



CITY COUNCIL MINUTES 16-010

5:00 p.m.

Wednesday, May 25, 2016

Council Chamber

Hamilton City Hall

71 Main Street West

Present: Mayor F. Eisenberger, Deputy Mayor A. Johnson
Councillors J. Farr, M. Green, S. Merulla, C. Collins, T. Jackson,
D. Skelly, T. Whitehead, D. Conley, M. Pearson, B. Johnson,
L. Ferguson, A. VanderBeek and R. Pasuta

**Absent with
regrets:** Councillor J. Partridge - Personal

Mayor Eisenberger called the meeting to order.

APPROVAL OF THE AGENDA

The Clerk advised of the following changes to the agenda:

1. ADDED NOTICE OF MOTION

8.1 Pleasant View Land Acquisition

(Ferguson/Pasuta)

That the agenda for the May 25, 2016 meeting of Council be approved, as amended.

CARRIED

DECLARATIONS OF INTEREST

Councillor Ferguson declared an interest with item 5.1, as he is the subject of the communication.

CEREMONIAL ACTIVITIES

3.1 Recognition of Queen's Park Tribute to Ontario Holocaust Survivor Helene Cantkier Goldflus

Mayor Eisenberger welcomed and congratulated Helene Cantkier Goldflus on being the recipient of the Queen's Park Tribute to Holocaust Survivors. Helene and her family spent World War II being hidden in France by neighbours, farmers and nuns in a convent. Helene has demonstrated a profound commitment to Holocaust education and passing the torch to future generations by sharing her story in classrooms, at commemorations and with community groups. Mrs. Goldflus briefly addressed Council.

APPROVAL OF MINUTES

4.1 Minutes – May 11, 2016**(A. Johnson/Green)**

That the Minutes of the May 11, 2016 meeting of Council be approved, as presented.

CARRIED

COMMUNICATIONS

(A. Johnson/Farr)

That Council Communications 5.1 through 5.13 be approved, as amended, as follows:

- 5.1 Correspondence from D. Scott McNie respecting the February 25, 2015 Integrity Commission's Report.

Recommendation: Be received.

- 5.2 Correspondence from Steph Palmateer, City Clerk, City of Timmins, requesting support for the City of Timmin's resolution regarding Regulating Gas Prices in Ontario.

Recommendation: **Be endorsed.**

- 5.3 Correspondence from Ralph Walton, Regional Clerk, Niagara Region, requesting support for the Region of Niagara's resolution regarding Lyme Disease.

Recommendation: **Be endorsed.**

- 5.4 Correspondence from Matt Jelly respecting a referendum on LRT.

Recommendation: **Be received and referred together with all letters**

respecting LRT, to the Light Rail Transit Sub-Committee for consideration.

- 5.5 Correspondence from Fernando Lamanna, Municipal Clerk, Town of East Gwillimbury, respecting the Town of East Gwillimbury's resolution regarding Strategic Energy Initiatives: Hydro One.

Recommendation: **Be referred to the City Manager to have appropriate staff report to the Public Works Committee.**

- 5.6 Flyer from the Heart & Stroke Foundation respecting the 2016 Big Bike event.

Recommendation: Be received.

- 5.7 Correspondence from James Arlen respecting the Light Rail Transit Initiative.

Recommendation: Be received **and referred to the Light Rail Transit Sub-Committee.**

- 5.8 Correspondence from Michael Perley, Director, Ontario Campaign for Action on Tobacco, respecting endorsement of Plain and Standardized Packaging.

Recommendation: Be received and referred to Item (d)(ii) of Board of Health Report 16-005.

- 5.9 Correspondence from North End Neighbours respecting Support for Light Rail Transit (LRT) in Hamilton.

Recommendation: Be received **and referred to the Light Rail Transit Sub-Committee.**

- 5.10 Correspondence from the Rolston Neighbourhood Planning Team respecting Support for Light Rail Transit (LRT) in Hamilton.

Recommendation: Be received **and referred to the Light Rail Transit Sub-Committee.**

- 5.11 Correspondence from the Honourable Ted McMeekin, Minister of Municipal Affairs and Housing, respecting Inclusionary Zoning.

Recommendation: Be received and referred to the General Manager of Planning & Economic Development.

- 5.12 Correspondence from the Honourable Kathleen Wynne, Premier of Ontario, respecting the City of Hamilton's letter regarding physician recruitment for rural areas.

