



City of Hamilton
GENERAL ISSUES COMMITTEE
AGENDA

Meeting #: 21-009
Date: April 21, 2021
Time: 9:30 a.m.
Location: Due to the COVID-19 and the Closure of City Hall (CC)

All electronic meetings can be viewed at:

City's Website:
<https://www.hamilton.ca/council-committee/council-committee-meetings/meetings-and-agendas>

City's YouTube Channel:
<https://www.youtube.com/user/InsideCityofHamilton> or Cable 14

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

1. CEREMONIAL ACTIVITIES
2. APPROVAL OF AGENDA
(Added Items, if applicable, will be noted with *)
3. DECLARATIONS OF INTEREST
4. APPROVAL OF MINUTES OF PREVIOUS MEETING
 - 4.1. April 7, 2021
5. COMMUNICATIONS
6. DELEGATION REQUESTS
7. CONSENT ITEMS
 - 7.1. Labour Relations Activity Report and Analysis (2016-2020) (HUR21004) (City Wide)

7.2. Court Security and Prisoner Transportation Program Agreement for 2021 (FCS21036) (City Wide)

7.3. Business Improvement Area (BIA) Advisory Committee Minutes, March 23, 2021

8. STAFF PRESENTATIONS

8.1. COVID-19 Verbal Update

9. PUBLIC HEARINGS / DELEGATIONS

10. DISCUSSION ITEMS

10.1. Hamilton Tax Increment Grant - 29 Severn Street, Hamilton (PED21066) (Ward 2)

10.2. School Board Properties Sub-Committee Report 21-001, April 12, 2021

10.3. West Harbour Development Sub-Committee Report 21-001, April 13, 2021

11. MOTIONS

12. NOTICES OF MOTION

13. GENERAL INFORMATION / OTHER BUSINESS

13.1. Amendments to the Outstanding Business List

13.1.a. Items to be Referred:

13.1.a.a. Code of Conduct for Council-Appointed Citizen Members of External Boards and Agencies

Be referred to the Integrity Commissioner for inclusion in their Work Plan.

14. PRIVATE AND CONFIDENTIAL

14.1. Closed Session Minutes - April 7, 2021

Pursuant to Section 9.1, Sub-sections (c), (d), (g) and (k) of the City's Procedural By-law 21-021 and Section 239(2), Sub-sections (c), (d), (g) and (k) of the *Ontario Municipal Act*, 2001, as amended, as the subject matters pertain to a proposed or pending acquisition or disposition of land by the municipality or local board; labour relations or employee negotiations; a matter in respect of which a council, board, committee or other body may hold a closed meeting under another Act; 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.

14.2. Motion - Disposition of the Biindigen Well Being Centre (Former St. Helen Catholic Elementary School Property at 785 Britannia) (Ward 4)

Pursuant to Section 9.1, Sub-section (c) of the City's Procedural By-law 21-021 and Section 239(2), Sub-section (c) of the *Ontario Municipal Act*, 2001, as amended, as the subject matter pertains to a proposed or pending acquisition or disposition of land by the municipality or local board.

15. ADJOURNMENT



GENERAL ISSUES COMMITTEE MINUTES 21-008

9:30 a.m.

Wednesday, April 7, 2021

Due to COVID-19 and the closure of City Hall, this meeting was held virtually.

Present: Mayor F. Eisenberger, Deputy Mayor E. Pauls (Chair)
Councillors M. Wilson, J. Farr, N. Nann, S. Merulla, C. Collins,
T. Jackson, J.P. Danko, B. Clark, M. Pearson, B. Johnson,
L. Ferguson, A. VanderBeek, J. Partridge

Absent: Councillor T. Whitehead – Leave of Absence

THE FOLLOWING ITEMS WERE REFERRED TO COUNCIL FOR CONSIDERATION:

**1. Feasibility Report for a Biodiversity Action Plan (PED21065) (City Wide)
(Item 8.2)**

(Farr/Clark)

- (a) That staff from the Planning and Economic Development Department and Public Works Department, be directed to partner with local conservation community organizations (lead group) to undertake a Biodiversity Action Plan;
- (b) That the following one-time financial contribution, be approved:
 - (i) \$20,000 from the Planning and Economic Development Department / Planning Division, budget (2021 Data Management for Natural Areas account (812020-54378)), and;
 - (ii) \$20,000 from the Public Works Department / Hamilton Water Division account 510360-55916;
- (c) That, prior to allocating the funds to the lead environmental organization, staff be authorized and directed to prepare an agreement between the City and the lead environmental organization, that will be responsible for hiring the Biodiversity Action Plan Coordinator to provide for the clarification of roles and responsibilities and the regular accounting for municipal funds;

- (d) That staff be directed to report back to the General Issues Committee to present the draft Agreement between the City and the lead environmental organization respecting the Biodiversity Action Plan;
- (e) That the City provide in-kind resources in the form of staff time, previously collected data, mapping, graphic design, online public engagement tools, and printing to the partner environmental organizations to assist with the Biodiversity Action Plan;
- (f) That Planning Division staff be authorized and directed to provide any required letters of support for provincial or federal funding grant applications submitted by one or more of the partner environmental organizations to participate in the development of the Biodiversity Action Plan;
- (g) That staff be directed to report back to the General Issues Committee in six months to provide an update regarding the progress of the Biodiversity Action Plan; and,
- (h) That the matter respecting the Feasibility of Developing a Hamilton Biodiversity Action Plan, be considered complete and removed from the General Issues Committee's Outstanding Business List.

Result: Motion CARRIED by a vote of 15 to 0, as follows:

Yes	-	Mayor Fred Eisenberger
Yes	-	Ward 1 Councillor Maureen Wilson
Yes	-	Ward 2 Councillor Jason Farr
Yes	-	Ward 3 Councillor Nrinder Nann
Yes	-	Ward 4 Councillor Sam Merulla
Yes	-	Ward 5 Councillor Chad Collins
Yes	-	Ward 6 Councillor Tom Jackson
Yes	-	Ward 7 Councillor Esther Pauls, Deputy Mayor
Yes	-	Ward 8 Councillor J. P. Danko
Yes	-	Ward 9 Councillor Brad Clark
Yes	-	Ward 10 Councillor Maria Pearson
Yes	-	Ward 11 Councillor Brenda Johnson
Yes	-	Ward 12 Councillor Lloyd Ferguson
Yes	-	Ward 13 Councillor Arlene VanderBeek
Absent	-	Ward 14 Councillor Terry Whitehead
Yes	-	Ward 15 Councillor Judi Partridge

2. Evaluation of Hamilton Becoming a Charter City (Item 9.1)

(Eisenberger/Partridge)

That the matter respecting Hamilton becoming a Charter City be referred to the Governance Review Sub-Committee for evaluation and discussion.

Result: Motion CARRIED by a vote of 14 to 0, as follows:

Yes	-	Mayor Fred Eisenberger
Yes	-	Ward 1 Councillor Maureen Wilson
Yes	-	Ward 2 Councillor Jason Farr
Yes	-	Ward 3 Councillor Nrinder Nann
Yes	-	Ward 4 Councillor Sam Merulla
Yes	-	Ward 5 Councillor Chad Collins
Yes	-	Ward 6 Councillor Tom Jackson
Yes	-	Ward 7 Councillor Esther Pauls, Deputy Mayor
Yes	-	Ward 8 Councillor J. P. Danko
Yes	-	Ward 9 Councillor Brad Clark
Yes	-	Ward 10 Councillor Maria Pearson
Yes	-	Ward 11 Councillor Brenda Johnson
Yes	-	Ward 12 Councillor Lloyd Ferguson
Absent	-	Ward 13 Councillor Arlene VanderBeek
Absent	-	Ward 14 Councillor Terry Whitehead
Yes	-	Ward 15 Councillor Judi Partridge

3. *Building Transit Faster Act, 2020 (LS21013/PED21091) (City Wide) (Item 10.2)*

(Ferguson/Jackson)

- (a) That the City's response to the *Building Transit Faster Act*, be delayed until such time as the City has heard from the delegation by Metrolinx and the Ministry of Transportation with respect to the *Building Transit Faster Act*; and,
- (b) That the Province be requested to extend the April 23, 2021 deadline for comments respecting the *Building Transit Faster Act* to provide the requested delegation of Metrolinx and the Ministry of Transportation time to attend an upcoming General Issues Committee meeting.

Result: Motion CARRIED by a vote of 12 to 2, as follows:

Yes	-	Mayor Fred Eisenberger
No	-	Ward 1 Councillor Maureen Wilson
Yes	-	Ward 2 Councillor Jason Farr
No	-	Ward 3 Councillor Nrinder Nann
Yes	-	Ward 4 Councillor Sam Merulla

Yes	-	Ward 5	Councillor Chad Collins
Yes	-	Ward 6	Councillor Tom Jackson
Yes	-	Ward 7	Councillor Esther Pauls, Deputy Mayor
Yes	-	Ward 8	Councillor J. P. Danko
Yes	-	Ward 9	Councillor Brad Clark
Absent	-	Ward 10	Councillor Maria Pearson
Yes	-	Ward 11	Councillor Brenda Johnson
Yes	-	Ward 12	Councillor Lloyd Ferguson
Yes	-	Ward 13	Councillor Arlene VanderBeek
Absent	-	Ward 14	Councillor Terry Whitehead
Yes	-	Ward 15	Councillor Judi Partridge

4. Water Well Testing of Properties Surrounding the Waterdown Gardens Property (Item 11.1)

(Ferguson/Partridge)

WHEREAS, it has been reported that Waterdown Garden Supplies Ltd.'s property, located at 1771 Highway 5 West in the city of Hamilton, has received a significant amount of soil and fill material from various and unknown sources;

WHEREAS, property owners surrounding the Waterdown Gardens property have expressed concerns about the potential adverse effects this soil may have on their individual water wells; and,

WHEREAS, the City seeks to assist the surrounding property owners in determining whether their water wells have been adversely effected by the presence of this imported soil and fill at Waterdown Gardens;

THEREFORE, BE IT RESOLVED;

- (a) That staff be directed to retain the services of a consulting engineering firm to undertake the design and implementation of a sampling and testing program to determine if any contaminants are present in the water wells of properties surrounding the Waterdown Gardens property, located at 1771 Highway 5 West in the city of Hamilton, to be funded from the Tax Stabilization Reserve at a cost not exceed \$100,000; and,
- (b) That staff be directed to report back to the General Issues Committee with the results of this sampling and testing program, of the properties surrounding the Waterdown Gardens property, located at 1771 Highway 5 West in the city of Hamilton, and to advise of any appropriate actions that may result.

