagara Escarpment Plan Amendment No. 179 (February 21, 2013) - Pleasantview Lands (PED11052(a)) (Ward 13) (Item 8.1)

John Ariens, provided an overview of his client's concerns with the aid of a PowerPoint presentation. A copy of the presentation has been included in the public record.

The public presentation respecting PED11052(a), Proposed Niagara Escarpment Plan Amendment No. 179 (February 21, 2013) - Pleasantview Lands, was received.

Report PED11052(a), Proposed Niagara Escarpment Plan Amendment No. 179 (February 21, 2013) - Pleasantview Lands, was tabled to the May 14, 2013 Planning Committee meeting to allow for ongoing consultation.

(ii) Enforcement of Blocked Swales (PED13084) (City Wide) (Item 8.2)

(v) That staff be directed to report back to the Planning Committee prior to the conclusion of the pilot program, detailing key performance measures including:

- (1) Success rates in dealing with complaints about blocked swales and achieving compliance where there are easily identifiable obstructions;
- (2) Number of complaints received about blocked swales which were deemed to be of a more complex nature (i.e. no easily identifiable obstruction);
- (3) Cost recovery from enforcement fines and through Court actions;
- (4) Number of complaints driven by neighbor disputes such that mediation was appropriate;

(iii) Proposed Official Plan Amendment and Zoning By-law Amendment for Property at 257, 261, 263, 267 Parkside Drive (Flamborough) (Ward 15) (PED13043) (Item 8.3)

Report PED13043, Proposed Official Plan Amendment and Zoning By-law Amendment for Property at 257, 261, 263, 267 Parkside Drive (Flamborough) (Ward 15), was lifted from the table.

Recommendations contained in Report PED13043 were amended, as follows:

- “(1) That Recommendations (a) and (b) of Report PED13043 be amended to limit the maximum density permitted in the proposed Official Plan Amendments to 55 units per net residential hectare to allow for the development of 4445 townhouse dwelling units.

- (2) That Recommendation (c) of Report PED 13043 be amended to permit a maximum of 44 townhouse dwelling units with the following additional modifications:
 - a. No vehicular access from the subject lands to Truedell Circle and Centre Road shall be permitted; and

 - b. To establish a site specific parking requirement of 2 parking spaces per unit plus 0.4 visitor parking spaces (18 spaces for the proposed 44 units) be provided and maintained.

- (3) That new subsections (d), (e) and (f) be added, to read as follows:
 - “(d) That staff be directed to ensure that the site plan provides:
 - (i) A private pedestrian connection from the subject lands to the future extension of Truedell Circle;

 - (ii) That the applicant enter into an external works agreement with the City of Hamilton to provide for the design and installation, at the applicant’s cost, for the provision of a median island and signage within the Parkside Road allowance to prevent left turn movements to and from the site from the easterly right-in/right-out driveway as shown on the concept plan. The median island is to be installed prior to occupancy;

 - (iii) That the access driveway be located at the westerly limits of the subject lands to align centerline-to-centreline with the existing driveway on the lands to the south.

 - (e) That staff be directed and authorized to amend the implementing Official Plan Amendments and Zoning By-laws, as attached as Appendices “B”, “C” and “D” to Report PED 13043, for presentation to City Council;

- (f) That pursuant to Section 34(17) of the Planning Act, the proposed changes to the by-law do not require that any further notice be given because the changes are a result of the comments received during the consideration of this matter by the City of Hamilton.””

For disposition on this Item, refer to item 6.

(g) MOTIONS (Item 9)

(i) Stoney Creek Urban Boundary Expansion (SCUBE) Public Meeting

Whereas the Stoney Creek Urban Boundary Expansion (SCUBE) is a very large secondary planning process that will increase the population of the area by an estimated 17,000 residents,

And Whereas this secondary planning process was started before amalgamation by the former City of Stoney Creek.

And Whereas a very large number of residents of Stoney Creek and Winona have expressed a concern to attend the public meetings and also be included in the process,

And Whereas a precedent has been set to hold public meetings in the Community if large numbers of residents are expected to attend.

Therefore be it Resolved:

That, as the local Councillor, I request that the Planning Committee hold a special public meeting at the Stoney Creek Municipal Building, 777 Hw #8, Stoney Creek, to accommodate the discussion and public hearing for the Stoney Creek Urban Boundary Expansion report.

The motion was DEFEATED on the following vote:

Yeas: M. Pearson, B. Johnson, C. Collins

Total: 3

Nays: J. Partridge T. Whitehead, J. Farr, R. Pasuta

Total: 4

Absent: B. Clark, L. Ferguson

Total: 2

(ii) Off-Site Standing Committee Meetings

That the Governance Review Sub-Committee investigate and report back to the General Issues Committee with a template/policy that seeks to address requests to host Standing Committee meetings at locations other than Hamilton City Hall.

For disposition on this Item, refer to item 7.

(h) NOTICES OF MOTION (Item 10)

Councillor Johnson introduced the following Notice of Motion:

(i) Stoney Creek Urban Boundary Expansion (SCUBE) Public Meeting

Whereas the Stoney Creek Urban Boundary Expansion (SCUBE) is a very large secondary planning process that will increase the population of the area by an estimated 17,000 residents,

And Whereas this secondary planning process was started before amalgamation by the former City of Stoney Creek.

And Whereas a very large number of residents of Stoney Creek and Winona have expressed a concern to attend the public meetings and also be included in the process,

And Whereas a precedent has been set to hold public meetings in the Community if large numbers of residents are expected to attend.

Therefore be it Resolved:

That, as the local Councillor, I request that the Planning Committee hold a special public meeting at the Stoney Creek Municipal Building, 777 Hw #8, Stoney Creek, to accommodate the discussion and public hearing for the Stoney Creek Urban Boundary Expansion report.

The rules were waived to allow for a motion respecting Stoney Creek Urban Boundary Expansion (SCUBE) Public Meeting.

For disposition on this Item, refer to item (g).

Councillor Farr introduced the following Notice of Motion:

(ii) Discarded Cigarette Butts around Hamilton Hospitals

That staff from Property Standards be requested to report back to committee on the maintenance methods our hospitals undertake in addressing the issue of discarded cigarette butts on the perimeter of their property(s) including city side-walks and roads.

