



**City of Hamilton**  
**GENERAL ISSUES COMMITTEE**

**Meeting #:** 18-004  
**Date:** February 7, 2018  
**Time:** 9:30 a.m.  
**Location:** Council Chambers, Hamilton City Hall  
71 Main Street West

Stephanie Paparella, Legislative Coordinator (905) 546-2424 ext. 3993

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	<b>Pages</b>
<b>1. APPROVAL OF AGENDA</b>	
(Added Items, if applicable, will be noted with *)	
<b>2. DECLARATIONS OF INTEREST</b>	
<b>3. APPROVAL OF MINUTES OF PREVIOUS MEETING</b>	
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6.1 Vic Djurdjevic, Nikola Tesla Educational Corporation, respecting the 120th Anniversary of Hamilton's "Power Turned On" (no copy)	
<b>7. STAFF PRESENTATIONS</b>	

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**9. MOTIONS**

9.1	Feasibility of Amending the CCTV By-law to Permit the use of CCTV Footage from Cameras Located on Private Homes	76
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**10. NOTICES OF MOTION****11. GENERAL INFORMATION / OTHER BUSINESS**

11.1	Items to be removed:	
11.1.a	Proposed Permanent Closure and Sale of a Portion of the Road Allowance of Limeridge Rd.(Addressed as Item I9 of GIC Report 18-002 - PED18008)	
11.1.b	Snow Fences and Removal(Addressed as Item 8.1 and 8.2 on today’s agenda - PW18016 and PW18017)	
11.1.c	City of Hamilton Information Sharing with BIAs (Addressed as Item 6 of GIC Report 18-002 - PED18023)	
11.1.d	Hamilton Waterfront Trust – Options of Mutual Interest(Addressed as Item 23 of GIC Report 18-002 - CM18002)	
11.1.e	Potential Solutions to the Problems Associated with the Increase in Visitors to Webster and Tew Falls and The Dundas Peak(Addressed as Item 3 of Planning Committee Report 18- 001 - PED18011)	

- 11.2 Proposed New Due Dates:
- 11.2.a Mayor's Blue Ribbon Task Force on Workforce Development – Semi Annual Update Current Due Date: January 17, 2018 - Proposed New Due Date: February 21, 2018
  - 11.2.b Update on Request for Information – Downtown Parking Structure (PED16105 and PED15183) Current Due Date: January 17, 2018 - Proposed New Due Date: March 21, 2018
  - 11.2.c Hamilton Walk of Fame -Current Due Date: February 7, 2018 - Proposed New Due Date: June 20, 2018
  - 11.2.d Hamilton Urban Fellowship Program - Current Due Date: January 17, 2018 - Proposed New Due Date: May 16, 2018
  - 11.2.e Hamilton Home Energy Retrofit Opportunity (HERO Program) - Current Due Date: December 6, 2017 - Proposed New Due Date: May 16, 2018
  - 11.2.f CityLAB Pilot Update - Current Due Date: January 17, 2018 - Proposed New Due Date: March 21, 2018
  - 11.2.g Affordable Housing Demonstration Project (PED16236) - Current Due Date: January 17, 2018 - Proposed New Due Date: February 21, 2018
  - 11.2.h Potential Housing Options and Alternatives in the West Harbour / Setting Sail Area - Current Due Date: December 6, 2017 - Proposed New Due Date: May 16, 2018
  - 11.2.i Impacts of the Change to the 2007 Transportation Master Plan - Current Due Date: February 7, 2018 -Proposed New Due Date: June 6, 2018
  - 11.2.j Transportation Master Plan - Current Due Date: February 7, 2018 - Proposed New Due Date: June 6, 2018

## 12. PRIVATE AND CONFIDENTIAL

### 12.1 January 17, 2018 – Closed Session Minutes

Pursuant to Section 8.1, Sub-sections (c), (d) and (e) of the City's Procedural By-law 14-300, and Section 239(2), Sub-sections (c), (d) and (e) of the Ontario Municipal Act, 2001, as amended, as the subject matters pertain to a proposed or pending acquisition or disposition of land for City purposes; labour relations or employee negotiations; and, litigation or potential litigation, including matters before administrative tribunals, affecting the City.

### 12.2 January 19, 2018 – Closed Session Minutes

Pursuant to Section 8.1, Sub-sections (e) and (f) of the City's Procedural By-law 14-300, and Section 239(2), Sub-sections (e) and (f) of the Ontario Municipal Act, 2001, as amended, as the subject matter pertains to litigation or potential litigation, including matters before administrative tribunals, affecting the City; and, the receiving of advice that is subject to solicitor-client privilege, including communications necessary for that purpose.

### 12.3 Disposition of City-owned Property, known as 0 Dunham Drive (PED18042) (Ward 12)

Pursuant to Section 8.1, Sub-section (c) of the City's Procedural By-law 14-300, and Section 239(2), Sub-section (c) of the Ontario Municipal Act, 2001, as amended, as the subject matter pertains to a proposed or pending acquisition or disposition of land for City purposes.

### 12.4 Merger of Public Health and Community and Emergency Services (CM18005) (City Wide)

Pursuant to Section 8.1, Sub-section (d) of the City's Procedural By-law 14-300, and Section 239(2), Sub-section (d) of the Ontario Municipal Act, 2001, as amended, as the subject matter pertains to labour relations or employee negotiations.

### 12.5 Performance Review Process for City Manager (HUR18003) (City Wide)

Pursuant to Section 8.1, Sub-sections (b) and (d) of the City's Procedural By-law 14-300, and Section 239(2), Sub-sections (b) and (d) of the Ontario Municipal Act, 2001, as amended, as the subject matter pertains to personal matters about an identifiable individual, including City employees; and, labour relations or employee negotiations.

13. ADJOURNMENT



## **GENERAL ISSUES COMMITTEE MINUTES 18-001**

9:30 a.m.

January 11, 2018  
Council Chambers  
Hamilton City Hall  
71 Main Street West

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**Present:** Acting Deputy Mayor B. Johnson (Chair)  
Councillors D. Skelly, T. Jackson, C. Collins, M. Green, J. Farr,  
D. Conley, M. Pearson, A. VanderBeek, J. Partridge

**Absent**  
**with Regrets:** Mayor F. Eisenberger, T. Whitehead, A. Johnson, L. Ferguson,  
R. Pasuta – Personal  
Councillor Merulla – City Business

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### **FOR INFORMATION:**

**(a) CHANGES TO THE AGENDA (Item 1)**

The Committee Clerk advised that there were no changes to the agenda.

**(Skelly/Pearson)**

That the agenda for the January 11, 2018 General Issues Committee meeting be approved, as presented.

**CARRIED**

**(Green/Partridge)**

That Items 12.1 and 12.2, Committee training respecting the new agenda management software; and, the new audio / visual equipment, proceed in Open Session.

**CARRIED**

**(b) eSCRIBE PARTICIPANT TRAINING (Item 2)**

**(i) New Audio and Visual Equipment (Item 2.1)**

Darrell MacLean, MacLean Media Systems, provided an overview of the new audio/visual equipment in Council Chambers.

**(Pearson/Green)**

That the presentation from Darrell MacLean, MacLean Media Systems, respecting the new audio/video equipment in Council Chambers, be received.

**CARRIED**

**(ii) New Agenda Meeting Management Software (Item 2.2)**

Ahmid Dahir, eSCRIBE, provided an overview of the eSCRIBE agenda meeting management software and participant features.

**(Pearson/Green)**

That the presentation from Ahmid Dahir, eSCRIBE, respecting the new agenda meeting management software, be received.

**CARRIED**

**(c) NOTICES OF MOTION (Item 3)**

Councillor Skelly introduced the following Notice of Motion:

**(i) Five Minute Speaking Limit for Members of Council at Committee and Council Meetings (Item 3.1)**

- (a) That the Mayor and all City Councillors be restricted to a five minute time limit when asking a question and/or making a statement during Committee and Council meetings; and,
- (b) That should a member of Council wish to request an extension to the five minute speaking restriction; a motion must be passed by Committee/Council to permit a specific allotment of time through the extension.

**CARRIED**

**(d) ADJOURNMENT (Item 5)**

**(Conley/Jackson)**

That, there being no further business, the General Issues Committee be adjourned at 11:59 a.m.

**CARRIED**

Respectfully submitted,

B. Johnson, Deputy Mayor  
Chair, General Issues Committee

Lisa Chamberlain  
Legislative Coordinator  
Office of the City Clerk



## **GENERAL ISSUES COMMITTEE MINUTES 18-002**

9:30 a.m.

January 17, 2018  
Council Chambers  
Hamilton City Hall  
71 Main Street West

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**Present:** Mayor F. Eisenberger, Deputy Mayor A. Johnson, Acting Deputy Mayor B. Johnson (Chair), Councillors T. Whitehead, D. Skelly, T. Jackson, C. Collins, S. Merulla, M. Green, J. Farr, D. Conley, M. Pearson, L. Ferguson, A. VanderBeek, J. Partridge

**Absent  
with Regrets:** Councillor R. Pasuta – Personal

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### **THE FOLLOWING ITEMS WERE REFERRED TO COUNCIL FOR CONSIDERATION:**

- 1. Service Line Warranties of Canada Program Update (FCS18006) (City Wide) (Item 5.1)**

**(Whitehead/Skelly)**

That Report FCS18006, respecting the Service Line Warranties of Canada Program Update, be received.

**CARRIED**

- 2. Concession Street Business Improvement Area (BIA) Revised Board of Management (PED14242(e)) (Wards 6 and 7) (Item 5.2)**

**(Conley/Farr)**

That the following individual be appointed to the Concession Street Business Improvement Area (BIA) Board of Management:

- (i) Mike DeVries**

**CARRIED**



**3. Ancaster Business Improvement Area (BIA) Revised Board of Management (PED14238(c)) (Ward 12) (Item 5.3)**

**(Conley/Farr)**

That the following individual be appointed to the Ancaster Business Improvement Area (BIA) Board of Management:

- (i) Dr. Sandra Malpass

**CARRIED**

**4. Waterdown Business Improvement Area (BIA) Revised Board of Management (PED14252(b)) (Ward 15) (Item 5.4)**

**(Conley/Farr)**

That the following individual be appointed to the Waterdown Business Improvement Area Board of Management:

- (i) Gordon Manzer

**CARRIED**

**5. Gage Park Concert Series (PED18021) (City Wide) (Item 5.5)**

**(Conley/Farr)**

That Report PED18021, respecting the Gage Park Concert Series, be received.

**CARRIED**

**6. City of Hamilton Information Sharing with Business Improvement Areas (PED18023) (Wards 1, 2, 3, 4, 6, 7, 9, 12, 13 and 15) (Item 5.6)**

**(Whitehead/Skelly)**

That Report PED18023, respecting the City of Hamilton Information Sharing with Business Improvement Areas, be received.

**CARRIED**

**7. Colombia Trade Mission (PED18027) (City Wide) (Item 5.7)**

**(Whitehead/Skelly)**

That Report PED18027, respecting the Colombia Trade Mission, be received.

**CARRIED**

**8. Waterdown Business Improvement Area (BIA) Proposed Budget and Schedule of Payment for 2018 (PED16002(b)) (Ward 15) (Item 8.1)**

**(Partridge/Ferguson)**

- (a) That the 2018 Operating Budget for the Waterdown Business Improvement Area, attached as Appendix "A" to Report PED16002(b), be approved in the amount of \$322,750;

- (b) That the levy portion of the Operating Budget for the Waterdown Business Improvement Area in the amount of \$240,000 be approved;
- (c) That the General Manager of Finance and Corporate Services be hereby authorized and directed to prepare the requisite By-law, pursuant to Section 208, of the *Municipal Act, 2001*, to levy the 2018 Budget as referenced in Recommendation (b) of Report PED16002(b); and,
- (d) That the following schedule of payments for 2018 be approved:
  - (i) January       \$120,000
  - (ii) June         \$120,000

**CARRIED**

**9. Westdale Village Business Improvement Area (BIA) Proposed Budget and Payment of Schedule for 2018 (PED16005(b)) (Ward1) (Item 8.2)**

**(Pearson/Conley)**

- (a) That the 2018 Operating Budget for the Westdale Village Business Improvement Area, attached as Appendix "A" to Report PED16005(b), in the amount of \$125,000 be approved;
- (b) That the levy portion of the Operating Budget for the Westdale Village Business Improvement Area in the amount of \$125,000 be approved;
- (c) That the General Manager of Finance and Corporate Services be hereby authorized and directed to prepare the requisite By-law pursuant to Section 208, of the *Municipal Act, 2001*, to levy the 2018 Budget as referenced in Recommendation (b) of Report PED16005(b); and,
- (d) That the following schedule of payments for 2018 be approved:
  - (i) January       \$62,500
  - (ii) June         \$62,500

**CARRIED**

**10. Main West Esplanade Business Improvement Area Proposed Budget and Schedule of Payment for 2018 (PED16041(b)) (Wards 1 and 2) (Item 8.3)**

**(Farr/Whitehead)**

- (a) That the 2018 Operating Budget for the Main West Esplanade Business Improvement Area, attached as Appendix "A" to Report PED16041(b), be approved in the amount of \$15,307;
- (b) That the levy portion of the Operating Budget for the Main West Esplanade Business Improvement Area in the amount of \$6,192 be approved;

- (c) That the General Manager of Finance and Corporate Services be hereby authorized and directed to prepare the requisite By-law pursuant to Section 208, of the *Municipal Act, 2001*, to levy the 2018 Budget as referenced in Recommendation (b) to Report PED16041(b); and,
- (d) That the following schedule of payments for 2018 be approved:
  - (i) January       \$3,096
  - (ii) June         \$3,096

**CARRIED**

**11. Environmental Remediation and Site Enhancement (ERASE) Redevelopment Grant Application, 53 Gibson Avenue, Hamilton - ERG17-02 (PED18015) (Ward 3) (Item 8.4)**

**(Green/Whitehead)**

- (a) That Environmental Remediation and Site Enhancement (ERASE) Redevelopment Grant Application - ERG-17-02, submitted by Dinesh Mahabir (Hawk Ridge Homes), owner of the property at 53 Gibson Ave, Hamilton, for an ERASE Redevelopment Grant not to exceed \$224,000, the actual cost of the remediation over a maximum of ten years, be authorized and approved in accordance with the terms and conditions of the ERASE Redevelopment Agreement;
- (b) That the Mayor and City Clerk be authorized and directed to execute the Environmental Remediation and Site Enhancement (ERASE) Redevelopment Agreement together with any ancillary documentation required, to effect Recommendation(a) of Report PED18015, in a form satisfactory to the City Solicitor; and,
- (c) That the General Manager of the Planning and Economic Development Department be authorized to approve and execute any grant amending agreements, together with any ancillary amending documentation, if required, provided that the terms and conditions of the Environmental Remediation and Site Enhancement (ERASE) Redevelopment Grant, as approved by City Council, are maintained.