Recommendation: Be received.

5.13 Correspondence from the Honourable Charles Sousa, Minister of Finance, respecting the City of Hamilton’s letter regarding infrastructure funding in Ontario.

Recommendation: Be received.

MOTION, AS AMENDED, CARRIED

(Conley/Pearson)

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

CARRIED

SPECIAL PLANNING COMMITTEE WORKSHOP REPORT 16-009

(B.Johnson/Pearson)

That the NINTH Report of the Special Planning Committee be received.

CARRIED

PUBLIC WORKS COMMITTEE REPORT 16-009

(Collins/VanderBeek)

That the NINTH Report of the Public Works Committee Clerk’s Report be received.

CARRIED

BOARD OF HEALTH REPORT 16-005

(Eisenberger/Pasuta)

That the FIFTH Report of the Board of Health be adopted, as presented, and the information section received.

CARRIED

PLANNING COMMITTEE REPORT 16-010

(B.Johnson/Conley)

That the TENTH Report of the Planning Committee meeting be adopted, as presented, and the information section received.

CARRIED

GENERAL ISSUES COMMITTEE REPORT 16-013

**Item 5 Single-Source Address Information Management System
Implementation (FCS16043/PED16120/PW16038) (City Wide)
(Item 8.1)**

(Green/Farr)

That Item 5 of General Issues Committee Report 16-013 respecting Single-Source Address Information Management System Implementation

(FCS16043/PED16120/PW16038) be referred back to the General Issues Committee for a full presentation and explanation for the staff recommendation to single-source.

CARRIED

(Eisenberger/Pasuta)

That the THIRTEENTH Report of the General Issues Committee be adopted, **as amended**, and the information section received.

CARRIED

AUDIT, FINANCE & ADMINISTRATION COMMITTEE REPORT 16-008
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(Skelly/Johnson)

That the EIGHTH Report of the Audit, Finance & Administration Committee be adopted, as presented, and the information section received.

CARRIED

(Conley/B. Johnson)

That the Committee of the Whole Rise and Report.

CARRIED

MOTIONS

7.1 Urbanization of Rural Cross-Section Roads

(Whitehead/Skelly)

WHEREAS, there are rudimentary safety issues on the road networks within the urban boundary;

WHEREAS, an urbanist approach to planning safer streets in our communities has gained support amongst City of Hamilton Councillors, staff and citizens alike;

WHEREAS, there has been a great deal of community engagement and encouragement regarding initiatives that push for many enhancements in the name of safety on our streets;

WHEREAS, there are many neighbourhoods that have rural cross-section roads with no sidewalks within the urban boundary;

WHEREAS, residents are trying to walk to their churches and schools in these neighbourhoods safely;

WHEREAS, the city has a responsibility to prioritize fundamental safety in neighbourhoods over enhancements in other areas that are already adequately urbanized;

WHEREAS, crossing guards are not assigned in neighbourhoods that have no sidewalks,

THEREFORE BE IT RESOLVED:

- (a) That staff be directed to report to the Public Works Committee with a Capital Plan to urbanize rural cross-section roads in the next 5 years; and,
- (b) That staff develop a strategy for ensuring safety in neighbourhoods not yet urbanized.

(Whitehead/Farr)

That Item 7.1 be amended by inserting the words “on the feasibility” after the word ‘report’ in subsection (a), and delete the word “with”, and insert the words “to produce a” therein.

AMENDMENT CARRIED

(Skelly/Pearson)

That item 7.1 be further amended to include the wording “within the urban boundary” after ‘cross-section roads’.

AMENDMENT CARRIED

(Whitehead/Skelly)

WHEREAS, there are rudimentary safety issues on the road networks within the urban boundary;

WHEREAS, an urbanist approach to planning safer streets in our communities has gained support amongst City of Hamilton Councillors, staff and citizens alike;

WHEREAS, there has been a great deal of community engagement and encouragement regarding initiatives that push for many enhancements in the name of safety on our streets;

WHEREAS, there are many neighbourhoods that have rural cross-section roads with no sidewalks within the urban boundary;

WHEREAS, residents are trying to walk to their churches and schools in these neighbourhoods safely;

WHEREAS, the city has a responsibility to prioritize fundamental safety in neighbourhoods over enhancements in other areas that are already adequately urbanized;

WHEREAS, crossing guards are not assigned in neighbourhoods that have no sidewalks,

THEREFORE BE IT RESOLVED:

- (c) That staff be directed to report to the Public Works Committee **on the feasibility to produce** a Capital Plan to urbanize rural cross-section roads **within the urban boundary** in the next 5 years; and,
- (d) That staff develop a strategy for ensuring safety in neighbourhoods not yet urbanized.

