



Committee of the Whole REPORT 05-019

1:00 p.m.

November 7, 2005

Council Chambers

Hamilton City Hall

71 Main Street West, Hamilton

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- Present:** Mayor L. Dilanni
Councillors B. Bratina, C. Collins, M. Ferguson, T. Jackson, B. Kelly, M. McCarthy, B. McHattie, S. Merulla, D. Mitchell, B. Morelli, M. Pearson, A. Samson, T. Whitehead
- Also Present:** G. Peace, City Manager
J. Rinaldo, General Manager, Finance and Corporate Services
S. Stewart, General Manager, Public Works
C. Graham, General Manager, Human Resources
J. Priel, General Manager, Community Services and Public Health
L. A. Coveyduck, General Manager, Planning and Economic Development
N. Everson, Executive Director, Planning and Economic Development
J. Kay, General Manager, HES/Fire Chief
K. Christenson, City Clerk
M. Gallagher, Co-ordinator

Mayor Dilanni called the meeting to order

COMMITTEE OF THE WHOLE PRESENTS REPORT 05-019 FOR INFORMATION:

(a) DECLARATIONS OF INTEREST

None

(b) CHANGES TO THE AGENDA

The agenda was approved as amended with the following changes noted:

Added Delegations

- (1) David Heatley
- (2) Brian Gordon
- (3) Robert Pasuta
- (4) Dennis Fiorasco
- (5) Joe Beattie
- (6) Michael Desnoyers on behalf of Hamiltonians for Progressive Development

Added Written Submissions:

- (1) Vince Massarella
- (2) Sharon Derkach

(c) ADOPTION OF MINUTES**3.1 October 27, 2005**

The minutes of October 27, 2005 were adopted as presented.'

(d) DELEGATION REQUESTS

The following delegation requests were approved to be entertained at the special Committee of the Whole meeting scheduled on November 9, 2005.

- (i) Joanna Chapman respecting the audit of Mayor Larry Dilanni's campaign finances
- (ii) Margaret Robertson respecting audit of Mayor Larry Dilanni's campaign contributions
- (iii) Mark-Alan Whittle respecting the election audit

(e) PRESENTATIONS

Tim McCabe, Neil Everson and Tony Sergi of the Planning and Economic Development Department presented an overview of the proposal to council. Highlights of which included: Company background; site requirements; economic analysis; NGIBP Servicing Plan and Issues.

(f) PUBLIC HEARINGS/DELEGATIONS

City Procedural By-law 3.7 was invoked to allow delegations to address members of Council in Committee of the Whole.

1. Richard Love

Mr. Love addressed Committee and voiced his opposition to the proposal. In his remarks Mr. Love asked council to consider the following:

He built an executive home in 1978. In 1980 the industrial park came into existence. Land was rezoned to commercial to ensure its value. The City's decision to sell this property to Maple Leaf will greatly affect the value of his home and the enjoyment of his home. Mr. Love addressed increased truck traffic in front of home, trucks gearing down and turning on air brakes; number of pigs being delivered by truck, odour concerns, threats to health

2. Arthur Miles

Mr. Miles addressed Committee and voiced his opposition to the proposal. In his remarks Mr. Love asked council to consider the following:

There are pluses and minuses to this proposal. The staff presentation was bias. Mr. Miles lives across the road from Maple Leaf. He is retired. There was no industrial park when he built his home. He is concerned with living downwind from the property, odours, number of pigs and trucks

3. Ed Fothergill (on behalf of the Chamber of Commerce)

Mr. Fothergill addressed Committee in favour of the proposal. In his remarks Mr. Fothergill asked council to consider the following: This is an important issue for Hamilton. We are at a tipping point for sustainability. We have lost 3000 jobs over the last 6 years. We are losing too much of our labour force. We don't have to accept everything comes our way but we have to review projects objectively.

The Hamilton Real Estate Board reviewed housing in the area of Maple Leaf and there was no appreciable difference in Burlington area and no economic impact on house values. The Chamber of Commerce took a survey – small majority are opposed to application and half were in favour. Those living in the area were split 50/50. Defeating the proposal would be sending out the wrong message to those wanting to come to Hamilton.

It is difficult to attract new business if we start backtracking progress we have made. This is not a neighbourhood issue, this is an issue that addresses all the community.