**CARRIED**

**12. Environmental Remediation and Site Enhancement (ERASE) Redevelopment Grant Application, 12 Blanshard Street / 85 Poulette Street, Hamilton – ERG16-02 (PED18016) (Ward 1) (Item 8.5)**

**(Farr/Merulla)**

- (a) That Environmental Remediation and Site Enhancement (ERASE) Redevelopment Grant Application - ERG-16-02, submitted by Don Husak (Dawn Victoria Homes), owner of the property at 12 Blanshard Street / 85 Poulette Street, Hamilton, for an ERASE Redevelopment Grant not to

exceed \$480,650, or the actual cost of the remediation over a maximum of ten years (whichever is less), be authorized and approved in accordance with the terms and conditions of the ERASE Redevelopment Agreement;

- (b) That the Mayor and City Clerk be authorized and directed to execute the Environmental Remediation and Site Enhancement (ERASE) Redevelopment Agreement together with any ancillary documentation required, to effect Recommendation(a) of Report PED18016, in a form satisfactory to the City Solicitor; and,
- (c) That the General Manager of the Planning and Economic Development Department be authorized to approve and execute any grant amending agreements, together with any ancillary amending documentation, if required, provided that the terms and conditions of the Environmental Remediation and Site Enhancement (ERASE) Redevelopment Grant, as approved by City Council, are maintained.

**CARRIED**

**13. Hamilton Community Heritage Fund Loan Program - 51 Markland Street, Hamilton (PED18024) (Ward 2) (Item 8.6)**

**(Farr/Whitehead)**

- (a) That a conditional loan commitment totalling \$47,400.00 for Sonja Berthe Depauw-Morgan and David Morgan the registered owners of the property at 51 Markland Street, Hamilton, be authorized and approved in accordance with the terms and conditions of the Hamilton Community Heritage Fund Loan Program;
- (b) That the property owner of 51 Markland Street, Hamilton, and the City of Hamilton enter into a Heritage Conservation Easement Agreement;
- (c) That the Mayor and City Clerk be authorized and directed to execute a loan agreement together with any ancillary documentation required, to effect Recommendation (a) to Report PED18024, in a form satisfactory to the City Solicitor;
- (d) That the General Manager of the Planning and Economic Development Department be authorized to approve and execute any loan amending agreements for 51 Markland Street, Hamilton, together with any ancillary amending documentation, if required, provided that the terms and conditions of the Hamilton Community Heritage Fund Loan Program are maintained; and,
- (e) That a copy of Report PED18024 be forwarded to the Hamilton Municipal Heritage Committee for information.

**CARRIED**

**14. Office Tenancy Assistance Program - 96 MacNab Street, North, Hamilton (PED18025) (Ward 2) (Item 8.7)****(Pearson/Farr)**

- (a) That a conditional loan commitment totalling \$99,325 for 2461473 Ontario Inc., carrying on business as Cubicle Fugitive (Kalvin MacLeod, Morgan MacLeod), the owner of the property at 96 MacNab Street North, Hamilton, be authorized and approved under the Office Tenancy Assistance Program in accordance with the Program's terms and conditions;
- (b) That the Mayor and City Clerk be authorized and directed to execute the Loan Agreement, together with any ancillary documentation required, to effect Recommendation (a) of Report PED18025, in a form satisfactory to the City Solicitor; and,
- (c) That the General Manager of the Planning and Economic Development Department be authorized to approve and execute any loan amending agreements, together with any ancillary amending documentation, if required, provided that the terms and conditions of the Office Tenancy Assistance Program, as approved by City Council, are maintained.

**CARRIED****15. Tax Assistance Programs for Seniors and Low Income Persons with Disabilities (FCS18005) (City Wide) (Item 8.8)****(Jackson/Conley)**

- (a) That a three-year pilot for a Deferral of Full Taxes for Seniors and Low Income Persons with Disabilities Program ("Full Tax Deferral Program") be approved under the criteria included in the attached Appendix "B" to Report FCS18005;
- (b) That a 0.5 temporary FTE for the three-year Full Tax Deferral Program for Seniors and Low Income Persons with Disabilities pilot, to be funded from the Tax Stabilization Reserve (110046) in the amount of \$41,400 annually, be approved for the administration of this Program;
- (c) That the revised criteria for the Deferral of Tax Increases for Seniors and Low Income Persons with Disabilities Program ("Deferral of Tax Increases Program") listed in the attached Appendix "A" to Report FCS18005, be approved;
- (d) That the criteria for the Seniors (65+) Tax Rebate Program listed in the attached Appendix "C" to Report FCS18005, be approved; and,
- (e) That the City Solicitor be authorized to prepare the necessary amendments to the by-laws for the consideration of City Council.

**CARRIED**

**16. Facility Naming Sub-Committee Report 17-004, November 30, 2017 (8.11)****(Pearson/Ferguson)****(a) Naming of the “Russ Jackson Football Field” at William Connell Park (PW17057) (Ward 8) (Item 8.1)**

- (i) That the request to name the football field located at William Connell Park, 1086 West 5<sup>th</sup> Street, to the “Russ Jackson Football Field” be approved, as this request meets the guidelines set out in the City of Hamilton Municipal Property and Building Naming Policy; and,
- (ii) That funding required for the signage of the “Russ Jackson Football Field”, for approximately \$1,500 to \$2,500, be funded from the Tax Stabilization Reserve.

**(b) Renaming of Fireside Lounge at Sackville Hill Senior’s Centre (CES17046) (Ward 7) (Item 8.2)**

- (i) That the request to rename the Sackville Hill “Fireside Lounge”, 780 Upper Wentworth Street, to the “Bella Brearley Lounge” be approved; and,
- (ii) That any costs associated with the naming of the Bella Brearley Lounge be charged to the Sport & Community Development Budget Account 53070-709701.

**(c) Renaming of Community Room at Bill Friday Lawfield Arena (CES17047) (Item 8.3)**

- (i) That the request to rename the community room at Bill Friday Lawfield Arena, 150 Folkstone Avenue, to the Daryl Villeneuve Community Room be approved; and,
- (ii) That any costs associated with the naming of the Daryl Villeneuve Community Room be charged to the Sport & Community Development Budget, Account 53070-709701.

**(d) Naming of the "Melissa Tancredi Field" at Robert E. Wade Ancaster Community Park, Field "2" (PW17106) (Ward 12) (Added Item 8.4)**

- (i) That the request to name Field “2” at Robert E. Wade Ancaster Community Park, 385 Jerseyville Road West, to the “Melissa Tancredi Field” be approved, as this request meets the guidelines

set out in the City of Hamilton Municipal Property and Building Naming Policy; and,

- (ii) That funding required for the signage of the “Melissa Tancredi Field”, for approximately \$500 to \$1,500, be funded from the Tax Stabilization Reserve.

**(e) *Renaming of Pier 4 after the Former Mayor R. Morrow***

*That the matter, respecting the renaming of Pier 4 after former Mayor R. Morrow, be removed from the Facility Naming Sub-Committee’s outstanding business list, as the matter has been addressed.*

**MAIN MOTION, AS AMENDED, CARRIED**

**17. Open for Business Sub-Committee Report 17-003, November 28, 2017 (Item 8.12)**

**(Pearson/Ferguson)**

**(a) Regional Tractor Sales Ltd. Site Plan Approval and Building Permit Issuance Timelines (PED17202) (Ward 15) (Item 5.1)**

That Report PED17202, respecting Regional Tractor Sales Ltd. Site Plan Approval and Building Permit Issuance Timelines, be received.

**(b) Licensing Turn-Around Timelines (PED17215) (City Wide) (Item 5.2)**

That Report PED17215, respecting Licensing Turn-Around Timelines, be received.

**(c) Posting of Licensed Contractors Online (PED17216) (City Wide) (Item 5.3)**

That Report PED17216, respecting Posting of Licensed Contractors Online, be received.

**(d) Proposed Amendments to Sign By-law 10-197 (Construction Hoarding) (PED17217) (City Wide) (Item 5.4)**

That Report PED17217, respecting Proposed Amendments to Sign By-law 10-197 (Construction Hoarding), be received.

(e) **Business Licensing By-law Update (PED17218) (City Wide) (Item 5.5)**

That Report PED17218, respecting a Business Licensing By-law Update, be received.

(f) **Proposed Delegated Authority for Special Occasions Permits (PED17220) (Item 5.6)**

That Report PED17220, respecting Proposed Delegated Authority for Special Occasions Permits, be received.

(g) **Progress of the AMANDA Road Map (PED17223) (City Wide) (Item 5.7)**

That Report PED17223, respecting Progress of the AMANDA Road Map, be received.

**CARRIED**

**18. Affordable Housing Site Selection Sub-Committee Report 17-002, November 28, 2017 (Item 8.13)**

**(B. Johnson/Conley)**

**Properties and Process for Disposition of Lands for Affordable Housing (PED17219) (City Wide) (Item 8.1)**

- (a) That the properties identified in the attached Appendix "A" to Report PED17219, respecting Properties and Process for Disposition of Lands for Affordable Housing, be declared surplus to the requirements of the City of Hamilton in accordance with the "Procedural By-law for the Sale of Land", being By-law No. 14-204, be approved, ***net of capital commitments***, for disposition for purposes of affordable housing;
- (b) That the disposition strategies outlined in the attached Appendix "B" to Report PED17219, respecting Properties and Process for Disposition of Lands for Affordable Housing, be approved as the basis for disposition of the properties identified in the attached Appendix "A" to Report PED17219, and any such other properties as may be identified and selected by Council from time to time, ***net of capital commitments***, for the purposes of affordable housing;
- (c) That staff be authorized and directed to establish a capital reserve from which all net proceeds from the sale of properties identified for affordable housing are to be deposited, for use exclusively for new affordable housing development purposes, and all costs related to due diligence, and implementing the strategies outlined in the attached Appendix "B" to



Report PED17219, respecting Properties and Process for Disposition of Lands for Affordable Housing, may be resourced;

- (d) That staff be directed to complete due diligence and surplus circulation of each property identified in the attached Appendix "A" to Report PED17219, respecting Properties and Process for Disposition of Lands for Affordable Housing including, but not limited to, feasibility; environmental; and planning studies; and, determining individual site disposition strategies, in accordance with the strategies outlined in the attached Appendix "B" to Report PED17219, respecting Properties and Process for Disposition of Lands for Affordable Housing, and with the exception of Properties A, G, I, P and R,, and report back to the Affordable Housing Site Selection Sub-Committee with a recommended approach for each property;
- (e) That staff be directed to report back to the Affordable Housing Site Selection Sub-Committee on an implementation plan that establishes a framework for prioritizing, staging and funding of affordable housing initiatives outlined in Report PED17219 respecting Properties and Process for Disposition of Lands for Affordable Housing, and the appropriate allocation of funds in the newly created capital reserve for affordable housing, ***net of capital commitments***;
- (f) That staff be authorized and directed to undertake suitable consultation with private, not-for-profit, and public sector organizations to determine appropriate consideration of properties including, but not limited to, independent meetings and/or undertaking Expression of Interest or Request For Information (RFI) type processes;
- (g) That the Real Estate Section of the Planning and Economic Development Department be authorized and directed to sell the lands identified as Properties A, G, I, P and R in the attached Appendix "C" to Report PED17219, respecting Properties and Process for Disposition of Lands for Affordable Housing, in accordance with the "Procedural By-law for the Sale of Land", being By-law No. 14-204, on terms and conditions satisfactory to the General Manager of Planning and Economic Development, and in a form satisfactory to the City Solicitor;
- (h) That the City Solicitor be authorized to complete any transactions on behalf of the City, including paying any necessary expenses, amending the closing, due diligence and other dates, and amending and waiving terms and conditions on such terms as she considers reasonable;
- (i) That the Mayor and City Clerk be authorized to execute any necessary documents in a form satisfactory to the City Solicitor; and,

- (j) That all contents within confidential Appendices “A”, “B”, “C”, and “D”, to Report PED17219, respecting Properties and Process for Disposition of Lands for Affordable Housing, remain confidential, with the exception of only releasing the list of addresses of City-owned properties in Appendix “C”, as may be amended, following approval of Council.

**MAIN MOTION, AS AMENDED, CARRIED**

**19. Permanent Closure and Sale of a Portion of the Road Allowance between Limeridge Road East and the Lincoln Alexander Parkway, Hamilton (PED18008) (Ward 7) (Item 8.14)**

**(Skelly/Conley)**

- (a) That an Offer to Purchase for the Sale of a Portion of a Road Allowance between Limeridge Road East and the Lincoln Alexander Parkway, as identified in Appendices “A” and “A-1” attached to Report PED18008, scheduled to close 30 days after the fulfilment of all conditions, be approved and completed substantially on the terms and conditions outlined in Appendix “B” attached to Report PED18008 and such other terms and conditions deemed appropriate by the General Manager, Planning and Economic Development, and the net proceeds be credited to Property Purchases Reserve #100035;
- (b) That \$57,029 from the sale proceeds be credited to Account No. 45408-3560150200 (Property Sales and Purchases) for recovery of expenses including Real Estate, Appraisal, Property Management and Legal administration fees;
- (c) That the City Solicitor be authorized and directed to complete this transaction on behalf of the City, including paying any necessary expenses, amending the closing, due diligence and other dates, and amending and waiving terms and conditions on such terms as she considers reasonable;
- (d) That the Mayor and City Clerk be authorized to execute any necessary documents respecting the Offer to Purchase and Sale of Limeridge Road East, as identified in Appendices “A” and “A-1”, attached to Report PED18008, in a form satisfactory to the City Solicitor; and,
- (e) That Appendix “B” attached to Report PED18008 remain confidential and not be released as a public document until final completion of the real estate transaction.

**CARRIED**

**20. Hamilton Future Fund Board of Governors' Report 17-002, November 29, 2017 (Item 8.15)****(Partridge/Pearson)****(a) Correspondence from Brother Richard MacPhee, Executive Director, Good Shepherd Centres, respecting their Future Fund Loan Agreement (Item 8.2)**

- (i) That the correspondence from Brother Richard MacPhee, Executive Director, Good Shepherd Centres, respecting their Future Fund Loan Agreement, and attached as Appendix A to the Hamilton Future Fund Board of Governors' Report 17-002, be received; and,
- (ii) That, as requested by the Good Shepherd Centres, the conditions of loan agreement be renegotiated so that the final payment of \$1,500,000, plus accrued interest, be amended as follows:
  - (1) That there be no payment in 2017; and,
  - (2) That the remaining principal be paid in equal instalments of \$300,000, plus accrued interest, in each of the subsequent 5 years (2018-2022);
- (iii) That the Mayor and City Clerk be authorized and directed to execute any agreements, together with any ancillary documentation required, to give effect to the recommendations in sub-section (ii), in a form satisfactory to the City Solicitor and with content satisfactory to the General Manager of Finance and Corporate Services.

**(b) Establishment of a Branding Working Group (Item 11.1)**

- (i) That, in an effort to increase the awareness of and promote the Hamilton Future Fund, a Branding Working Group of the Hamilton Future Fund Board of Governors be established; and,
- (ii) That a budget of \$6000 for any branding exercise resulting from the Branding Working Group, be approved.

**CARRIED**

**21. Open for Business Sub-Committee Member Resignation and Interim Appointment (Item 9.1)****(Green/Collins)**

- (a) That Councillor Matthew Green's resignation from the Open for Business Sub-Committee, be received; and,
- (b) That Councillor D. Conley be appointed as a member of the Open for Business Sub-Committee for the balance of the 2014-2018 term of Council.

