



**GENERAL ISSUES COMMITTEE
REPORT 18-002
AS AMENDED BY COUNCIL ON JANUARY 24, 2018**

9:30 a.m.
Wednesday, January 17, 2018
Council Chambers
Hamilton City Hall
71 Main Street West

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

**THE GENERAL ISSUES COMMITTEE PRESENTS REPORT 18-002 AND
RESPECTFULLY RECOMMENDS:**

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

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

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

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

- (i) Mike DeVries

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

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

- (i) Dr. Sandra Malpass

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

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

- (i) Gordon Manzer

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

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

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)

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

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

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

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

- (a) That the 2018 Operating Budget for the Waterdown Business Improvement Area, attached as Appendix "A" to Report 18-002, 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

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

- (a) That the 2018 Operating Budget for the Westdale Village Business Improvement Area, attached as Appendix "B" to Report 18-002, 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

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

- (a) That the 2018 Operating Budget for the Main West Esplanade Business Improvement Area, attached as Appendix "C" to Report 18-002, 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

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

- (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.

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)

- (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.

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

- (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.

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

- (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.

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

- (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 "D" to Report 18-002;
- (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 "E" to Report 18-002, be approved;
- (d) That the criteria for the Seniors (65+) Tax Rebate Program listed in the attached Appendix "F" to Report 18-002, 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.

16. Facility Naming Sub-Committee Report 17-004, November 30, 2017 (8.11)

- (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 5th 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.

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

(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.

18. 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)

- (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.
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)**
- (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 "A1" 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 "A1", 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.

20. Hamilton Future Fund Board of Governors' Report 17-002, November 29, 2017 (Item 8.15)

- (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.

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

(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.

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

(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 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.

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

- (a) That staff be authorized and directed to negotiate a Lease Termination and Surrender Agreement with the Hamilton Waterfront Trust (HWT) of the existing head lease to unencumber the Pier 8 Development Blocks affected by the head lease, and to compensate the Hamilton Waterfront Trust (HWT) in accordance with the fair market leasehold interest value as established through an independent appraiser;
- (b) That staff be authorized and directed to enter into a Lease Termination and Surrender Agreement with the Hamilton Waterfront Trust (HWT) on its long-term head lease with the City, as had been assigned from Her Majesty the Queen in the Right of Canada, effective the 27th day of July, 2015, substantially on or more favourable to the City than the terms and conditions outlined in Appendix "E" to Report CM18002, and such other terms and conditions deemed appropriate by the City Manager;
- (c) That staff be authorized and directed to negotiate and enter into a Lease Extension and Amending Agreement with Hamilton Waterfront Trust, relative to the existing November 1, 2005 Lease ("Lease") with the City of Hamilton for leased premises located at 47 Discovery Drive, for a term period not to exceed 15 years, with one further five year option to renew, on terms and conditions to be negotiated, including a termination provision favourable to the City for the purposes of potential redevelopment that will require the surrender and vacant possession of the leased premises, more favourable to the City of Hamilton than the terms and conditions of the existing Lease, and such other terms and conditions deemed appropriate by the City Manager;
- (d) That the net present value of the Lease Termination and Surrender Agreement in the amount of \$3,067,570 (refer to Table 1 on Page 5 of Report CM18002) as established by an independent appraiser be payable to the Hamilton Waterfront Trust in annual payments of approximately \$230,000 (based on the City's current 15-year debenture rate) for a period of 15 years and/or until such time as the 57 Discovery Drive property is sold, with the proceeds of disposition to be used to fund the outstanding balance of the leasehold buyback;
- (e) That the accrued maintenance, utilities, property taxes (City assumes responsibility on January 1, 2018) and leasehold buyback amount of \$3,067,570 for 57 Discovery Drive be funded from the proceeds of sale for 57 Discovery Drive. Any leftover funds are to be deposited to the City Unallocated Capital Reserve;
- (f) That the City of Hamilton not bring current Hamilton Waterfront Trust (HWT) operations in-house;

