



City of Hamilton

AUDIT, FINANCE AND ADMINISTRATION COMMITTEE REVISED

Meeting #: 19-003
Date: February 21, 2019
Time: 9:30 a.m.
Location: Council Chambers, Hamilton City Hall
71 Main Street West

Angela McRae, Legislative Coordinator (905) 546-2424 ext. 5987

	Pages
1. CEREMONIAL ACTIVITIES	
2. APPROVAL OF AGENDA	
(Added Items, if applicable, will be noted with *)	
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10.1 Development Charges Stakeholders Sub-Committee Report 19-002 (To be distributed)

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10.2 Governance Review Sub-Committee Report 19-001 (To be distributed)

*10.2.a Governance Review Sub-Committee Report 19-001 - WITHDRAWN

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11. MOTIONS

12. NOTICES OF MOTION

13. GENERAL INFORMATION / OTHER BUSINESS

14. PRIVATE AND CONFIDENTIAL

14.1 Closed Minutes - February 7, 2019 (Distributed under separate cover)

Pursuant to Section 8.1, Sub-sections (b), (f) and (k) of the City's Procedural By-law 18-270, and Section 239(2), Sub-sections (b), (f) and (k) of the Ontario Municipal Act, 2001, as amended, as the subject matter pertains to personal matters about an identifiable individual(s), including City employees; advice that is subject to solicitor/client privileges, including communications necessary for that purpose; and a position, plan, procedure, criteria or instruction to be applied to any negotiations carried on or to be carried on by or on behalf of the municipality or local board.

15. ADJOURNMENT



AUDIT, FINANCE AND ADMINISTRATION COMMITTEE MINUTES 19-002

9:30 a.m.
February 7, 2019
Council Chambers
Hamilton City Hall

Present: Councillors C. Collins (Chair), M. Wilson (Vice-Chair), B. Johnson, M. Pearson, L. Ferguson, J. Partridge, A. VanderBeek, and B. Clark

THE FOLLOWING ITEMS WERE REFERRED TO COUNCIL FOR CONSIDERATION:

1. **Correspondence from the Federation of Canadian Municipalities (FCM) respecting the 2019-2020 Membership Invoice - Advocacy Fund Contribution along with Appendix A that provides background information on the Advocacy Fund (Referred from Council - January 23, 2019) (Item 5.2)**

(Johnson/Partridge)

- (a) That staff report back to the Audit, Finance and Administration Committee with the number of municipalities that participate in the Voluntary Outstanding Advocacy Fund Contribution to determine whether the City of Hamilton should contribute the \$45,200; and,
- (b) That staff be directed to process the payment of the Membership Portion of the FCM Invoice in the amount of \$92,881.65, at this time.

Result: Motion CARRIED by a vote of 8 to 0, as follows:

YES - Councillor Maureen Wilson
 YES - Chair Chad Collins
 YES - Councillor Judi Partridge
 YES - Councillor Arlene VanderBeek
 YES - Councillor Lloyd Ferguson
 YES - Councillor Brenda Johnson
 YES - Councillor Maria Pearson
 YES - Councillor Brad Clark

2. Mark Strongman, Tournament Chairman, respecting a request for a \$50,000 grant for the 2019 Little League Championship to be held in Ancaster, Ontario (Added Item 8.2)

(Ferguson/VanderBeek)

That the City of Hamilton financially support the hosting of the 2019 Little League Championship in the amount of \$50,000, funded from the Tax Stability Account (#11046).

Result: Motion CARRIED by a vote of 8 to 0, as follows:

- YES - Councillor Maureen Wilson
- YES - Chair Chad Collins
- YES - Councillor Judi Partridge
- YES - Councillor Arlene VanderBeek
- YES - Councillor Lloyd Ferguson
- YES - Councillor Brenda Johnson
- YES - Councillor Maria Pearson
- YES - Councillor Brad Clark

3. Supply of Raw Water to 690 Strathearne Avenue North (FCS18049(b)) (Ward 4) (Item 10.1)

(Clark/Partridge)

- (a) That the amount of \$18,500 be imposed on the owner of 690 Strathearne Avenue North, currently ArcelorMittal Long Products Canada (AMLPC), for the continued use of City of Hamilton ("City") owned lands through to December 31, 2019, for the purpose of a private raw water pipeline owned by AMLPC to convey raw water supplied by the City to 690 Strathearne Avenue North;
- (b) That staff advises the owner of 690 Strathearne Avenue North, currently AMLPC, that the continued supply of raw water by the City to 690 Strathearne Avenue North through to December 31, 2019, is contingent upon the owner continuing to pay, in addition to other flow-through costs and expenses described in Report FCS18049(b), water rates for the supply of raw water to the property, as approved by Council;
- (c) That staff advise the owner of 690 Strathearne Avenue North, currently AMLPC, that the continued supply of raw water by the City to 690 Strathearne Avenue North beyond December 31, 2019 is contingent upon the following conditions:
 - (i) That by December 2, 2019, the owner enter into a Raw Water Supply Agreement with the City of Hamilton on such terms as are set out in recommendation (c) in Report FCS18049 / LS18014, respecting Negotiation for the Continued Supply of Raw Water to 690 Strathearne Avenue North; being:

- (c) That the Mayor and City Clerk be authorized and directed to execute, on behalf of the City, all necessary documentation to implement recommendations (a) and (b) in Report FCS18049 / LS18014, all with content acceptable to the General Manager of Finance and Corporate Services, General Manager of Public Works, and General Manager of Planning and Economic Development, as applicable, and in a form satisfactory to the City Solicitor;
- (ii) That by December 2, 2019, the owner enters into an Easement Agreement with the City of Hamilton to support the existing pipeline that crosses City lands on such terms as are set out in recommendation (c) in Report FCS18049 / LS18014, respecting Negotiation for the Continued Supply of Raw Water to 690 Strathearne Avenue North; and,
- (iii) That by December 2, 2019, the owner installs a backflow prevention device that meets City requirements to protect against any backflow conditions at its sole expense;
- (d) That the City Solicitor be authorized and directed to prepare all necessary by-laws to implement subsection (a); and,
- (e) That the General Manager of Finance and Corporate Services be directed to report back to the Audit, Finance and Administration Committee by February 2020 regarding the implementation of Recommendation (b) of Report FCS18049(b).

Result: Motion CARRIED by a vote of 7 to 0, as follows:

YES - Councillor Maureen Wilson
YES - Chair Chad Collins
YES - Councillor Judi Partridge
YES - Councillor Arlene VanderBeek
YES - Councillor Brenda Johnson
YES - Councillor Maria Pearson
YES - Councillor Brad Clark
NOT PRESENT - Councillor Lloyd Ferguson

4. Development Charges Stakeholders Sub-Committee Report 19-001 (Item 10.2)

(Clark/Johnson)

(a) Appointment of Chair and Vice Chair (Item 1.1)

That Councillor B. Clark be appointed as Chair of the Development Charges Stakeholders Sub-committee for 2019.

That Councillor J.P. Danko be appointed as Vice Chair of the Development Charges Stakeholders Sub-committee for 2019.

(b) Hamilton 2019 Development Charges Study: Capital Presentation (Item 9.1)

That the 2019 Development Charges Background Study – Draft Capital Listings, be received.

(c) 2019 Development Charges By-law Policy (FCS18062(a)) (City Wide) (Item 10.1)

That the statutory public meeting for the Development Charges Background Study and By-law scheduled for April 18, 2019 include an evening session to start at 7:00 p.m., or on another date if the 18th isn't available.

- (i) That the entire draft Development Charges **Background Study** be released; and,
- (ii) That staff be directed to provide comparators for Agricultural Development Charges in surrounding municipalities including, West Lincoln, Lincoln, Haldimand, Halton, Brantford and Brant County, and report back to the Development Charges Stakeholders Sub-Committee.

Result: Main Motion, As Amended, CARRIED by a vote of 7 to 0, as follows:

YES - Councillor Maureen Wilson
YES - Chair Chad Collins
YES - Councillor Judi Partridge
YES - Councillor Arlene VanderBeek
YES - Councillor Brenda Johnson
YES - Councillor Maria Pearson
YES - Councillor Brad Clark
NOT PRESENT - Councillor Lloyd Ferguson

5. Hamilton Anti-Racism Resource Centre Update (HUR18010(a) / LS19008) (City Wide) (Item 14.2)

(Wilson/Partridge)

- (b) That the Mayor and City Clerk be authorized and directed to execute any documents required to implement subsection (a), with content acceptable to the Executive Director of Human Resources and in a form satisfactory to the City Solicitor;
- (c) That City staff report back to the Audit, Finance & Administration Committee with updates on the status of the Hamilton Anti-Racism Resource Centre; and,

- (d) That the contents of Report HUR18010(a) / LS19008 Hamilton Anti-Racism Resource Centre Update, including recommendation (a), remain confidential.

Result: Motion, CARRIED by a vote of 7 to 0, as follows:

YES - Councillor Maureen Wilson
YES - Chair Chad Collins
YES - Councillor Judi Partridge
YES - Councillor Arlene VanderBeeck
YES - Councillor Brenda Johnson
YES - Councillor Maria Pearson
YES - Councillor Brad Clark
NOT PRESENT - Councillor Lloyd Ferguson

FOR INFORMATION:

(a) CHANGES TO THE AGENDA (Item 2)

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

1. PUBLIC HEARINGS/DELEGATIONS

- 8.1 Vince Dipietro, Angelica Homes, respecting a rental property's water bill (Approved January 17, 2019, and will be heard on March 21, 2019 as per the delegate's request)
- 8.1(a) Supporting documentation respecting a rental property's water bill, for 98 East 31st Street, Hamilton

(Clark/Pearson)

That the agenda for the February 7, 2019 Audit, Finance and Administration Committee meeting be approved, as amended.

Result: Motion CARRIED by a vote of 8 to 0, as follows:

YES - Councillor Maureen Wilson
YES - Chair Chad Collins
YES - Councillor Judi Partridge
YES - Councillor Arlene VanderBeeck
YES - Councillor Lloyd Ferguson
YES - Councillor Brenda Johnson
YES - Councillor Maria Pearson
YES - Councillor Brad Clark

(b) DECLARATIONS OF INTEREST (Item 3)

There were no declarations of interest.

(c) APPROVAL OF MINUTES OF PREVIOUS MEETING (Item 4)

(i) January 17, 2019 (Item 4.1)

(Pearson/Partridge)

That the Minutes of the January 17, 2019 meeting of the Audit, Finance and Administration Committee be approved, as presented.