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

(i) Outstanding Business List Amendments (Item 11.1)

The following Outstanding Business List due dates were revised:

- (aa) Item C: Pleasantview, Dundas, divesting of four properties (PED11052)
 Current Due Date: April 30, 2013
 Proposed Due Date: November 19, 2013
- (bb) Item S: Regulation of Rental Housing
 Current Due Date: May 14, 2013
 Proposed Due Date: June 4, 2013
- (cc) Item F: Racing Pigeons
 Current Due Date: April 30, 2013
 Proposed Due Date: June 4, 2013
- (dd) Item G: By-law 05-200, to Modify General Commercial "C3-116" and "C3-117" Zone and add Site Specific General Commercial "C3-275" Zone to the Glanbrook Zoning By-law No. 464
 Current Due Date: April 30, 2013
 Proposed Due Date: July 9, 2013
- (ee) Item U: Parking on One-Way Streets
 Current Due Date: April 30, 2013
 Proposed Due Date: June 4, 2013

The following items were removed from the Outstanding Business List:

- (aa) Item W: Enforcement of Blocked Swales
- (bb) Item Z: Proposed Official Plan Amendment and Zoning By-law Amendment for Property at 257, 261, 263, and 267 Parkside Drive (Flamborough) (Ward 15) (PED13043)

(ii) News from the General Manager (Item 11.2)

The General Manager provided updates of current events and initiatives within the department.

(j) PRIVATE AND CONFIDENTIAL (Item 12)

(i) Closed Session Minutes – April 16, 2013 (Item 12.1)

The Closed Session Minutes of April 16, 2013 were approved as presented and remain confidential.

At 12:54 p.m., Committee move into Closed Session to consider item 12.2, 12.3 and 12.4 which are subject to Section 239.2 (e) and (f) of the *Municipal Act* and Section 8.1(e) and (f) of the Procedural Bylaw as the subject matter of this item pertains to:

- litigation or potential litigation, including matters before administrative tribunals affecting the City, 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 1:26 p.m.

(ii) Urban Hamilton Official Plan Proposed Settlement of Part of Appeal by Gino and Olindo DalBello and Legal Direction (LS13011) (City Wide) (Item 12.2)

For disposition on this Item, refer to item 8.

(iii) Urban Hamilton Official Plan Proposed Settlement of Part of Appeal by Norman Vartanian (LS13012) (City Wide) (Item 12.3)

For disposition on this Item, refer to item 9.

(iv) Ancaster Wilson Street Secondary Plan (OPA 143) Proposed Settlement of the Appeal of Family Practice (Dixie) Ltd. (Dr. Allen Greenspoon) (LS13016) (Ward 12 - Ancaster) (Item 12.4)

For disposition on this Item, refer to item 10.

(k) ADJOURNMENT

There being no further business, the Planning Committee adjourned at 2:45 p.m.

Respectfully submitted,

Councillor J. Farr
Chair, Planning Committee

Vanessa Robicheau
Legislative Coordinator
Office of the City Clerk

TERMS OF REFERENCE

For a pilot program of enforcing the Property Standards By-law 10-221 to restore swales where there is an easily identifiable obstruction that prevents draining:

1.0 Background:

City Council, on February 13, 2013 approved a two year pilot program, to commence in the Spring of 2013, to enforce the Property Standards By-law to restore swales where there is an easily identifiable obstruction that prevents draining as per the originally approved grading plans.

2.0 Objectives:

To assess the effectiveness of enforcement and resources required in responding to complaints about obstructed swales where there is an easily identifiable obstruction that prevents draining as per the originally approved grading plans.

3.0 Implementation Timetable:

To commence in the Spring of 2013 and end in the Spring of 2015.

4.0 Scope of Work:

Reporting to the Superintendent of Municipal Law Enforcement, the Drainage Enforcement Officer will investigate and enforce, on a reactive basis only, complaints of standing water resulting from obstructed swales.

5.0 General Enforcement Practice:

The following is intended to provide a general overview of enforcement practices related to the enforcement of blocked swales where there is an easily identifiable obstruction, and is in no way intended to eliminate any discretion on the part of an investigating Officer or to dictate enforcement process where other remedies might be prudent or necessary:

- complaint received by Municipal Law Enforcement; logged and assigned to Drainage Enforcement Officer case load;
- preliminary investigation undertaken by Drainage Enforcement Officer to determine if complaint is related to a property:
 - o in a development with approved grading plan, or;

- is not in a subdivision that is under construction (if this is the case, grading issues will be referred to the Growth Management Division);
- Drainage Enforcement Officer visits site to determine type of infraction and either:
 - commences enforcement by issuing an Order to remove a simple obstruction to restore functionality to a swale, or;
 - refers the complaint to the Residential Drainage Assistance Program (RDAP) (i.e. where no grading plan exists and drainage patterns are disrupted by settlement, tree growth or, more commonly, by fences, sheds, pools, gardens, retaining walls etc.), or;
 - offers mediation to the affected parties;
- Homeowner must comply within allotted time to restore to previously approved condition or to retain a professional engineer to recommend alternative solutions and then to implement such a solution;
- Homeowner required to submit revised plans for approval plus review fee to Growth Management Division (GM);
- Growth Management Division will approve or deny alternative and notify homeowner of decision;
- Work is completed within the allotted time or, should the homeowner fail to comply, the City may:
 - undertake the work and place costs on the property tax roll;
 - issue a Provincial Offense Notice (PON) or Part I charge or Part III summons, or;
 - register the order on title;
- File closed (compliance is achieved).

6.0 Reporting and Evaluation:

Staff will report to the Planning Committee with an interim assessment of the pilot program after one year, and with a final report before the conclusion of the pilot program. The reports will include information about and an evaluation of the pilot program including:

- success rates in dealing with complaints about blocked swales and achieving compliance where there are easily identifiable obstructions;
- number of complaints received about blocked swales which were deemed to be of a more complex nature (i.e. no easily identifiable obstruction);
- cost recovery from fines and other charges;
- number of complaints driven by neighbour disputes such that mediation was appropriate;
- the following enforcement effectiveness measures:
 - o rate of compliance with the Property Standards By-law (i.e. obstruction removed) upon notice to property owner/occupant (i.e. no by-law charges);
 - o rate of compliance with the Property Standards By-law (i.e. obstruction removed) through by-law charges and/or using City contractors to do the work;
 - o number and disposition of appeals to the Property Standards Committee;
- assessment of the extent to which the pilot program is meeting the need for which it was intended and recommendations for continuing to respond to complaints about obstructed swales where there is an easily identifiable obstruction that prevents draining as per the originally approved grading plans.