4. Bonnie Cook

Ms. Cook addressed Committee in opposition to the proposal. In her remarks Ms. Cook asked Council to consider the following: Ms. Cook lives and works in the area of the pig slaughter house. No one polled her or any of her neighbours with respect to the Chamber's survey. Hamilton had an image problem. One which was dirty, grimy, polluted, industrial town. She use to receive a very negative response when asked where she was from if she was travelling abroad. Now she doesn't receive a negative response. If you permit the slaughter house, the image will go back downhill. Hamilton's reputation is the real cost. It's not the right thing for Hamilton's image.

5. Bob Smith CAPS (Citizens Against Pig Slaughter)

Mr. Smith addressed Committee in opposition to the proposal. In his remarks Mr. Smith asked Council to consider the following: Rymal Road north – heavy density. The plant will be built there is a prevailing wind problem. Mr. Smith referenced three documents from the ministry which addressed land use compatability, facilities land uses and other definitions for land use. He was requested to provide the information to staff. Mr. Smith remarked that under those definitions the plant cannot go at the proposed site. There will be abnoxious fumes coming from the plant. Agent for killing smell is just as bad as smell. Foolish to put plant at that sight by a heavily built up area

6. Evelyn Smith CAPS

Ms. Smith addressed Committee in opposition to the proposal. In her remarks Mr. Smith asked Council to consider the following: Houses on her street put up for sale and can't sell them. Maple Leaf has paid their fines but not corrected the problem. 38 infractions at Rothsay. Concerns with respect to slaughtering, water pollution, sludge on land

7. Bill Johnson

Mr. Johnson addressed Committee in opposition to the proposal. In his remarks Mr. Johnson asked Council to consider the following: In a 10k radius of the proposed slaughterhouse, there is Haldimand County Line and the Hamilton Bay. There are over 400,000 people, commercial buildings, hospitals, office buildings who have

air handling apparatuses which provide air on a required schedule. They bring in outside air. 10-20 percent coming in while hospitals 100% outside air. We are downwind from the plant, house flies congregate on manure, they carry pathological diseases that can be transmitted to people

8. Gary Schwarz

Mr. Schwarz addressed Committee in opposition to the proposal. In Mr. Schwarz's remarks he asked Council to consider the following:

False promises made by MLF. Matter of public record. Westerly wind – can't get around nature. No logic, good judgement or common sense. Urge council to take MLF back to the brownfield and make them an offer they can't refuse. Have the courage to say goodbye.

9. Brian Storey

Mr. Storey addressed Committee in opposition to the proposal. In Mr. Storey's remarks he asked Council to consider the following: He is from Haldimand County. He has had 27 biosolids dumped across the road, bitten by flies. He is aware that the phosphorus emissions at the Brandon Plant are high.

10. Eleanor Giacomazza

Ms. Giacomazza addressed Committee in opposition to the proposal. A copy of her proposal was distributed to Committee and is available for perusal in the Clerk's office.

11. Ruth Graves

Ms. Graves addressed Committee in opposition to the proposal. In her remarks Ms. Graves asked Council to consider the following: She is a resident of Hamilton for 20 years. She asked Council to make sure that it is something that Hamilton can live with over the next 20 to 50 years.

12. Florence Welsh

Ms. Welsh addressed Committee in opposition to the proposal. In Ms. Welsh's remarks she asked Council to consider the following: She has been a resident of Hamilton for 42 years. Ms. Welsh addressed the permitted and non permitted use for the land. Ms. Welsh addressed the former Township of Glanbrook By-law and asked council if it was morally right to change the by-law. Will this proposal open it up to undesirable operations. Slaughterhouse will

use millions gallons of water. Will the sewage overflow into basements? Will Hamilton be liable because of sewer problems.

13. John Stewart

Mr. Stewart addressed Committee in opposition to the proposal. In Mr. Stewart's remarks he asked Council to consider the following:

He is a resident of Hamilton Mountain. His children and grandchildren will be affected by this decision. Process of exclusion keeping mountain residents uninformed. Residents not aware of where it's being built.

Plant would be 1 block south of the busiest roads on Hamilton mountain

He delivered petitions to the Mayor's office but has had no response.

14. Harry Sutton – Regional Director, United Food and Commercial Workers Canada Local 175

Mr. Sutton addressed Committee and spoke in favour of the proposal. In Mr. Sutton's remarks he asked Council to consider the following:

1200 Workers in the plant. He is concerned about employees. MLF has worked to resolve health and safety issues in plant, grievance procedures are in place, and we deal with them. Arbitration makes decisions on who is right and who is wrong. Maple Leaf foods sponsors donations to the community. Slaughter and processing plants are not new to this municipality. Look at jobs and the future of the workers.