Result: Motion CARRIED by a vote of 8 to 0, as follows:

YES - Councillor Maureen Wilson
YES - Chair Chad Collins
YES - Councillor Judi Partridge
YES - Councillor Arlene VanderBeek
YES - Councillor Lloyd Ferguson
YES - Councillor Brenda Johnson
YES - Councillor Maria Pearson
YES - Councillor Brad Clark

(d) COMMUNICATIONS (Item 5)

(i) Correspondence from Mark Strongman, Tournament Chairman, 2019 Little League Championship being held in Ancaster in Summer of 2019 requesting a grant of \$50,000 to assist in their financial responsibilities. (Referred from Council - January 23, 2019) (Item 5.1)

(Ferguson/VanderBeek)

That the correspondence from Mark Strongman, Tournament Chairman, respecting a grant of \$50,000 to assist in funding the 2019 Little League Championship be received and referred to the consideration of Item 6.2.

CARRIED

(e) DELEGATION REQUESTS (Item 6)

(i) Voislav Bjelajac, respecting a Vacancy Rebate for 2016 (For a future meeting) (Item 6.1)

(Ferguson/Pearson)

That the delegation request from Voislav Bjelajac, respecting a Vacancy Rebate for 2016, be approved for a future meeting.

Result: Motion CARRIED by a vote of 8 to 0, as follows:

- YES - Councillor Maureen Wilson
- YES - Chair Chad Collins
- YES - Councillor Judi Partridge
- YES - Councillor Arlene VanderBeek
- YES - Councillor Lloyd Ferguson
- YES - Councillor Brenda Johnson
- YES - Councillor Maria Pearson
- YES - Councillor Brad Clark

- (ii) **Mark Strongman, Tournament Chairman, respecting a request for a \$50,000 grant for the 2019 Little League Championship being held in Ancaster (For today's meeting) (Item 6.2)**

(Ferguson/Johnson)

That the delegation request from Mark Strongman, Tournament Chairman, respecting a request for a \$50,000 grant for the 2019 Little League Championship being held in Ancaster, be approved for today's meeting.

Result: Motion CARRIED by a vote of 8 to 0, as follows:

- YES - Councillor Maureen Wilson
- YES - Chair Chad Collins
- YES - Councillor Judi Partridge
- YES - Councillor Arlene VanderBeek
- YES - Councillor Lloyd Ferguson
- YES - Councillor Brenda Johnson
- YES - Councillor Maria Pearson
- YES - Councillor Brad Clark

(f) **CONSENT ITEMS (Item 7)**

- (i) **Minutes of Various Advisory Committees (Item 7.1)**

(Johnson/VanderBeek)

That the following minutes from various Advisory Committee meetings, be received as presented:

- (1) Lesbian, Gay, Bisexual, Transgender and Queer Advisory Committee – November 15, 2018 (Item 7.1(a))
- (2) Hamilton Mundialization Committee – December 19, 2018 (Item 7.1(b))
- (3) Hamilton Aboriginal Advisory Committee – September 6, 2018 (Item 7.1(c))
- (4) Hamilton Aboriginal Advisory Committee – November 5, 2018 (Item 7.1(d))
- (5) Committee Against Racism – November 27, 2018 (Item 7.1(e))
- (6) Hamilton Status of Women Committee – November 22, 2018 (Item 7.1(f))

CARRIED

(g) PUBLIC HEARINGS / DELEGATIONS (Item 8)

- (i) Mark Strongman, Tournament Chairman, respecting a request for a \$50,000 grant for the 2019 Little League Championship being held in Ancaster (Added Item 8.2)**

Mark Strongman, Tournament Chairman, addressed the Committee respecting a request for a \$50,000 grant for the 2019 Little League Championship being held in Ancaster, with the aid of a presentation. A copy of the presentation has been included in the official record.

(Ferguson/Pearson)

That the delegation from Mark Strongman, Tournament Chairman, respecting a request for a \$50,000 grant for the 2019 Little League Championship being held in Ancaster, be received.

CARRIED

A copy of the presentation is available on the City's website or through the Office of the City Clerk.

For further disposition of this matter, refer to Item 2.

(h) DISCUSSION ITEMS (Item 10)

- (i) Supply of Raw Water to 690 Strathearne Avenue North (FCS18049(b)) (Ward 4) (Item 10.1)**

The Chair advised that public notice was given for Item 10.1, Supply of Raw Water to 690 Strathearne Avenue North (FCS18049(b)), which invited interested parties to make representations at today's meeting. There were no registered speakers and no one in attendance came forward to speak to the proposed changes.

For further disposition of this matter, refer to Item 3.

- (ii) Development Charges Stakeholders Sub-Committee Report 19-001 (Item 10.2)**

(Clark/Johnson)

That Item 3 be amended for clarification by changing the term Policy in subsection (i), to read as follows:

3. That the statutory public meeting for the Development Charges Background Study and By-law scheduled for April 18, 2019 include an evening session to start at 7:00 p.m., or on another date if the 18th isn't available.
 - (i) That the entire draft Development Charges Policy **Background Study** be released; and,

- (ii) That staff be directed to provide comparators for Agricultural Development Charges in surrounding municipalities including, West Lincoln, Lincoln, Haldimand, Halton, Brantford and Brant County, and report back to the Development Charges Stakeholders Sub-Committee.

Result: Amendment CARRIED by a vote of 7 to 0, as follows:

YES - Councillor Maureen Wilson
YES - Chair Chad Collins
YES - Councillor Judi Partridge
YES - Councillor Arlene VanderBeek
YES - Councillor Brenda Johnson
YES - Councillor Maria Pearson
YES - Councillor Brad Clark
NOT PRESENT - Councillor Lloyd Ferguson

For further disposition of this matter, refer to Item 3.