MAIN MOTION, AS AMENDED, CARRIED

7.2 Because Beer Craft Beer Festival - Special Occasion Permit Liquor Licence

(Farr/A. Johnson)

WHEREAS, Hamilton City Council has received Notice (attached hereto as Appendix "A") from Mr. Tim Potocic on behalf of the Sonic Unyon, that they wish to obtain approval for a Special Occasion Permit Liquor Licence to sell alcohol on July 8, 2016 between the hours of 3:00 p.m. and 11:00 p.m. and July 9, 2016 between the hours of 2:00 p.m. and 11:00 p.m. at Pier 4 Park located at 64 Leander Dr., Hamilton, Ontario, during the Because Beer Craft Beer Festival taking place in Hamilton, Ontario;

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

WHEREAS, the City of Hamilton does not have an objection to the Liquor Licence Serving Time Extension for the following establishment;

THEREFORE BE IT RESOLVED:

- (a) That the City of Hamilton hereby deems the Because Beer Craft Beer Festival, being held in the City of Hamilton, Ontario on July 8 and 9, 2016, as municipally significant; and,
- (b) That the following applicant be provided a copy of this resolution for inclusion with their application to the Alcohol and Gaming Commission of Ontario:
 - (i) Sonic Unyon c/o Tim Potocic, Hamilton, Ontario.

CARRIED

7.3 Hamilton Hornets Rugby Football Club – Post Game Hosting – Special Occasion Permit Liquor Licence

(Jackson/Skelly)

WHEREAS, Hamilton City Council has received Notice (attached hereto as Appendix "A") from Mr. Tom Edwards on behalf of the Hamilton Hornets Rugby Football Club, that they wish to obtain approval for a Special Occasion Permit Liquor Licence to sell alcohol on May 14, June 4, 5, 18, 25, July 21, 22, August 6, 20, 27, September 10, 17, 24, October 1, 8, 15, 22 and 30, 2016 between the hours of 12:00 p.m. and 10:00 p.m. at the Mohawk Sports Complex located at 1100 Mohawk Road East a.k.a. 685 Upper Kenilworth St., Hamilton, Ontario, during the Hamilton Hornets Rugby Football Club – Post Game Hosting taking place in Hamilton, Ontario;

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

WHEREAS, the City of Hamilton does not have an objection to the Liquor Licence Serving Time Extension for the following establishment;

THEREFORE BE IT RESOLVED:

- (a) That the City of Hamilton hereby deems the Hamilton Hornets Rugby Football Club – Post Game Hosting, being held in the City of Hamilton, Ontario on May 14, June 4, 5, 18, 25, July 21, 22, August 6, 20, 27, September 10, 17, 24, October 1, 8, 15, 22 and 30, 2016, as municipally significant; and,
- (b) That the following applicant be provided a copy of this resolution for inclusion with their application to the Alcohol and Gaming Commission of Ontario:
 - (i) Hamilton Hornets Rugby Football Club c/o Tom Edwards, Ancaster, Ontario.

CARRIED

7.4 Pleasant View Land Acquisition (Added Item 8.1)

(A. Johnson/VanderBeek)

WHEREAS, the Cootes to Escarpment EcoPark System (EcoPark) is a collaborative initiative among 9 partner agencies to protect, restore and connect more than 3,900 hectares (9,600 acres) of natural lands in west Hamilton, Dundas, Flamborough and Burlington;

WHEREAS, the City of Hamilton signed a Memorandum of Understanding (MOU) in 2013 (approved by Council through Report PED08009b /PW12082);

WHEREAS, the natural features of this area include a portion of the Niagara Escarpment, and the lands and waters associated with Cootes Paradise Marsh and Grindstone Creek. These areas are recognized for their significant biodiversity, vistas, and long cultural history;

WHEREAS, over the period 2012-2014, the City of Hamilton has provided \$550,000 in funding to Hamilton Conservation Authority for land acquisition in support of the Cootes and Escarpment Park; and

WHEREAS, the Pleasant View acquisition, in support of the Cootes to Escarpment EcoPark System, represents an \$850,000 investment, of which the City of Hamilton is requested to contribute \$300,000.