7.0 Financing:

All costs associated with the pilot are to be funded from the Parking Reserve (Account No. 108021), with any proceeds from associated fees and charges being directed back to the Parking Reserve (Account No. 108021) to offset the actual gross cost.



GENERAL ISSUES COMMITTEE

REPORT 13-010

(approved, as amended, by Council on May 8, 2013)

9:30 a.m.

Wednesday, May 1, 2013

Council Chambers

Hamilton City Hall

71 Main Street West

-
- Present:** Deputy Mayor T. Whitehead (Chair)
Mayor R. Bratina
Councillors B. Clark, C. Collins, S. Duvall, J. Farr,
T. Jackson, B. Johnson, B. McHattie, S. Merulla, B. Morelli,
J. Partridge, R. Pasuta, M. Pearson,
- Absent with Regrets:** Councillor R. Powers – City Business (AMO)
Councillor L. Ferguson – Vacation
-

THE GENERAL ISSUES COMMITTEE PRESENTS REPORT 13-010 AND RESPECTFULLY RECOMMENDS:

1. **Hamilton Tax Increment Grant Program (HTIGP) – 407 Wilson Street, Ancaster – HTIGP 13/06 (PED13077) (Ward 12) (Item 5.2)**
 - (a) That the Hamilton Tax Increment Grant Program (HTIGP) application submitted by Glendale Services (Ancaster) Ltd. (Douglas Kloet and Peter Boeringa), owner of the property at 407 Wilson Street East, Ancaster, for a HTIGP grant estimated at \$27,817.45 over a maximum of a five (5) year period and based upon the incremental tax increase attributable to the redevelopment of 407 Wilson Street East, Ancaster, be authorized and approved in accordance with the terms and conditions of the Program;
 - (b) That the Mayor and City Clerk be authorized and directed to execute the Grant Agreement, attached as Appendix “A” to Report PED13077, in a form satisfactory to the City Solicitor.

2. Conveyance of Temporary Easement to Bell Mobility Inc. – Part of 115 Cole Street, Waterdown (PED13078) (Ward 15) (Item 5.3)

- (a) That the Real Estate Section of the Economic Development Division of the Planning and Economic Development Department be authorized and directed to convey a temporary easement in accordance with Procedural By-law 04-299, over Block 169, Plan 62M-1125, Town of Flamborough, identified as PIN 17511-0343, (Waterdown Water Tower) described as Parts 2, 3 and 4 on Survey Plan W3693, prepared by J. D. Barnes Limited dated July 12, 2012, covering an area of approximately 272.3 square metres (2,931 square feet) as shown on Appendix “A” attached to Report PED13078;
- (b) That the Real Estate Section of the Economic Development Division of the Planning and Economic Development Department be authorized and directed to convey the temporary easement described in Recommendation (a) of Report PED13078 to Bell Mobility Inc. for the nominal consideration of \$2, exclusive of HST;
- (c) That any applicable HST be collected by the City and credited to Account No. 22828 009000 (HST Payable);
- (d) That the sale proceeds be credited to the Waterdown Reserve Fund Account 108032;
- (e) That the term of the proposed easement run concurrently with the term of the License Agreement between the City and Bell Mobility Inc. approved by Council on March 28, 2012 (Report PED12024), for use of the Waterdown Water Tower as a cell tower location;
- (f) That the Mayor, General Manager of Finance and Corporate Services, and City Clerk be authorized and directed to execute the Offer to Purchase (Temporary Easement) Agreement in a form satisfactory to the City Solicitor.

3. Consent to Register Trademark (LS13013) (City Wide) (Item 5.4)

- (a) That the City of Hamilton consent to 0920380 B.C. Ltd. registering their trademarks “LIFE MAID EASY” and “LIFE MAID EASY HOME CLEANING SERVICES” for house cleaning services in the Province of British Columbia with the Trademarks Office;
- (b) That the City Solicitor be authorized and directed to execute, on behalf of the City of Hamilton, all necessary documents to implement subsection (a), in a form satisfactory to the City Solicitor.

4. Metrolinx – Regional Funding Tools (FCS13002) (City Wide) (Item 7.1)

- (a) That the Provincial and Federal Governments continue to fund 100% of the cost of the Big Move Metrolinx projects in the manner that the first wave of projects valued at \$16 billion were funded;
- (b) That Report FCS13002 respecting Metrolinx – Regional Funding Tools, be forwarded to Metrolinx, the Premier and the Minister of Finance for consideration in their Big Move Investment Strategy.

5. Comments respecting Metrolinx Regional Funding Tools (New Business)

That staff be directed to prepare comments for submission to Metrolinx and the Minister of Finance on the specific regional funding tool proposals to clearly convey the City's concerns, including debt allocation.

The following item was referred back to the General Issues Committee:

6. Feasibility Study and Business Case for the Development of a Tourism Gateway Centre and Declaration of Surplus Property and Sale of Land – 1400 Baseline Road, Stoney Creek (PED12228) (Ward 11) (Item 8.1)

That Report PED12228 respecting Feasibility Study and Business Case for the Development of a Tourism Gateway Centre and Declaration of Surplus Property and Sale of Land – 1400 Baseline Road, Stoney Creek, be received.