Result: Motion CARRIED by a vote of 12 to 0, as follows:

Yes	-	Mayor Fred Eisenberger
Absent	-	Ward 1 Councillor Maureen Wilson
Yes	-	Ward 2 Councillor Jason Farr
Yes	-	Ward 3 Councillor Nrinder Nann
Yes	-	Ward 4 Councillor Sam Merulla
Yes	-	Ward 5 Councillor Chad Collins
Yes	-	Ward 6 Councillor Tom Jackson
Yes	-	Ward 7 Councillor Esther Pauls, Deputy Mayor
Yes	-	Ward 8 Councillor J. P. Danko
Yes	-	Ward 9 Councillor Brad Clark
Absent	-	Ward 10 Councillor Maria Pearson
Absent	-	Ward 11 Councillor Brenda Johnson
Yes	-	Ward 12 Councillor Lloyd Ferguson
Yes	-	Ward 13 Councillor Arlene VanderBeek
Absent	-	Ward 14 Councillor Terry Whitehead
Yes	-	Ward 15 Councillor Judi Partridge

**5. Donation of Land to the City of Hamilton, Located in Ward 5 (PED21050)
(Ward 5) (Item 14.3)**

(Pearson/Wilson)

- (a) That the direction provided to staff in Closed Session, respecting Report PED21050 - Donation of Land to the City of Hamilton, Located in Ward 5, be approved;
- (b) That the Public Works Department, Environmental Services Division operating budget be increased by \$9 K per annum in Parks Dept. ID No. 444017 and Dept. ID No. 444204 for maintenance costs associated with inspections, forest management and/or illegal dumping at the lands respecting the Donation of Land to the City of Hamilton, located in Ward 5;
- (c) That the sum of \$1,500 be funded from Capital Project Account No. 3561850200 and credited to Dept. ID Account No. 59806-812036 (Property Purchases and Sales) for recovery of real estate and legal expenses, be approved;
- (d) That the City Solicitor be authorized and directed to take all necessary steps, and execute all necessary documents to accept the donation and complete the transaction, respecting the Donation of Land to the City of Hamilton, located in Ward 5, 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 deemed reasonable;

- (e) That the Mayor and City Clerk be authorized and directed to execute all necessary documents, respecting the Donation of Land to the City of Hamilton, located in Ward 5, in a form satisfactory to the City Solicitor;
- (f) That Report PED21050, respecting the Donation of Land to the City of Hamilton, located in Ward 5, remain confidential until completion of the real estate transaction.

Result: Motion CARRIED by a vote of 11 to 0, as follows:

Yes	-	Mayor Fred Eisenberger
Yes	-	Ward 1 Councillor Maureen Wilson
Yes	-	Ward 2 Councillor Jason Farr
Absent	-	Ward 3 Councillor Nrinder Nann
Absent	-	Ward 4 Councillor Sam Merulla
Yes	-	Ward 5 Councillor Chad Collins
Yes	-	Ward 6 Councillor Tom Jackson
Yes	-	Ward 7 Councillor Esther Pauls, Deputy Mayor
Yes	-	Ward 8 Councillor J. P. Danko
Yes	-	Ward 9 Councillor Brad Clark
Absent	-	Ward 10 Councillor Maria Pearson
Yes	-	Ward 11 Councillor Brenda Johnson
Absent	-	Ward 12 Councillor Lloyd Ferguson
Yes	-	Ward 13 Councillor Arlene VanderBeek
Absent	-	Ward 14 Councillor Terry Whitehead
Yes	-	Ward 15 Councillor Judi Partridge

**6. Public Works Department Divisional Realignment (PW21017) (City Wide)
(Item 14.4)**

(Eisenberger/Clark)

- (a) That the direction provided to staff in Closed Session, respecting Report PW21017 – Public Works Department Divisional Realignment, be approved; and,
- (b) That Report PW21017, respecting Public Works Department Divisional Realignment, remain confidential until approved by Council.

Result: Motion CARRIED by a vote of 12 to 0, as follows:

Yes	-	Mayor Fred Eisenberger
Yes	-	Ward 1 Councillor Maureen Wilson
Yes	-	Ward 2 Councillor Jason Farr
Absent	-	Ward 3 Councillor Nrinder Nann
Absent	-	Ward 4 Councillor Sam Merulla
Yes	-	Ward 5 Councillor Chad Collins

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Yes	-	Ward 6	Councillor Tom Jackson
Yes	-	Ward 7	Councillor Esther Pauls, Deputy Mayor
Yes	-	Ward 8	Councillor J. P. Danko
Yes	-	Ward 9	Councillor Brad Clark
Yes	-	Ward 10	Councillor Maria Pearson
Yes	-	Ward 11	Councillor Brenda Johnson
Absent	-	Ward 12	Councillor Lloyd Ferguson
Yes	-	Ward 13	Councillor Arlene VanderBeek
Absent	-	Ward 14	Councillor Terry Whitehead
Yes	-	Ward 15	Councillor Judi Partridge

**7. Update on Contract Discussions for Major Event in 2021 (PED18234((b))
(City Wide) (Item 14.5)**

(Pearson/Eisenberger)

- (a) That the direction provided to staff in Closed Session, respecting Report PED18234(b) - Update on Contract Discussions for Major Event in 2021, be approved; and,
- (b) That Report PED18234(b), respecting an Update on Contract Discussions for Major Event in 2021, remain confidential.

Result: Motion CARRIED by a vote of 12 to 0, as follows:

Yes	-	Mayor Fred Eisenberger
Yes	-	Ward 1 Councillor Maureen Wilson
Yes	-	Ward 2 Councillor Jason Farr
Absent	-	Ward 3 Councillor Nrinder Nann
Absent	-	Ward 4 Councillor Sam Merulla
Yes	-	Ward 5 Councillor Chad Collins
Yes	-	Ward 6 Councillor Tom Jackson
Yes	-	Ward 7 Councillor Esther Pauls, Deputy Mayor
Yes	-	Ward 8 Councillor J. P. Danko
Yes	-	Ward 9 Councillor Brad Clark
Yes	-	Ward 10 Councillor Maria Pearson
Yes	-	Ward 11 Councillor Brenda Johnson
Absent	-	Ward 12 Councillor Lloyd Ferguson
Yes	-	Ward 13 Councillor Arlene VanderBeek
Absent	-	Ward 14 Councillor Terry Whitehead
Yes	-	Ward 15 Councillor Judi Partridge

FOR INFORMATION:

(a) APPROVAL OF AGENDA (Item 2)

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

6. DELEGATION REQUESTS

- 6.1 Beatrice Ekoko, Environment Hamilton, respecting Item 8.2 - Feasibility Report for a Biodiversity Action Plan (PED20165) (Video Submission)

14. PRIVATE & CONFIDENTIAL

- 14.5. Update on Contract Discussions for Major Event in 2021 (PED18234((b)) (City Wide)

Pursuant to Section 9.1, Sub-section (k) of the City's Procedural By-law 21-021 and Section 239(2), Sub-section (k) of the *Ontario Municipal Act, 2001*, as amended, as the subject matter pertains to 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.

(Eisenberger/Johnson)

That the agenda for the April 7, 2021 General Issues Committee meeting, be approved, as amended.

Result: Motion CARRIED by a vote of 13 to 0, as follows:

Yes	-	Mayor Fred Eisenberger
Yes	-	Ward 1 Councillor Maureen Wilson
Yes	-	Ward 2 Councillor Jason Farr
Yes	-	Ward 3 Councillor Nrinder Nann
Yes	-	Ward 4 Councillor Sam Merulla
Yes	-	Ward 5 Councillor Chad Collins
Yes	-	Ward 6 Councillor Tom Jackson
Yes	-	Ward 7 Councillor Esther Pauls, Deputy Mayor
Yes	-	Ward 8 Councillor J. P. Danko
Yes	-	Ward 9 Councillor Brad Clark
Absent	-	Ward 10 Councillor Maria Pearson
Yes	-	Ward 11 Councillor Brenda Johnson
Yes	-	Ward 12 Councillor Lloyd Ferguson
Absent	-	Ward 13 Councillor Arlene VanderBeek
Absent	-	Ward 14 Councillor Terry Whitehead
Yes	-	Ward 15 Councillor Judi Partridge

(b) DECLARATIONS OF INTEREST (Item 3)

There were no declarations of interest.

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

(i) March 17, 2021; March 24, 2021; and, March 29, 2021 (Items 4.1, 4.2 and 4.3)

(Partridge/Merulla)

That the Minutes of the March 17, 2021; March 24, 2021; and, March 29, 2021 General Issues Committee meetings be approved, as presented.

Result: Motion CARRIED by a vote of 13 to 0, as follows:

Yes	-	Mayor Fred Eisenberger
Yes	-	Ward 1 Councillor Maureen Wilson
Yes	-	Ward 2 Councillor Jason Farr
Yes	-	Ward 3 Councillor Nrinder Nann
Yes	-	Ward 4 Councillor Sam Merulla
Yes	-	Ward 5 Councillor Chad Collins
Yes	-	Ward 6 Councillor Tom Jackson
Yes	-	Ward 7 Councillor Esther Pauls, Deputy Mayor
Yes	-	Ward 8 Councillor J. P. Danko
Yes	-	Ward 9 Councillor Brad Clark
Absent	-	Ward 10 Councillor Maria Pearson
Yes	-	Ward 11 Councillor Brenda Johnson
Yes	-	Ward 12 Councillor Lloyd Ferguson
Absent	-	Ward 13 Councillor Arlene VanderBeek
Absent	-	Ward 14 Councillor Terry Whitehead
Yes	-	Ward 15 Councillor Judi Partridge

(d) COMMUNICATIONS (Item 5)

(i) Correspondence respecting Item 8.2 - Feasibility Report for a Biodiversity Action Plan (PED20165) (City Wide) (Item 5.1)

(Nann/Wilson)

That Communication Items 5.1(a) and 5.1(b), regarding Report PED20165, respecting the Feasibility Report for a Biodiversity Action Plan, as listed below, be received and referred to consideration of Item 8.2:

- (i) Susan Wortman (Item 5.1.a.)

- (ii) Susan MacMillan, Flamborough Horticultural Society (Item 5.1.b.)

Result: Motion CARRIED by a vote of 13 to 0, as follows:

Yes	-	Mayor Fred Eisenberger
Yes	-	Ward 1 Councillor Maureen Wilson
Yes	-	Ward 2 Councillor Jason Farr
Yes	-	Ward 3 Councillor Nrinder Nann
Yes	-	Ward 4 Councillor Sam Merulla
Yes	-	Ward 5 Councillor Chad Collins
Yes	-	Ward 6 Councillor Tom Jackson
Yes	-	Ward 7 Councillor Esther Pauls, Deputy Mayor
Yes	-	Ward 8 Councillor J. P. Danko
Yes	-	Ward 9 Councillor Brad Clark
Absent	-	Ward 10 Councillor Maria Pearson
Yes	-	Ward 11 Councillor Brenda Johnson
Yes	-	Ward 12 Councillor Lloyd Ferguson
Absent	-	Ward 13 Councillor Arlene VanderBeek
Absent	-	Ward 14 Councillor Terry Whitehead
Yes	-	Ward 15 Councillor Judi Partridge

(e) PUBLIC HEARINGS / DELEGATION REQUESTS (Item 6)

- (i) **Beatrice Ekoko, Environment Hamilton, respecting Item 8.2 - Feasibility Report for a Biodiversity Action Plan (PED20165) (Video Submission) (Item 6.1)**

(Wilson/Nann)

That the delegation request, submitted by Beatrice Ekoko, Environment Hamilton, respecting Item 8.2 - Feasibility Report for a Biodiversity Action Plan (PED20165) (Video Submission), be approved for the April 7, 2021 General Issues Committee meeting.