- (g) That the City Solicitor be authorized and directed to complete the transactions on behalf of the City, including paying any necessary expenses, and amend and waive terms and conditions on such terms as she considers reasonable;
- (h) That real estate and legal fees of \$5,100 for the two transactions, to be completed in accordance with recommendations (b) and (c), be paid from Account Number 4411606002 and credited to Account Number 45408-3560150200;
- (i) That the Mayor and Clerk be authorized and directed to execute all necessary documents to implement the Recommendation herein (Report CM18002) in a form satisfactory to the City Solicitor;
- (j) That Report CM18002 save and except the recommendations respecting Hamilton Waterfront Trust (HWT) Leasehold Interests on West Harbour Lands, remain confidential and not released as a public document until vetted by Real Estate; Legal Services and Human Resources.

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

- (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.

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

- (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.

26. Maximizing the Value and Optimizing the Timing of the Pier 8 Development

WHEREAS, the City's long-term prosperity and sustainability will rely on a central core and waterfront that are attractive, diverse, vibrant and healthy;

WHEREAS, the West Harbour Secondary Plan is the culmination of a planning process that began in the summer of 2002 and required careful consideration and a balancing of the ecological, social and economic aspects that comprise the West Harbour environment;

WHEREAS, the City and a team of consultants engaged key stakeholders and the broader community in a series of consultation events aimed at identifying common principles, opportunities and constraints, and a preferred land use strategy for the area, which together became the basis for this Secondary Plan;

WHEREAS, the success of relatively recent public improvements on the West Harbour waterfront lands i.e. Bayfront Park, Pier 4 Park, the Waterfront Trail systems and Marina, demonstrate the overwhelming human desire to be at the water's edge;

WHEREAS, Setting Sail follows in the footsteps of Putting People First: the New Land Use Plan for Downtown Hamilton and the City's Vision 2020 Plan;

WHEREAS, Setting Sail focuses on commercial and mixed-use corridors within the area, where strategic redevelopment and streetscape improvements would strengthen the economic vitality of the corridors, provide additional amenities to adjacent neighbourhoods and generally beautify the area;

WHEREAS, Piers 7 and 8 are City owned lands that have been identified for redevelopment in an effort to transform the lands into a vibrant urban waterfront neighbourhood to be enjoyed by all residents of the city and the vitality of Hamilton's urban waterfront will be supported by a mix of residential, commercial, community and cultural uses;

WHEREAS, the current Hamilton Waterfront Trust legal leasehold interests are an impediment and an encumbrance on the City's development plans for some of the proposed development blocks on Pier 8 (as outlined in Appendix "C" of Report CM18002);

WHEREAS, during the October 25, 2017, General Issues Committee, Committee directed staff "to meet with Hamilton Waterfront Trust representatives to develop options of mutual interest and report back to the General Issues Committee by December 6, 2017";

WHEREAS, Council approved recommendation (a) of Report CM18002, which authorized and directed staff "to negotiate a Lease Termination and Surrender

Agreement with the Hamilton Waterfront Trust (HWT) of the existing 45 year head lease to unencumber the Pier 8 Development Blocks affected by the head lease, and to compensate the Hamilton Waterfront Trust (HWT), in accordance with the fair market leasehold interest value as established through an independent appraiser"; and,

WHEREAS, the City of Hamilton has announced the five development teams that will compete for the right to develop the Pier 8 lands through an RFP process that is scheduled to closes on Monday, March 5, 2018,

THEREFORE BE IT RESOLVED:

- (a) That staff be directed to investigate the feasibility of incorporating the City owned lands that will become unencumbered as a result of the Lease Termination and Surrender Agreement into the lands being offered for development in the Pier 8 Request for Proposals;
- (b) That staff be directed to report back to the General Issues Committee with a recommendation that best maximizes the disposition value of the Leased Lands, does not adversely affect the value the City can expect to receive from the Pier 8 Request for Proposals, and best ties into the vision of Setting Sail and the successful developer;
- (c) That the staff administering the Pier 8 Request for Proposals (RFP) on behalf of the City be authorized to communicate these developments to the short listed Pier 8 RFP developers to facilitate these objectives; and
- (d) That staff be directed to provide the following, as it relates to the Hamilton Waterfront Trust, and report back to the General Issues Committee as soon as possible:
 - (i) Work with the Waterfront Trust staff and board to review and provide clarification with respect to the Hamilton Waterfront Trust Mandate; and
 - (ii) Work with Waterfront Trust staff and Board to review and renew the governance model for the Hamilton Waterfront Trust.

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

The agenda for the January 17, 2018 General Issues Committee meeting was approved, as amended.

(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)

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

(ii) December 6, 2017 (Item 3.2)

The Minutes of the December 6, 2017 meeting of the General Issues Committee were approved, as presented.

(iii) December 18, 2017 – Special (LRT) (Item 3.3)

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

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

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 were approved, as presented.

(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)

The delegation request, submitted by Vic Djurdjevic, Nikola Tesla Educational Corporation, respecting the 120th Anniversary of Hamilton's "Power Turned On", was approved to appear before the General Issues Committee at a future meeting.

(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)

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.

(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.

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, was received.

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)

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

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

Staff was 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.

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

The Facility Naming Sub-Committee Report 17-004 was 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.

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)

Sub-sections (a), (b), and (e) to Report PED17219, respecting Properties and Process for Disposition of Lands for Affordable Housing, were 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;

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.

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

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 this 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) The Closed Session Minutes of the December 6, 2017 General Issues Committee meeting, were approved as presented; and,
- (b) The Closed Session Minutes of the December 6, 2017 General Issues Committee meeting, shall remain confidential.

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

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

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

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

Committee moved 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.

(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)**

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

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

WATERDOWN
BUSINESS IMPROVEMENT AREA
PROPOSED 2018 OPERATING BUDGET

REVENUES

BIA Levy, City of Hamilton	24,000.00
Supplementary Taxes	-4,202.00
Property Tax Adjustments	-6,300.00
Vendor Fees	17,500.00
Grants	15,000.00
Event Revenue (Sponsorships)	4,000.00
Transfer from Surplus	36,552.00
Other (board room rental fees, etc.)	200.00
Marketing Reserve Contribution	20,000.00
TOTAL REVENUE	32,2750.00

EXPENSES

Administration and Operations	123,400.00
Beautification	76,000.00
Farmers Market	35,125.00
Events and Promotions	23,800.00
Marketing and Advertising	59,425.00
Member Engagement	5,000.00
Additions (Capitalized)	0.00
TOTAL EXPENSES	322,750.00

**WESTDALE VILLAGE
BUSINESS IMPROVEMENT AREA
PROPOSED 2018 OPERATING BUDGET**

Revenue:

BIA Levy	\$ 125,000
Total Revenue	<u>\$ 125,000</u>

Expenses:

Staffing	\$ 33,000
Special Events	\$ 30,000
Marketing	\$ 28,000
Office Expenses	\$ 10,000
Beautification Projects	\$ 18,000
Casual Labour	\$ 2,000
Contingency Fund	\$ 4,000
Total Expenses	<u>\$ 125,000</u>

Main West Esplanade Business Improvement Area

Proposed 2018 Operating Budget

Revenue:

BIA Levy	\$6,192	
Current Reserves	\$9,115	
Total Revenue		<u>\$15,307</u>

Expenses:

Branding / Marketing (Letterhead, website maintenance, public relations)	\$1,500	
Streetscape and Beautification Efforts (Supply, installation, i.e. garbage cans, planters, flowers)	\$9,000	
Office Supplies (Correspondence to Members / Mailers, etc.)	\$500	
Meeting Expenses	\$300	
Insurance	\$1,882	
Auditor	\$400	
Domain / Website Fees	\$225	
Reserve Fund	\$1,500	
Total Expenses		<u>\$15,307</u>

Tax Deferral Programs for Seniors and Low Income Persons with Disabilities
Criteria for Full Tax Deferral Program

Deferred amount:

- Up to the total taxes for applicable taxation year including municipal and education taxes. Partial deferrals are permitted.
- Accumulated deferred amounts including interest should not exceed 40% of the assessed value of the property (referred to as the assessment cap).
- Other charges added to the tax bill through the year such as local charges, water arrears, property standards, etc. are not part of the deferral.

Eligible person:

- The owner, the owner's spouse or both are 65 years of age in the year preceding the taxation year in which the deferral would be granted.
OR
- The owner or the owner's spouse is a low income person with disabilities who is in receipt of assistance paid under the Ontario Disability Support Program (ODSP) or a disability amount paid under the Guaranteed Income Supplement (GIS) or an amount paid under the CPP disability benefit.
- Only eligible if the registered owners are not participating in any other City of Hamilton property tax relief program.

Income:

- The aggregate taxable income of all applicants is no more than 150% of the GIS Maximum Annual Income (combined), as published by the Government of Canada for individuals whose spouse / common law receives the full OAS pension. This threshold applies regardless of marital status (\$34,800 for 2017).
- The income threshold will be verified against Line 150 – Total Income on the previous year's Notice of Assessment(s) from Canada Revenue Agency.

Property:

- The property must be assessed in the residential property class. For multiple use properties, only the residential portion is used to determine eligibility.
- Must be the principal residence of the applicant.
- Property taxes for the prior years must be up to date at the time of the application.
- A registered owner cannot apply for a deferral for more than one property.

Ownership:

- Must have owned the property for at least one year preceding the application date.

Application:

- Annual application is required to defer the current year's taxes. If an application is not made for the taxation year, the property taxes for the taxation year become payable.
- If an application is not received for the current taxation year, previously deferred amounts will remain in the tax account until they become payable.

- For 2018, taxation year, the application can be made any time during the year and up to the last business day of September. This deadline may be reviewed for the subsequent taxation years.
- The applicant, the applicant's spouse and all registered owners must apply and qualify.
- Any taxes paid prior to the submission of successful application will be refunded.

Penalties & Interest:

- Deferred amounts will be subject to interest, compounded annually, based on the City's external debt forecasting assumptions (5% for 2018 - to be revised annually).
- Interest will be charged starting January 1st of the applicable taxation year.
- Penalties and interest charged before an application is accepted will be cleared.
- Penalties and interest incurred before an application is rejected will be applied to the tax account.

Special Lien:

- Deferred amounts and interest and penalties, if applicable, are special lien on the respective property. Deferred amounts and any interest and penalties will be shown in the Tax Certificate.

Repayment:

- If the current owner / applicant is no longer eligible, deferred amounts will remain in the tax account until the property is sold.
- Deferred amounts plus interest become payable immediately if the property is sold.
- If, at any point, the assessment cap is reached, no additional deferrals will be allowed for the property, regardless of CVA changes. Existing deferred amounts will continue to be subject to interest and will become payable when the property is sold, or if the owner is no longer eligible.

Fees:

- Non-refundable application fee of \$200 plus applicable HST for 2018. To be revised annually and included in the User Fee reports.
- Annual renewal fee of \$100 plus applicable HST for 2019. To be revised annually and included in the User Fee and Tax Policy reports.

Tax Deferral Programs for Seniors and Low Income Persons with Disabilities
Criteria for Deferral of Tax Increases Program

Deferred amount:

- The tax increase for any single year including municipal and education taxes.
- Accumulated deferred amounts including interest should not exceed 40% of the assessed value of the property (referred to as the assessment cap).