7. 2013 Tax Policies and Area Rating (FCS13023) (City Wide) (Item 8.2)

- (a) That the following optional property classes be continued for the 2013 taxation year:
 - New Multi-Residential
 - Parking Lot and Vacant Land
 - Large Industrial
- (b) That, based on the 2013 final approved tax operating budget, the following final tax ratios be established for the 2013 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)	3.2078
• Large Industrial	3.7615
• Pipeline	1.7367
• Farm	0.1927
• Managed Forest	0.2500

(c) That the following tax reductions be established for the 2013 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 (1 st subclass)	25%
• Farmland awaiting development (2 nd subclass)	0%

(d) That the existing property tax relief deferral program for low-income seniors and disabled persons be continued for the 2013 taxation year;

(e) That the existing 40% tax rebate for eligible charities and similar organizations be continued for the 2013 taxation year;

(f) That the existing 30% vacancy rebate for eligible commercial and industrial properties be continued for the 2013 taxation year;

(g) That the existing 100% tax rebate for Veteran's Clubhouses and Legion Halls be continued for the 2013 taxation year;

(h) That the existing Seniors' (65+) Tax Rebate Program be continued, with the following criteria updated for the 2013 taxation year:

- (i) **Income threshold (150% of GIS couple)** increased to \$32,832 (\$32,472 in 2012);
- (ii) **Assessment cap (120% of city-wide average)** increased to \$344,200 (\$333,600 in 2012);
- (iii) **Rebate** increased by the CPI index to \$172 (\$170 in 2012);

(i) That, for the 2013 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 2013 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 2013, be moved directly to its full Current Value Assessment (CVA) taxes;
- (k) That, for the 2013 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 2013 taxation year, any property in the Commercial, Industrial and Multi-Residential property class which paid full Current Value Assessment (CVA) taxes in 2012, no longer be eligible for capping protection in 2013 and future years;
- (m) That, for the 2013 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 2013 taxation year, the Area Rated Levies be approved as identified in Appendix "A" attached hereto;
- (o) That the 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 2013 taxation year.

8. Report 13-003 of the Advisory Committee for Persons with Disabilities – April 9, 2013 (Item 8.3)

Transportation Sub-committee - Report March 26, 2013

That staff be requested to provide a status update on the deficiencies of the McNab Street Terminal (Appendix "B" to Advisory Committee for Persons with Disabilities Report 13-003) and to provide potential remedies to these deficiencies along with projected timeline to the General Issues Committee.

9. Resolution Urging the Federal Government to Establish a National Department of Peace (Item 9.1)

WHEREAS during the course of the 20th century, more than 100,000,000 people perished in wars, and continuing into the 21st century, violence seems to be an overarching theme in the world;

AND WHEREAS such conflict is often unquestionably seen as a reflection of the human condition;

AND WHEREAS the citizens of Hamilton have been, and are, adversely affected by war and violence, whether through the personal loss of loved ones, or through the diversion of public resources that could be used to promote and support healthier and more secure lives;

AND WHEREAS the City of Hamilton has declared itself a nuclear weapons-free zone;

AND WHEREAS the City of Hamilton is a member of the international organization Mayors for Peace;

AND WHEREAS the proposed Federal Department of Peace will benefit the City of Hamilton by working to support existing programs and developing new programs to address and reduce the number and frequency of incidents related to domestic violence, child and spousal abuse, school violence, gang violence, gun violence, and hate crimes;

AND WHEREAS promoting a culture of peace has been recognized by the United Nations Educational, Scientific and Cultural Organization (UNESCO) through passage of a resolution declaring an International Decade for a Culture of Peace and Non-Violence for the Children 2001- 2010;

AND WHEREAS it is our collective responsibility to create institutions that foster the development of a culture of peace in our neighbourhoods, city and nation;

AND WHEREAS communities across North America have recently experienced tragic incidents of extreme violence.

Now Therefore Be It Resolved:

- (a) That the City of Hamilton hereby re-affirms its support for legislation to establish a Federal Department of Peace, and urges our members of Parliament to support such legislation;
- (b) That this Department of Peace work collaboratively with the Department of National Defense to reduce violence domestically and promote peace internationally;
- (c) That a copy of this resolution be forwarded to the Federation of Municipalities of Ontario and local Members of Parliament.

10. Hamilton Waterfront Trust 2013 Capital Funding (Item 9.2)

That the \$1 million in unallocated West Harbour and Waterfront Initiatives Capital Funding contained within the Council-approved 2013 Tax-Supported Capital Budget (FCS12096) be allocated to the Hamilton Waterfront Trust, subject to the following:

- (a) That the funding be used for the projects contained in Appendix “B” attached hereto;
- (b) That the Hamilton Waterfront Trust provide the City with a detailed transaction listing related to all claims.

11. Area Rating Special Capital Re-Investment Reserve Funded Projects (Item 9.3)

- (a) That \$150,000 from Reserve #108058 – Ward 8 Area Rating Special Capital Reinvestment Reserve – be utilized to partially fund the purchase of 220 Cranbrook Drive/20 Gemini Drive (St. Catherine of Siena Catholic Elementary School) and be transferred to Reserve #104090 – Parkland Dedication Fee to facilitate such purchase;
- (b) That \$115,000 from Reserve #108058 – Ward 8 Area Rating Special Capital Reinvestment Reserve – be utilized to fund design work required for the installation of a splash pad at Buchanan Park;
- (c) That \$200,000 from Reserve #108058 – Ward 8 Area Rating Special Capital Reinvestment Reserve – be utilized to fund sidewalk replacement in various locations throughout Ward 8;
- (d) That the operating impacts relating to Buchanan Splash Pad referenced in sub-section (b), amounting to \$6,000 annually when fully implemented, be approved and incorporated into future Tax-Supported Operating Budgets;
- (e) That the General Manager of Public Works be authorized to prepare, advertise and award tenders as required for the above-noted works.

12. Provincial Funding Cuts – Children’s Aid Society and Catholic Children’s Aid Society (New Business)

That the City correspond with the Province expressing concern about the impact of funding cuts to the Children’s Aid Society (CAS) and Catholic Children’s Aid Society (CCAS) on the children and citizens of Hamilton.

FOR THE INFORMATION OF COUNCIL:

(a) CHANGES TO THE AGENDA (Item 1)

The Clerk advised of the following changes:

ADDED NOTICE OF MOTION

- (i) Resolution respecting “Request for Balance of Start-up Grant for Locke Street Farmers’ Market” (Added Item 10.2)

ADDED PRIVATE AND CONFIDENTIAL

- (ii) Personal Matter about Identifiable Individuals (No Copy) (Added Item 12.4)

The agenda was approved as amended.

(b) DECLARATIONS OF INTEREST (Item 2)

Item 4.1/6.3 Presentation by Mrs. Louise Rogers respecting Federal Military Spending Effects on Municipalities

Councillor B. Johnson declared an interest in this item as she has a family member enlisted in the military.

Councillor R. Pasuta declared an interest in this item as he has a family member enlisted in the military.