**CARRIED****22. Five Minute Speaking Limit for Members of Council at Committee and Council Meetings (Item 10.1)****(Skelly/Green)**

- (a) That the Mayor and all City Councillors be restricted to a five minute time limit when asking a question and/or making a statement during Committee and Council meetings; and,
- (b) That should a member of Committee/Council wish to request an extension to the five minute speaking restriction; a motion must be passed by Committee/Council to permit a specific allotment of time through the extension.

**CARRIED****23. Hamilton Waterfront Trust - Staff Response to Council's October 25, 2017 Direction (CM18002) (City Wide) (Item 12.4)****(Collins/Eisenberger)**

That the entirety of Report CM18002, respecting the Hamilton Waterfront Trust - Staff Response to Council's October 25, 2017 Direction, remain confidential until such time as it is approved by Council.

**CARRIED****24. Hamilton Professional Fire Fighters' Association, Local 288 – Interest Arbitration Award Outcome (HUR18002) (City Wide) (Item 12.5)****(Whitehead/Conley)**

- (a) That Report HUR18002, respecting the Hamilton Professional Fire Fighters' Association, Local 288 – Interest Arbitration Award Outcome, be received; and,
- (b) That Report HUR18002, respecting the Hamilton Professional Fire Fighters' Association, Local 288 – Interest Arbitration Award Outcome, remain confidential.

**CARRIED**

**25. Greater Hamilton Volunteer Fire Fighters' Association Interest Arbitration Award Outcome (HUR18001) (City Wide) (Item 12.6)****(Partridge/Pearson)**

- (a) That Report HUR18001, respecting the Greater Hamilton Volunteer Fire Fighters' Association Interest Arbitration Award Outcome, be received; and,
- (b) That Report HUR18001, respecting the Greater Hamilton Volunteer Fire Fighters' Association Interest Arbitration Award Outcome, remain confidential.

**CARRIED****FOR INFORMATION:****(a) CHANGES TO THE AGENDA (Item 1)**

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

**1. DELEGATION REQUESTS (Item 4)**

- 4.2 Viv Saunders, respecting Item 8.8 – Report FCS18005, respecting the Tax Assistance Programs for Seniors and Low Income Persons with Disabilities (For January 17, 2018 GIC) (Item 4.2)

**2. DISCUSSION ITEMS (Item 8)**

- 8.15 Hamilton Future Fund Board of Governors Report 17-002, November 29, 2017

**3. NOTICES OF MOTION (Item 10)**

- 10.1 Five Minute Speaking Limit for Members of Council at Committee and Council Meetings

**(VanderBeek/Pearson)**

That the agenda for the January 17, 2018 General Issues Committee meeting be approved, as amended.

**CARRIED**

**(b) DECLARATIONS OF INTEREST (Item 2)**

There were no declarations of interest.

**(c) APPROVAL OF MINUTES OF THE PREVIOUS MEETING (Item 3)****(i) December 1, 2017 – 2018 Tax Capital Budget (Item 3.1)****(Conley/Whitehead)**

That the Minutes of the December 1, 2017 – 2018 Tax Capital Budget meeting of the General Issues Committee be approved, as presented.

**CARRIED****(ii) December 6, 2017 (Item 3.2)****(Conley/Whitehead)**

That the Minutes of the December 6, 2017 meeting of the General Issues Committee be approved, as presented.

**CARRIED****(iii) December 18, 2017 – Special (LRT) (Item 3.3)****(Conley/Whitehead)**

That the Minutes of the December 18, 2017 – Special (LRT) meeting of the General Issues Committee be approved, as presented.

**CARRIED****(iv) December 18, 2017 – Special (Appeals to the Ward Boundary By-law 17-030 to the OMB) (Item 3.4)****(Conley/Whitehead)**

That the Minutes of the December 18, 2017 – Special (Appeals to the Ward Boundary By-law 17-030 to the OMB) meeting of the General Issues Committee be approved, as presented.

**CARRIED****(d) DELEGATION REQUESTS (Item 4)****(i) Vic Djurdjevic, Nikola Tesla Educational Corporation, respecting the 120th Anniversary of Hamilton's "Power Turned On" (For a future GIC) (Item 4.1)****(Pearson/Farr)**

That the delegation request, submitted by Vic Djurdjevic, Nikola Tesla Educational Corporation, respecting the 120th Anniversary of Hamilton's

"Power Turned On", be approved to appear before the General Issues Committee at a future meeting.

**CARRIED**

- (ii) **Viv Saunders, respecting Item 8.8 – Report FCS18005, respecting the Tax Assistance Programs for Seniors and Low Income Persons with Disabilities (For January 17, 2018 GIC) (Item 4.2)**

**(Pearson/Partridge)**

That the delegation request, submitted by Viv Saunders, respecting Item 8.8 – Report FCS18005, respecting the Tax Assistance Programs for Seniors and Low Income Persons with Disabilities, be approved to appear before the General Issues Committee on January 17, 2018.

**CARRIED**

**(e) DELEGATIONS (Item 6)**

- (ii) **Viv Saunders, respecting Item 8.8 – Report FCS18005, respecting the Tax Assistance Programs for Seniors and Low Income Persons with Disabilities (For January 17, 2018 GIC) (Item 6.1)**

Viv Saunders, addressed Committee respecting Item 8.8 – Report FCS18005, respecting the Tax Assistance Programs for Seniors and Low Income Persons with Disabilities.

**(Farr/Jackson)**

That the presentation provided by Viv Saunders, respecting Item 8.8 – Report FCS18005, respecting the Tax Assistance Programs for Seniors and Low Income Persons with Disabilities, be received.

**CARRIED**

For disposition of this matter, please refer to Item 15.

**(f) DISCUSSION ITEMS (Item 8)**

- (i) **Stadium Event Booking Function (Pilot) (CM18003/PW18010) (City Wide) (Item 8.9)**

**(Green/Whitehead)**

That Report CM18003/PW18070, respecting the Stadium Event Booking Function, be TABLED to the February 7, 2018, to allow for additional public consultation.

**CARRIED**

- (ii) **Public Art Master Plan 2016 Annual Update (PED17211) (City Wide) (Item 8.10/8.10(a))**

**(Skelly/B. Johnson)**

*That staff be directed to investigate means of enhancing the ridership experience along the A-Line, by utilizing the Quick Wins funding that is currently reserved for public art in bus shelters, as outlined in Report PED17211, respecting the Public Art Master Plan 2016 Annual Update, and report back to the General Issues Committee with options.*

**AMENDMENT CARRIED**

- (iii) **Facility Naming Sub-Committee Report 17-004 (Item 8.11)**

**(Eisenberger/Pearson)**

That the Facility Naming Sub-Committee Report 17-004, be amended by adding a new Item 5, to read as follows:

**5. Renaming of Pier 4 after the Former Mayor R. Morrow**

*That the matter, respecting the renaming of Pier 4 after former Mayor R. Morrow, be removed from the Facility Naming Sub-Committee's outstanding business list, as the matter has been addressed.*

**AMENDMENT CARRIED**

For disposition of this matter, please refer to Item 16.

- (iv) **Affordable Housing Site Selection Sub-Committee Report 17-002, November 28, 2017(Item 8.13)**

**Properties and Process for Disposition of Lands for Affordable Housing (PED17219) (City Wide) (Item 8.1)**

**(B. Johnson/Pearson)**

That sub-sections (a), (b), and (e) to Report PED17219, respecting Properties and Process for Disposition of Lands for Affordable Housing, be amended by adding the words "**net of capital commitments**", to read as follows:

- (a) That the properties identified in Appendix "A" to Report PED17219 respecting Properties and Process for Disposition of Lands for Affordable Housing, be declared surplus to the requirements of the City of Hamilton in accordance with the "Procedural By-law for the Sale of Land", being By-law No. 14-204, and be approved, **net of**



**capital commitments**, for disposition for purposes of affordable housing;

- (b) That the disposition strategies outlined in Appendix “B” to Report PED17219 respecting Properties and Process for Disposition of Lands for Affordable Housing, be approved as the basis for disposition of the properties identified in Appendix “A” to Report PED17219, and any such other properties as may be identified and selected by Council from time to time, **net of capital commitments**, for the purposes of affordable housing;
- (e) That staff be directed to report back to the Affordable Housing Site Selection Sub-Committee on an implementation plan that establishes a framework for prioritizing, staging and funding of affordable housing initiatives outlined in Report PED17219 respecting Properties and Process for Disposition of Lands for Affordable Housing, and the appropriate allocation of funds in the newly created capital reserve for affordable housing, **net of capital commitments**;

**AMENDMENT CARRIED**

For disposition of this matter, please refer to Item 18.

**(g) NOTICES OF MOTION (Item 10)**

**(i) Five Minute Speaking Limit for Members of Council at Committee and Council Meetings (Item 10.1)**

Councillor Skelly introduced the following a Notice of Motion respecting a five minute speaking limit for members of Council at committee and council meetings.

**(Skelly/Merulla)**

That the Rules of Order be waived to allow for the introduction of a Motion respecting a five minute speaking limit for members of Council at committee and council meetings.

**CARRIED**

The Main Motion CARRIED on the following Standing Recorded Vote:

Yeas:	A. Johnson, Farr, Green, Skelly, B. Johnson, Eisenberger, VanderBeek, Ferguson
Total:	8
Nays:	Merulla, Collins, Jackson, Whitehead, Pearson, Partridge, Conley
Total:	7
Absent:	Pasuta
Total:	1

For disposition of the above matter, please refer to Item 22.

**(h) GENERAL INFORMATION / OTHER BUSINESS (Item 11)**

**(i) Snow Fences and Removal (Item 11.1)**

Councillor Collins raised the need for additional snow fencing and concerns respecting snow removal, and directed staff to report back to the General Issues Committee with a report.

**(i) PRIVATE & CONFIDENTIAL (Item 12)**

**(i) Closed Session Minutes – December 6, 2017 (Item 12.1)**

**(A. Johnson/Conley)**

- (a) That the Closed Session Minutes of the December 6, 2017 General Issues Committee meeting, be approved as presented; and,
- (b) That the Closed Session Minutes of the December 6, 2017 General Issues Committee meeting, remain confidential.

**CARRIED**

**(ii) December 18, 2017 – Special (LRT) (Item 12.2)**

**(A. Johnson/Conley)**

- (a) That the Closed Session Minutes of the December 6, 2017 General Issues Committee meeting, be approved as presented; and,
- (b) That the Closed Session Minutes of the December 6, 2017 General Issues Committee meeting, remain confidential.

**CARRIED**

**(iii) December 18, 2017 – Special (Appeals to the Ward Boundary By-law 17-030 to the OMB) (Item 12.3)**

**(A. Johnson/Conley)**

- (a) That the Closed Session Minutes of the December 6, 2017 General Issues Committee meeting, be approved as presented; and,
- (b) That the Closed Session Minutes of the December 6, 2017 General Issues Committee meeting, remain confidential.

**CARRIED**

**(Pearson/Farr)**

That Committee move into Closed Session respecting Items 8.13, 12.4, 12.5 and 12.6, pursuant to Section 8.1, Sub-sections (c), (d) and (e) of the City's Procedural By-law 14-300, and Section 239(2), Sub-sections (c), (d) and (e) of the *Ontario Municipal Act, 2001*, as amended, as the subject matters pertain to a proposed or pending acquisition or disposition of land for City purposes; labour relations or employee negotiations; and, litigation or potential litigation, including matters before administrative tribunals, affecting the City.

**CARRIED****(iv) Hamilton Waterfront Trust - Staff Response to Council's October 25, 2017 Direction (CM18002) (City Wide) (Item 12.4)**

Staff was provided with direction in Closed Session. For further disposition of this matter, please refer to Item 23.

**(j) ADJOURNMENT (Item 13)****(Pearson/Conley)**

That, there being no further business, the General Issues Committee be adjourned at 5:14 p.m.

**CARRIED**

Respectfully submitted,

B. Johnson, Acting Deputy Mayor  
Chair, General Issues Committee

A. Johnson, Deputy Mayor  
Chair, General Issues Committee

Stephanie Paparella  
Legislative Coordinator  
Office of the City Clerk



**CITY OF HAMILTON**  
**PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT**  
**Economic Development Division**

<b>TO:</b>	Mayor and Members General Issues Committee
<b>COMMITTEE DATE:</b>	February 7, 2018
<b>SUBJECT/REPORT NO:</b>	Barton Village Business Improvement Area (BIA) Revised Board of Management (PED16081(b)) (Wards 2 and 3)
<b>WARD(S) AFFECTED:</b>	Wards 2 and 3
<b>PREPARED BY:</b>	Carlo Gorni (905) 546-2424 Ext. 2632
<b>SUBMITTED BY:</b>	Glen Norton Director, Economic Development Planning and Economic Development Department
<b>SIGNATURE:</b>	

### RECOMMENDATION

That the following individuals be appointed to the Barton Village Business Improvement Area (BIA) Board of Management:

Matt Cowan  
 Brian Fields  
 John MacDonald  
 Harry Stinson

### EXECUTIVE SUMMARY

Appointments to the Barton Village Business Improvement Area (BIA) Board of Management.

### ***Alternatives for Consideration – Not Applicable***

### FINANCIAL – STAFFING – LEGAL IMPLICATIONS

Financial: N/A

Staffing: N/A

Legal: The *Municipal Act 2001*, Sections 204-215 governs BIAs. Section (204) Subsection (3) stipulates “A Board of Management shall be composed of, (a) one or more Directors appointed directly by the Municipality; and (b) the

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**SUBJECT: Barton Village Business Improvement Area (BIA) Revised Board of Management (PED16081(b)) (Wards 2 and 3) - Page 2 of 3**

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remaining Directors selected by a vote of the membership of the improvement area and appointed by the Municipality". Section 204 Subsection (12) stipulates "...if a vacancy occurs for any cause, the Municipality may appoint a person to fill the vacancy for the unexpired portion of the term and the appointed person is not required to be a member of the improvement area."

## **HISTORICAL BACKGROUND**

A meeting of the membership of the Barton Village BIA took place on December 21, 2017. At this meeting, the membership nominated Matt Cowan, Brian Fields, John MacDonald and Harry Stinson for positions on the BIA Board of Management.

Should Council adopt the recommendation in Report PED16081(b), the aforementioned nominated BIA members would replace the following people who have resigned as Directors on the BIA Board of Management:

Jim Watts  
Robert Brooker  
Johnathan Carline  
Joseph Zidanic

## **POLICY IMPLICATIONS AND LEGISLATED REQUIREMENTS**

N/A

## **RELEVANT CONSULTATION**

N/A

## **ANALYSIS AND RATIONALE FOR RECOMMENDATION**

N/A

## **ALTERNATIVES FOR CONSIDERATION**

N/A

## **ALIGNMENT TO THE 2016 – 2025 STRATEGIC PLAN**

### **Economic Prosperity and Growth**

*Hamilton* has a prosperous and diverse local economy where people have opportunities to grow and develop.