Result: Motion CARRIED by a vote of 13 to 0, as follows:

Yes	-	Mayor Fred Eisenberger
Yes	-	Ward 1 Councillor Maureen Wilson
Yes	-	Ward 2 Councillor Jason Farr
Yes	-	Ward 3 Councillor Nrinder Nann
Yes	-	Ward 4 Councillor Sam Merulla
Yes	-	Ward 5 Councillor Chad Collins
Yes	-	Ward 6 Councillor Tom Jackson
Yes	-	Ward 7 Councillor Esther Pauls, Deputy Mayor
Yes	-	Ward 8 Councillor J. P. Danko
Yes	-	Ward 9 Councillor Brad Clark

Absent	-	Ward 10	Councillor Maria Pearson
Yes	-	Ward 11	Councillor Brenda Johnson
Yes	-	Ward 12	Councillor Lloyd Ferguson
Absent	-	Ward 13	Councillor Arlene VanderBeek
Absent	-	Ward 14	Councillor Terry Whitehead
Yes	-	Ward 15	Councillor Judi Partridge

(f) CONSENT ITEMS (Item 7)

(i) Arts Advisory Commission Minutes, January 26, 2021 (Item 7.1)

(Farr/Jackson)

That the Arts Advisory Commission Minutes, January 26, 2021, be received.

Result: Motion CARRIED by a vote of 13 to 0, as follows:

Yes	-	Mayor Fred Eisenberger
Yes	-	Ward 1 Councillor Maureen Wilson
Yes	-	Ward 2 Councillor Jason Farr
Yes	-	Ward 3 Councillor Nrinder Nann
Yes	-	Ward 4 Councillor Sam Merulla
Yes	-	Ward 5 Councillor Chad Collins
Yes	-	Ward 6 Councillor Tom Jackson
Yes	-	Ward 7 Councillor Esther Pauls, Deputy Mayor
Yes	-	Ward 8 Councillor J. P. Danko
Yes	-	Ward 9 Councillor Brad Clark
Absent	-	Ward 10 Councillor Maria Pearson
Yes	-	Ward 11 Councillor Brenda Johnson
Yes	-	Ward 12 Councillor Lloyd Ferguson
Absent	-	Ward 13 Councillor Arlene VanderBeek
Absent	-	Ward 14 Councillor Terry Whitehead
Yes	-	Ward 15 Councillor Judi Partridge

(ii) Business Improvement Area (BIA) Advisory Committee Minutes, February 9, 2021 (Item 7.2)

(Farr/Jackson)

That the Business Improvement Area (BIA) Advisory Committee Minutes, February 9, 2021, be received.

Result: Motion CARRIED by a vote of 13 to 0, as follows:

Yes	-	Mayor Fred Eisenberger
Yes	-	Ward 1 Councillor Maureen Wilson

Yes	-	Ward 2	Councillor Jason Farr
Yes	-	Ward 3	Councillor Nrinder Nann
Yes	-	Ward 4	Councillor Sam Merulla
Yes	-	Ward 5	Councillor Chad Collins
Yes	-	Ward 6	Councillor Tom Jackson
Yes	-	Ward 7	Councillor Esther Pauls, Deputy Mayor
Yes	-	Ward 8	Councillor J. P. Danko
Yes	-	Ward 9	Councillor Brad Clark
Absent	-	Ward 10	Councillor Maria Pearson
Yes	-	Ward 11	Councillor Brenda Johnson
Yes	-	Ward 12	Councillor Lloyd Ferguson
Absent	-	Ward 13	Councillor Arlene VanderBeek
Absent	-	Ward 14	Councillor Terry Whitehead
Yes	-	Ward 15	Councillor Judi Partridge

(g) STAFF PRESENTATIONS (Item 8)

(i) COVID-19 Verbal Update (Item 8.1)

Paul Johnson, General Manager of the Healthy & Safe Communities Department; and, Dr. Elizabeth Richardson, Medical Officer of Health, provided the update regarding COVID-19.

(Wilson/Eisenberger)

That the verbal update regarding COVID-19, be received.

Result: Motion CARRIED by a vote of 14 to 0, as follows:

Yes	-	Mayor Fred Eisenberger
Yes	-	Ward 1 Councillor Maureen Wilson
Yes	-	Ward 2 Councillor Jason Farr
Yes	-	Ward 3 Councillor Nrinder Nann
Yes	-	Ward 4 Councillor Sam Merulla
Yes	-	Ward 5 Councillor Chad Collins
Yes	-	Ward 6 Councillor Tom Jackson
Yes	-	Ward 7 Councillor Esther Pauls, Deputy Mayor
Yes	-	Ward 8 Councillor J. P. Danko
Yes	-	Ward 9 Councillor Brad Clark
Yes	-	Ward 10 Councillor Maria Pearson
Yes	-	Ward 11 Councillor Brenda Johnson
Yes	-	Ward 12 Councillor Lloyd Ferguson
Yes	-	Ward 13 Councillor Arlene VanderBeek
Absent	-	Ward 14 Councillor Terry Whitehead
Absent	-	Ward 15 Councillor Judi Partridge

(Ferguson/VanderBeek)

That the General Issues Committee recess for one half hour until 12:15 p.m.

Result: Motion CARRIED by a vote of 11 to 1, as follows:

No	-	Mayor Fred Eisenberger
Yes	-	Ward 1 Councillor Maureen Wilson
Yes	-	Ward 2 Councillor Jason Farr
Yes	-	Ward 3 Councillor Nrinder Nann
Yes	-	Ward 4 Councillor Sam Merulla
Yes	-	Ward 5 Councillor Chad Collins
Yes	-	Ward 6 Councillor Tom Jackson
Yes	-	Ward 7 Councillor Esther Pauls, Deputy Mayor
Yes	-	Ward 8 Councillor J. P. Danko
Yes	-	Ward 9 Councillor Brad Clark
Absent	-	Ward 10 Councillor Maria Pearson
Absent	-	Ward 11 Councillor Brenda Johnson
Yes	-	Ward 12 Councillor Lloyd Ferguson
Yes	-	Ward 13 Councillor Arlene VanderBeek
Absent	-	Ward 14 Councillor Terry Whitehead
Absent	-	Ward 15 Councillor Judi Partridge

(ii) Feasibility Report for a Biodiversity Action Plan (PED21065) (City Wide) (Item 8.2)

(Wilson/Pearson)

That the presentation, respecting Report PED21065 - Feasibility Report for a Biodiversity Action Plan, be received.

Result: Motion CARRIED by a vote of 13 to 0, as follows:

Yes	-	Mayor Fred Eisenberger
Yes	-	Ward 1 Councillor Maureen Wilson
Yes	-	Ward 2 Councillor Jason Farr
Yes	-	Ward 3 Councillor Nrinder Nann
Yes	-	Ward 4 Councillor Sam Merulla
Yes	-	Ward 5 Councillor Chad Collins
Yes	-	Ward 6 Councillor Tom Jackson
Yes	-	Ward 7 Councillor Esther Pauls, Deputy Mayor
Yes	-	Ward 8 Councillor J. P. Danko
Yes	-	Ward 9 Councillor Brad Clark
Yes	-	Ward 10 Councillor Maria Pearson
Absent	-	Ward 11 Councillor Brenda Johnson
Yes	-	Ward 12 Councillor Lloyd Ferguson
Yes	-	Ward 13 Councillor Arlene VanderBeek

Absent - Ward 14 Councillor Terry Whitehead
Absent - Ward 15 Councillor Judi Partridge

For disposition of this matter, please see Item 1.

(Pearson/VanderBeek)

That consideration of Report PED21065 respecting the Feasibility Report for a Biodiversity Action Plan, be DEFERRED until after the delegates, listed as Item 9.1 to 9.4, have been heard.

Result: Motion CARRIED by a vote of 14 to 0, as follows:

Yes - Mayor Fred Eisenberger
Yes - Ward 1 Councillor Maureen Wilson
Yes - Ward 2 Councillor Jason Farr
Yes - Ward 3 Councillor Nrinder Nann
Yes - Ward 4 Councillor Sam Merulla
Yes - Ward 5 Councillor Chad Collins
Yes - Ward 6 Councillor Tom Jackson
Yes - Ward 7 Councillor Esther Pauls, Deputy Mayor
Yes - Ward 8 Councillor J. P. Danko
Yes - Ward 9 Councillor Brad Clark
Yes - Ward 10 Councillor Maria Pearson
Absent - Ward 11 Councillor Brenda Johnson
Yes - Ward 12 Councillor Lloyd Ferguson
Yes - Ward 13 Councillor Arlene VanderBeek
Absent - Ward 14 Councillor Terry Whitehead
Yes - Ward 15 Councillor Judi Partridge

For disposition of this matter, please see Item 1.

(h) PUBLIC HEARINGS / DELEGATIONS (Item 9)

(i) Douglas Earl, Charter City Toronto, respecting Charter City Toronto's Objective (Item 9.1)

Douglas Earl, Charter City Toronto, provided a presentation respecting Charter City Toronto's Objective.

(Eisenberger/Partridge)

That the presentation provided by Douglas Earl, Charter City Toronto, respecting Charter City Toronto's Objective, be received.

Result: Motion CARRIED by a vote of 15 to 0, as follows:

Yes	-	Mayor Fred Eisenberger
Yes	-	Ward 1 Councillor Maureen Wilson
Yes	-	Ward 2 Councillor Jason Farr
Yes	-	Ward 3 Councillor Nrinder Nann
Yes	-	Ward 4 Councillor Sam Merulla
Yes	-	Ward 5 Councillor Chad Collins
Yes	-	Ward 6 Councillor Tom Jackson
Yes	-	Ward 7 Councillor Esther Pauls, Deputy Mayor
Yes	-	Ward 8 Councillor J. P. Danko
Yes	-	Ward 9 Councillor Brad Clark
Yes	-	Ward 10 Councillor Maria Pearson
Yes	-	Ward 11 Councillor Brenda Johnson
Yes	-	Ward 12 Councillor Lloyd Ferguson
Yes	-	Ward 13 Councillor Arlene VanderBeek
Absent	-	Ward 14 Councillor Terry Whitehead
Yes	-	Ward 15 Councillor Judi Partridge

For disposition of this matter, please see Item 2.