(c) APPROVAL OF PREVIOUS MINUTES (Item 3.1)

The Minutes of the General Issues Committee Meeting held on April 17, 2013, were approved as presented.

(d) DELEGATION REQUEST

That the delegation request from Mrs. Louise Rogers respecting Federal Military Spending Effects on Municipalities was approved, and the rules of order were suspended in order to allow Mrs. Rogers to address the Committee at today’s meeting.

(e) CONSENT AGENDA

(i) Minutes of Various Sub-Committees

The March 12, 2013 Minutes of the Advisory Committee for Persons with Disabilities were received.

(f) PUBLIC HEARINGS/DELEGATIONS

(i) Ms. Maria Ahmed, McMaster University, respecting On-Campus Polling Stations at McMaster University and Mohawk College (Item 6.1)

Maria Ahmed and Ibrahim Kareemi, Political Science students at McMaster, appeared before the Committee to request re-instatement of on-campus polling stations at McMaster University and Mohawk College.

A written submission of their comments (Appendix "C" attached hereto) was submitted to the Clerk for the public record, together with Letters of Support from Andrea Horwath, M.P.P., Hamilton Centre, the McMaster Students' Union, the Graduate Students' Association, the Council of Canadians, Hamilton Chapter, and the Hamilton Civic League.

The presentation from Maria Ahmed and Ibrahim Kareemi, McMaster University, respecting On-Campus Polling Stations at McMaster University and Mohawk College, was received.

(ii) Mrs. Louise Rogers respecting Federal Military Spending Effects on Municipalities (Item 4.1/6.3)

Louise Rogers appeared before the Committee to express concerns with respect to the federal military spending effects on municipalities and requested the Committee to consider forwarding correspondence to the Prime Minister and the Association of Municipalities of Ontario with the request that military expenditures be reduced in order to help meet critical needs in many municipalities.

A written submission of Mrs. Rogers' comments (Appendix "D" attached hereto) was submitted to the Clerk for the public record.

The presentation from Louise Rogers respecting Federal Military Spending Effects on Municipalities, was received.

(iii) Christopher Cutler, on behalf of The Canadian Peace Initiative – Hamilton Chapter, respecting the Concept of a Canadian Department of Peace (Item 6.2)

Mr. Christopher Cutler, on behalf of The Canadian Peace Initiative – Hamilton Chapter, appeared before the Committee to request Council's support for the concept of the Department of Peace. In his comments, Mr. Cutler recognized the efforts of countless community citizens toward the cause of peace.

A written copy of Mr. Cutler's comments (Appendix "E" attached hereto) was submitted to the Clerk for the public record.

The presentation from Christopher Cutler, on behalf of The Canadian Peace Initiative – Hamilton Chapter, respecting the Concept of a Canadian Department of Peace, was received.

(g) PRESENTATIONS

**(i) Metrolinx – Regional Funding Tools (FCS13002) (City Wide)
(Item 7.1)**

Mike Zegarac, Acting General Manager of Finance and Corporate Services, provided a PowerPoint presentation respecting "Metrolinx – Regional Funding Tools", and spoke to the following:

- Objectives
- Metrolinx Regional Transportation Plan (RTP)
- Cost of Regional Transportation Plan
- Current Projects
- Next Wave – Proposed Next Wave of Projects
- New Funding Required for Next Wave of Projects
- The RTP Investment Strategy
- Metrolinx – 25 Potential Revenue Tools
- Four Key Principles in Determining Shorter List
- Potential Short List – 7 Big Investment Tools
- Potential Short List – 4 Smaller Investment Tools
- Employer Payroll Tax/Fuel Tax/Highway Tolls
- Parking Space Levy
- Property/Sales Tax
- Vehicle Kilometres Travelled Fee
- Development Charges
- High Occupancy Toll (HOT) Lanes
- Land Value Capture
- Transit Fare Increase
- Other Transportation
- Staff Recommendations

The presentation respecting Metrolinx – Regional Funding Tools, was received.

That the recommendations contained in Report FCS13002 were amended as follows:

- (i) By deleting sub-section (a) in its entirety and replacing it with the following in lieu thereof:

“(a) That the Provincial and Federal Governments continue to fund 100% of the cost of the Big Move Metrolinx projects in the manner that the first wave of projects valued at \$16 billion were funded.”

- (ii) By deleting sub-sections (b), (c) and (d);

- (iii) By amending sub-section (e) to include “the Premier and the Minister of Finance” following the word, “Metrolinx”.

The Amendment CARRIED on the following Standing Recorded Vote:

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

(h) DISCUSSION ITEMS

- (i) Feasibility Study and Business Case for the Development of a Tourism Gateway Centre and Declaration of Surplus Property and Sale of Land – 1400 Baseline Road, Stoney Creek (PED12228) (Ward 11) (Item 8.1)**

The Outstanding Business Item respecting Tourism Gateway Centre was lifted from the table.

Please refer to Item 6 for the disposition of this item.

- (ii) Children’s Aid Society and Catholic Children’s Aid Society – Provincial Government Funding Cuts (New Business)**

The Medical Officer of Health was directed to bring a report to the May 8, 2013 Council meeting outlining the impacts of the provincial funding cuts to the Children’s Aid Society and Catholic Children’s Aid Society and how the City can express concerns to the Province.

(i) MOTIONS

(i) Area Rating Special Capital Re-Investment Reserve Funded Projects (Item 9.3)

Sub-section (d) was amended to delete the words, “and .33 FTE’s”.

The Amendment CARRIED and the Motion as amended, CARRIED.

(j) NOTICES OF MOTION

The following Notices of Motion will be placed on the May 15, 2013 agenda of the General Issues Committee:

(i) Establishment of a Music Working Group (Item 10.1)

Whereas, the City of Hamilton is participating in the provincial music industry working group;

And Whereas, the City of Toronto is in the final stages of establishing a music office, branded on “Toronto connects you to a world of music” and “music as the currency of cool”;

And Whereas, Hamilton has a unique and vibrant music scene with clear advantages such as scale and affordability;

And Whereas, it is important that Hamilton establish itself as a key music destination for musicians, music industry players, and music tourists.

Therefore be it resolved:

That the Economic Development Department establish a Hamilton Music Working Group and report back on a Hamilton music strategy and the possibility of establishing a Hamilton Music Office.