(i) GENERAL INFORMATION/OTHER BUSINESS (Item 13)

(i) Changes to the Outstanding Business List (Item 13.1)

(Pearson/Partridge)

That the following changes to the Outstanding Business List be approved:

(a) Items to be removed:

Item B - Limit Agricultural Use Development (Council: May 25, 2016) - That staff be directed to revise the City's Development Charge (DC) By-law regarding Agricultural DC Exemptions at the next opportunity (currently forecast to be 4th quarter 2016) and report to the AF&A Committee.

Rationale: Addressed at the Development Charges Stakeholders Sub-Committee on January 28, 2019

Item K – Specific Funding Initiatives – Area Rating Special Capital Re-investment Reserves, Discretionary Spending, Cell Tower and Minor Maintenance Projects funded by the Special Levy - That staff be directed to include affordable housing in the Development Charges Policy review.

Rationale: Addressed at the Audit, Finance and Administration Committee on December 17, 2018

Item L - Affordable housing in the Development Charges Policy Review (May 17, 2018 AF&A Item 2) - That staff be directed to include affordable housing in the Development Charges Policy review.

Rationale: Addressed at the Development Charges Stakeholders Sub-Committee on January 28, 2019

(b) Items Requiring a New Due Date:

Item G - Review of Procurement Policies as it relates to Hiring Local Trades

Current Due Date: Q2 2018

Revised Due Date: Q4 2019

Item I - 2017 Q1 Emergency and Non-Competitive Procurements Report (FCS17011)

Current Due Date: Q1 2018

Revised Due Date: Q4 2019

(c) Items Requiring More Information:

Item M – 2018 United Way Funding Review

Additional Direction: That staff research and report back to Audit, Finance and Administration potential donation options that could be eligible for payroll deductions.

Result: Motion CARRIED by a vote of 7 to 0, as follows:

YES - Councillor Maureen Wilson

YES - Chair Chad Collins

YES - Councillor Judi Partridge

YES - Councillor Arlene VanderBeek

YES - Councillor Brenda Johnson

YES - Councillor Maria Pearson

YES - Councillor Brad Clark

NOT PRESENT - Councillor Lloyd Ferguson

(j) PRIVATE & CONFIDENTIAL (Item 14)

(i) Closed Session Minutes – January 17, 2019 (Item 14.1)

(Partridge/Clark)

(a) That the Closed Session Minutes of the January 17, 2019 Audit, Finance and Administration meeting, be approved as presented; and,

(b) That the Closed Session Minutes of the January 17, 2019 Audit, Finance and Administration meeting, remain confidential.

Result: Motion CARRIED by a vote of 7 to 0, as follows:

YES - Councillor Maureen Wilson
YES - Chair Chad Collins
YES - Councillor Judi Partridge
YES - Councillor Arlene VanderBeek
YES - Councillor Brenda Johnson
YES - Councillor Maria Pearson
YES - Councillor Brad Clark
NOT PRESENT - Councillor Lloyd Ferguson

(Wilson/VanderBeek)

That Committee move into Closed Session respecting Item 14.2, pursuant to Section 8.1, Sub-sections (b), (f) and (k) of the City's Procedural By-law 18-270, and Section 239(2), Sub-sections (b), (f) and (k) of the Ontario Municipal Act, 2001, as amended, as the subject matter pertains to personal matters about an identifiable individual(s), including City employees; advice that is subject to solicitor/client privileges, including communications necessary for that purpose; and a position, plan, procedure, criteria or instruction to be applied to any negotiations carried on or to be carried on by or on behalf of the municipality or local board.

CARRIED

(ii) Hamilton Anti-Racism Resource Centre Update (HUR18010(a) / LS19008) (City Wide) (Item 14.2)

Staff were provided with direction in Closed Session.

For further disposition of this matter, refer to Item 5.

(k) ADJOURNMENT (Item 15)

(VanderBeek/Pearson)

That, there being no further business, the Audit, Finance and Administration Committee, be adjourned at 11:31 a.m.

CARRIED

Respectfully submitted,

Councillor Collins, Chair
Audit, Finance and Administration
Committee

Angela McRae
Legislative Coordinator
Office of the City Clerk

Form: Request to Speak to Committee of Council

Submitted on Friday, February 8, 2019 - 6:05 pm

==Committee Requested==

Committee: Audit, Finance & Administration Committee

==Requestor Information==

Name of Individual: Michael Woloch**Name of Organization:****Contact Number:****Email Address:****Mailing Address:****Reason(s) for delegation request:**

In light of the recent news of the suppression of a critical report on the safety of the Red Hill Valley Parkway, I suggest that the City of Hamilton review its employment of registered Professional Engineers in key positions for the management and oversight of public works. If necessary, the City could work with PEO (Professional Engineers Ontario) the regulating body for Engineers in Ontario.

Professional Engineers, licensed and regulated in each province by law, must meet minimum standards for education, experience, and follow a code of conduct which holds public safety paramount. If a Professional Engineer had suppressed that report without taking action (even to point of whistle-blowing publicly), they would have faced criminal charges under the Professional Engineers Act.

This action is not unlike the Walkerton E.coli outbreak, where unqualified persons were given the responsibility for life-critical public safety. But without oversight or regulation, even by their own self-regulating professionals, these individuals failed to serve the public trust. And people died.