Average wage scale is \$15 or \$16 dollars per hour plus benefits.

15. Lee Raso

Mr. Raso addressed Committee and spoke in opposition to the proposal. In Mr. Raso's remarks he asked Council to consider the following:

He is a resident of Twenty Road for 20 years and Hamilton resident for 25 years. The volume and nature of traffic poses a threat to the health and quality of life of residents including children waiting for school buses. Danger to health of children from open trucks driving by; odours; the LINC will be further congested. Twenty Road can't tolerate the increased traffic.

16. Susan Seguin

Ms. Seguin addressed Committee and spoke in opposition to the proposal. In Ms. Seguin's remarks she asked Council to consider the following:

She is a resident of Hamilton mountain. She is concerned with development. People are misinformed in the area. Over 90% do not want this to happen. Council doesn't have all the information to make an informed decision.

17. David Heatley – not in attendance

18. Brian Gordon

Mr. Gordon addressed Committee and spoke in opposition to the proposal. In Mr. Gordon's remarks he asked Council to consider the following: He lives in Hamilton with his family. Hamilton is environmentally friendly. This will be a step back in time if we approve the proposal. He wants to live in a forward thinking City. Homeowners won't buy next to slaughterhouse. Slaughterhouses are the Hamilton of the past.

19. Robert Pasuta

Mr. Pasuta addressed Committee and spoke in favour of the proposal. In Mr. Pasuta's remarks he asked Council to consider the following: He is a farmer, pork producer for 37 years. President of Hamilton Wentworth Federation of Agriculture. Farmers get a bad rap. Product is free of any drugs. Ontario Pork processing plant would boost our industry. We have a need for more modern facilities. Would provide many more jobs not only at the plant but for farmers. Agriculture is an economic engine for the city of Hamilton.

20. Dennis Fiorasco – not in attendance

21. Joe Beattie

Mr. Beattie addressed Committee and spoke in favour of the proposal. In Mr. Beattie's remarks he asked Council to consider the following: He is a business man with Hamilton Building and Trades. He read two letters which the Hamilton Spectator did not publish. He noted that the proposal would create a large number of full time jobs; many construction and maintenance jobs; MLF would be a significant contributor to tax base; a modern plant will attract other companies to Hamilton

22. Michael Desnoyers on behalf of Hamiltonians for Progressive Development

Mr. Desnoyers addressed Committee and spoke in opposition to the proposal. In Mr. Desnoyers remarks he asked Council to consider the following:

He is a resident of Ancaster, and is the Chairman of Hamiltonians for Progressive Development. This goes beyond a real estate transaction. There has been no collaborative discussion. The concerns of the community are not addressed with equal weight as Maple Leaf Foods. There needs to be a complete and thorough evaluation of goals. As well as the implications good and bad need to be provided to council. Have any studies been completed on impact of neighbourhoods; has there been land sale costs and benefit analysis?

- What are impacts to water/wastewater treatment?
Delay sale of lands until questions are answered and community can be engaged
23. Bill Ross – added to agenda
- Mr. Ross addressed Committee and spoke in opposition to the proposal. In Mr. Ross' remarks he asked Council to consider the following:
Pollution of Lake Huron – check statistics
Setting a precedent if this application is approved.
Hamilton be renamed the new Hog Town
24. Darek Nowakowski – Vice President and General Manager, Fresh Pork Operations for Maple Leaf Fresh Foods – written
- Mr. Nowakowski addressed Committee in favour of the proposal. A copy of his submission was distributed to Committee and is available for perusal in the Clerk's office.
25. Ted Snure – from the City of Brandon, Manitoba
- Mr. Snure addressed Committee in favour of the proposal. A copy of his submission was distributed to Committee and is available for perusal in the Clerk's Office.
26. Fred Teeple – Employee with Maple Leaf Fresh Foods,
- Mr. Teeple addressed Committee in favour of the proposal. In Mr. Teeple's remarks he asked Council to consider the following:
He is a resident of Burlington and has worked at the MLP plant in Burlington for 12 years. There are 1300 employees at plant in Burlington
Creation of new plant is beneficial for the employees and the company.
1300 employees at the Burlington plant need the income and security which a new plant will bring.
80% of workers are from Hamilton and commute to Burlington.
27. Anne Tennier – Vice President, Environmental and Manufacturing Services for Maple Leaf Foods.
- Ms. Tennier addressed Committee in favour of the proposal. A copy of her submission was distributed to Committee and is available for perusal in the Clerk's Office.
28. The following written submissions were received by Committee:
Vince Massarella
Sharon Derkach

(g) Comments from Members of Council of the delegations:

How many employees in Burlington?