(ii) Barry Coombs, of Nature Canada's Bird Friendly City Hamilton-Burlington Team, to Certify Hamilton as a Bird Friendly City and in Support of the City's Biodiversity Action Plan (Item 9.2)

Barry Coombs, of Nature Canada's Bird Friendly City Hamilton-Burlington Team, spoke to Committee to certify Hamilton as a Bird Friendly City and in support of the City's Biodiversity Action Plan.

(Pearson/Wilson)

That the presentation provided by Barry Coombs, of Nature Canada's Bird Friendly City Hamilton-Burlington Team, to Certify Hamilton as a Bird Friendly City and in Support of the City's Biodiversity Action Plan, be received.

Result: Motion CARRIED by a vote of 14 to 0, as follows:

Yes	-	Mayor Fred Eisenberger
Yes	-	Ward 1 Councillor Maureen Wilson
Yes	-	Ward 2 Councillor Jason Farr
Yes	-	Ward 3 Councillor Nrinder Nann
Yes	-	Ward 4 Councillor Sam Merulla
Absent	-	Ward 5 Councillor Chad Collins
Yes	-	Ward 6 Councillor Tom Jackson
Yes	-	Ward 7 Councillor Esther Pauls, Deputy Mayor
Yes	-	Ward 8 Councillor J. P. Danko
Yes	-	Ward 9 Councillor Brad Clark
Yes	-	Ward 10 Councillor Maria Pearson

Yes	-	Ward 11	Councillor Brenda Johnson
Yes	-	Ward 12	Councillor Lloyd Ferguson
Yes	-	Ward 13	Councillor Arlene VanderBeek
Absent	-	Ward 14	Councillor Terry Whitehead
Yes	-	Ward 15	Councillor Judi Partridge

For disposition of this matter, please see Item 1.

(iii) Jen Baker, Hamilton Naturalists Club, respecting the City's Biodiversity Plan (Item 9.3)

Jen Baker, Hamilton Naturalists Club, provided a PowerPoint presentation respecting the City's Biodiversity Plan.

(Nann/Farr)

That the presentation provided by Jen Baker, Hamilton Naturalists Club, respecting the City's Biodiversity Plan, be received.

Result: Motion CARRIED by a vote of 14 to 0, as follows:

Yes	-	Mayor Fred Eisenberger
Yes	-	Ward 1 Councillor Maureen Wilson
Yes	-	Ward 2 Councillor Jason Farr
Yes	-	Ward 3 Councillor Nrinder Nann
Yes	-	Ward 4 Councillor Sam Merulla
Yes	-	Ward 5 Councillor Chad Collins
Yes	-	Ward 6 Councillor Tom Jackson
Yes	-	Ward 7 Councillor Esther Pauls, Deputy Mayor
Yes	-	Ward 8 Councillor J. P. Danko
Yes	-	Ward 9 Councillor Brad Clark
Yes	-	Ward 10 Councillor Maria Pearson
Yes	-	Ward 11 Councillor Brenda Johnson
Yes	-	Ward 12 Councillor Lloyd Ferguson
Yes	-	Ward 13 Councillor Arlene VanderBeek
Absent	-	Ward 14 Councillor Terry Whitehead
Absent	-	Ward 15 Councillor Judi Partridge

For disposition of this matter, please see Item 1.

- (iv) **Beatrice Ekoko, Environment Hamilton, respecting Item 8.2 on today's agenda – Report PED21065, Feasibility Report for a Biodiversity Action Plan (Item 9.4)**

(Nann/Farr)

That the video presentation provided by Beatrice Ekoko, Environment Hamilton, respecting Report PED21065, Feasibility Report for a Biodiversity Action Plan, be received.

Result: Motion CARRIED by a vote of 15 to 0, as follows:

Yes	-	Mayor Fred Eisenberger
Yes	-	Ward 1 Councillor Maureen Wilson
Yes	-	Ward 2 Councillor Jason Farr
Yes	-	Ward 3 Councillor Nrinder Nann
Yes	-	Ward 4 Councillor Sam Merulla
Yes	-	Ward 5 Councillor Chad Collins
Yes	-	Ward 6 Councillor Tom Jackson
Yes	-	Ward 7 Councillor Esther Pauls, Deputy Mayor
Yes	-	Ward 8 Councillor J. P. Danko
Yes	-	Ward 9 Councillor Brad Clark
Yes	-	Ward 10 Councillor Maria Pearson
Yes	-	Ward 11 Councillor Brenda Johnson
Yes	-	Ward 12 Councillor Lloyd Ferguson
Yes	-	Ward 13 Councillor Arlene VanderBeek
Absent	-	Ward 14 Councillor Terry Whitehead
Yes	-	Ward 15 Councillor Judi Partridge

For disposition of this matter, please see Item 1.

(i) DISCUSSION ITEMS (Item 10)

- (i) **COVID-19 Virtual Memorial Wall (CM21004) (City Wide) (Item 10.1)**

(Clark/Farr)

That Report CM21004, respecting the COVID-19 Memorial Wall, be referred back to staff to review the proposals and try to ensure that the privacy issues have been addressed, and report back to the General Issues Committee.

Result: Motion CARRIED by a vote of 15 to 0, as follows:

Yes	-	Mayor Fred Eisenberger
Yes	-	Ward 1 Councillor Maureen Wilson
Yes	-	Ward 2 Councillor Jason Farr
Yes	-	Ward 3 Councillor Nrinder Nann

Yes	-	Ward 4	Councillor Sam Merulla
Yes	-	Ward 5	Councillor Chad Collins
Yes	-	Ward 6	Councillor Tom Jackson
Yes	-	Ward 7	Councillor Esther Pauls, Deputy Mayor
Yes	-	Ward 8	Councillor J. P. Danko
Yes	-	Ward 9	Councillor Brad Clark
Yes	-	Ward 10	Councillor Maria Pearson
Yes	-	Ward 11	Councillor Brenda Johnson
Yes	-	Ward 12	Councillor Lloyd Ferguson
Yes	-	Ward 13	Councillor Arlene VanderBeek
Absent	-	Ward 14	Councillor Terry Whitehead
Yes	-	Ward 15	Councillor Judi Partridge

(j) NOTICES OF MOTION (Item 12)

Councillor L. Ferguson introduced a Notice of Motion respecting Water Well Testing of Properties Surrounding the Waterdown Gardens Property.

(i) Water Well Testing of Properties Surrounding the Waterdown Gardens Property (Item 12.1)

(Ferguson/Partridge)

That the Rules of Order be waived to allow for the introduction of a Motion respecting Water Well Testing of Properties Surrounding the Waterdown Gardens Property.

Result: Motion CARRIED by a vote of 14 to 0, as follows:

Yes	-	Mayor Fred Eisenberger
Yes	-	Ward 1 Councillor Maureen Wilson
Yes	-	Ward 2 Councillor Jason Farr
Yes	-	Ward 3 Councillor Nrinder Nann
Yes	-	Ward 4 Councillor Sam Merulla
Yes	-	Ward 5 Councillor Chad Collins
Yes	-	Ward 6 Councillor Tom Jackson
Yes	-	Ward 7 Councillor Esther Pauls, Deputy Mayor
Yes	-	Ward 8 Councillor J. P. Danko
Yes	-	Ward 9 Councillor Brad Clark
Absent	-	Ward 10 Councillor Maria Pearson
Yes	-	Ward 11 Councillor Brenda Johnson
Yes	-	Ward 12 Councillor Lloyd Ferguson
Yes	-	Ward 13 Councillor Arlene VanderBeek
Absent	-	Ward 14 Councillor Terry Whitehead
Yes	-	Ward 15 Councillor Judi Partridge

For disposition of this matter, please see Item 4.

(k) PRIVATE & CONFIDENTIAL (Item 14)

(i) Closed Session Minutes – March 17, 2021 and March 24, 2021 (Items 14.1 and 14.2)

(Partridge/Ferguson)

- (a) That the Closed Session Minutes of the March 17, 2021 and March 24, 2021 General Issues Committee meetings, be approved, as presented; and,
- (b) That the Closed Session Minutes of the March 17, 2021 and March 24, 2021 General Issues Committee meetings remain confidential.

Result: Motion CARRIED by a vote of 12 to 0, as follows:

Yes	-	Mayor Fred Eisenberger
Absent	-	Ward 1 Councillor Maureen Wilson
Yes	-	Ward 2 Councillor Jason Farr
Yes	-	Ward 3 Councillor Nrinder Nann
Yes	-	Ward 4 Councillor Sam Merulla
Yes	-	Ward 5 Councillor Chad Collins
Yes	-	Ward 6 Councillor Tom Jackson
Yes	-	Ward 7 Councillor Esther Pauls, Deputy Mayor
Yes	-	Ward 8 Councillor J. P. Danko
Yes	-	Ward 9 Councillor Brad Clark, Deputy Mayor
Absent	-	Ward 10 Councillor Maria Pearson
Absent	-	Ward 11 Councillor Brenda Johnson
Yes	-	Ward 12 Councillor Lloyd Ferguson
Yes	-	Ward 13 Councillor Arlene VanderBeek
Absent	-	Ward 14 Councillor Terry Whitehead
Yes	-	Ward 15 Councillor Judi Partridge

(Johnson/Ferguson)

That Committee move into Closed Session respecting Items 14.3 to 14.5, pursuant to Section 9.1, Sub-sections (c), (d), (g) and (k) of the City's Procedural By-law 21-021 and Section 239(2), Sub-sections (c), (d), (g) and (k) of the *Ontario Municipal Act, 2001*, as amended, as the subject matters pertain to a proposed or pending acquisition or disposition of land by the municipality or local board; labour relations or employee negotiations; a matter in respect of which a council, board, committee or other body may hold a closed meeting under another Act; 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.

Result: Motion CARRIED by a vote of 12 to 0, as follows:

**General Issues Committee
Minutes 21-008**

**April 7, 2021
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Yes	-	Mayor Fred Eisenberger
Absent	-	Ward 1 Councillor Maureen Wilson
Yes	-	Ward 2 Councillor Jason Farr
Yes	-	Ward 3 Councillor Nrinder Nann
Yes	-	Ward 4 Councillor Sam Merulla
Yes	-	Ward 5 Councillor Chad Collins
Yes	-	Ward 6 Councillor Tom Jackson
Yes	-	Ward 7 Councillor Esther Pauls, Deputy Mayor
Yes	-	Ward 8 Councillor J. P. Danko
Yes	-	Ward 9 Councillor Brad Clark, Deputy Mayor
Absent	-	Ward 10 Councillor Maria Pearson
Yes	-	Ward 11 Councillor Brenda Johnson
Yes	-	Ward 12 Councillor Lloyd Ferguson
Yes	-	Ward 13 Councillor Arlene VanderBeek
Absent	-	Ward 14 Councillor Terry Whitehead
Absent	-	Ward 15 Councillor Judi Partridge

(I) ADJOURNMENT (Item 14)

(Eisenberger/Collins)

That there being no further business, the General Issues Committee be adjourned at 4:49 p.m.

