



AUDIT, FINANCE AND ADMINISTRATION COMMITTEE REPORT 19-012

AS AMENDED AT COUNCIL ON SEPTEMBER 11, 2019

9:30 a.m.

September 5, 2019

Council Chambers

Hamilton City Hall

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

Absent: Councillor B. Johnson – Personal

THE AUDIT, FINANCE AND ADMINISTRATION COMMITTEE PRESENTS REPORT 19-012, AND RESPECTFULLY RECOMMENDS:

1. Citizen Committee Report - Selection of Additional Committee Members to the Lesbian, Gay, Bisexual, Transgender and Queer (LGBTQ) Advisory Committee (Item 10.1)

That the Interview Sub-Committee to the Audit, Finance and Administration Committee reconvene to review original applicants for the 2018-2022 term, to the Lesbian, Gay, Bisexual, Transgender and Queer (LGBTQ) Advisory Committee to add up to 6 additional members, with a specific focus on increasing the diversity of the Committee and adding applicants who are young adults.

2. Office of the City Auditor Charter (AUD19005) (City Wide) (Item 10.2)

- (a) That Appendix "A" attached to Report AUD19005 respecting the Office of the City Auditor Charter be approved; and,
- (b) That legal staff be directed to prepare an amending by-law that would replace Schedule F1 of the Procedural By-law 18-270, with the revised Audit Charter, attached as Appendix "A" to Report AUD19005, respecting the Office of the City Auditor Charter.

3. Office of the City Auditor Work Plan 2019 to 2022 (AUD19007) (City Wide) (Item 10.3)

That Report AUD19007, respecting the Office of the City Auditor Work Plan 2019 to 2022, be approved.

4. Negotiation for the Continued Supply of Raw Water to 690 Strathearne Avenue North (FCS18049(c) / LS18014(a)) (Ward 4) (Item 14.1)

That the contents of Report FCS18049(c) / LS18014(a), respecting Negotiation for the Continued Supply of Raw Water to 690 Strathearne Avenue North remain confidential and not be released as a public document, except as necessary to implement Council's directions and at the discretion of the City Solicitor.

5. Budgeting and Forecasting (FCS19066) (City Wide) (Item 14.2)

That the contents of Report FCS19066, respecting Budgeting and Forecasting remain confidential and not be released as a public document except as necessary to implement Council's directions and at the discretion of the City Solicitor.

(Wilson/Collins)

That Item (e)(i) of the Audit, Finance and Administration Committee Report 19-012, respecting a Compassionate Grant equivalent to the value of the Development Charges, Rezoning Fees, and the Parkland Dedication Fees (less \$1,000.00) (which was referred to staff for the preparation of a motion) be lifted from the Information Section and added as Item 6 for discussion.

6. Compassionate Grant – Laneway Houses Prior to June 13, 2019

WHEREAS the City is committed to promoting laneway houses as a desired form of intensification;

WHEREAS By-law 18-299, being an amendment to the City's Zoning By-law to permit laneway houses as of right within Wards 1-4 was approved by Council on September 26, 2018;

WHEREAS prior to the approval of By-law 18-299 a laneway house was required to proceed through a rezoning process and pay the applicable rezoning fee;

WHEREAS the City's Parkland Dedication By-law 18-126, approved by Council on May 23, 2018, provides a reduced cash-in-lieu rate for additional dwellings, including laneway houses, through Section 5(5);

WHEREAS prior to the approval of Parkland Dedication By-law 18-126 a laneway house was required to pay parkland cash-in-lieu at the same rate as a single-family dwelling;

WHEREAS the City's Development Charge By-law 19-142, approved by Council on June 12, 2019, exempts laneway houses from the payment of development charges through Section 25(e);

WHEREAS prior to the approval of the City's Development Charge By-law 19-142 a laneway house was required to pay development charges at the same rate as a single-family dwelling; and,

WHEREAS laneway houses in the approved pilot program area that proceeded through the planning and permit process prior to the enactment of the three by-laws referenced above paid substantially more in fees than laneway houses that will proceed under the structure in place today;

THEREFORE BE IT RESOLVED:

(a) That the General Manager of Finance & Corporate Services be directed and authorized to issue a compassionate grant contingent on the grantee providing proof satisfactory to the General Manager of Finance & Corporate Services that the recipient is not a manufacturing business or other industrial or commercial enterprise and that the General Manager of Finance & Corporate Services is satisfied that providing the grant does not result in a violation of Section 106 of the *Municipal Act, 2001*, to any laneway houses within Wards 1-4 that proceeded through the planning and permit processes between July 6, 2014 and June 12, 2019 equal to:

(i) the full rezoning fee paid to be funded from Reserve “110086 Development Fees Stabilization”;

(ii) the parkland cash in lieu paid, less the amount that would be payable under By-law 18-126, to be funded from Reserve “108050 Parkland Acquisition Reserve”;

(iii) the full City development charge paid to be funded from:

Portion of City development charge related to tax services:
Reserve “108020 Unallocated Capital Levy”;

Portion of City development charge related to water services: Reserve “108015 Water”;

Portion of City development charge related to wastewater services: Reserve “108005 Sanitary Sewer Capital”; and

Portion of City development charge related to storm services: Reserve “108010 Storm Sewer Capital”.

(b) That staff be directed to report back through the City’s Audit, Finance & Administration Committee with an Information Report containing the details of any and all compassionate grants provided to laneway houses.