Moving forward, I suggest that the best way that the City of Hamilton can regain the public trust, is to review each department and ensure the involvement of Professional Engineers where public safety is critical. I suggest engaging the PEO directly on this issue.

For full disclosure, I am myself a registered Professional Engineer in Ontario and have been since 1999. I am also a Hamilton native and have lived in Hamilton for most of my life, attending the University of Waterloo from '89 to '94, and in Arizona from 2011 to 2015. I presently reside with my elderly parents in East Hamilton, only a few minutes away from the Parkway itself. I use the Parkway regularly. My extended family continues to live in the city.

The engineering profession doesn't have the high profile or prestige of the medical or legal profession, but the City would no more permit an unlicensed physician to treat patients for the city, or for a "self-taught legal expert" to represent the city in court. I'm quite sure that people understand this - the planning department requires building plans to be reviewed and stamped by an engineer or architect - so why would the public trust, be trusted to someone who has no formal legal obligation to public safety.

I am not dismissing the experience of those employed by the city, but actions speak louder than words and credentials. Without professional credentials for people in these technical positions, the city puts itself at risk, not only for litigation and

financial penalties, but a loss of reputation and public trust. I do not have a formal presentation, but I would be pleased to discuss this with the appropriate committee(s). This issue is very new and fresh, and I have not had time to even consider a formal presentation. I am sending this at the suggestion of Mayor's office (I sent them e-mail yesterday), as hiring practices and promotions should be considered and reviewed - again, with the full public involvement of the PEO (who are more than qualified in recognizing which offices and departments should have oversight and involvement of Professional Engineers).

This is not something which can be outsourced to consultants - the consultants who prepared this infamous report obviously did their work correctly, but keeping the report hidden was not their decision. It would be foolishly naive of me to say that Professional Engineers are perfect, but they are held to a higher standard - morally and legally - like your doctor. It is time to do something before the public at large starts feeling that the City doesn't care about their safety, or their lives

Will you be requesting funds from the City? No

Will you be submitting a formal presentation? No

8.1

Form: Request to Speak to Committee of Council

Submitted on Thursday, January 17, 2019 - 3:53 pm

==Committee Requested==

Committee: Audit, Finance & Administration

==Requestor Information==

Name of Individual: Voislav Bjelajac

Name of Organization: 2492407 Ontario Inc.

Contact Number:

Email Address:

Mailing Address:

Reason(s) for delegation request: Vacancy Rebate for 2016 was never received from city of Hamilton. I did send it.

Will you be requesting funds from the City? Yes

Will you be submitting a formal presentation? No

We sent in two applications for appeals. One for the property tax re-assessment and one for the vacancy rebate. As we were going through the process we had always assumed that they were combined because only one person had contacted us. It wasn't until we finally got to meet with someone and after talking about it that they informed us that they were separate issues. We called the city of Hamilton and asked if they had any update for us on the vacancy rebate. They told us they never received our application and there was nothing they could do about it. After going back and forth a few times they finally let us know that we could come for this meeting and request that they re-examine the vacancy rebate. The building was vacant from purchase December/2015 thru August.01,2016. Building permit was issued on July,22,2016. The building was an exterior shell only upon purchase and under construction until July,2016 for interior completion.

Regards James Hartl & Voislav Bjelajac



**DEVELOPMENT CHARGES STAKEHOLDERS
SUB-COMMITTEE**

REPORT 19-002

Tuesday, February 19, 2019

4:00 p.m.

Council Chambers

Hamilton City Hall

71 Main Street West

Present: Councillors B. Clark (Chair), J.P. Danko (Vice-Chair), M. Wilson, J. Farr, C. Collins, M. Pearson, B. Johnson, T. Whitehead and J. Summers, B. Caramento, Y. Rozenszajn, and W. Stewart

Absent: S. Mammel

**THE DEVELOPMENT CHARGES STAKEHOLDERS SUB-COMMITTEE PRESENTS
REPORT 19-002 AND RESPECTFULLY RECOMMENDS:**

- 1. Development Charges By-law Policy – 2019 Development Charges Agriculture / Farm Land Comparators (FCS18062(b)) (City Wide) (Item 7.1)**
 - (a) That Report FCS18062(b) respecting Development Charges By-law Policy – 2019 Development Charges Agriculture / Farm Land Comparators, be received; and,
 - (b) That the Agricultural / Farm Land Development Charge remain at 100% exempt.

- 2. 2019 Development Charges By-law Policy (FCS18062(a)) (City Wide) (Item 10.1)**
 - (a) That staff be directed to include the policy, as outlined below, in the draft DC By-law to be included in the 2019 Development Charges (DC) Background Study:

(i) Parking Structures

That the 2019 Development Charges By-law not provide an exemption for commercial parking.

(ii) Covered Sports Field

That the 2019 Development Charges By-law not provide an exemption for covered sports fields.

(iii) Small Industrial Rate

That the 2019 Development Charges By-law not provide a lower rate for small industrial developments.

(iv) Academic – Post Secondary / Not-for-Profit Elementary/Secondary

(i) That the 2019 Development Charges By-law not provide an Academic Space exemption; and,

(ii) That the 2019 Development Charges By-law require documentation from developers to support the mandatory exemption as a Crown agent.

(v) Affordable Housing

That the 2019 Development Charges By-law not provide an exemption for affordable housing.

(vi) Places of Worship

That the 2019 Development Charges By-law provide an exemption for Places of Worship, with clarification that revenue generating space is not exempt.