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**SUBJECT: Barton Village Business Improvement Area (BIA) Revised Board of Management (PED16081(b)) (Wards 2 and 3) - Page 3 of 3**

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**APPENDICES AND SCHEDULES ATTACHED**

N/A

CG:dt



# Hamilton

## **BUSINESS IMPROVEMENT AREA ADVISORY COMMITTEE MINUTES 17-011**

**8:00 a.m.**

**Tuesday, December 12, 2017**

**Room 264**

**Hamilton City Hall**

**71 Main Street West**

**Present:** Cristina Geissler – Concession Street BIA  
Rachel Braithwaite – Barton Village BIA  
Lia Hess – King West BIA (Acting Vice Chair)  
Kerry Jarvi – Downtown Hamilton BIA  
Tracy MacKinnon – Westdale Village BIA and Stoney Creek BIA  
Maggie Burns – Ottawa Street BIA  
Susan Pennie – Waterdown BIA

**Absent:** Councillor Matthew Green, Jennifer Mattern – Ancaster BIA, Lisa Anderson – Dundas BIA, Susie Braithwaite – International Village BIA, Bender Chug – Main West Esplanade BIA, Tony Greco – Locke Street BIA , Doug Sutherland – Stoney Creek BIA

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### **FOR INFORMATION:**

**(a) CHANGES TO THE AGENDA (Item 1)**

The Committee Clerk advised that there were no changes to the agenda.

**(R. Braithwaite/McKinnon)**

That the agenda for the December 12, 2017 Business Improvement Area Advisory Committee meeting be approved, as presented.

**CARRIED**

**(b) APPROVAL OF MINUTES OF PREVIOUS MEETING (Item 3)**

**(i) November 14, 2017 (Item 3.1)**

**(R. Braithwaite/McKinnon)**

That the November 14, 2017 Minutes of the Business Improvement Area Advisory Committee be approved, as presented.

**CARRIED**

**(c) PRESENTATIONS (Item 7)**

**(i) Breastfeeding Friendly Spaces, Public Health Services (Item 7.1)**

Laura Hunt, Midwife and member of the Hamilton Breastfeeding Coalition addressed the Committee respecting an advertising campaign promoting Breastfeeding Friendly Spaces, with the aid of a PowerPoint presentation. A copy of the presentation has been included in the official record.

**(Geissler/Burns)**

That the presentation respecting Breastfeeding Friendly Spaces, be received.

**CARRIED**

The presentation is available through the Office of the City Clerk.

**(ii) Employer One Survey, Workforce Planning Hamilton (Item 7.2)**

Viktor Cicman and Liz Enriques, Workforce Planning Hamilton, addressed the Committee respecting the Employer One Survey. Hard copies of the survey were distributed to the Committee. A copy of the survey has been included in the official record.

**(R. Braithwaite/Jarvi)**

That the presentation respecting the Employer One Survey, Workforce Planning Hamilton, be received.

**CARRIED**

The survey is available through the Office of the City Clerk.

**(d) GENERAL INFORMATION/OTHER BUSINESS (Item 11)**

**(i) Update from Carlo Gorni, BIA Coordinator (Item 11.1)**

Carlo Gorni, BIA Coordinator, advised the Committee that the 2018 Budget submissions for the following Business Improvement Areas were passed at the December 8, 2017 City of Hamilton Council meeting:

- Concession Street
- Stoney Creek
- Ottawa Street
- Ancaster
- Barton Village
- Downtown Hamilton
- International Village
- Downtown Dundas
- King West



The 2018 Budget submissions for the following Business Improvement Areas are currently scheduled to be considered at the January 17, 2018 General Issues Committee meeting and at the January 24, 2018 Council meeting:

- Westdale Village
- Waterdown
- Main West

**(ii) Statements by Members (Item 11.2)**

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

**(e) ADJOURNMENT (Item 13)**

**(McKinnon/Jarvi)**

That there being no further business, the Business Improvement Area Advisory Committee be adjourned at 9:36 a.m.

**CARRIED**

Respectfully submitted,

Lia Hess, Acting Vice-Chair  
Business Improvement Area  
Advisory Committee

Loren Kolar  
Legislative Coordinator  
Office of the City Clerk



## INFORMATION REPORT

<b>TO:</b>	Mayor and Members General Issue Committee
<b>COMMITTEE DATE:</b>	February 7, 2018
<b>SUBJECT/REPORT NO:</b>	<i>Bill 148 - The Fair Workplaces, Better Jobs Act, 2017</i> (HUR17011(a)/FCS18019) (City Wide)
<b>WARD(S) AFFECTED:</b>	City Wide
<b>PREPARED BY:</b>	Nenzi Cocca 905-546-2424 Ext. 3924 Tom Hewitson 905-546-2424 Ext. 4159
<b>SUBMITTED BY:</b>	Lora Fontana Executive Director Human Resources & Organizational Development
<b>SIGNATURE:</b>	Mike Zegarac General Manager Finance and Corporate Services

### Council Direction:

At its July 10, 2017 General Issues Committee meeting (GIC), Council directed staff to prepare a comprehensive report that outlined all of the impacts arising from *Bill 148, The Fair Workplaces, Better Jobs Act, 2017* (the "Act"). On September 20, 2017, staff provided a report to Council, outlining anticipated implications of Bill 148 pending approval by the Government of Ontario. Bill 148 received Royal Assent on November 27, 2017.

### Information:

On May 30, 2017, the Government of Ontario announced its intention to introduce *Bill 148 - The Fair Workplaces, Better Jobs Act, 2017* in response to the Final Report of the Changing Workplaces Review. After receiving Royal Assent on November 27, 2017, many of the amendments resulting from Bill 148 came into effect January 1, 2018. The Act resulted in major changes to the *Employment Standards Act, 2000* ("the ESA") and the *Labour Relations Act, 1995* (the "LRA").

To ensure compliance with Bill 148, Human Resources is leading a steering committee responsible for the necessary changes to systems, policies, administrative processes and record keeping practices. Specifically, representatives from relevant areas of Human Resources, Payroll, Finance, IT and Communications are meeting regularly and working together towards implementation of Bill 148 amendments, including communicating changes and new obligations to People Leaders. Any changes that were necessary to ensure compliance with amendments that came into effect January 1, 2018 have been implemented.

Communication to all front line employees will include the distribution and on-line posting of the new Employment Standards Poster, and reintroducing policies and procedures that required updating as a result of Bill 148.

Currently, the estimated financial impacts of Bill 138 are \$1.7M, which is included in the 2018 budget (\$1.3M for Personal Emergency Leave Days backfilling and \$400,000 for minimum wage). Additional costs may occur in 2018 but staff continue to develop the estimates.

The following is a summary of some of the more significant changes and updates to the ESA and LRA, as result of Bill 148, that was previously reported to Council on September 20, 2017. Please note that all leave provisions are without pay unless specifically identified.

### **Changes to the *Employment Standards Act, 2000* (ESA)**

#### **Minimum Wage Increases:**

- \$14 per hour on January 1, 2018
- \$15 per hour on January 1, 2019

#### **Employee Misclassification:**

The creation of penalties applicable to employers who have misclassified an employee as an “independent contractor”. The employer bears the onus of demonstrating that the individual is not an employee. This amendment came into effect upon Royal Assent (November 27, 2017).

#### **Vacation with Pay:**

Increased vacation entitlement to three (3) weeks after five (5) years of employment with the same employer, with corresponding increases to the vacation pay provisions (i.e. 6% vacation pay instead of 4% after 5 years). This amendment came into effect on January 1, 2018.

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### **Family Medical Leave:**

Increase leave (to care for dying relatives) from up to eight (8) weeks to twenty-eight (28) weeks (in a 52 week period).

- Update to the ESA, as result of Bill 148, that was previously reported to Council on September 20, 2017
  - This leave was increased after the previous Council report in September, 2017. It was previously reported that Family Medical Leave was twenty-seven (27) weeks in a 52 week period. This amendment came into effect on January 1, 2018.

### **Critical Illness Leave:**

An amendment to the previous Critically Ill Child Leave, the new leave provisions have been amended and renamed to Critical Illness Leave, and provide job protected leave for of up to thirty-seven (37) weeks in a 52 week period to care for a critically ill dependent child (minor) or up to seventeen (17) weeks in a 52 week period to care for a family member. This amendment came into effect December 3, 2017.

### **Leave for the Death of a Child and for Crime-Related Disappearance:**

An increase to the leave for the crime-related disappearance of a child from 52 weeks to 104 weeks. And a separate leave for the death of a child for a period of up to 104 weeks from the week in which the child dies. This amendment came into effect on January 1, 2018.

### **Domestic or Sexual Violence Leave:**

An additional leave entitlement, allowing employees who have been employed for at least 13 consecutive weeks, to take a leave of absence of up to ten (10) emergency leave days and up to an additional 15 weeks, if the employee, or the employee's child, is a victim of domestic or sexual violence, or has been threatened with domestic or sexual violence.

- Update to the ESA, as result of Bill 148, that was previously reported to Council on September 20, 2017
  - A significant change to this leave that was introduced after the previous Council report in September, 2017, is that the first five (5) days of Domestic or Sexual Violence Leave are employer paid.

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The leave must be taken for specific purposes, which include seeking medical attention, obtaining support from a victim services organization, seeking counselling from a psychologist or other professional, relocating, seeking legal or law enforcement assistance, or any other prescribed purposes. The ten (10) emergency leave days are in addition to the ten (10) allotted Personal Emergency Leave days already available by statute. This amendment came into effect on January 1, 2018.

### **Pregnancy and Parental Leave:**

The length of pregnancy and parental leave has been increased to mirror recent amendments to the Federal Employment Insurance Act which governs the payment of employment insurance benefits. Specifically, the length of pregnancy leave for an employee who suffers a still-birth or miscarriage has been extended from six (6) weeks to twelve (12) weeks. This amendment came into effect on January 1, 2018, however pregnancy leave for an employee who suffered a still-birth or miscarriage came into effect December 3, 2017.

Parental leave has increased from thirty-five (35) weeks to sixty-one (61) weeks for those employees who took a pregnancy leave (which is currently 17 weeks), and from thirty-seven (37) weeks to sixty-three (63) weeks for employees who did not take a pregnancy leave. The amendments are compared to the previous entitlement, as illustrated below.

	<b>Previous</b>	<b>Amendments</b>
Birth parent (an employee who is pregnant)	Entitled to 17 weeks of pregnancy leave, and may take an additional 35 weeks of parental leave (total job protected leave = 52 weeks)	Continued entitlement to 17 weeks of pregnancy leave, and may take an additional 61 weeks of parental leave (total job projected leave = 78 weeks) i.e.
Any parent when a child is born, including birth parent (who does not take pregnancy leave), father, partner, or when a child comes	Entitled to 37 weeks of parental leave (including birth parent who did not take pregnancy leave)	Entitled to 63 weeks of parental leave (including birth parent who did not take pregnancy leave)

### **Public Holidays:**

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The formula for calculating public holiday pay is simplified so that employees are entitled to their average regular daily wage based on the wages earned in the pay period immediately preceding the holiday. Previous to this, holiday pay was calculated based on an average wage earning during previous four (4) weeks earnings. Where an employee has agreed to work on a public holiday and is entitled to a substitute holiday, the employer must provide a written statement to the employee specifying the date of the public holiday, the substitute holiday date and the date on which the statement was provided to the employee. This amendment came into effect on January 1, 2018.

### **Equal Pay for Equal Work - Casual, Part-time, Temporary & Seasonal Employees:**

Greater opportunity for employees to request a review of their wages if they believe they are not receiving wages equal to full-time employees when they are performing work that is substantially the same. Exceptions to such requests include provisions for a merit system, systems that determine pay by quantity or equality of production, or any other factor other than sex or employment status. If a collective agreement permits differences in pay based on employment status and such provisions conflict with the legislation, the collective agreement will prevail where such agreement is in force on January 1, 2019.

- Update to the ESA, as a result of Bill 148, that was previously reported to Council on September 20, 2017
  - Since last reporting to Council on September 20, 2017, two significant changes were made to this amendment; the removal of seniority systems (including one that provides for different pay based on accumulated hours worked) as an exemption to the equal pay for equal work entitlement, and the introduction of a new definition of “substantially the same” when determining work of equal value.

In addition, greater penalties will be applied for non-compliance, interest on unpaid wages as well as improved wage collections by the government or an authorized creditor. This amendment will come into effect on April 1, 2018.

### **Overtime Pay:**

Requirement that employees who hold more than one position with an employer, and who work in excess of 44 hours in a work week, be paid at the rate of one and one-half for each hour for the position they are working during the overtime period. This amendment came into effect on January 1, 2018.

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**Equal Pay for Temporary Help Agency Employees:**

Temporary Help Agency (THA) employees (assignment workers) must be paid equal to permanent employees of the agency's client when performing the same job. This amendment will come into effect on April 1, 2018.

**Notice of Termination for Temporary Help Agency Employees:**

Requires a Temporary Help Agency (THA) to provide assignment employees with at least one (1) weeks' notice (or pay in lieu thereof) where an assignment scheduled to last longer than three (3) months terminates early. This obligation will be offset if an employee is offered other work during the notice period. This amendment came into effect on January 1, 2018.

**Personal Emergency Leave:**

Eliminate the 50-employee threshold for eligibility for ten (10) personal emergency leave (PEL) days per calendar year. Additionally, all employees will be entitled to have two (2) paid PEL days that must be taken before using the remaining eight (8) unpaid days.

Employees must have worked for the employer for one (1) week before qualifying for the two (2) paid days. Employers would be prohibited from requiring a doctor's note from an employee taking personal emergency leave. This amendment came into effect on January 1, 2018.

**The following scheduling provisions will come into effect on January 1, 2019.****Right to Request:**

An employee who has been employed for three (3) months will have a right to request, in writing, that the employer: decrease or increase hours of work; give a more flexible schedule; or alter the location of work. The employer would be required to discuss the issue with the employee and provide reasons, in writing, if the request is denied.

**Three-Hour Rule:**

Employees who report to work and are given less than three (3) hours of work must be paid three (3) hours at their regular rate of pay if they normally work more than three (3) hours a day. To be qualified to receive these payments, the employee must have been available to work at least three (3) hours. Such requirement to pay three (3) hours is triggered only once in each 24 hour period even in circumstances where an employee may have been called in more than once during that time.

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### **Minimum Pay – On-call:**

When employees are “on-call” and are not called in, or are called to work but work less than three (3) hours, they must be paid three (3) hours at their regular rate. To be qualified to receive these payments, the employee must have been available to work at least three (3) hours. Such requirement to pay three (3) hours is triggered only once in each 24 hour period even in circumstances where an employee works more than one on-call shift during a 24 hour period.

- Updates to the ESA, as result of Bill 148, that was previously reported to Council on September 20, 2017
  - An exemption to this rule was introduced after the previous Council report in September, 2017, such that this minimum on-call pay requirement will not apply where an employee is on-call for the purposes of ensuring the continued delivery of essential public service, and the employee is not required to work.