Result: Motion CARRIED by a vote of 11 to 1, as follows:

Yes	-	Mayor Fred Eisenberger
Yes	-	Ward 1 Councillor Maureen Wilson
Yes	-	Ward 2 Councillor Jason Farr
Absent	-	Ward 3 Councillor Nrinder Nann
Absent	-	Ward 4 Councillor Sam Merulla
Yes	-	Ward 5 Councillor Chad Collins
Yes	-	Ward 6 Councillor Tom Jackson
Yes	-	Ward 7 Councillor Esther Pauls, Deputy Mayor
No	-	Ward 8 Councillor J. P. Danko
Yes	-	Ward 9 Councillor Brad Clark, Deputy Mayor
Yes	-	Ward 10 Councillor Maria Pearson
Yes	-	Ward 11 Councillor Brenda Johnson
Absent	-	Ward 12 Councillor Lloyd Ferguson
Yes	-	Ward 13 Councillor Arlene VanderBeek
Absent	-	Ward 14 Councillor Terry Whitehead
Yes	-	Ward 15 Councillor Judi Partridge

Respectfully submitted,

Esther Pauls, Deputy Mayor
Chair, General Issues Committee

Stephanie Paparella
Legislative Coordinator,
Office of the City Clerk



INFORMATION REPORT

TO:	Mayor and Members of Council (General Issues Committee)
COMMITTEE DATE:	April 21, 2021
SUBJECT/REPORT NO:	Labour Relations Activity Report & Analysis (2016 – 2020) (HUR21004) (City Wide)
WARD(S) AFFECTED:	City Wide
PREPARED BY:	Julie Shott (905) 546-2424 Ext. 4335 Gord Muise (905) 546-2424 Ext 2655
SUBMITTED BY:	Lora Fontana Executive Director Human Resources
SIGNATURE:	

COUNCIL DIRECTION

To provide Council with an overview of the City's labour relations activities for the period 2016-2020.

INFORMATION

This Report focuses on a five (5) year historical review of the data for period of 2016 to 2020 and reviews the general labour relations activities across unions and departments. The Report is intended to provide Council and other City stakeholders with an understanding of the state of labour relations as well as insight into indicators that may require a modified approach to managing labour relations service delivery.

Demographic Overview

The following Chart provides an overview of unionized headcount by department along with the number grievances filed respectively:

SUBJECT: Labour Relation Activity Report & Analysis (2016 – 2020)
(HUR21004) (City Wide)

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Chart 1 - 2020 Union Headcount by Department and Number of Grievances

Department	2020 Headcount	Unionized Headcount	% of Union Employee within Dept.	% of Union Employee within COH	Number of Grievances*	% of Overall Grievances
City Housing Hamilton	200	110	55.00%	1.34%	4	1.06%
City Manager's Office	144	12	8.33%	0.15%	2	0.53%
Corporate Services	507	285	56.21%	3.48%	11	2.92%
Healthy & Safe Communities	4202	3452	82.15%	42.19%	146	38.73%
Planning & Economic Development	866	468	54.04%	5.72%	27	7.16%
Public Works	2264	2074	91.61%	25.35%	183	48.54%
City Wide Policy Grievances	n/a	n/a	n/a	n/a	4	1.06%
Total	8183	6401	N/A	78.22%	377	100.00%

Not surprisingly, the largest number of grievances filed occurred in the two largest departments – Public Work and Healthy and Safe Communities. Further analysis of this is provided in the Grievances section (Chart 3 - Grievance by Department).

The following chart informs the analysis further by providing bargaining unit breakdown relative to headcount and grievance activity.

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Chart 2 – 2020 Union Headcount by Bargaining Unit and Number of Grievances

Union Group	Headcount	% of Union Employees within COH	Number of Grievances	% of Overall Grievances submitted by Union	Grievance Rate per 100 Unionized Employees
ATU 107	799	12.48%	29	7.69%	3.63
CUPE 1041	331	5.17%	38	10.08%	11.48
CUPE 5167 Inside/Outside	3172	49.55%	229	60.74%	7.22
CUPE 5167 Lodges	674	10.53%	35	9.28%	5.19
GHVFFA 911	197	3.08%	0	0.00%	0.00
HOWEA	47	0.73%	5	1.33%	10.64
HPFFA 288	543	8.48%	16	4.24%	2.95
IUOE	8	0.12%	0	0.00%	0.00
ONA 50 Lodges	52	0.81%	4	1.06%	7.69
ONA 50 Public Health	209	3.27%	3	0.80%	1.44
OPSEU 256	369	5.76%	18	4.77%	4.88
Total	6401	100.00%	377	100.00%	5.89

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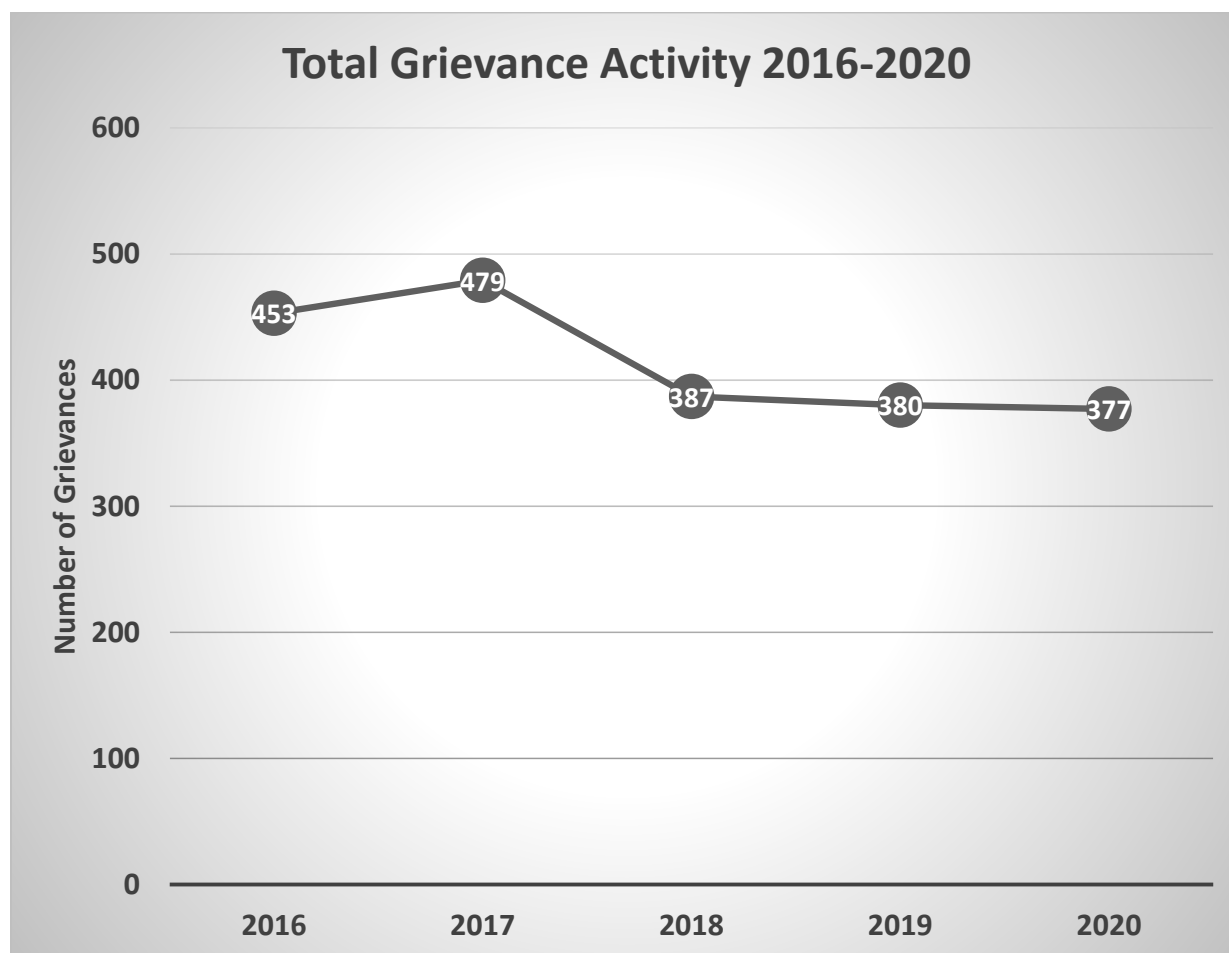
Chart 2, above, unremarkably shows that the CUPE 5167 (Inside/Outside) the City's largest bargaining unit, submitted the largest number of grievances. It should be noted that the grievance submission rate per 100 employees is lower than other bargaining units much smaller in size.

Grievance Activity (Overall)

The 2016-2020 Report identifies general stability in the overall level of grievance activity and state of labour relations across the City.

As noted in Graph 1 and Chart 3 below, the total number of grievances in 2020 remained fairly static at 377, compared to the 380 submitted in 2019 and the lowest level of grievance activity during the historical period of this Report (2016-2020). The total grievances for 2020 fell roughly 9% below the 5-year average of (N=415).

Graph 1 – Total Grievance Activity 2016 - 2020



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Chart 3 – Grievances Filed, Resolved, and Outstanding 2016 - 2020

Year	Number of Grievances Filed	Total Number of Grievances Resolved	Number of Active Grievances
2016	453	371	82
2017	479	364	115
2018	387	311	76
2019	380	254	126
2020	377	147	230
Total	2076	1442	634

While the total number of grievances filed can be one general indicator of the state of labour relations, it is not often reflective of the labour-management relationship. More analysis is always necessary, and caution should be given to drawing any conclusions in relation to the data presented in this report. What is clear on the overall grievance volume, is that the submission rate has dropped and that is always a good sign. In terms of the number of grievances resolved, these numbers represent mediated settlements along with those withdrawn by the unions. In 2020, COVID-19 interfered with the regular union-management processes such as grievance meetings and cancelled mediation proceedings. Further, this would also be reflected in the higher level of active grievances identified in 2020 resulting from the Impact COVID had on both mediation and arbitration processes.

Grievance Activity by Bargaining Unit

In addition to the overall rate of grievances showing favourable stability, so too are several of the bargaining unit 2020 grievances when compared by historical trends. Graph 2 and Chart 4 show the level of grievances and compares them with those of the four years preceding. Of the eleven (11) reportable bargaining units within the City, five (5) show a significant reduction in grievance submission, four (4) of which also marking a 2020 level lower than 2016.

It should be noted that there was very little grievance activity for OPSEU 256 in 2020, this is associated with a high volume of Union requests to cancel and reschedule grievance meetings, bargaining dates and arbitration hearings. The decrease in grievances filed for OPSEU 256 can also be connected to the positive working relationship between HPS management and OPSEU 256 executives. They often meet and discuss before grievances are filed which can have a positive impact on grievance activity. This is also the case with the 36% grievance decrease for the ATU 107 group, where the parties worked to settle some contentious grievances prior to sending them through the arbitration process.