(vii) Public Hospitals

That the 2019 Development Charges By-law not provide exemptions for public hospitals.

(viii) Downtown Public Art Reserve Voluntary Contributions

That the 2019 Development Charges By-law maintain the current exemption for Downtown Public Art Reserve Voluntary Contributions, with an annual limit of \$250,000 on the contributions that will be accepted by the City under this program.

(ix) Heritage Buildings

That the 2019 Development Charges By-law maintain the current exemption within the existing building envelope except for sections that are not covered by the Heritage designation.

(x) Redevelopment for Residential Facility

That the 2019 Development Charges By-law maintain the exemption for Redevelopment for Residential Facility.

(xi) Industrial Rate

That the 2019 Development Charges By-law maintain the current exemption, and continue with a 39% reduction, by charging 100% of the water and wastewater charges, and adjusting the percentage charged for services related to a highway component to achieve a combined reduction of 39%.

(xii) Expansion of an Existing Industrial Development

That the 2019 Development Charges By-law maintain the 50% Industrial expansion exemption as written in the 2014 Development Charges By-law, as amended.

(xiii) Transition Policy

That the 2019 Development Charges By-law maintain the Transition Policy tied to building permit applications.

(xiv) Student Residences

That the exemption for Student Residences be maintained in the 2019 Development Charges By-law until June 30, 2020.

(xv) Agriculture

During discussion of Item 7.1, the Committee passed a Motion "That the Agricultural / Farm Land Development Charge remain at 100% exempt", which relates to paragraph 3 of the staff recommendation.

That the 2019 Development Charges By-law redefine the agriculture definition to exclude cannabis growing and processing, and charge the industrial Development Charge rate.

- (i) That the 2019 Development Charges By-law not provide an exemption for farm help houses; and,
- (ii) That the 2019 Development Charges By-law require proof of a farm business registration number to receive the agriculture Development Charge exemption.

(xvi) New Non-Industrial (Commercial/Institutional) Stepped Rates

That the 2019 Development Charges By-law continue stepped rates for office, excluding medical office; continue stepped rates within the City's CIPA (Community Improvement Plan Areas) and BIA's (Business Improvement Areas); and, remove stepped rates for all other development.

(xvii) Expansion of Existing Non-Industrial (Commercial/Institutional)

That the 2019 Development Charges By-law only provide a 5,000 square feet exemption for office, excluding medical office; and, remove the exemption for all other non-industrial development.

(xviii) Downtown Hamilton CIPA

- (i) That the 2019 Development Charges By-law continue to provide a 70% CIPA exemption for major office developments (Class A – greater than 20,000 square feet gross floor area), whether or not the development is a standalone office;

- (ii) That for other development within the Downtown Hamilton CIPA:

July 6, 2019 – July 5, 2020	60% exemption
July 6, 2020 – July 5, 2021	50% exemption
July 6, 2021 – July 5, 2022	40% exemption
July 6, 2022 – July 5, 2023	40% exemption
July 6, 2023 – July 5, 2024	40% exemption

- (iii) That the 2019 Development Charges By-law maintain the same height limits on exemption use; and,
- (iv) That the 2019 Development Charges By-law add clarity that the Downtown Hamilton CIPA exemption cannot be combined/stacked with other Development Charge exemptions and that the Downtown Hamilton CIPA exemption will not be applied if other exemptions result in a lower amount payable.

(xix) Laneway Housing

That the 2019 Development Charges By-law exempt laneway housing.

(xx) Non-industrial Uses Charged Industrial Rate

(i) That the 2019 Development Charges By-law not provide the industrial rate for self storage facilities or hotels; and,

(ii) That the 2019 Development Charges By-law provide the industrial rate for film, production and artists' studios.

(xxi) Other Development Charges Policies

(i) That the 2019 Development Charges By-law maintain the ability to offset Development Charges with an ERASE (Environmental Remediation and Site Enhancement Redevelopment Program) grant, and require security through a Development Charge Deferral Agreement; and,

(ii) That the 2019 Development Charges By-law, respecting Deferral Agreements, maintain the existing policy and add:

(a) That staff be authorized to negotiate extensions of Development Charges Deferral Agreements of up to two years;

(b) That staff be authorized to enter into Development Charges Deferral Agreements related to Podium Developments to delay timing and applicable rate of Development Charge payment to the issuance of each structure permit (no time limit); and,

(c) That staff be authorized to enter into zero interest Development Charge Deferral Agreements where a developer is applying their ERASE grant to offset the Development Charges (no time limit).

(b) That the anticipated cost of providing the exemption policy be supported through the Rate and Tax Capital Budgets as well as through allocations from the City's annual operating budget surplus;

(c) That staff be directed to prepare the necessary reports and draft by-laws to amend the City's GO Transit By-law 11-174 to be consistent with the policy as outlined in sub-section (a);

**Development Charges
Stakeholders Sub-Committee
Report 19-002**

**February 19, 2019
Page 6 of 12**

- (d) That the “Meeting with downtown developers regarding the proposed Downtown Community Improvement Project Area Development Charge Exemption” be considered complete and removed from the Outstanding Business List;
- (e) That “Laneway Housing DC Policy” be considered complete and removed from the Outstanding Business List;
- (f) That “Review of Downtown and Community Renewal Improvement Program” be considered complete and removed from the Outstanding Business List;
- (g) That “Including Affordable Housing in the Development Charges Policy Review” be considered complete and removed from the Development Charges Stakeholders Subcommittee Outstanding Business List; and,
- (h) That “Revise Agriculture Definition in the City’s DC By-law” be considered complete and removed from the Outstanding Business List.