Eligible person:

- The owner or the owner's spouse or both are 65 years of age in the year preceding the taxation year in which the deferral would be granted.
OR
- The owner or the owner's spouse is a low income person with disabilities who is in receipt of assistance paid under the Ontario Disability Support Program (ODSP) or a disability amount paid under the Guaranteed Income Supplement (GIS) or an amount paid under the CPP disability benefit.
- Only eligible if the registered owners are not participating in any other City of Hamilton property tax relief program.

Income:

- The aggregate taxable income of the owner and the owner's spouse is no more than 150% of the GIS Maximum Annual Income (combined), as published by the Government of Canada for individuals whose spouse / common law receives the full OAS pension. This threshold applies regardless of marital status (\$34,800 for 2017).
- The income threshold will be verified against Line 150 – Total Income on the previous year's Notice of Assessment(s) from Canada Revenue Agency.

Property:

- The property must be assessed in the residential property class. For multiple use properties, only the residential portion is used to determine eligibility.
- Must be the principal residence of the applicant.
- Property taxes for the previous years must be up to date at the time of the application.
- A registered owner cannot apply for a deferral for more than one property.

Ownership:

- Must have owned the property for at least one year preceding the application date.

Application:

- Annual application is required to defer the current year's tax increase.
- If an application is not received for the current taxation year, previously deferred amounts will remain in the tax account until they become payable.
- The application can be made any time during the year and up to the last business day of February of the following year.
- The applicant, the applicant's spouse and all registered owners must be indicated at the time of the application.

Interest:

- The deferred amounts are not charged interest while the participant is eligible for the program. Where deferred amounts become payable and not immediately repaid, the outstanding amount becomes subject to interest.

Special Lien:

- Deferred amounts and interest and penalties, if applicable, are a special lien on the participating property. Deferred amounts and any interest and penalties will be shown in the Tax Certificate.

Repayment

- If the current owner / applicant is no longer eligible, deferred amounts will remain in the tax account until the property is sold.
- Deferred amounts plus interest, if any, become payable immediately if the property is sold.
- If, at any point, the assessment cap is reached, no additional deferrals will be allowed for the property, regardless of Current Value Assessment (CVA) changes. Existing deferred amounts will continue to be subject to interest and will become payable when the property is sold, or if the owner is no longer eligible.

Criteria for the Seniors (65+) Tax Rebate Program

Rebate:

- \$186 for 2017 indexed annually by the Consumer Price Index (CPI).

Eligible person:

- The owner, the owner's spouse or both are 65 years of age or older in the year preceding the taxation year in which the rebate would be granted.

Income:

- The aggregate taxable income of the owner and the owner's spouse is no more than 150% of the GIS Maximum Annual Income (combined), as published by the Government of Canada for individuals whose spouse / common law receives the full OAS pension. This threshold applies regardless of marital status (\$34,800 for 2017).
- The income threshold will be verified against Line 150 – Total Income on the previous year's Notice of Assessment(s) from Canada Revenue Agency.

Property:

- The property must be assessed in the residential property class. For multiple use properties, only the residential portion is used to determine eligibility.
- Must be the principal residence of the applicant.
- The assessed value of the property is no more than 120% of the average assessed value for single-dwelling residences within the City (\$409,200 for 2017).
- Property taxes for the prior years must be up to date at the time of the application.

Ownership:

- Must have owned the property for at least one year preceding the application date.

Occupancy:

- The personal residence is occupied by the owner, the owner's spouse, or both at the time of the application.
- A registered owner cannot apply for a rebate for more than one property.

Application:

- A one-time application is required to join the program.
- The application can be made any time during the year and up to the last business day of February of the following year.
- All registered owners and their relationship with the main applicant must be indicated at the time of the application.

Annual Review:

- The City's Taxation staff will undertake an annual review process of a sample of the applications on file in order to verify if all conditions still apply.