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Graph 2 – Total Grievances Filed by Bargaining Unit 2020 (Rounded)

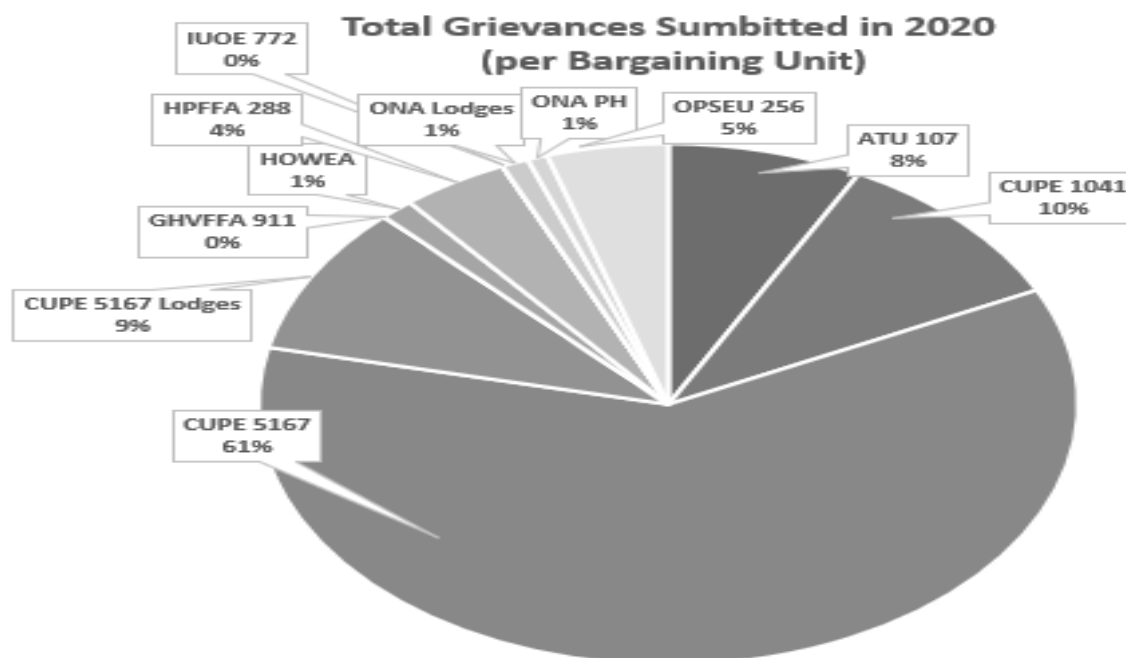


Chart 4 – Total Grievances Filed by Bargaining Unit 2016 – 2020

Bargaining Unit	2016	2017	2018	2019	2020	2019/2020 Percentage Change
ATU 107	30	50	13	46	29	-37%
CUPE 1041	35	62	28	31	38	23%
CUPE 5167	284	211	214	192	229	19%
CUPE 5167 Lodges	9	18	20	50	35	-30%
GHVFFA 911	11	6	1	0	0	0%
HOWEA	14	9	26	15	5	-67%
HPFFA 288	19	29	15	9	16	78%
IUOE 772	0	0	0	0	0	0%
ONALodges	5	10	4	7	4	-43%
ONAPH	3	2	3	2	3	50%
OPSEU 256	43	82	63	28	18	-36%
Total	453	479	387	380	377	-1%

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Grievance Activity by Department

Another indication of the state of labour-management relations outside of the overall picture, is to drill down to the various City departments (Chart 5). Again, the grievance activity provides a strong favourable outlook with comparisons showing either stability or improvement in most departments over 2019, and a general experience from the 2016 activity as well. Some of the issues in areas where numbers have risen will be identified the next section.

Chart 5 - Grievance Activity by Department 2016 – 2020

Department	2016	2017	2018	2019	2020
City Housing Hamilton	4	8	3	11	4
City Manager's Office	2	0	4	0	2
City-Wide	8	5	9	3	4
Corporate Services	9	16	9	18	11
Healthy & Safe Communities	148	210	145	146	146
Planning & Ec. Dev.	17	32	29	27	27
Public Works	265	208	188	175	183
Total	453	479	387	380	377

Grievance Activity by Type

The issues most grieved at the City continues to be discipline, Income Protection Plan and return to work initiatives, hours of work and recruitment related grievances. Moreover, there has been a notable increase in the number of harassment and discrimination related grievances which have been found to be largely filed in response to performance management issues and changing expectations within the departments rather than those considered to be bona fide cases that have been managed through Human Rights. Graph 3 and Chart 6 illustrate disputes by type or grievance category.

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Graph 3 – Grievances Filed by Category 2019 and 2020

Description of grievance categories can be found in Appendix “A” to Report HUR21004

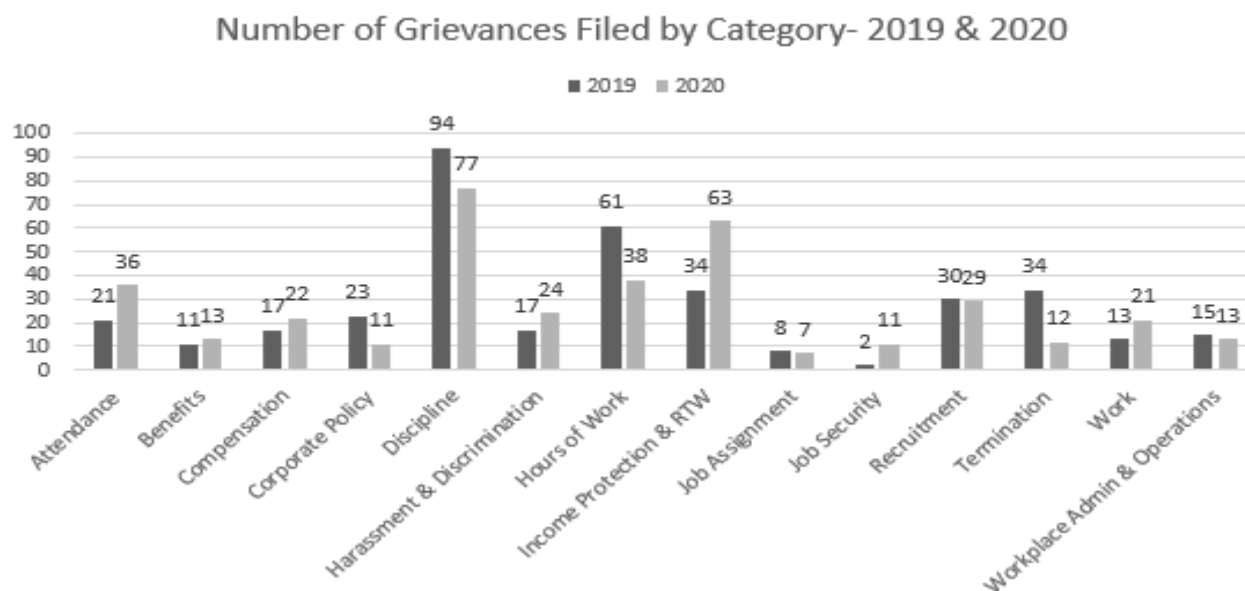


Chart 6 – Grievances Filed by Grievance Category 2019 and 2020

Grievance Category	Number of Grievances (2019)	Number of Grievances (2020)	% change from 2019 - 2020
Attendance	21	36	71%
Benefits	11	13	18%
Compensation	17	22	29%
Corporate Policy	23	11	-52%
Discipline	94	77	-18%
Harassment & Discrimination	17	24	41%
Hours of Work	61	38	-38%
Income Protection & RTW	34	63	85%
Job Assignment	8	7	-13%
Job Security	2	11	450%
Recruitment	30	29	-3%
Termination	34	12	-65%
Work	13	21	62%
Workplace Admin & Operations	15	13	-13%
TOTAL	380	377	-1%

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In terms of grievance category activity, there are only a few areas where it can be identified as unusual, or spike activity. Other categories remain fairly static. There is often a surge after new collective agreement is negotiated where unforeseen issues arise and meaning has to be given to new language, or an employee fails to comply with the new terms. As noted previously, the City's largest and most diverse bargaining unit, CUPE 5167 Inside/Outside, which represents approximately 51% of the City's unionized workforce, generated 229 grievances. This was a 19% increase from the 192 grievances filed in 2019. The increase in grievance activity for CUPE 5167 can primarily be attributed to the multiple IPP and RTW related grievances that were filed in 2020. IPP and RTW grievances were the second highest category in 2020 with a notable increase of 85% above 2019. This increase can be largely attributed to the then-newly implemented IPP language in the collective agreements covering this period. Despite the fact that the parties negotiated collective agreement language that requires a doctor's note on or before the fourth day of absence, some employees do not comply with this new language. Grievances were filed as they went unpaid as a result of not providing the note. Self-isolation absences due to COVID-19 and absence coding disputes also contributed to this increase. However, the City's decision to pay employees when they are required to isolate by Public Health related to COVID-19 has assisted in decreasing the number of potential disputes. Without these leaves with pay, the grievance activity would have been higher in this category.

In 2020, there was an increase in job security grievances. There were 11 grievances as a result of employees exercising their right to bump. This can be attributed to the Ontario Works ending of employment services. This resulted in a mass layoff of approximately 35 employees and labour relations completed 62 layoffs in 2020. The resulting bumping effect produced grievances based on testing, timelines and the screening.

The surge in attendance grievances in 2020 are a result of disputes around denial of vacation requests. This was largely caused by COVID-19 and illness related requests for both approval or cancellation that led to a denial respectively.

Labour Relations Legal Costs – 2019 and 2020

The following chart provides a summary of legal costs for 2020 in comparison to 2019.

	Mediator Fees	Arbitrator Fees	Legal Fees	Total LR Fees
2020 Totals	\$31,010	\$45,552	\$573,043	\$649,605
2019 Totals	\$37,481	\$83,945	\$521,472	\$642,898
Difference	-\$6,471	- \$38,393	\$51,572	\$6,707
Percentage Changes	-17.3%	-45.7%	9.9%	1.0%

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As identified, there was a 37% decrease in mediation and arbitration related costs for the 2020 reporting period. However, this decrease is predominately due to the COVID-19 related delays and the absence of mediation and arbitration hearing dates in 2020. Most 2020 hearing dates were rescheduled to 2021 which will result in an increase in fees for 2021 and 2022 depending on the state of COVID rescheduling.