FOR INFORMATION:

The Chair called the meeting to order at 4:00pm.

The Development Charges Stakeholders Sub-Committee meeting recessed in order to allow the Planning Committee meeting to finish.

The Development Charges Stakeholders Sub-Committee meeting reconvened at 5:48 p.m.

(a) APPROVAL OF THE AGENDA (Item 2)

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

1. ADDED CORRESPONDENCE

5.1 Correspondence from Joel Fogler, Fogler Rubinoff

The agenda of the February 19, 2019 meeting was approved as amended.

(b) DECLARATIONS OF INTEREST (Item 3)

Councillor Wilson declared an interest with Item 10.1’s Affordable Housing section as she has a relative who works in that sector.

(c) APPROVAL OF MINUTES OF PREVIOUS MEETING (Item 4)

(i) January 28, 2019 (Item 4.1)

The Minutes of the January 28, 2019 meeting, were approved.

(d) DISCUSSION ITEMS (Item 10)

**(i) 2019 Development Charges By-law Policy (FCS18062(a)) (City Wide)
(Item 10.1)**

Joe Spiler, Manager of Capital Budgets & Development, and Gary Scandlan of Watson & Associates Economists Limited, addressed Committee with the aid of a PowerPoint presentation. A copy of the presentation is available for viewing on the City's website.

The presentation from Joe Spiler, Manager of Capital Budgets & Development, Gary Scandlan of Watson & Associates Economists Limited, was received.

The Committee considered the staff recommendations and alternative recommendations for the following Development Charges exemption policies:

(i) Parking Structures

That the 2019 Development Charges By-law not provide an exemption for commercial parking.

(ii) Covered Sports Field

That the 2019 Development Charges By-law not provide an exemption for covered sports fields.

(iii) Small Industrial Rate

The following Motion was DEFEATED:

That the 2019 Development Charges By-law continue to discount new industrial developments under 10,000 square feet by levying only 75% of the industrial rate.

That the 2019 Development Charges By-law not provide a lower rate for small industrial developments.

**(iv) Academic – Post Secondary / Not-for-Profit
Elementary/Secondary**

The following Motion was DEFEATED:

That the 2019 Development Charge By-law continue to charge only the Transit component of the Development Charges for post-secondary academic space.

- (i) That the 2019 Development Charges By-law not provide an Academic Space exemption; and,
- (ii) That the 2019 Development Charges By-law require documentation from developers to support the mandatory exemption as a Crown agent.

(v) Affordable Housing

That the 2019 Development Charges By-law not provide an exemption for affordable housing.

(vi) Places of Worship

That the 2019 Development Charges By-law provide an exemption for Places of Worship, with clarification that revenue generating space is not exempt.

(vii) Public Hospitals

That the 2019 Development Charges By-law not provide exemptions for public hospitals.

(viii) Downtown Public Art Reserve Voluntary Contributions

That the 2019 Development Charges By-law maintain the current exemption for Downtown Public Art Reserve Voluntary Contributions, with an annual limit of \$250,000 on the contributions that will be accepted by the City under this program.

(ix) Heritage Buildings

The following Motion was DEFEATED:

That the 2019 Development Charges By-law maintain the current exemption.

That the 2019 Development Charges By-law maintain the current exemption within the existing building envelope except for sections that are not covered by the Heritage designation.

(x) Redevelopment for Residential Facility

That the 2019 Development Charges By-law maintain the exemption for Redevelopment for Residential Facility.

(xi) Industrial Rate

That the 2019 Development Charges By-law maintain the current exemption, and continue with a 39% reduction, by charging 100% of the water and wastewater charges, and adjusting the percentage charged for services related to a highway component to achieve a combined reduction of 39%.

(xii) Expansion of an Existing Industrial Development

That the 2019 Development Charges By-law maintain the 50% Industrial expansion exemption as written in the 2014 Development Charges By-law, as amended.

(xiii) Transition Policy

That the 2019 Development Charges By-law maintain the Transition Policy tied to building permit applications.

(xiv) Student Residences

That the exemption for Student Residences be maintained in the 2019 Development Charges By-law until June 30, 2020.

(xv) Agriculture

During discussion of Item 7.1, the Committee passed a Motion "That the Agricultural / Farm Land Development Charge remain at 100% exempt", which relates to paragraph 3 of the staff recommendation.

For disposition of this matter, refer to Item 1.

That the 2019 Development Charges By-law redefine the agriculture definition to exclude cannabis growing and processing, and charge the industrial Development Charge rate.

- (i) That the 2019 Development Charges By-law not provide an exemption for farm help houses; and
- (ii) That the 2019 Development Charges By-law require proof of a farm business registration number to receive the agriculture Development Charge exemption.

(xvi) New Non-Industrial (Commercial/Institutional) Stepped Rates

That the 2019 Development Charges By-law continue stepped rates for office, excluding medical office; continue stepped rates within the City's CIPA (Community Improvement Plan Areas) and BIA's (Business Improvement Areas); and, remove stepped rates for all other development.

(xvii) Expansion of Existing Non-Industrial (Commercial/Institutional)

That the 2019 Development Charges By-law only provide a 5,000 square feet exemption for office, excluding medical office; and, remove the exemption for all other non-industrial development.