### **Shift Cancellations:**

Employers must give 48 hours’ notice of a shift cancellation. Where less than 48 hours is given, three (3) hours pay must be provided. This shall include on-call shifts. This obligation will not apply in certain cases beyond an employer’s control (for example fire, power failure, storms), or where the nature of the work is weather-dependent and because of weather related reasons, the work is not available.

### **Right to Refuse:**

An employee may refuse to accept a shift without repercussion if asked to work with less than four (4) days’ notice. If passed, this provision would not apply where the work involves responding to an emergency, to remedy or reduce a threat to public safety or for other prescribed reasons.

- Updates to the ESA, as result of Bill 148, that was previously reported to Council on September 20, 2017
  - After the previous Council report in September, 2017, a definition of “emergency” was introduced which includes search and rescue operations and situations or impending situations that constitute a danger of major proportions that could result in serious harm to persons or substantial damage to property caused by forces of nature, disease or other health risk which is accidental, or an act that is intentional or otherwise.

If a collective agreement contains provisions covering the right of refusal of work, on-call pay or cancelled shift payment, the collective agreement will prevail over the Employment Standards Act if the collective agreement is in effect on January 1, 2019.

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Thereafter, this provision will cease to apply upon the expiry of that collective agreement, or on January 20, 2020, whichever is earlier.

The Ministry of Labour is conducting a review of the exemptions and special industry rules set out in the ESA, including the exemptions in place for Managers and Supervisors.

**Changes to the *Labour Relations Act, 1995 (LRA)*** - The following changes came into effect January 1, 2018.

**Card Based Certification:**

The establishment of a card-based union certification for temporary help agencies, the building services sector, and home care and community services industry.

**Union Certification:**

Eliminate certain conditions for remedial union certification, allowing unions to certify more easily when an employer engages in misconduct; make access to first contract arbitration easier (with added intensive mediation component to the first contract arbitration process); allow unions to access employee lists and certain employee contact information if the union can demonstrate that it has already achieved the support of twenty (20) percent of employees involved; empower the Ontario Labour Relations Board (OLRB) to conduct votes outside the workplace, including electronically and by telephone, and to authorize Labour Relations Officers appointed by the Ministry to give directions relating to the voting process and voting arrangements; grant either party access to “educational support” in the practice of labour relations following certification or voluntary recognition by an employer.

**Successor Rights:**

Extend successor rights to the retendering of building services contracts, and apply successor rights to the retendering of other publicly funded contracted positions.

**Structure of Bargaining Units:**

Allow the OLRB to consolidate newly certified bargaining units with existing bargaining units under a single employer where those units are represented by the same bargaining agent.

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### **Just Cause Protection:**

Protect employees from being disciplined or discharged without just cause by their employer in the period between certification and the conclusion of a first contract, and in the period between the date the employees are in a legal strike or lock-out position and the new collective agreement.

### **Financial Implications of Bill 148**

As mentioned previously, the 2018 budget includes \$1.7M in estimated costs related to the implementation of Bill 148. That is, \$1.3M to backfill absences related to the two (2) paid Personal Emergency Leave Days and \$400,000 related to the \$1/hour minimum wage increase. For 2019, staff continue to review the financial implications but have currently identified an additional \$920,000 required for the further \$1/hour minimum wage increase, on call provisions and potential contractual increase.

Staff continues to analyze and review the financial impact of Bill 148. Much of the impact is difficult to determine as it is contingent on the unknown utilization of the unpaid leave days available (and the required backfilling costs). The following points highlight the areas which may result in additional financial cost to the City:

- Holiday Pay
- Statutory Pay
- Backfilling Other Leaves (Family Medical; Domestic or Sexual Violence; Death of Child/Crime Related Disappearance; Pregnancy Leave changes)
- Equal Pay Provisions (Casual, Temp, Part-time)
- Temporary Agency Pay
- On Call Provisions
- Impact flow through from City vendors

### **Appendices and Schedules Attached**

Appendix A to Report (HUR1701(a)/FCS18019) – Bill 148 People Leader Communication Volume 2

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***Fair Workplaces, Better Jobs Act, 2017: Changes to the Employment Standards Act, 2000 (ESA) and The Labour Relations Act, 1995 (LRA)***

UPDATE December 18, 2017

**UPDATE #2 – BILL 148**

Further to the update you received on December 4, 2017, the following is additional information and updated Q&As. Please refer to this update for a comprehensive review of all changes to the *Employment Standards Act* and what it means for you as a People Leader. Updates from the previous correspondence are highlighted in red font.

**EFFECTIVE DECEMBER 3, 2017****Pregnancy & Parental Leave**

- to align with changes to the federal Employment Insurance Act, parental leave increases from 35 weeks to 61 weeks of job protected leave for those that took a pregnancy leave. And for employees who are only taking job protected parental leave, their entitlement increases from thirty-seven (37) weeks to sixty-three (63) weeks. **Effective January 1, 2018**, an employee who suffers a miscarriage or stillbirth are entitled to 12 weeks job protected leave (an increase from 6 weeks).

**Critical Illness Leave**

- Employees entitled to 37 weeks in a 52 week period to care for or provide support to a critically ill minor who is a family member, and up to 17 weeks in a 52 week period to provide care for or support to a critically ill adult who is a family member.

\*\*an updated Pregnancy and Parental Leave Policy will be available shortly on the e-net along with an updated Managers Guide to Leaves with additional details, including eligibility criteria.

**EFFECTIVE JANUARY 1, 2018****Minimum Wage**

- Increase to the minimum wage to \$14 per hour on **January 1, 2018** and \$15 per hour on **January 1, 2019**. This will result in some changes to a few classifications within the City, however most classifications are already compensated accordingly.

**Public Holidays**

- Holiday pay will be calculated as the average daily wages earned in the pay period immediately preceding the holiday.

- Where an employee has agreed to work on a public holiday and is entitled to a substitute holiday, the Employer must provide a written statement to the employee specifying the date of the public holiday, the substitute holiday date and date on which the statement is provided to the Employee.

### **Minimum Paid Vacation**

- Employees with 5 years of service with the same employer will be entitled to an increase in vacation from 2 weeks to 3 weeks, or from 4% in lieu to 6% in lieu.

### **Leaves of Absence**

**\*\*an updated Management Guide to Leaves will be issued with additional details, including eligibility criteria (some leaves are only available to employees who have been with the Employer for a specific length of time)**

- Pregnancy Leave (miscarriage or stillbirth) – increase in leave from 6 weeks to 12 weeks for an employee who suffers a miscarriage or stillbirth.
- Family Medical Leave – increase in leave from 8 weeks in a 26 week period, to 28 weeks in a 52 week period.
- Child Death Leave – Employees entitled to 104 weeks of unpaid leave if their child dies for any reason.
- Crime/Child Disappearance Leave – increase from 52 weeks to 104 weeks of unpaid leave.
- Domestic/Sexual Violence Leave – Employees who have worked for the Employer for 13 weeks are entitled to 10 days of personal emergency leave in addition to 15 weeks leave (of which the first 5 days will be paid) where an Employee or their child are victims of, or threatened with domestic or sexual violence. Employers must establish a mechanism to ensure confidentiality of records related to the leave.
- Personal Emergency Leave – Current entitlement is 10 unpaid days of personal emergency leave. Employees will now be entitled to 2 paid days, which must be taken before using the remaining 8 unpaid days, and must have worked for the Employer for one week before qualifying for the 2 paid days. Employers will be prohibited from requiring a Doctor's note from an Employee using a personal emergency leave.

## Record Keeping

**Effective January 1, 2018**, Managers/Supervisors who do not have a detailed attendance tracking system (for example, KRONOS) will be required to maintain the following records for up to five (5) years;

- Dates and times that an employee worked (scheduled and on-call)
- Dates and times of cancelled or altered shifts
- If providing a substitute holiday (when an Employee works a Public Holiday), the date and time the substitute holiday is scheduled must be provided in a written statement to the Employee.

## **EFFECTIVE APRIL 1, 2018**

### Equal Pay for Equal Work

- Employees will be paid equal pay regardless of employment status (fulltime, part-time, casual, temporary, seasonal). Employees can request a review of their wages if they believe they are not receiving equal pay.

## **EFFECTIVE JANUARY 1, 2019**

### Scheduling

- Employees may request changes to their schedules or work location. Employers must discuss these requests with the Employee and if denied, provide a reason in writing.
- Employees required to be at work for more than 3 hours, but report to work and get sent home before the end of their shift, will be entitled to 3 hours pay at their regular wage rate.
- Employees will be entitled to 3 hours pay at their regular rate for being on call in a 24 hour period, even if they are not called into work. However, this will not apply where the purposes for being on call is to provide continued delivery of essential public service. Employees will have the right to refuse a shift if asked to work with less than 4 days notice. However, this will not apply where work is to deal with an emergency, or to remedy or reduce a threat to public safety.
- Employers must provide 48 hours' notice of shift cancellation, or pay the employee 3 hours at their regular rate of pay. However, this will not apply in situations beyond the Employer's control, or where the nature of the work is weather dependent.

## **WHAT'S NEXT**

- Finance has estimated costs associated with personal emergency leave days and the increase to minimum wage, and incorporated these costs into the 2018 Budget.

- Human Resources is available to provide you with support and assistance in answering employees questions and/or administrating these changes within your respective areas.
- Policies and Procedures are being updated to reflect these changes, as are systems and administrative process within HR, IT, Finance and Payroll, and further updates will keep you apprised of these changes.

## **QUESTIONS & ANSWERS**

### **1. Do I need to make any changes to my current operations as a result of these changes?**

- Prior to January 1, 2018, there isn't anything you need to change, other than be prepared to answer questions you may receive from Employees, in which case you're encouraged to contact Human Resources for assistance. The Steering Committee is working on updating processes, systems and policies to prepare for the changes coming in 2018 and will continue to update you as these changes are made. If you're not already doing so, you should ensure your section/division is able to keep a record of all dates and times an Employee was scheduled to work or be on-call for work, and record any changes to on-call schedules.

### **2. I have an employee currently on pregnancy leave and she's contacted me about the extended pregnancy leave provisions? Is she entitled?**

- The increase to job protected leave for pregnancy and parental leave is only available when the date of birth (or the date the child first comes into the care and custody of the parent) is on or after December 3, 2017. It is not retroactive.

### **3. Are there any exemptions to the Scheduling amendments that come into force on January 1, 2019? With all the scheduling changes happening on January 1, 2019, how can I manage emergency or essential services?**

There are exemptions to the new Scheduling provisions, including when the work is related to an emergency, to remedy or reduce a threat to public safety or to ensure the continued delivery of essential public service.

An *emergency* is defined as a search and rescue operation, a situation or an impending situation that constitutes a danger of major proportions that could result in serious harm to persons or substantial damage to property. This includes forces of nature, a disease or other health risk, an accident or an act of whether intentional or otherwise.

If you have questions about your particular operations (for example, winter operations, public health protocols, emergency services, weather dependent work), please contact Human Resources for assistance.

**4. What is the difference between Family Medical Leave and Critical Illness Leave?**

- Family Medical Leave is an existing entitlement under the ESA, providing for job protected leave for an Employee to care or support a family member where the individual has a serious medical condition with **significant risk of death** within a period of 26 weeks (as certified by a qualified health practitioner). Bill 148 increases the amount of job protected time off.
- Critical Illness Leave is an amended entitlement, previously titled “Critically Ill Child Care Leave” and was intended for a parent or legal guardian to care for a critically ill child under the age of 18. The new Critical Illness Leave is expanded to include job protected leave to support and care for a critically ill family member who is under the age of 18, or a critically ill adult who is a family member.

**5. How do collective agreements apply when they already cover things like scheduling, wages and other entitlements that Bill 148 provides?**

- The collective agreements still apply and should continue to be adhered to. For most employee entitlements, it’s going to be business as usual, since most collective agreements provide benefits that are equal to, or better than the entitlements introduced by Bill 148. If you have questions about how to interpret and apply both the collective agreement and Bill 148, please contact Human Resources.

**6. My department provides services on Public Holidays and pay employees who work on that day their premium, per the collective agreement. Does Bill 148 now require me also provide an additional substitute day off?**

- One of the new amendments as a result of Bill 148 is the requirement to provide a written statement to the employee, specifying the date of a substitute holiday when one is offered as a result of the employee working on a Public Holiday. However, this is only in the case WHEN a substitute day is provided. Some collective agreements provide for a substitute day off when an employee works a public holiday, based on mutual agreement between the employer and the employee. Bill 148 does not REQUIRE the employer to provide a substitute day; it only requires the employer to provide the employee a written statement WHEN a substitute day is provided.

**7. Are ALL employees entitled to the 2 paid Personal Emergency Leave days?**

- As long as employees have been employed for one (1) week, they are entitled to 2 paid Personal Emergency Leave days (full time, part time, student, temporary, casual). The entitlement to Personal Emergency Leave days is 10 days, whereby the first 2 days shall be paid. Employers are prohibited from requiring a medical note to substantiate the leave, however can continue to request other reasonable documentation to substantiate the absence.

**8. There are changes as a result of Bill 148 regarding Temp Agency Employees. I often retain temp agency employees. How do Temp Agency Employees differ from all other City of Hamilton Employees?**

- Temp Agency Employees are employed by the temp agency, they are not City of Hamilton employees. When we retain the services of a temp agency, the City of Hamilton is considered the client, not the employer. Accordingly, it will be the temp agency that will be responsible to ensure temp agency employees are paid in accordance with Bill 148 (and likely, charge that cost back to the client).

**9. Will the “Equal Pay for Equal Work” impact salary structures based on steps within a pay grade, or differences in pay based on seniority or merit?**

- The “Equal Pay for Equal Work” amendment does provide for exemptions, which include differences in pay because of a seniority system, merit system and pay based on quantity/quality of production. Our current compensation structures that include steps within a pay band based on the above, is compliant with Bill 148. These amendments were intended to ensure equal pay regardless of employment status (full time, part time, casual, temporary or permanent).





# INFORMATION REPORT

<b>TO:</b>	Chair and Members General Issues Committee
<b>COMMITTEE DATE:</b>	February 7, 2018
<b>SUBJECT/REPORT NO:</b>	“Where’s My Plow” Tracking Program Update (PW18016) (City Wide)
<b>WARD(S) AFFECTED:</b>	City Wide
<b>PREPARED BY:</b>	Bob Paul (905)546-2424, Extension 7641
<b>SUBMITTED BY:</b>	Betty Matthews-Malone, P.Eng. Director, Roads & Traffic Public Works Department
<b>SIGNATURE:</b>	

## Council Direction:

To report on the status of a ‘plow tracking program’ for the City of Hamilton.

## Information:

This Information Report provides an overview on the proposed “Where’s my Plow” tracking program for winter control operations within the City of Hamilton.

At the March 18, 2013 Public Works Committee staff was requested to provide information on the feasibility of creating a “Where’s My Plow” system to allow citizens to monitor the City’s public and private snow removal services. In December of 2013, PW13096 recommendations were approved requiring staff continue the monitoring of winter storm activities and develop a business case for a future tracking system.

The following provides an overview of activities to date on the tracking system, a status report as well as an anticipated implementation date for a winter control web tracking system for the City of Hamilton.