(ii) Request for Balance of Start-up Grant for Locke Street Farmers’ Market (Item 10.2)

Whereas, the Locke Street Farmers’ Market had requested a \$10,000 start-up grant in May 2011;

And Whereas on May 25, 2011, City Council approved a grant of \$5,000 (Item 5 of General Issues Committee Report 11-013(a)) with a recommendation included that the group come back to City Council for the second \$5,000 once the Market had advanced further;

And Whereas, the Locke Street Farmers' Market has now been in place for two years and is expanding, growing from five vendors in 2012 to eight vendors in 2013.

Therefore Be It Resolved:

That the outstanding balance of the start-up costs in the amount of \$5,000 be approved for the Locke Street Farmers' Market, to be funded from the Economic Development Investment Fund Account No. 3620908900.

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

(i) Outstanding Business Items List

The following items were deemed complete and removed from the Outstanding Business List:

Item G: Metrolinx Investment Strategy Consultation and Regional Transportation Funding Option (Item 7.1)

Item FF: Tourism Gateway Centre (Item 8.1)

(j) PRIVATE & CONFIDENTIAL

(i) Closed Session Minutes – April 17, 2013 (Item 12.1)

The Minutes of the Closed Session Meeting of the General Issues Committee held on April 17, 2013, were approved. These Minutes will remain confidential and restricted from public disclosure.

The Committee move into closed session at 2:32 p.m. pursuant to sub-sections (b), (e) and (f) of the City's Procedural By-law and Section 239(2) of the Municipal Act as the subject matters pertained to:

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

respecting Canadian Ballet Youth Ensemble (LS13014) (Item 12.2); and,

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

respecting Performance Review – Senior Management Team (Item 12.3) and On-Going Investigation (Item 12.4)

The Committee reconvened in Open Session at 4:43 p.m.

(ii) Canadian Ballet Youth Ensemble (LS13014) (Item 12.2)

No action to be reported.

(iii) Performance Review – Senior Management Team (Item 12.3)

This item was deferred to the May 15, 2013 General Issues Committee meeting.

(iv) On-going Investigation (Item 12.4)

No action to report.

(k) ADJOURNMENT

There being no further business, the Committee adjourned at 4:47 p.m.

Respectfully submitted

Councillor T. Whitehead
Deputy Mayor

Carolyn Biggs
Legislative Co-ordinator
Office of the City Clerk

METROLINX - \$16 BILLION - CURRENT PROJECTS UNDERWAY

Wednesday, April 10, 2013

CONTRIBUTIONS - MILLIONS

	FEDERAL	PROVINCIAL	MUNICIPAL	REGIONAL	TOTAL
Toronto-York Spadina Subway Extension : Description: 8.6 kms extension of the Yonge-Spadina subway line from Downsview subway station in Toronto to Vaughan Metropolitan Centre	\$697 Building Canada Fund (2007)	\$870	\$526 Toronto	\$352 York	\$2,445
Union Pearson Express: Description: 25 minute express rail service between Union Station to Toronto Pearson Airport	\$0	\$456	\$0	\$0	\$456
York Region vivaNext Rapidways: Description: 41 kms of rapid transit in York Region	\$85	\$1,230	\$0	\$85 York	\$1,400
Eglinton Crosstown LRT: Description: 19 kms of new light rail transit along Eglinton Avenue	\$0	\$4,900	\$0	\$0	\$4,900
Mississauga BRT Project: Description: 18 kms of two-lane, grade-separated road along Highway 403 from Winston Churchill Blvd to Renforth Drive	\$83 Canada Strategic Infra. Fund	\$113 Includes \$48M of GO Transit Investments	\$63 Mississauga	\$0	\$259
Scarborough Rapid Transit Extension: Description: Upgrade and extension of the Scarborough RT along Progress Avenue	\$0	\$1,800	\$0	\$0	\$1,800
Finch West LRT: Description: 11 kms of light rail transit along Finch Avenue	\$0	\$1,000	\$0	\$0	\$1,000
Georgetown South Project: Description: an additional 10 GO trains on the Kitchener Line and 140 shuttles will operate on the new Union Pearson Express.	\$55.3 Infra. Stimulus Fund = \$8.3 Canada Strategic Infra. Fund = \$47	\$1,145	\$0	\$0	\$1,200
Sheppard East LRT: Description: 13 kms of light rail transit along Sheppard Avenue from Don Mills subway station to east of Morningside Avenue	\$333	\$667	\$0	\$0	\$1,000
Union Station - Train Shed Revitalization: Description: train shed roof replaced with glass atrium, replacing the tracks, new stairs and elevators etc.	\$0	\$250 GO Transit Capital Infra. Fund	\$0	\$0	\$250
TOTALS	\$1,253	\$12,431	\$589	\$437	\$14,710
	FEDERAL	PROVINCIAL	MUNICIPAL	REGION	TOTAL

Document Name: 7.1 - FCS13002 Appendix A \$16BILLION PROJECTS UNDERWAY

Document Number: 436699

Document Author: CBIGGS

Document Type: CLK_LEGISL

Abstract:

Application: MS EXCEL

Appendix to Motion - Hamilton Waterfront Trust 2013 Capital Budget

1. Building Addition Budget increase (Warm-up area and washrooms for rink and restaurant, City Building leased to HWT) – (Original Budget approved in May 2012, \$1.4m)
 - Original Budget estimate didn't factor in complexities re; addition to an angled building, hydro, electrical and construction
 - \$150,000 required (*Note 1)
2. Ice Rink Lighting
 - Foundations are in place
 - 12 lights in total
 - Aluminum poles 9 m tall
 - \$ 55,000
3. Stage / Ice Rink Sound System
 - Speakers mounted on stage roof
 - Speakers mounted on 6 ice rink light poles
 - System operated from Mechanical Building
 - \$ 40,000
4. Winter Light Display
 - Setup organization (volunteer) to operate/manage winter waterfront light display
 - Increase the number of light displays from 7 in 2008/9
 - Improve infrastructure to facilitate light display
 - \$ 70,000
5. Site Improvements
 - Replace and add new signage
 - Replace & add new site furniture (benches & receptacles)
 - \$ 40,000
6. Parking Area Improvements (City Lands (Adjacent to Parks Canada Building) – Not included in City's 10-year Capital Forecast)
 - Improve gravel parking & garbage area
 - Improve pedestrian access
 - \$ 70,000 (*Note 2)
7. Engineering Design for Sewage System (Pier 7 & 8)
 - \$ 150,000
8. Construction of Sewage Station and connection to existing Sewers on pier 8 (Phase 1)
 - \$ 425,000
 - (Phase 2 = \$1,075,000, Total both phases = \$1,500,000)
 - Phase 2 to be completed as additional funding becomes available. Currently scheduled for 2014 but can be completed earlier if additional funding (>\$425k) becomes available.