(xviii) Downtown Hamilton CIPA

The following Motion was DEFEATED:

That the staff recommendation for "Other development within the Downtown Hamilton CIPA" be amended as follows:

July 6, 2019 – July 5, 2020	60% exemption
July 6, 2020 – July 5, 2021	50% exemption
July 6, 2021 – July 5, 2022	40% 50% exemption
July 6, 2022 – July 5, 2023	40% 50% exemption
July 6, 2023 – July 5, 2024	40% 50% exemption

- (i) That the 2019 Development Charges By-law continue to provide a 70% CIPA exemption for major office developments (Class A – greater than 20,000 square feet gross floor area), whether or not the development is a standalone office;
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- (iii) That the 2019 Development Charges By-law maintain the same height limits on exemption use; and,
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- (i) That the 2019 Development Charges By-law maintain the ability to offset Development Charges with an ERASE (Environmental Remediation and Site Enhancement Redevelopment Program) grant, and require security through a Development Charge Deferral Agreement; and,
- (ii) That the 2019 Development Charges By-law, respecting Deferral Agreements, maintain the existing policy and add:
 - (a) That staff be authorized to negotiate extensions of Development Charges Deferral Agreements of up to two years;
 - (b) That staff be authorized to enter into Development Charges Deferral Agreements related to Podium Developments to delay timing and applicable rate of Development Charge payment to the issuance of each structure permit (no time limit); and,

- (c) That staff be authorized to enter into zero interest Development Charge Deferral Agreements where a developer is applying their ERASE grant to offset the Development Charges (no time limit).

Recommendation (c) of Report FCS18062(a) respecting 2019 Development Charge By-law Policy, was deleted in its entirety and the balance be renumbered accordingly:

- ~~(c) That the 2019 Development Charges (DC) Background Study, as prepared by Watson and Associates Economists Ltd., be released to the public through the next Development Charges Stakeholder Sub-Committee meeting.~~

For further disposition of this matter, refer to Item 2.

(e) ADJOURNMENT (Item 15)

There being no further business, the Development Charges Stakeholders Sub-Committee, was adjourned at 9:38 p.m.

Respectfully submitted,

Councillor B. Clark, Chair
Development Charges
Stakeholders Sub-Committee

Lisa Chamberlain
Legislative Coordinator
Office of the City Clerk



Hamilton

**GRANTS SUB-COMMITTEE
REPORT 19-001**

12:48 p.m.

February 15, 2019

Council Chambers, Hamilton City Hall

Present: Councillors B. Johnson (Chair), N. Nann (Vice Chair)
L. Ferguson, S. Merulla, T. Jackson, A. VanderBeek

**THE GRANTS SUB-COMMITTEE PRESENTS REPORT 19-001 AND
RESPECTFULLY RECOMMENDS:**

1. APPOINTMENT OF CHAIR AND VICE CHAIR (Item A)

- (a) That Councillor B. Johnson, be appointed as Chair of the Grants Sub-Committee for the 2018-2022 term of Council; and,
- (b) That Councillor N. Nann, be appointed as Vice Chair of the Grants Sub-Committee for the 2018-2022 term of Council.

2. 2018 City Enrichment Fund Update (GRA19001) (City Wide) (Item 6.1)

That the overall 2018 City Enrichment Fund surplus (attached as Appendix "A" to Report 19-001), in the amount of \$82,778 be transferred to the City Enrichment Fund Reserve # 112230.

FOR INFORMATION:

(a) CHANGES TO THE AGENDA (Item 1)

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

The February 15, 2019 agenda for the Grants Sub-Committee was approved, as presented.

(b) DECLARATIONS OF INTEREST (Item 2)

There were no declarations of interest.

(c) APPROVAL OF MINUTES OF PREVIOUS MEETING (Item 3)

(i) June 12, 2018 (Item 3.1)

The Minutes of the June 12, 2018 Grants Sub-Committee meeting were approved, as presented.

(d) ADJOURNMENT (Item 8)

There being no further business, the Grants Sub-Committee adjourned at 12:54 p.m.

Respectfully submitted,

Councillor B. Johnson
Chair, Grants Sub-Committee

Stephanie Paparella
Legislative Coordinator
Office of the City Clerk

2018 City Enrichment Fund SUMMARY

Category	No. of Apps	2018 Total Funds Available	2018 Total Payments	Variance
Community Services Total	96	\$ 2,158,510	\$ 2,334,938	-\$ 176,428
Agriculture Total	20	\$ 139,820	\$ 144,361	-\$ 4,541
Environment Total	10	\$ 146,390	\$ 130,813	\$ 15,577
Sport and Active Lifestyles Total	40	\$ 274,120	\$ 290,607	-\$ 16,487
Arts Total	85	\$ 2,725,060	\$ 2,774,757	-\$ 49,697
CCH Total	62	\$ 528,790	\$ 595,484	-\$ 66,694
Total Traditional Grant Requests	313	\$ 5,972,690	\$ 6,270,960	-\$ 298,270
CEF - One time Reserve Funding		298,270		\$ 298,270
Unallocated Balances ¹				
CEF Administration		\$ 50,000	\$ 8,017	\$ 41,983
2018 Uncollected Grants		\$ -	-\$ 36,593	-\$ 36,593
2017 Returned Grants		\$ -	-\$ 4,202	-\$ 4,202
Total City Enrichment Fund		\$ 6,320,960	\$ 6,238,182	\$ 82,778

¹ Refer to Appendix "B" to GRA19001 for line item details.