FOR INFORMATION:

(a) CHANGES TO THE AGENDA (Item 2)

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

1. DELEGATION REQUESTS (Item 6)

- 6.1 Violetta Nikolskaya, Vice-Chair of the LGBTQ Advisory Committee, respecting Item 10.1 Citizen Committee Report - Selection of Additional Committee Members to the Lesbian, Gay, Bisexual, Transgender and Queer (LGBTQ) Advisory Committee (For today's meeting)

The agenda for the September 5, 2019 Audit, Finance and Administration Committee meeting was approved, as amended.

(b) DECLARATIONS OF INTEREST (Item 3)

Councillor Clark declared an interest in Item 13.1(a), Amendments to the Outstanding Business List as he has a former professional relationship with Habitat for Humanity Hamilton.

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

(i) August 15, 2019 (Item 4.1)

The Minutes of the August 15, 2019 meeting of the Audit, Finance and Administration Committee were approved, as presented.

(d) DELEGATION REQUESTS (Item 6)

- (i) Violetta Nikolskaya, Vice-Chair of the LGBTQ Advisory Committee, respecting Item 10.1 Citizen Committee Report-Selection of Additional Committee Members to the Lesbian, Gay, Bisexual, Transgender and Queer (LGBTQ) Advisory Committee (For today's meeting) (Added Item 6.1)**

The delegation request from Violetta Nikolskaya, Vice-Chair of the LGBTQ Advisory Committee, respecting Item 10.1 Citizen Committee Report-Selection of Additional Committee Members to the Lesbian, Gay, Bisexual, Transgender and Queer (LGBTQ) Advisory Committee, was approved for today's meeting.

(e) PUBLIC HEARINGS / DELEGATIONS (Item 8)

- (i) Karin Dearness, Andy Stone, Philip Toms, and John Ariens respecting reimbursement of rezoning and development charges related to a laneway house at 390.5 Aberdeen Avenue, Hamilton (Ward 1) (Approved July 11, 2019) (Item 8.1)**

Karin Dearness, Philip Toms, and John Ariens addressed the Committee respecting reimbursement of rezoning and development charges related

to a laneway house at 390.5 Aberdeen Avenue, Hamilton, with the aid of a presentation.

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

The delegation from Karin Dearness, Philip Toms, and John Ariens, respecting reimbursement of rezoning and development charges related to a laneway house at 390.5 Aberdeen Avenue, Hamilton, was received.

That staff be directed to prepare a motion respecting the fees to be reimbursed through a Compassionate Grant equivalent to the value of the Development Charges, Rezoning Fees, and the Parkland Dedication Fees (less \$1,000.00), as it relates to 390.5 Aberdeen Avenue, Hamilton, for consideration by Council on September 11th, 2019.

(ii) Violetta Nikolskaya, Vice-Chair of the LGBTQ Advisory Committee, respecting Item 10.1 Citizen Committee Report - Selection of Additional Committee Members to the Lesbian, Gay, Bisexual, Transgender and Queer (LGBTQ) Advisory Committee (Added Item 8.2)

Violetta Nikolskaya, Vice-Chair of the LGBTQ Advisory Committee, addressed the Committee respecting Item 10.1 Citizen Committee Report - Selection of Additional Committee Members to the Lesbian, Gay, Bisexual, Transgender and Queer (LGBTQ) Advisory Committee.

The delegation from Violetta Nikolskaya, Vice-Chair of the LGBTQ Advisory Committee, respecting Item 10.1 Citizen Committee Report - Selection of Additional Committee Members to the Lesbian, Gay, Bisexual, Transgender and Queer (LGBTQ) Advisory Committee, was received.

For further disposition of this matter, refer to Items 1 and (f)(i).

(f) DISCUSSION ITEMS (Item 10)

(i) Citizen Committee Report - Selection of Additional Committee Members to the Lesbian, Gay, Bisexual, Transgender and Queer (LGBTQ) Advisory Committee (Item 10.1)

Citizen Committee Report - Selection of Additional Committee Members to the Lesbian, Gay, Bisexual, Transgender and Queer (LGBTQ) Advisory Committee, was received.

For further disposition of this matter, refer to Item 1.

(ii) Office of the City Auditor Charter (AUD19005) (City Wide) (Item 10.2)

The Chair advised that public notice was given respecting Report AUD19005, Office of the City Auditor Charter as it proposes amendments to Schedule F1 of the City of Hamilton Procedural By-law 18-270. 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 2.

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

(i) Amendments to the Outstanding Business List:

The following amendments to the Audit, Finance & Administration Committee's Outstanding Business List, were approved:

(a) Items Requiring a New Due Date:

OBL Item: 19-K

Habitat for Humanity Hamilton - reduction of fees billed on the construction of affordable housing

Original Due Date: September 19, 2019

New Due Date: October 2019

(b) Items to be Removed:

OBL Item: C

Outstanding Uncompleted Audit Recommendations

Item 10.3 on today's agenda

(h) PRIVATE AND CONFIDENTIAL (Item 14)

Committee moved into Closed Session respecting Items 14.1 & 14.2, pursuant to Section 8.1, Sub-sections (e), (f) and (k) of the City's Procedural By-law 18-270, and Section 239(2), Sub-sections (e), (f) and (k) of the Ontario Municipal Act, 2001, as amended, as the subject matter pertains to litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board; 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.

(i) Negotiation for the Continued Supply of Raw Water to 690 Strathearne Avenue North (FCS18049(c) / LS18014(a)) (Ward 4) (Item 14.1)

Staff were provided with direction in Closed Session.

For further disposition of this matter, refer to Item 4.

(ii) Budgeting and Forecasting (FCS19066) (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)

There being no further business, the Audit, Finance and Administration Committee, adjourned at 12:30 p.m.

Respectfully submitted,

Councillor Collins, Chair
Audit, Finance and Administration
Committee

Angela McRae
Legislative Coordinator
Office of the City Clerk