Total \$1,000,000 (Notes 1 & 2 denote additional projects to Appendix D which was received by Council during Capital Budget deliberations on December 11, 2012 (FCS12096))

Ibrahim: Respected City members, my name is Ibrahim Kareemi, and I am a Political Science student at McMaster University.

Maria: My name is Maria Ahmed and I am also a Political Science student at McMaster University.

Maria: We are here today to request the reinstatement of on-campus polling stations at McMaster University and Mohawk College. As a group of McMaster University students in Political Science, we feel that on campus polling stations would allow us to exercise our democratic rights to vote in municipal elections. This is crucial to the development of our political interests as well as our participation in the City of Hamilton.

Ibrahim: We are aware of the fact that on-campus polling stations were removed from McMaster University and Mohawk College prior to the 2010 municipal election. Due to the low voter turnout of the 2006 municipal election, the City of Hamilton felt that resources could be better used elsewhere.

Maria: It is important to note, however, that there were a total of about 21,000 full-time undergraduate students and about 3,000 part-time undergraduate students enrolled at McMaster University for the 2012/2013 year. Of the total number of students who live on campus, 48 percent of these students are first year students while about 17 percent make up the total undergraduate population living on campus.

Ibrahim: While there is the possibility of first year students who are ineligible to vote due to their age, it must be noted that the majority of these students enter university at the age of eighteen. This means that about 83 percent of first year students are eligible to vote on-campus which is quite high considering the fact that the majority of students living on-campus are first year students.

Maria: McMaster University Residence Life excels at mobilizing first year students living on campus to participate in various events and activities. This could easily translate into increasing voter turnout for the upcoming municipal election in 2014, as the Residence Life Coordinator has promised to encourage on-campus students to vote while stressing the ease of voting on-campus. Having students participate in municipal elections early in their undergraduate career would encourage habitual participation for future elections.

Ibrahim: One of the most beneficial outcomes of increasing political participation amongst McMaster and Mohawk students would be fostering a stronger relationship between the City of Hamilton and our institutions of learning. If McMaster University and Mohawk College students feel that the city is investing its time and resources to their educational experience, they may be more inclined to permanently reside in Hamilton and contribute to the growth of the city as well as the university.

Maria: We have already gained support from the Dean of Students at McMaster University with respect to reinstating on-campus polling stations and he also believes that the Residence Life Team and McMaster Students Union can increase the voter turnout rate for the next municipal election. Already, the McMaster Students Union has excelled at increasing the voter turnout rate for the most recent Federal election by mobilizing 700 McMaster University students to vote. We believe that the same method can be used to mobilize voters and increase the voter turnout rate for the municipal elections.

Ibrahim: We have also received support for the reinstatement of on-campus polling stations from NDP Leader, Andrea Horwath, the Council for Canadians, and the McMaster Graduate Students Association. Furthermore, in the case that on campus polling stations are reinstated for the October 2014 election, the Hamilton Liberal riding has also expressed interest in supporting the mobilization of students to vote on-campus. Please refer to the portfolio that we have provided which includes the signed letters of support from the various key stakeholders.

Maria: Overall, we are aware of the legal implications surrounding the subject of special polling stations on campus at McMaster University and Mohawk College. At the same time, however, we have concluded that there is a necessity for reinstating these polling stations on campus in order to promote political engagement among young voters. Voter turnout can definitely be increased through support from the various stakeholders previously mentioned and on-campus polling stations would prove to be an asset for students' political participation.

Ibrahim: The City of Hamilton has the power to show students that there are opportunities to become active community members and more involved within the city's political sphere. We appreciate your time and attention to this issue and encourage you to reconsider reinstating polling stations on campus at McMaster University and Mohawk College for the next municipal election in October 2014.

DRAFT

Good morning, Chair and Members of Committee:

I'm here with the support of other peace groups, including the UN Culture of Peace, Hamilton and the Department of Peace Initiative.

There have been two date changes and a change of actual committee I to whom I would present since I first approached City Hall to speak on a subject I care very much about.

Had the April 15th meeting of the Emergency & Community Services Committee not been cancelled, I would have begun by saying "Today is GDAMS day--that is, Global Day of Action on Military Spending." You may, or may not, have heard something about this day of action from the media. On April 15 the Stockholm International Peace Research Institute, or SIPRI, brought out its figures for 2012 for worldwide military spending (\$1.75 trillion) and gave a breakdown for each country. According to SIPRI Canada's figures for 2012 totalled \$22.5 billion dollars., no small sum for a country that doesn't have an enemy in sight! Canada is listed in the top 15 biggest military spenders.

The backprinted handout attached to your agenda shows an obscenely higher dollar figure and percentage spent on the Canadian military compared to amounts spent on administrative and life-enhancing areas such as health, the environment and agriculture, areas which affect, obviously, even us Hamiltonians. You will notice that the figures from Public Accounts of Canada corroborates SIPRI's figures for 2012 and the minuscule amount spent on the environment. I personally feel enraged to learn, for example, of the lack of clean drinking water on our local Six Nations Reserve, when the military establishment is so flush with cash.

Back to Global Day of Action on Military Spending: Since Hamilton was declared a Nuclear Weapons Free Zone 30 years ago this month, and Mayor Morrow officially announced August 6 and 9, yearly, to be Hiroshima and Nagasaki Days in Hamilton, and since Hamilton has joined Mayors for Peace--whose numbers currently stand at

over 5,000 cities, it seemed appropriate to bring the yearly Global Day of Action on Military Spending to your notice.

Some people say that mentioning military expenditures to a municipal body is out of sync with the way things work in Canada. However, funding is handed down from Federal to Provincial to municipal levels and currently the total sum is nowhere near sufficient to meet Hamilton's needs, is it?