COVID-19 Related Impacts

Beyond virtual collective bargaining, all stakeholders continue to work well together to resolve pandemic related issues in a collaborative and efficient manner. During March, April and May 2020 many meetings were cancelled or rescheduled while we adjusted to a virtual work environment and assisted in communicating and negotiating COVID-19 protocols with the union groups. Labour Relations has also transitioned to virtual usage for LR meetings such as consultations, labour management, fact finding, investigations, discipline, layoff and bumping, termination, grievance handling, mediations and arbitrations during the pandemic.

Attendance related grievances became one of the top 5 grieved categories in 2020 with an increase of 71%. The City experienced a significant decrease in termination grievance activity at 65%, which is primarily attributed to the effects of the pandemic, the transition to a work from home environment and a large number of part-time staff that were on leaves as a result of lack of work. When we have large portions of the workplace working from home, being paid to stay home or otherwise reduced workload, there is less potential for interpersonal conflict which can be an indicator as to why there is a reduction in the number of grievances in this category. In addition, there was a 55% decrease of overtime grievances in 2020 suggesting greater management diligence in the allocation and assignment of overtime hours within City operations.

Collective Bargaining

The start of our collective bargaining cycle began in 2019, in accordance with Council's collective bargaining mandate. In 2019, six (6) collective agreements were ratified which included negotiations with the City's larger unions (CUPE Local 5167 and ATU Local 107). On March 20, 2020, the CUPE 1041 collective agreement was ratified, also within Council's collective bargaining mandate. These agreements included administrative and operational efficiencies as well as benefit cost containments.

In early 2020, the GHVFFA 911 Collective Bargaining commenced and notice to bargain was provided by OPSEU 256 and HOWEA. Soon after, the impact of COVID-19 and the work from home requirements delayed the start of bargaining. Notwithstanding these delays, the parties were able to successfully continue to negotiate the GHVFFA 911 Collective Agreement remotely in October 2020, which eventually led to the ratification of the collective agreement in January, 2021. Despite the challenges resulting from the COVID-19 pandemic, virtual negotiations continue to be underway

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SUBJECT: Labour Relation Activity Report & Analysis (2016 – 2020)
(HUR21004) (City Wide) **Page 11 of 11**

with CUPE 5167 Lodges and HOWEA, with the OPSEU collective bargaining process scheduled to commence in April, 2021.

Non-Union Related Activity

In 2020, the non-union related activity also declined with the significant reduction in consultation with outside legal counsel as well as the decline in issues relating to non-union employees. Notwithstanding, non-union related legal fees increased by 37% in 2020, which was due to an increase in non-union employee relations matters.

The Labour Relations Activity Report continues to provide valuable insight with a view to delivering contextual data and trend analysis within the City's labour relations environment. This year's report continues to highlight positive labour relations activity with stability and, in many cases, continued improvements in varying grievance activity categories. Through improved dialogue and training, as well as a demonstrated willingness from all stakeholders to work in a collaborative and efficient manner, labour relations continues to achieve positive indicators of success on a City-wide basis.

APPENDICES AND SCHEDULES ATTACHED

Appendix "A" to Report HUR21004 - Additional Data

Appendix "B" to Report HUR21004 - Infographic

Appendix "A" to Report HUR21004

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Collective Agreement Activity:

Collective Agreements	Term	Status
CUPE 5167 Inside/Outside (including Housing)	January 1, 2019 – December 31, 2022	Agreement Ratified 2019
ATU 107	January 1, 2019 – December 31, 2022	Agreement Ratified 2019
HPFFA 288	January 1, 2018 – December 31, 2022	Agreement Ratified 2019
ONA Lodges	April 1, 2019 – March 31, 2023	Agreement Ratified 2019
ONA Public Health	January 1, 2019 – December 31, 2022	Agreement Ratified 2019
CUPE 1041	January 1, 2019 – December 31, 2022	Agreement Ratified 2020
IUOE 772	January 1, 2019 – December 31, 2022	Agreement Ratified 2019
CUPE 5167 Lodges	April 1, 2013 – March 31, 2019	Expired March 31, 2019 Negotiations underway
GHVFFA 911	January 1, 2020 – December 31, 2023	Agreement Ratified 2021
OPSEU 256	April 1, 2016 – March 31, 2020	Expired 2020 Negotiations underway
HOWEA	January 1, 2017 – December 31, 2020	Expired 2020 Negotiations underway

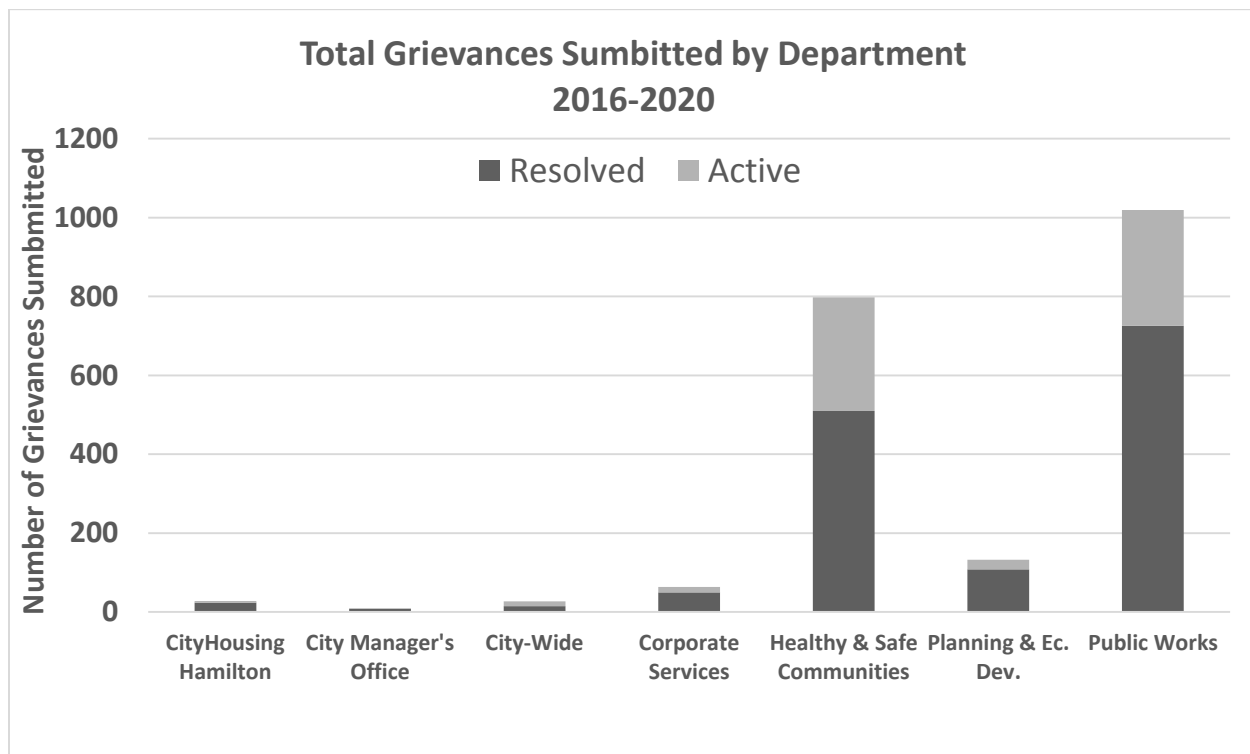
Appendix "A" to Report HUR21004

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Percentage of Overall Grievance Submission per Department (2020):

Department	2020 Headcount	Non-Unionized Headcount	Unionized Headcount	% of Union Employee within Dept.	% of Union Employee within COH	Number of Grievances*	% of Overall Grievances
City Housing Hamilton	200	90	110	55.00%	1.34%	4	1.06%
City Manager's Office	144	132	12	8.33%	0.15%	2	0.53%
Corporate Services	507	223	285	56.21%	3.48%	11	2.92%
Healthy and Safe Communities	4202	754	3452	82.15%	42.19%	146	38.73%
Planning & Economic Development	866	399	468	54.04%	5.72%	27	7.16%
Public Works	2264	190	2074	91.61%	25.35%	183	48.54%
City Wide Policy Grievances	n/a	n/a	n/a	n/a	n/a	4	1.06%
*Total	8183	1788	6401	N/A	78.22%	377	100.00%

Total Grievances by Department



Total Grievances by Department Summary (2016-2020):

Department	2016	2017	2018	2019	2020	Total Grievances Submitted	Total Grievances Resolved	Total Active Grievances
CityHousing Hamilton	4	8	3	11	4	30	24	4
City Manager's Office	2	0	4	0	2	8	8	1
City-Wide	8	5	9	3	4	29	15	12
Corporate Services	9	16	9	18	11	63	50	13
Healthy & Safe Communities	148	210	145	146	146	795	510	288
Planning & Ec. Dev.	17	32	29	27	27	132	108	24
Public Works	265	208	188	175	183	1019	726	293
Total	453	479	387	380	377	2076	1441	635

Grievance Categories

Attendance: Vacation, Stat Holidays, Absent Without Leave (AWOL), Leave of Absence, Bereavement, Attendance Support Program (ASP), Lieu Bank, Sick Bank, Flex Time

Benefits: Health Benefits, Life Insurance, OMERS, Accidental Death & Dismemberment (AD&D), Benefits

Compensation: Wages, Premium Pay, Shift Premiums, Meal Allowance, Compensation, Acting Pay, Job Evaluation, Retro Pay, Union Dues, Training Allowance, Pay-out Entitlements

Corporate Policy: Driver Safety & Compliance Manual, Corporate Policy

Discipline: Verbal, Written, Suspension, Discipline

Harassment/Discrimination: Harassment, Discrimination, Human Rights, Toxic/Poisonous Workplace

Hours of Work: Overtime, Call-in, Call-out, Standby, Continuation of the work day, shift schedule, hours of work

Income Protection & RTW: Short Term Disability (STD), Income Protection Plan (IPP), Long Term Disability (LTD), Work Accommodation, Return to Work, Doctors Note, Bridging

Job Assignment: Seniority, Conditions of Employment, Restructuring, Transfer, Job Location, Job Share, Shift Change

Job Security: Lay-off, Recall, Bumping,

Recruitment: Job postings & filling, Promotion, Demotion, Complement, Vacancies, Testing, temporary postings

Termination: Termination, Severance

Work: Duties, Scope, Work of the Bargaining Unit, Contracting Out, Union Representation, Technological Change, Workplace Safety, Meal Breaks

Workplace Admin & Operations Parking, Mileage, City Vehicle, Bus Pass, Confidentiality, Tuition Reimbursement, Performance Appraisal, Admin-other, Clothing Allowance, Cleaning Allowance, Clothing/Uniform, Safety Wear, Training, Missed Page, Seniority

Top five grieved categories in 2020, by Union:**1. Discipline - Verbal, Written, Suspension, Discipline****Chart Data:**