At the time of the request for the consideration of a tracking system, the Roads & Maintenance section had a Global Positioning System/Automatic Vehicle Locator (GPS/AVL) on several of their vehicles. System support by the vendor was problematic. As a corporate wide GPS/AVL system was being investigated and the existing Roads & Maintenance system needed upgrading and expansion, staff pursued the new corporate GPS/AVL.

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**SUBJECT: “Where’s My Plow” Tracking Program Update (PW18016) (City Wide)**  
**Page 2 of 4**

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In 2015 the request for proposal for a corporate vendor was issued seeking a GPS/AVL solution for the City as a whole. SkyHawk Blue Ocean was not awarded the contract until 2016. Implementation was delayed due to procurement issues. In the interim, two Roads and Maintenance test vehicles were installed August 2016 followed by a larger pilot program in November 2016. This pilot included installation of the new GPS/AVL on twenty-one plows. The pilot and system proved successful and Roads & Maintenance now have the new GPS/AVL in 110 snow plows and 112 vehicles (including crew-cabs, pickups and sweepers).

The Corporate GPS/AVL vendor has the capability of exporting the GPS/AVL data to a web based Winter Control tracking tool for viewing by the general public. This tracking tool will show plow location as well as a history of where that plow has been.

Staff have been pursuing the implementation of this tracking tool and several support groups have been consulted.

In discussion with Corporate Communications, staff were cautioned against releasing a partial web-based tracking system. While the data available would primarily include arterial and collector roads, i.e. those plowed by City in-house crews, it would not yet provide all information on residential roads. Plowing of residential areas is predominately undertaken by contracted standby equipment (132 units). The contracted standby equipment is not equipped with GPS/AVL. Corporate communications advised more fulsome coverage was recommended before ‘going live’. There were concerns that residents would not get a clear understanding of winter control efforts within their residential area. Roads & Maintenance staff did not deploy the partial public facing system, continuing pursuit of a solution for the contracted equipment. It is staffs understanding that this lack of residential data is one of the reasons that the City of Ottawa recently removed their web tracking tool. Other municipalities do have web-based systems which they deploy to all or some of their equipment, all or some of their contracted equipment and all or some of their road network.

In looking at how to deploy this technology on standby equipment, staff have been working with and testing an application (App) under development by the City’s GPS/AVL vendor. This App will allow the use of smart phone technology providing a more cost effective and efficient deployment of tracking systems on contracted equipment. The vendor recently released their App, and staff have been able to download the program. There have been some challenges with log-ins and the vendor is actively working on addressing those concerns. The existing standby contracts do not have language regarding GPS/AVL monitoring and tracking. While staff had considered an amendment to the existing contracts, due to log in problems with the App the tracking requirements will now be included in the new contracts. This will allow time for refinements of the App. The standby winter equipment contract expires this spring.

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**SUBJECT: “Where’s My Plow” Tracking Program Update (PW18016) (City Wide)****Page 3 of 4**

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The new standby winter equipment contract, effective winter 2018/19, will be required to include equipment tracking devices and monitoring. Contractors will be required to deploy the smart phone App or alternately implement the ‘black boxes’ currently installed in City vehicles, a more expensive and time-consuming approach.

The area maintenance contractor, IMOS, who undertakes winter control on the Red Hill Valley Parkway, the Lincoln Alexander Expressway and other arterial/collectors does have a GPS/AVL system as per their contract but it will not be capable of providing data to the web tracking system. Their GPS/AVL is different from the City’s. The new area maintenance contract to be awarded in 2020 will include a requirement to install the City’s system so that data can be uploaded to the “Where’s my Plow” web tracking. The lack of this tracking initially is not considered as problematic as all their routes are high priority roads and cleared first.

Roads and Maintenance Staff are working with the corporate GPS/AVL project team and procurement to obtain the public facing site. Information Technology and Corporate Communications have also been consulted with and have no concerns with the website. Staff will be testing the web site internally this winter season. There have been some problems with the internal ‘face’ of the system causing concerns for the capabilities required for the public facing site. Location data is recorded on average every 5 seconds and increases if units are turning or changing in direction which increases the data size which may cause slow reporting capabilities and in some instances caused the system to crash due to volume of historical data. Staff will be testing two (2), four (4), and twelve (12) hour histories for where the vehicles have been to determine what best supports a web tool. An example of the public facing site can be seen in Appendix “A”, attached to Report PW18016.

In addition to actively pursuing a web tracking solution and appreciating the sensitivity of the delay, staff built and deployed a user-friendly web-based winter road class map for the 2017/18 winter control season. This system went live in early December. The City of Hamilton Winter Control web page allows residents to identify their class of road and the Council approved level of service for that road. Since implementation there have been an average of 46 views per day and a total of 1,206 views.

In summary, staff will continue their efforts to bring this web tracking solution to fruition. To date approximately \$400K has been expended upgrading the AVL/GPS.

Based on this multitude of considerations and required activities identified, the revised implementation date for “Where’s My Plow” is January 2019.

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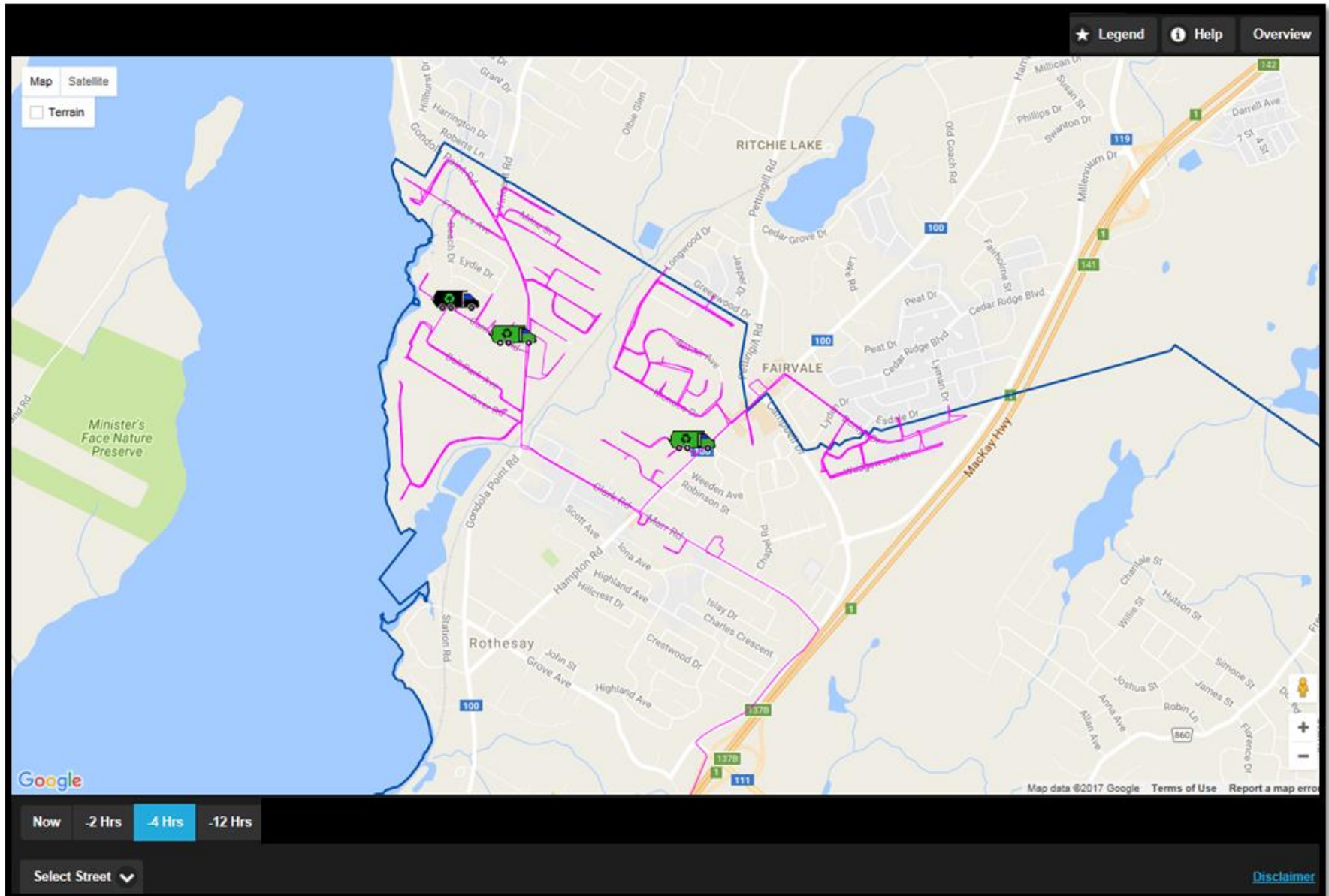
**SUBJECT: “Where’s My Plow” Tracking Program Update (PW18016) (City Wide)**  
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**Appendices and Schedules Attached**

Appendix “A” to Report PW18016 – Example of Skyhawk Blue Ocean Web Tracking Tool

Appendix A  
Report PW18016  
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# INFORMATION REPORT

<b>TO:</b>	Chair and Members General Issues Committee
<b>COMMITTEE DATE:</b>	February 7, 2018
<b>SUBJECT/REPORT NO:</b>	Snow Fencing Overview (PW18017) (City Wide)
<b>WARD(S) AFFECTED:</b>	City Wide
<b>PREPARED BY:</b>	Bob Paul (905)546-2424, Extension 7641
<b>SUBMITTED BY:</b>	Betty Matthews-Malone, P.Eng. Director, Roads & Traffic Public Works Department
<b>SIGNATURE:</b>	

## Council Direction:

As a follow up to the January 17, 2018 General Issues Committee, staff were asked to provide a report on the City's present snow fencing policy and process, and the possible use of living fences for snow drift control.

## Information:

On June 29, 2011 Council approved PW11050 "City of Hamilton Roadside Snow Fence Policy". The Policy is attached as Appendix "A" to Report PW18017.

The Policy states that the City will limit the use of snow fencing to locations where it offers optimum reduction of drifting snow onto neighbouring roadways at a reasonable cost in comparison to other snow clearing techniques such as winter patrol roadway monitoring. Patrol operations monitor identified locations and when weather conditions indicate the potential for snow drifting, dispatch winter control equipment to address conditions through plowing operations.

The report states that existing locations, established prior to the 2011 Policy would continue to receive the traditional wood slat and post snow fencing installation. The report recognized that the number of sites could be reduced if adjacent land use changed, resulting in reduced drifting.

The Policy states that all new locations would be serviced using the patrolling and plowing process. Sites where drifting is occurring are monitored during the winter

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season. Observations from monitoring are used to review the locations needs and the effectiveness of operational responses. Where snow fencing has the potential to offer optimum reduction of drifting snow at a lower cost, compared to other snow clearing techniques, it can be considered.

The Policy ensures operational considerations are included in the decision whether or not to install snow fence at any new locations. The City also may continue the use of snow fencing for locations where it is the most reasonable and cost-effective alternative.

### **Science of snow fencing**

Snow fencing is a tool used by municipalities to assist with controlling blowing snow in areas of chronic drifting. Where drifting is a persistent problem, snow fences can assist in reducing winter road maintenance costs associated with plowing operations. Snow fencing forces the wind to go around/over or through the fence causing the wind to lose energy and speed. The reduction of wind speed allows the suspended snow particles to fall before drifting onto the road. Snow fence involves the installation of physical buffers such as wood slats or plastic webbed fencing on lands adjacent to roadways.

Snow fencing requires many considerations. These include;

- Prevailing wind direction.
- Adjacent land use and topography, on both sides of the road.
- The geometry of the road being affected.
- The amount of snow to be controlled referred to as the “Fetch” area
- The proposed fence’s height, length, quantity, staging and location in relation to the road and the effected land.
- The availability of snow storage, both on the windward and leeward sides of the fence. Insufficient storage on the windward side of the fence will only increase the amount of snow being deposited on the leeward side of the fence. Insufficient storage on the leeward side will encourage the deposit of the suspended snow onto the roadway.
- The impact the snow fence installation may have on the land. For example, tile drainage systems on agricultural land may be damaged by the installation of the traditional wood slat and post snow fence.

Snow fences must be properly designed and installed at specific locations relative to the roadway to be effective. Incorrectly installed snow fence can increase the frequency and severity of the snow drift onto the road. Risk management considerations require a consistent approach to snow fencing. Consistent practice regarding the use of snow fence helps defend legal questions around why one site may have been selected over another.

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Snow fence installation is a labour intensive activity. Installation typically begins in late autumn and continues for several weeks to cover the required locations. Additional labour may be required throughout the winter season for snow fence maintenance. Snow fences are removed in mid-spring at or near the end of the winter control season. The time period associated with the removal will vary based upon the length of the season and the depth of the frost received that year.

### **Living Snow Fence**

The ‘living’ snow fence is an option that is being used by several municipalities and road authorities throughout North America. Living snow fence involves the planting of vegetation, typically a row or multiple rows of corn stocks, trees or shrubs near roadways. This vegetation acts as a snow fence barrier and prevents snow from drifting onto the adjacent roadways. The living snow fence design and installation process is similar to the process involved with snow fence installation where advanced planning and engineering is required in order to ensure that the proper planting materials are installed in the right location.

Benefits of a living snow fence include the economic advantage of a useful life of 50 years or more, and a decrease in cost per meter over the standard snow fence installation. As with regular snow fence, they can improve road safety, conserve energy expended on snow plowing, and can also beautify local landscape and create wildlife habitat through the establishment of vegetation.

The City of Ottawa has a program encourages landowners who plant corn to participate in its Alternative Snow Fencing Program. Participating landowners leave six (6) to 12 rows of standing corn parallel to the road. Landowners are paid an amount based on the market value per tonne of the unharvested corn, the yield of tonnes per acre, and the actual acres standing and for spring clean-up work.

The Region of Peel also has a program where property owners are encouraged to participate. The Region works with the property owner to pick the appropriate trees and shrubs, provides a planting plan, provides the materials and does the planting. To qualify for this program the property must front the west or north side of a regional road, have approximately 30 metres of set back from the right of way and currently have a wooden snow fence(s) installed in the winter.

Both programs require a long-term commitment from the property owner and the Municipality to be successful. The installation of the living snow fence does not necessary eliminate the need of snow fencing. Fencing may still be required until trees and shrubs have matured to the designed height.

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During the rural snow drift review, prepared for the 2011 report, many of the property owners identified were approached on a random basis and asked if they would be interested in a living snow fence program. There was very limited interest from those property owners. It should be noted that many of the City's existing snow fence locations are within the urban area of the City of Hamilton. Many of these locations are owned by the Public or Catholic School boards as well as City's parks and cemeteries.

Land development has also created a situation where lands are cleared of their existing vegetation and unattended until construction is started. These lands can remain vacant over the winter months and they can result in snow drifting onto the roadway. Roads and Maintenance staff will be approaching Planning staff for the potential consideration of a clause within the City's Subdivision agreements where developers are required to install snow fencing or leave vegetation in place prior to the winter months; similar to the requirement of silt fencing being installed prior to construction.

### **Summary**

Road patrol and snow plowing remain the primary service delivery method for dealing with drifting snow. Snow fencing is used for locations where it proves to be the most reasonable and cost-effective alternative as per the existing Policy.