The Department of National Defence has estimated 2012-13 military expenditures at \$21.1 billion. However, the Federal government plans to spend, over the next 20 years, some \$475 billion for new equipment, according to something called *Canada First Defence Strategy*.

With this scenario, it doesn't look like municipalities are going to get sufficient funding any time soon.

Would this committee consider asking the Association of Municipalities Ontario write a letter to our Prime Minister requesting that military expenditures be reduced--you state by what amount-- in order to help meet critical needs in many municipalities? If the letter goes and the government does not respond, perhaps councillors would join a GDAMS protest in April next year.

Thank you.

Remarks to the General Issues Committee of Wednesday May 1, 2013

I appreciate this opportunity to speak this morning to Council at today's General Issues Committee.

I appear before you wearing an altogether hat than perhaps you are used to seeing or hearing me and I hope you will receive me in that spirit.

I speak to you today as the Chair of the Hamilton Chapter of the Canadian Peace Initiative. I had the distinct honour of having been elected as co-chair of the national board of directors of the Canadian Peace Initiative at our National AGM last November in Ottawa. I am a recipient of the YMCA peace medal and the Gandhi Peace Festival Community Service Award. And I am a Quaker by conviction, one of the four historic peace churches

And I assure you that my efforts pale in comparison to the contributions of many Hamiltonians in the cause of peace. Many of you may know that the City of Hamilton is known as a centre of peace activism right across this country.

I think of the contributions of Joy and Gary Warner, of Dr. Rama Singh and Khursheed Ahmed and the Canada-India Society and their role in making Hamilton's Annual Gandhi peace festival held in the forecourt of this building every year on the anniversary of Gandhi's birth perhaps the most significant event of its kind in Canada. I think of Dr. Dick Preston a Korean War veteran and a giant both literally and figuratively in this City's peace movement. I think of Gail Rappolt who has shepherded the Culture of Peace movement in this city for more than a decade now. Dr. Anne Pearson at McMaster University and prominent in interfaith efforts who is the grand-daughter of Lester B Pearson our former Prime Minister and recipient of the Nobel Peace Prize. Indeed Pearson completed his Grade 13 here in our city.

Every year we mark solemnly the dropping of the atomic bomb on Nagasaki in this very chamber.

I think of Dr. Graeme McQueen who was a founder of the McMaster Peace Studies program and the Peace through Health program that preceded our troops

into Afghanistan by a couple of decades and of Dr. Mark Vorobej a successor as Program Director there. And of course of 92 year old Ray Cunningham, here in the gallery today who is still writing op-eds on peace in the Hamilton Spectator. I think you grasp the picture

I think of your generous support as a council and as individuals of the Strengthening Hamilton Community Initiative, a bold and creative response by Hamilton to the aftermath of 9-11 and in particular the burning of the Hindu temple in our city. Your continued support as council of the Hamilton Centre for Civic Inclusion (HCCI) bears witness to your collective and individual resolve to support and promote peace, harmony and understanding in our community.

The Department of Peace Bill, C-373, passed First reading in the House of Commons, November 30, 2011, moved by Alex Atamanenko (NDP), seconded by Elizabeth May (Green Party) and Jim Karygiannis (Liberal).

The previous Department of Peace Bill, C-447, passed First reading in the House of Commons, September 30, 2009, moved by Bill Siksay (NDP) and seconded by Jim Karygiannis (Liberal).

The CDPI is committed to the establishment of a Cabinet-level Minister of Peace and Department of Peace within the Government of Canada, as well as other peace building activities within the federal government. In support of this initiative, there are now chapters in most major cities across Canada, and the endorsement of many prominent individuals, including two of Canada's foremost peace builders, the Hon. Lloyd Axworthy and the Hon. Doug Roche. More than 30 peace and justice organizations in civil society have endorsed the CDPI, representing a million Canadians.

We are also part of a growing international movement for departments of peace, the Global Alliance for Ministries and Departments of Peace, www.mfp-dop.org, numbering more than 35 countries.

Nepal has declared a Minister of Peace and Reconstruction in 2007 and Costa Rica declared a Minister of Justice and Peace, September, 2009.

The mandate envisioned for the Minister of Peace is to reinvigorate Canada's role as a peacekeeper and peace builder as follows:

Develop early detection and rapid response processes to deal with emerging conflicts and establish systemic responses to post-conflict demobilization, reconciliation and reconstruction.

Lead internationally to abolish nuclear, biological, chemical weapons, to reduce conventional weapon arsenals and to ban the weaponization of space

Implement the UN Declaration and Programme of Action on a Culture of Peace (1999) to safeguard human rights and enhance the security of persons and their communities

Implement UN Resolution 1325 on the key role played by women in the wide spectrum of peace building work

Establish a Civilian Peace Service that, with other training organizations, will recruit, train and accredit peace professionals and volunteers to work at home and abroad, as an alternative to armed intervention

Address issues of violence in Canada by promoting nonviolent approaches that encourage community involvement and responsibility such as Restorative Justice, Nonviolent Communication (NVC) and Alternate Dispute Resolution (ADR)

Support the development of peace education at all levels including post-secondary peace and conflict studies

Promote the transition from a war-based to a peace-based economy.

We are dedicated to generating the political will for this initiative by reaching out, not only to politicians, but to the broad spectrum of our citizens including peace and justice organizations, faith communities, artists, choirs, healthcare professionals, teachers, service clubs, cultural communities and businesses. Eight chapters presently exist in Victoria, Vancouver, Calgary, London, Hamilton, Toronto, Ottawa and Montréal. Canada is a founding member of the Global

Alliance for Ministries and Departments of Peace www.mfp-dop.org of over 30 countries promoting departments **of peace**.

So now we ask you to vote once again to support peace and to do so for by supporting the concept of a department of peace.

A municipal strategy involving communities across Canada and eventually the Federation of Canadian Municipalities (FCM), moving motions similar to this is an important part of mobilizing a broad cross section of Canadians in the cause of peace through the concept of a Canadian Department of Peace

Living free from the threat of armed violence is a basic human need. It is a precondition for human development, dignity and well-being. Providing for the human security of their citizens is a core responsibility of governments.

— The Geneva Declaration on Armed Violence and Development, 2007