Brandon Manitoba have they gone to a second shift?

What are plans for Public Transit?

What is the support of staff for this proposal?

Don't have the information because of timing of report.

450 employees are currently in Hamilton – what are the three operations?

Master Plans – aren't they going ahead regardless of council's decision on this application?

We need another set of numbers that everything is based on a double capacity scenario would come through.

1200 person operation? – what are we going to get? – do you have those numbers?

Assumptions for assessed value – corresponding reduction in properties

Spin off – what type of businesses might there be?

Environmental Benefits – are there any?

How many numbers of the workforce would be employed by Maple Leaf Foods

Did we look at other impacts of development – additional hog farms expansion for example, did we look at rendering plant receiving additional materials from this development? Need the information on the impacts.

What's the likelihood if this doesn't go ahead through the planning process what is the likely hood of Maple Leaf going to OMB or other legal avenues?

Average income at \$18 with benefits, to suggest including benefits means more disposable income.

Environmental – the provincial average is 15 employees per acre. So this one is 27 employees per acre, environmental wouldn't that be better use of land?

Currently does Rothsay take pig renderings?

If land is sold we won't have any city controlled land in the park –

Is there a study on file that once the park is serviced in a year or a year a half that the park would be sold without Maple Leaf

If the assessment is going to be 60 million what is it currently in Burlington? – do not have that information and comparators.– Joe Rinaldo to get the information before the end of the meeting.

How will this site be serviced by which roads?

Which way do the trucks come?

Should we decide conditionally to sell is that prejudicial on the zoning decision?

If we approve the sale pending rezoning does it prejudice the zoning decision?

Zoning process – is that pertaining to the fact that they have to get a zoning for a slaughter house?

Re wages – can we get breakdown – how many at 9 dollars, 10 dollars etc.

Do we show on map how the property evolves with everything around – what develops around the property as we move forward?

Is it a fair statement to talk about environmental aspects?

If we deal with a land sale and if in fact council approves that then the environmental process would kick in. Is it fair to say that this is very much predicated on the proponent meeting the environmental standards of the province of Ontario. – the assessment from staff professional expertise that we don't have will all be the determinants at a future date of the accessibility of the zoning application. If we approve the real estate application and the MOE said no, staff wouldn't recommend the zoning bylaw. This is all predicated on the proponent meeting the environmental standards.

Have we done an economic impact should this proponent take this somewhere else?

Frame of reference we have presently. Environmental and social component.

In its existing location when we look at the radius of concern, complaints within those radius do we have a similar mixture of residential, industrial. Charges laid, complaints raised

What is the proximity local on Appleby to Hamilton – how many km?

What is the radius of present location to mountain brow?

What are the documented concerns with the old facility in Burlington?

On the Red Hill Creek Expressway issue, if we were to only have this project to be built there we could finance

The annual revenues are equivalent to seventeen years for north south part

Comment and breakdown some of the costs – best guesstimate with regard to servicing and average costs for servicing park

If one party agrees to sell land to a party for a use and that same party didn't provide the zoning approval, do you believe that the OMB is likely to be able to separate them? Or would that be a conflict of interest?

If we do sell the land and they don't meet the test of environmental conditions, they could tie it up when we could sell it to somebody else.

Is there any compensation – how do we deal with loss of property values?

(h) REFERRED ITEMS

The following items were referred to the November 9, 2005 Committee of the Whole meeting for consideration:

- (i) Sale of City Owned Property – 863 Nebo Road to 6323812 Canada Inc. (Maple Leaf Foods Inc.) and Giuseppe DiCienzo and Vittoria DiCienzo. (PED05092/PW05104/FCS05093) (Ward 11) (Item 6.1)
- (ii) Supplementary Report to PED05092/PW05104/FCS05093; Sale of City Property to 6323812 CANADA INC. (Maple Leaf Foods Inc.) and Giuseppe and Victoria DiCienzo (Item 11.1)

Council – November 9, 2005

There being no further business, the meeting adjourned at 6:15 p.m.

Respectfully submitted,

Mayor L. Dilanni

M. Gallagher
Co-ordinator
November 7, 2005