THEREFORE BE IT RESOLVED:

That staff report back with funding options and potential funding agreement requirements in support of the Cootes to Escarpment Ecopark System.

CARRIED

NOTICES OF MOTION

Councillor A. Johnson introduced the following Notice of Motion:

8.1 Pleasant View Land Acquisition

WHEREAS, the Cootes to Escarpment EcoPark System (EcoPark) is a collaborative initiative among 9 partner agencies to protect, restore and connect more than 3,900 hectares (9,600 acres) of natural lands in west Hamilton, Dundas, Flamborough and Burlington;

WHEREAS, the City of Hamilton signed a Memorandum of Understanding (MOU) in 2013 (approved by Council through Report PED08009b /PW12082);

WHEREAS, the natural features of this area include a portion of the Niagara Escarpment, and the lands and waters associated with Cootes Paradise Marsh and Grindstone Creek. These areas are recognized for their significant biodiversity, vistas, and long cultural history;

WHEREAS, over the period 2012-2014, the City of Hamilton has provided \$550,000 in funding to Hamilton Conservation Authority for land acquisition in support of the Cootes and Escarpment Park; and

WHEREAS, the Pleasant View acquisition, in support of the Cootes to Escarpment EcoPark System, represents an \$850,000 investment, of which the City of Hamilton is requested to contribute \$300,000.

THEREFORE BE IT RESOLVED:

That staff report back with funding options and potential funding agreement requirements in support of the Cootes to Escarpment Ecopark System.

(A. Johnson/VanderBeek)

That the Rules of Order be waived to allow for the introduction of a motion respecting the Pleasant View Land Acquisition.

CARRIED

For disposition of this matter, refer to Item 7.4.

STATEMENT BY MEMBERS

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

BY-LAWS**(A. Johnson/Farr)**

That Bills No. 16-141 to No. 16-157 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:

Bill No.

- 141** To Amend By-law No. 01-215 Being a By-law to Regulate Traffic
Schedule 2 - Speed Limits
Schedule 6 - One-way Streets
Schedule 10 - No Left Turns
- 142** To Amend By-law No. 01-218, as amended, Being a By-law to Regulate On-Street Parking
Schedule 8 - No Parking Zones
Schedule 10 - Alternate Side Parking
Schedule 12 - Permit Parking Zones
Schedule 13 - No Stopping Zones
- 143** Respecting The Appointments of a Chief Building Official, Deputies and Inspectors
- 144** A By-law to Establish Tax Ratios and Tax Reductions for the Year 2016
- 145** A By-law to Set Optional Property Classes for the Year 2016
- 146** A By-law to Set and Levy the Rates of Taxation for the Year 2016
- 147** A By-law to Adopt Municipal Options for Tax Capping
- 148** A By-law to Levy a Special Charge Upon the Rateable Property in the Business Improvement Areas for the Year 2016
- 149** To Amend Waterworks By-law No. R84-026
- 150** To Incorporate City Land Designated as Parts 1 and 2 on Plan 62R-20319 into West 5th Street
- 151** To Incorporate City Land Designated as Parcel C on Plan 992 into Harmony Hall Drive
- 152** To Incorporate City Land Designated as Block 126 on Plan 62M-1122 into Harmony Hall Drive
- 153** To Incorporate City Land Designated as Part 2 on Plan 62R-19127 into Harmony Hall Drive
- 154** Respecting Removal of Part Lot Control for the creation of maintenance easements and 58 townhouse lots regarding Blocks 18-36 and 73-41, on Registered Plan 62M-1222, known as Upcountry – Cranberry Hill, Phase 2
PLC-16-014
PLC-16-015
- 155** Respecting Removal of Part Lot Control, Block 112 of Registered Plan No. 62M-1050
PLC-16-013

- 156** To Amend By-law No. 81-160, A By-law Respecting Signs Over Sidewalks and Highways
- 157** To Confirm the Proceedings of Council.

CARRIED

(Pearson/B. Johnson)

That, there being no further business, the City Council meeting be adjourned at 6:33 p.m.

CARRIED

Respectfully submitted,

Mayor Fred Eisenberger

Janet Pilon
Acting City Clerk