If you require further information please contact Bob Paul, Manager of Roads and Maintenance at extension 7641.

### **Appendices and Schedules Attached**

Appendix "A" – Roadside Snow Fence Policy

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**CITY OF HAMILTON**  
**PUBLIC WORKS DEPARTMENT**  
**ROADS & TRAFFIC DIVISION**  
**POLICY**

**SUBJECT:** Roadside Snow Fence

### 1. Purpose

The purpose of this policy is to establish the use of roadside snow fences. The objective is to ensure roads locations that are prone to drifting snow are effectively addressed as part of the City's Winter Control Program.

### 2. Definitions

“**City**” means the City of Hamilton.

“**City Property Line**” means a road allowance, park, cemetery, open space or any property owned or managed by the City.

“**Living Snow Fence**” means a line of hedges, shrubs, trees, or other standing vegetative materials for the purposes of blocking snow drifts.

“**Snow Fence**” means a line of posts, steel t-bars with wooden slats or plastic webbing, or other similar device for the purposes of blocking snow drifts.

“**Winter Control Program**” means the services provided to ensure the City's roadways are maintained in a safe condition during the winter season.

### 3. Background

The Public Works Department is responsible for roads operations including winter maintenance operations. This policy outlines the activities the City shall use to mitigate drifting snow onto City roadways.

The City will provide the necessary training and follow up with its winter maintenance personnel to allow them to be fully contributing partners in achieving an effective and safe winter maintenance program.

The City will operate in accordance with clearly stated and documented winter control level of service policies.

#### **4. Policy**

##### **4.1 Snow Fences**

The City will limit the use of snow fenced to locations where it offers optimum reduction of drifting snow onto neighbouring roadways at a reasonable cost in comparison to other snow clearing techniques.

Snow fencing used by the City include standard wood posts and/or plastic webbed fencing.

Pursuant to the Ontario Municipal Act, 2001, c. 25, s. 60, the City is authorized, at any reasonable time, to enter onto City Property, and land within the municipality or within an adjoining municipality, and lying along any highway under its jurisdiction, including land owned by Her Majesty in right of Ontario, for the purpose of erecting and maintaining a snow fence.

##### **4.2 Winter Patrol**

Winter patrol operations will monitor roadway conditions throughout the winter season.

The patrol operations will track the locations that may be prone to snow drifts. Information on these locations will be recorded in the standard patrol logs.

Staff will dispatch winter control equipment to remove snow that may have accumulated on roadways resulting from drifting snow.

##### **4.3 Snow Plowing**

Snow plowing will be activated based on the winter road patrol observations in order to clear any snow drifts from roadways.

The City will optimize the use of winter control equipment by efficient routing in accordance with the City's winter control level of service.

##### **4.4 Alternative Technologies**

The City will evaluate technologies that may be used to improve efficiencies of the City winter maintenance activities. New best practices will be reviewed and implemented on a case-by-case basis.

<b>COUNCIL APPROVAL:</b> June 29, 2011
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**CITY OF HAMILTON**  
**PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT**  
**Tourism and Culture Division**

<b>TO:</b>	Mayor and Members General Issues Committee
<b>COMMITTEE DATE:</b>	February 7, 2018
<b>SUBJECT/REPORT NO:</b>	Canada Cultural Spaces Fund (PED18020) (City Wide)
<b>WARD(S) AFFECTED:</b>	City Wide
<b>PREPARED BY:</b>	Sonia Mrva (905) 546-2424 Ext. 4123
<b>SUBMITTED BY:</b>	Anna M. Bradford Director, Tourism and Culture Planning and Economic Development Department
<b>SIGNATURE:</b>	

### RECOMMENDATION

That staff be directed to submit a Canada Cultural Spaces Fund grant application for the Hamilton Children's Museum Expansion.

### EXECUTIVE SUMMARY

This report requests approval to submit a funding application to the Canada Cultural Spaces Fund (CCSF) from the Tourism and Culture Division for the expansion of the Hamilton Children's Museum.

Council approved an expansion of the Hamilton Children's Museum in 2013 (PED13152(a)).

The Hamilton Children's Museum Expansion project is 'shovel ready' and has been identified in the Tourism and Culture 10 year Capital Plan. Class A estimates are complete and the expansion is at site plan approval stage. If the CCSF application is successful staff will report back to the General Issues Committee outlining the financial plan.

### ***Alternatives for Consideration – Not Applicable***

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**SUBJECT: Canada Cultural Spaces Fund (PED18020) (City Wide) - Page 2 of 4**

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**FINANCIAL – STAFFING – LEGAL IMPLICATIONS**

**Financial:** Although there is no financial implication regarding the recommendation to submit a grant application, if successful, matching funding to complete the project is forecasted in the Tourism and Culture 10 year Capital Plan.

**Staffing:** N/A

**Legal:** N/A

**HISTORICAL BACKGROUND**

Council approved an expansion of the Hamilton Children's Museum in 2013 (PED13152(a)).

**POLICY IMPLICATIONS AND LEGISLATED REQUIREMENTS**

N/A

**RELEVANT CONSULTATION**

Director, Tourism and Culture Division, Planning and Economic Development Department

Manager, Heritage Resource Management, Tourism and Culture Division, Planning and Economic Development Department

Senior Project Manager, Heritage Facilities and Capital Management, Tourism and Culture Division, Planning and Economic Development Department

Manager, Finance and Administration (Planning and Economic Development), Financial Planning, Administration and Policy Division, Corporate Services Department

Senior Program Advisor, Department of Canadian Heritage, Government of Canada

**ANALYSIS AND RATIONALE FOR RECOMMENDATION**

The Heritage Resource Management (HRM) section of the Tourism and Culture Division actively seeks funding opportunities for a variety of Heritage capital projects throughout the year. As such, the HRM section identified the CCSF as a potential funding source.

The objectives of the CCSF are to contribute to improved physical conditions for arts and heritage-related creation, presentation, preservation and exhibition, and to

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## **SUBJECT: Canada Cultural Spaces Fund (PED18020) (City Wide) - Page 3 of 4**

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improved access for Canadians to performing arts, visual arts, media arts and to museum collections and heritage displays through the construction and/or renovation of arts and heritage facilities. Priority for CCSF funding is given to:

- Not for profit arts and/or heritage organizations operating in a professional manner, governed by an active Board of Directors;
- Provincial/territorial governments and municipal administrations and their agencies or equivalent Aboriginal people's institutions or organizations that have demonstrated their support to professional artistic or heritage activities in their community; and,
- Construction projects and/or renovation projects and specialized equipment purchases related to cultural infrastructure projects intended for professional arts and /or heritage activities.

Applicants will be assessed on the submitted application and based on the following criteria:

- A regional analysis prioritizes projects on the basis of the Program's assessment criteria and the extent to which projects address the needs and gaps of underserved communities and groups, such as official language minority communities, Aboriginal communities and ethno-cultural communities; and,
- Projects will then be submitted to a National Review Committee, which considers the distribution of program funds across the country and the national needs or gaps related to underserved communities and groups, as indicated above.

The CCSF program can finance up to 50% of eligible projects.

The Hamilton Children's Museum Expansion project provided for Council's endorsement is approximately 2.3 million dollars and aligns with the CCSF criteria. The project provides a permanent benefit, long-term impact and return on investment. Further, this project aligns with the City of Hamilton's Vision: to be the best place to raise a child and age successfully.

The project has the potential to develop partnerships with community groups and serve underutilized groups at the same time generating income. Further, the project has the potential to generate revenue for surrounding and secondary businesses such as hotels, restaurants and retail shops and to create employment.

### **ALTERNATIVES FOR CONSIDERATION**

N/A

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**SUBJECT: Canada Cultural Spaces Fund (PED18020) (City Wide) - Page 4 of 4**

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**ALIGNMENT TO THE 2016 – 2025 STRATEGIC PLAN****Community Engagement & Participation**

*Hamilton has an open, transparent and accessible approach to City government that engages with and empowers all citizens to be involved in their community.*

**Economic Prosperity and Growth**

*Hamilton has a prosperous and diverse local economy where people have opportunities to grow and develop.*

**Healthy and Safe Communities**

*Hamilton is a safe and supportive city where people are active, healthy, and have a high quality of life.*

**Clean and Green**

*Hamilton is environmentally sustainable with a healthy balance of natural and urban spaces.*

**Built Environment and Infrastructure**

*Hamilton is supported by state of the art infrastructure, transportation options, buildings and public spaces that create a dynamic City.*

**Culture and Diversity**

*Hamilton is a thriving, vibrant place for arts, culture, and heritage where diversity and inclusivity are embraced and celebrated.*

**Our People and Performance**

*Hamiltonians have a high level of trust and confidence in their City government.*

**APPENDICES AND SCHEDULES ATTACHED**

N/A

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**CITY OF HAMILTON**  
**CITY MANAGER'S OFFICE**  
 Strategic Partnerships and Communications  
 and  
**PUBLIC WORKS DEPARTMENT**  
 Energy, Fleet & Facilities Management Division

<b>TO:</b>	Mayor and Members General Issues Committee
<b>COMMITTEE DATE:</b>	January 17, 2018
<b>SUBJECT/REPORT NO:</b>	Stadium Event Booking Function (Pilot) (CM18003 / PW18010) (City Wide)
<b>WARD(S) AFFECTED:</b>	City Wide
<b>PREPARED BY:</b>	Ryan McHugh (905) 546-2424, Extension 2725
<b>SUBMITTED BY:</b>	John Hertel Director, Strategic Partnerships and Communications City Manager's Office
<b>SIGNATURE:</b>	Rom D'Angelo, C.E.T.;CFM Director, Energy, Fleet & Facilities Management Public Works Department

### RECOMMENDATION

- (a) That the City of Hamilton's responsibilities for the event booking operations outlined in the License Agreement relating to Tim Horton's Field be assigned to Spectra Venue Management effective February 1, 2018;
- (b) That the assignment of the event booking operations be considered a pilot program ending on or before December 31, 2018;
- (c) That an agreement, separate from the existing Management Agreement between the City of Hamilton and Spectra Venue Management, be prepared in a form satisfactory to the City Manager and City Solicitor;
- (d) That the City Manager or his delegate be authorized to finalize the details of the agreement, within a framework attached as Appendix "A" to report (CM18003 / PW18010).

### EXECUTIVE SUMMARY

Since the opening of Tim Hortons Field, the City of Hamilton has engaged a contract employee to serve as the booking agent for all functions at the facility. These bookings

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**SUBJECT: Stadium Event Booking Function (Pilot) (CM18003 / PW18010)  
(City Wide) - Page 2 of 6**

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include the use of the stadium facilities by community groups and corporations interested in events ranging from field use for a sporting event, to the utilization of the various meeting rooms.

To date, the booking function has been executed as a demand based role, i.e. taking requests for bookings, but not engaging in proactive outreach and promotion to secure incremental bookings. The role has served the basic needs of the booking function but has not been proactively reaching out to the community to promote the facilities availability and grow rental revenues. No FTE complement has been assigned to this position; the current contract for the position expires in July of 2018 and the individual will return to their home Division at that time.

Spectra Venue Management has been operating the City of Hamilton owned FirstOntario Centre (formerly Copps Coliseum), the FirstOntario Concert Hall (formerly Hamilton Place) and the Studio theatre (formerly Molson Studio) since March of 2013. Spectra is widely recognized as a world leader in hosting and entertainment, partnering with over 300 clients at 400 global properties. Spectra and City staff have ongoing discussions as part of our existing Management Agreement. Through these discussions, Spectra identified their interest in participating in the stadium operations that have potential revenue growth opportunities and operational savings for the City.

Their proposal is a performance based model where the City would pay a monthly management fee plus a revenue share of the net proceeds for new stadium bookings. Spectra would not receive a commission on any renewals of events associated with existing users. Within the proposed 11 month pilot, the facility is forecasted to realize a net gain of 3 mid to large sized events that would generate approximately \$14,050 in net incremental revenues to the City (net of the proposed management fee). When the savings related to discontinuing the contract of the current employee is considered, the net benefit to the City would total a projected \$44,050 during the term of the pilot. The net new events would also generate additional revenues to the City through the City's share of food and beverage commissions. If extended into 2019, Spectra forecasts an estimated \$155,000 in net new revenues to the City.

Under the proposal put forward by Spectra, they would provide a full time on-site employee in space provided by the City, with the background and proven success in growing event revenues and customer care. Their performance will be largely measured against the growth of incremental revenues and event bookings as well as client satisfaction feedback. As part of the proposed agreement, Spectra has also committed to honouring existing relationships with community groups.

The current Management Agreement with Spectra consists of a 5 year initial contract, with a 5 year extension option. The first agreement with Spectra expires on December 31, 2018. A report outlining staff's recommendation as to whether the City should exercise their option for a 5 year extension will be submitted to Committee in mid-2018. At that time, staff would also make recommendations related to the booking operations based on the performance of the pilot.

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**SUBJECT: Stadium Event Booking Function (Pilot) (CM18003 / PW18010)  
(City Wide) - Page 3 of 6**

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**Alternatives for Consideration – See Page 6**

**FINANCIAL – STAFFING – LEGAL IMPLICATIONS**

**Financial:** The City of Hamilton is projected to realize a net gain of approximately \$44,050 during the 11 month pilot. This will be achieved based upon an expenditure reduction of approximately \$35,000 (by returning one contracted employee to their home position 6 months early), a revenue increase forecasted to be approximately \$69,050, all net of a Spectra management fee of \$55,000 (\$5,000 per month for 11 months). If the pilot is extended beyond 2018, revised financials will be provided at the time of consideration by Council.

**Staffing:** One contract employee, currently under contract until July of 2018, will not be renewed for the events booking role and will return to their home department.

**Legal:** Legal Services will play an integral role in preparing an agreement with Spectra's legal counsel.

**HISTORICAL BACKGROUND**

Tim Hortons Field contains multiple meeting rooms and recreation spaces that are available for rent. In addition to the field of play, the venue also has five club level rooms, a media conference centre and multiple community meeting rooms. In an effort to maximize the utilization and revenue generation potential of the facility, Council directed staff to prepare a multi-year Strategic Marketing Plan for Tim Hortons Field opportunities in Report PW14091.

In response to this Council direction, Staff submitted report PW15027 which contained the Tim Hortons Field Strategic Marketing Plan which outlined the following objectives:

1. To provide extensive community programming as identified in the Stadium Precinct planning process;
2. To maximize use and revenue opportunities for Tim Hortons Field upon opening and through to the end of 2016.

To achieve these objectives, staff identified the following market segments that were to be targeted by Staff:

- Community Programming;
- Community Sport Programming;
- Amateur Sporting Events - Spectator Events;
- Film Shoots;
- Concerts.

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**SUBJECT: Stadium Event Booking Function (Pilot) (CM18003 / PW18010)  
(City Wide) - Page 4 of 6**

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Appendix “A” to Report PW15027 identified the following marketing channels that would be utilized to reach users within these market segments:

**Website:**

A site was to be developed that will be visually appealing and be easy to navigate with content such as event information, rental information and guest relations information.

These web pages will be incorporated into the new City of Hamilton website.

**Event Promotions & Advertising:**

Staff were to work with events right holders in promoting Tim Hortons Field public events. This will include advertising, media conferences, customer relationship management (CRM) and public relations.

**Public Tours:**

Beyond the tours outlined above, public tours were to be offered once substantial completion has been determined. These tours were to begin in 2015 and were to be held at a frequency determined by the communities demand.

**Virtual Tours:**

Once substantial completion has been met, staff were to ensure that the venues’ photography and videography is completed in order for the public to have virtual tours at their convenience.

**City of Hamilton Suite 26 (Private Box):**

The City of Hamilton Suite 26 usage protocol and policy will be developed and reside with the City Manager’s Office.

**POLICY IMPLICATIONS AND LEGISLATED REQUIREMENTS – N/A**

**RELEVANT CONSULTATION**

City Manager’s Office: Strategic Partnerships and Revenue Generation

Public Works Department: Energy, Fleet & Facilities Management Division

**ANALYSIS AND RATIONALE FOR RECOMMENDATION**

Upon completing the term of the Tim Hortons Field Marketing Plan outlined above, it became apparent that the booking function was being executed as a demand based role, i.e. taking requests for bookings, but not engaging in proactive outreach and promotion to secure incremental bookings. The role has served the basic needs of the booking function but has not been reaching out to the community to promote its availability and grow the revenues.

The 2016 season marked the first full season of programming at Tim Hortons Field.

Overall, Tim Hortons Field had in total 1360 unique field of play & meeting room bookings of which 295 (22%) were utilized by local sports and Community

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**SUBJECT: Stadium Event Booking Function (Pilot) (CM18003 / PW18010)  
(City Wide) - Page 5 of 6**

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organizations. Of those 295 bookings, 145 (49%) were from Minor or Adult soccer programming, which accounted for 11 % of Tim Hortons Field total yearly bookings.

The number of annual rentals and the associated revenues during the term of the initial Tim Hortons Field Marketing Plan are as follows:

Year	Total Rentals	Total Rental Revenues
2017	1,110	\$545,577*
2016	1,360	\$616,726

\*December 2017 YTD

Spectra by Comcast Spectator, which currently operates FirstOntario Centre, FirstOntario Concert Hall and the Studio, is widely recognized as a world leader in hosting and entertainment, partnering with over 300 clients at 400 global properties. Spectra's expertise is embodied within three divisions: Venue Management, Food Services and Hospitality and Ticketing and Fan Engagement. According to Spectra's latest Annual Report, their mission is to provide world class, diversified and quality entertainment to the people of Hamilton and its surrounding areas.

In 2016, leading concert industry publication Pollstar Magazine, ranked FirstOntario Centre as one of the top 200 arenas in the world in their yearend review. Pollstar Magazine bases their rankings on tickets sold for concerts and family shows held in a given arena (excludes sporting events). FirstOntario Centre jumped up in the rankings from 134 in 2014 to 108 in 2016, ranking 10<sup>th</sup> among Canadian Arenas:

Canadian Rank	World Rank	Arena Venue	City	Concert Capacity	# of Tickets Sold
1	9	Air Canada Centre	Toronto	19,800	702,516
2	20	Bell Centre	Montreal	15,000	571,770
3	43	Rogers Arena	Vancouver	19,000	368,129
4	50	Casino Rama	Rama	5,000	331,004
5	74	Centre Videotron	Quebec City	20,396	223,032
6	78	Rexall Place	Edmonton	13,000	202,893
7	82	Canadian Tire Centre	Ottawa	20,041	197,457
8	86	Budweiser Gardens	London	9,000	176,290
9	102	MTS Centre	Winnipeg	16,345	153,872
10	108	FirstOntario Centre	Hamilton	19,000	145,040

Note: The above figures exclude hockey and other sporting events.

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**SUBJECT: Stadium Event Booking Function (Pilot) (CM18003 / PW18010)  
(City Wide) - Page 6 of 6**

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Based on initial projections by Spectra, it is forecasted that they could increase the number of medium sized (film shoots, miscellaneous sporting events, etc.) to large sized (half and full stadium events) rentals, by approximately 3 additional events during the term of the pilot, while maintaining existing community programming and growing revenues from rental rooms.

**ALTERNATIVES FOR CONSIDERATION**

Alternative 1:

Council could approve a budget enhancement that would make the current contract position who oversees the booking functions a permanent FTE. The contract associated with this position currently expires on July 1<sup>st</sup> 2018. Making this position permanent would add \$35,000 in additional salary (benefits included) to the 2018 budget and \$74,687 (benefits included) every year thereafter.

Alternative 2:

Council could direct staff to enter discussions with the Hamilton Tiger-Cats to gauge their level of interest in overtaking the event booking operations that currently sit with the City of Hamilton.

**ALIGNMENT TO THE 2016 – 2025 STRATEGIC PLAN**

**Community Engagement & Participation**

*Hamilton has an open, transparent and accessible approach to City government that engages with and empowers all citizens to be involved in their community.*

**Economic Prosperity and Growth**

*Hamilton has a prosperous and diverse local economy where people have opportunities to grow and develop.*

**APPENDICES AND SCHEDULES ATTACHED**

Appendix “A” – Overview of proposal and financial impact

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### **Background:**

- Since the opening of Tim Hortons Field, the City of Hamilton has engaged a contract employee to serve as the booking agent for all functions at the facility.
- These bookings include the use of the stadium facilities by community groups and corporations interested in events ranging from field use for a sporting event, to the utilization of the various meeting rooms.
- To date, the booking function has been executed as a demand based role, i.e. taking requests for bookings, but not engaging in proactive outreach and promotion to secure incremental bookings.
- Spectra Venue Management has been operating the City of Hamilton owned FirstOntario Centre (formerly Copps Coliseum), the FirstOntario Concert Hall (formerly Hamilton Place) and the Studio theatre (formerly Molson Studio) since March of 2013.
- Spectra is widely recognized as a world leader in hosting and entertainment, partnering with over 300 clients at 400 global properties.
- Spectra has identified their interest in participating in the stadium operations that have potential revenue growth opportunities and operational savings for the City.

### **Overview of Spectra's Proposal:**

- Spectra's proposal is a performance based model where the City would pay a monthly management fee plus of \$5,000 plus a revenue share of the net proceeds for new stadium bookings.
- Spectra would not receive a commission on any renewals of events associated with existing users.
- Within the proposed 11 month pilot (February 2018 – December 2018), the facility is forecasted to realize a net gain of 3 mid to large sized events.
- Spectra would provide a full time on-site employee in space provided by the City, with the background and proven success in growing event revenues and customer care.
- As part of the proposed agreement, Spectra has also committed to honouring existing relationships with community groups.

### **Financial Impact:**

- The City of Hamilton is projected to realize a net gain of approximately \$44,050 during the 11 month pilot proposed within. If upon completion of the 11 month pilot, Council elected to extend the agreement, Spectra forecasts an estimated \$155,000 in net new revenues to the City in 2019.
- This positive 2018 impact would be achieved based upon an expenditure reduction of approximately \$35,000 by returning one contracted employee to their home position 6 months early, a revenue increase forecasted to be approximately \$69,050, all net of a Spectra management fee of \$55,000 (\$5,000 per month for 11 months).



Hamilton

**HAMILTON FUTURE FUND  
BOARD OF GOVERNORS  
Report 18-001  
12:00 p.m.  
Wednesday, January 24, 2018  
Room 264, City Hall  
71 Main Street West**

**Present:** Mayor F. Eisenberger  
Councillors J. Partridge (Vice Chair), T. Whitehead and D. Conley  
T. Weisz (Chair)  
I. Brisbin, K. Boyer, T. Crugnale, M. Dickson J. Kirkpatrick  
A. Macaluso, S. MacDonald, M. Scime and K. Wakeman

**Absent with  
Regrets:** R. Bagdonas, J. Bozzo and S. Manchia

**THE HAMILTON FUTURE FUND BOARD OF GOVERNORS PRESENTS REPORT  
18-001 AND RESPECTFULLY RECOMMENDS:**

- 1. Deliberations on the Applications Received from the 2017 Opening of the Hamilton Future Fund (Item 8.1)**
  - (a) That the application from the Cancer Assistance Program for the purchase of ride scheduling software in the amount of \$93,000, be approved;
  - (b) That the application from City Kidz for the kitchen equipment project in the amount of \$102,000, be approved;
  - (c) That the application from the City of Hamilton for a Feasibility Study for an Albion Falls South Access and Viewing Platform in the amount of \$42,500, be approved;
  - (d) That the application from the Hamilton Air Force Association for accessibility upgrades and a walk-in cooler in the amount of \$67,000, be approved;
  - (e) That the application from the Hamilton Olympic Club for the purchase of an electronic score board in the amount of \$35,000, be approved;

- (f) That the application from the Royal Botanical Gardens for the construction of a 3-Season Pavilion in the amount of \$93,000, be approved with the condition that the name and logo of the Hamilton Future Fund be prominently displayed on the pavilion;
- (g) That the application from St. Joseph's Healthcare Hamilton Foundation for the purchase of orthopaedic robotics surgery equipment in the amount of \$675,000 be approved with the condition that St. Joseph's Healthcare Hamilton representatives meet with the Chair and Vice Chair of the Hamilton Future Fund Board of Governors to discuss appropriate ways to recognize the Board;
- (h) That the application from Theatre Aquarius for accessibility upgrades in the amount of \$196,000, be approved;
- (i) That the application from the Westdale Cinema Group in the amount of \$250,000, be approved, subject to consultation with the Chair and Vice Chair of the Hamilton Future Fund Board of Directors to determine where the funds will be directed; and,
- (j) That the following applications be denied:
  - (i) Hamilton Arts Council
  - (ii) Bay Area Restoration Council
  - (iii) Barton Stone-Mount Hope United Church
  - (iv) Centre[3] for Print and Media Arts
  - (v) City of Hamilton Children's Museum
  - (vi) Community Living Hamilton
  - (vii) Empowerment Squared
  - (viii) Environment Hamilton
  - (ix) Habitat for Humanity and the Hamilton ReStore
  - (x) Hamilton Centre for Civic Inclusion
  - (xi) Hamilton Naturalists Club
  - (xii) Hamilton Philharmonic Orchestra
  - (xiii) Industry Education Council of Hamilton
  - (xiv) Interval House of Hamilton
  - (xv) Beasley Neighbourhood Association
  - (xvi) Leander Boat Club
  - (xvii) Mathstronauts
  - (xviii) Hamilton Naturalists Club
  - (xix) Rockton Agricultural Society
  - (xx) The Salvation Army
  - (xxi) Scadding Court Community Centre
  - (xxii) Social Planning and Research Council of Hamilton
  - (xxiii) St. Joseph's Villa



- (xxiv) St. Mark's Cultural Programming Space
- (xxv) Thrive Child and Youth Trauma Services
- (xxvi) Victorian Order of Nurses – Hamilton Niagara Haldimand Brant District
- (xxvii) Historic Waterdown Arts and Events
- (xxviii) Y on Wheels

**CARRIED**

**FOR INFORMATION:**

**(a) CHANGES TO THE AGENDA (Item 1)**

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

**1. PRESENTATIONS (Item 7)**

Presentations from the 2017 Grant applicants are being moved up in the agenda to be considered immediately following Item 5 – Consent Items. The balance of the agenda will then proceed in numerical order.

The agenda for the January 24, 2018 meeting of the Hamilton Future Fund Board of Governors was approved, as amended.

**(b) DECLARATIONS OF INTEREST (Item 2)**

Ian Brisbin declared an interest respecting the application from the Royal Botanical Gardens (RBG) (Item 8.1) as he formerly served as a Member of the Board of Directors for the RBG.

Councillor Doug Conley declared an interest respecting the application from Theatre Aquarius (Item 8.1) as he serves as a Board member with that organization.

Megan Dickson declared an interest respecting the application from Barton Stone-Mount Hope United Church (Item 8.1) as she is a member of the church.

Sergio Manchia declared an interest respecting the application from St. Joseph's Villa (Item 8.1) as they are a client of his employer.

Tom Weisz declared an interest respecting the application from the City of Hamilton for St. Mark's Cultural Programming Space (Item 8.1) as he has indirect ownership of a property abutting St. Mark's.

Sonia Macdonald declared an interest respecting the application from the Bay Area Restoration Council (BARC) as her employer is a partner in the submission from BARC.

**(c) MINUTES (Item 3)**

**(i) Approval of Minutes of November 29, 2017 (Item 3.1)**

Marie Scime was recorded as not being in attendance at the meeting, however she was present.

The declaration of interest made by Sonja Macdonald was not recorded in the minutes. The declaration was respecting the application for the Bay Area Restoration Council as her employer is a partner in the submission from BARC.

The Legislative Coordinator will make these changes to the minutes and correct them for the official record.

The Minutes of the November 29, 2017 meeting of the Hamilton Future Fund Board of Governors were approved, as amended.

**(d) PRESENTATIONS (Item 7)**

**(i) Presentations from 2017 Grant Applicants (Item 7.1)**

The Board used this opportunity to hear presentations from selected organizations that applied to the Hamilton Future Fund.

The organizations making a presentation were:

- (i) Cancer Assistance Program
- (ii) City of Hamilton – Hamilton Children’s Museum
- (iii) Empowerment Squared
- (iv) Hamilton Air Force Association
- (v) Industry Education Council of Hamilton
- (vi) Interval House of Hamilton
- (vii) Beasley Neighbourhood Association
- (viii) Leander Boat Club
- (ix) Rockton Agricultural Society
- (x) St. Joseph’s Healthcare Hamilton Foundation
- (xi) St. Joseph’s Villa
- (xii) St. Mark’s Cultural Programming Space

- (xiii) Theatre Aquarius
- (xiv) Victorian Order of Nurses
- (xv) Westdale Cinema Group

The presentations from the 2017 Grant Applicants, were received.

**(e) DELEGATIONS (Item 6)**

**(i) Shekar Chandrashekar respecting Future Fund Accounting Statements (Item 6.1)**

Mr. Shekar Chandrashekar addressed the Board respecting Future Fund Accounting Statements with the aid of handouts. A copy of the handouts have been retained for the official record and are available through the Office of the City Clerk.

The delegation from Shekar Chandrashekar respecting Future Fund Accounting Statements, was received.

**(f) ADJOURNMENT (Item 12)**

There being no further business, the Board adjourned at 3:42 p.m.

Respectfully submitted,

T. Weisz, Chair  
Hamilton Future Fund Board of  
Governors

Lauri Leduc  
Legislative Coordinator  
Office of the City Clerk

# **CITY OF HAMILTON MOTION**

**General Issues Committee: February 7, 2018**

**MOVED BY COUNCILLOR S. MERULLA.....**

**SECONDED BY COUNCILLOR J. PARTRIDGE.....**

## **Feasibility of Amending the CCTV By-law to Permit the use of CCTV Footage from Cameras Located on Private Homes**

That staff be directed to work, in collaboration with the Hamilton Police Service, to review the current CCTV By-law to assess the feasibility of amending the By-law to permit the use of CCTV footage from cameras, located on private homes that face from the home to the public roadway, to assist in policing and public safety, and report back to the General Issues Committee.