Discipline	2016	2017	2018	2019	2020
ATU Local 107	9	14	1	13	4
CUPE Local 1041	5	7	3	3	6
CUPE Local 5167	65	68	54	51	55
CUPE Local 5167 Lodges	1	6	6	23	11
GHVFFA Local 911 Vol Fire	3	0	2	1	0
HOWEA Water Treatment Plant	1	0	0	0	1
HPFFA Local 288 Fire	0	0	0	1	0
ONA Local 50 Health	1	4	1	2	0
ONA Local 50 Lodges	0	0	1	0	0
OPSEU Local 256 EMS	0	0	0	0	0
Total	85	99	68	94	77

2. Income Protection & RTW: STD, IPP, LTD, Work Accommodation, Return to Work, Doctors Note, Bridging

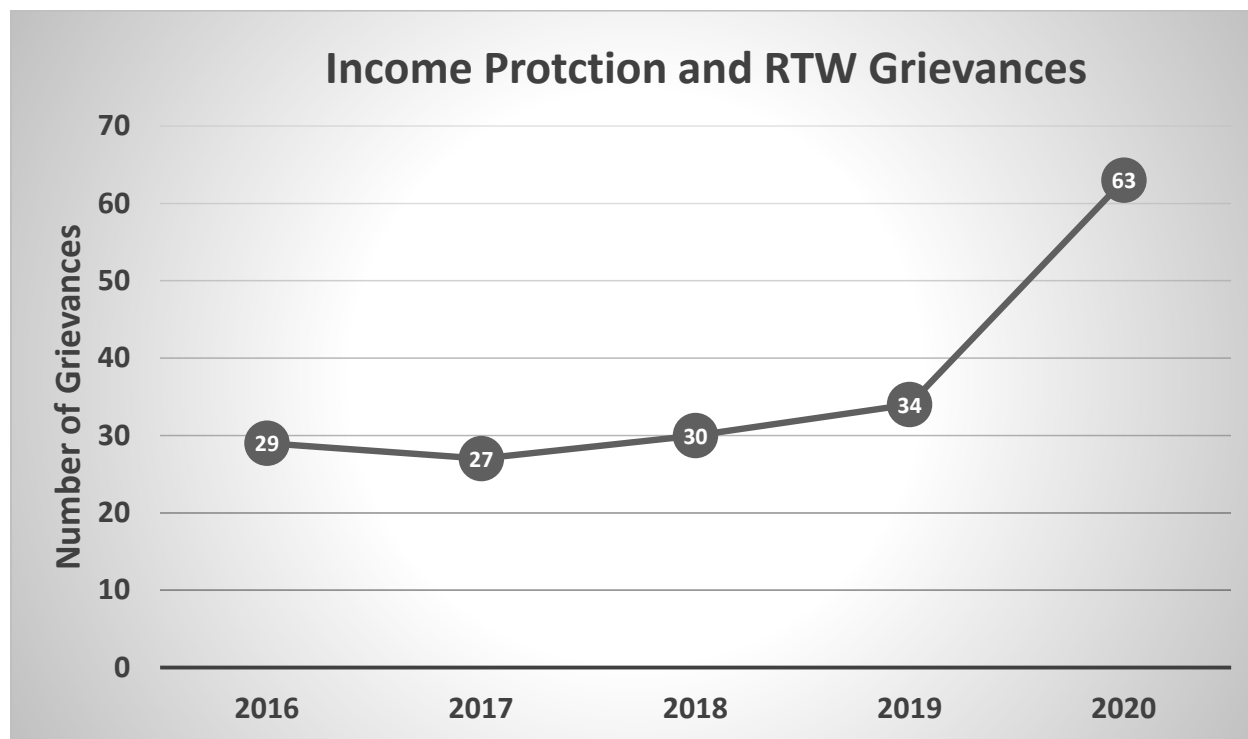


Chart Data:

Income Protection & RTW	2016	2017	2018	2019	2020
ATU Local 107	3	2	0	5	5
CUPE Local 1041	3	0	3	3	8
CUPE Local 5167	18	17	10	9	35
CUPE Local 5167 Lodges	1	2	3	3	7
GHVFFA Local 911 Vol Fire	0	0	0	2	0
HOWEA Water Treatment Plant	0	1	2	0	1
HPFFA Local 288 Fire	0	0	2	0	2
ONA Local 50 Health	1	0	0	0	0
ONA Local 50 Lodges	3	5	10	12	5
OPSEU Local 256 EMS	0	0	0	0	0
Total	29	27	30	34	63

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3. **Hours of Work** - Overtime, Call-in, Call-out, Standby, Continuation of the work day, shift schedule, hours of work

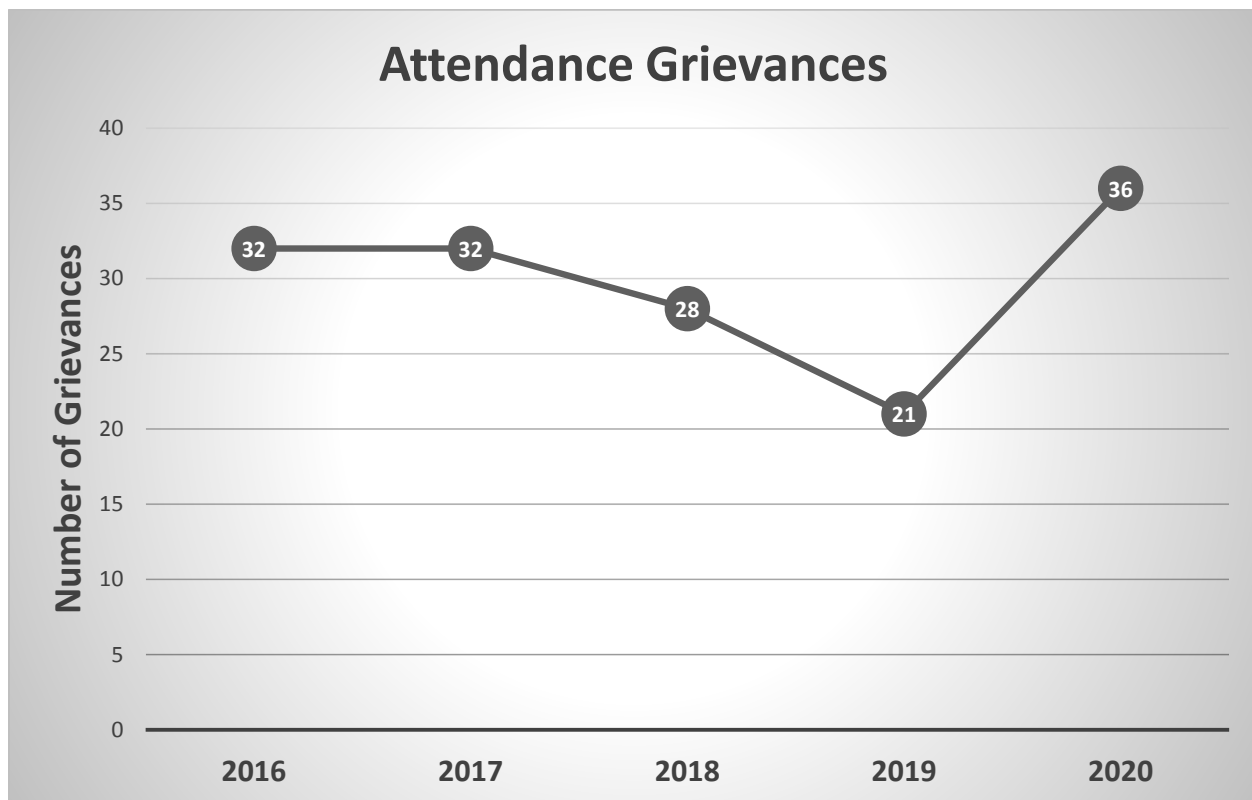


Chart Data:

Hours of Work	2016	2017	2018	2019	2020
ATU Local 107	2	9	1	3	5
CUPE Local 1041	5	2	5	5	5
CUPE Local 5167	65	22	33	35	25
CUPE Local 5167 Lodges	3	3	4	8	1
GHVFFA Local 911 Vol Fire	4	2	7	7	0
HOWEA Water Treatment Plant	1	1	1	0	0
HPFFA Local 288 Fire	0	0	0	0	0
ONA Local 50 Health	0	4	1	1	1
ONA Local 50 Lodges	13	26	12	2	1
OPSEU Local 256 EMS	0	1	0	0	0
Total	93	70	64	61	38

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4. Attendance: Vacation, Stat Holidays, AWOL, Leave of Absence, Bereavement, ASP, Lieu Bank, Sick Bank, Flex Time



Attendance	2016	2017	2018	2019	2020
ATU Local 107	0	3	0	0	0
CUPE Local 1041	7	3	3	3	7
CUPE Local 5167	19	9	12	13	24
CUPE Local 5167 Lodges	2	1	1	1	1
GHVFFA Local 911 Vol Fire	0	0	0	0	0
HOWEA Water Treatment Plant	0	1	3	1	1
HPFFA Local 288 Fire	0	0	0	0	0
ONA Local 50 Health	0	0	0	0	0
ONA Local 50 Lodges	0	0	0	0	0
OPSEU Local 256 EMS	4	15	9	3	3
Total	32	32	28	21	36

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5. **Recruitment** - Job postings & filling, Promotion, Demotion, Complement, Vacancies, Testing, temporary postings, HPSB-Secondary Duties



Chart Data:

Recruitment	2016	2017	2018	2019	2020
ATU Local 107	6	2	1	0	3
CUPE Local 1041	3	1	5	3	0
CUPE Local 5167	34	27	31	22	14
CUPE Local 5167 Lodges	1	0	2	3	5
GHVFFA Local 911 Vol Fire	1	0	1	0	0
HOWEA Water Treatment Plant	2	0	0	0	0
HPFFA Local 288 Fire	0	1	0	0	0
ONA Local 50 Health	0	0	0	1	1
ONA Local 50 Lodges	8	10	3	1	6
OPSEU Local 256 EMS	0	0	0	0	0
Total	55	41	43	30	29

Labour Relations Fees 2020**Labour Relations Total Costs (Grievance & Non Grievance)**

	Mediator Fees	Arbitrator Fees	Legal Fees	Total LR Fees
2020 Totals *	\$31,010	\$45,552	\$573,043	\$649,605
2019 Totals *	\$37,481	\$83,945	\$521,472	\$642,898
Difference	-\$6,471	- \$38,393	\$51,572	\$6,707
Percentage Changes	-17.3%	-45.7%	9.9%	1.0%

* the Legal Fee amount for 2019 and 2020 includes Inhouse legal cost and are rounded to the nearest dollar

Grievance Activity by Department

Grievance Costs by Department	Mediator Fees	Arbitrator Fees	Legal Fees	Total Labour Relations Fees	% of total fees per Department
City Housing Hamilton	\$946	\$0	\$11,088	\$ 12,034	4.2%
City Manager's Office	\$0	\$0	\$8,698	\$ 8,698	3.1%
Corporate Services	\$631	\$2,035	\$26,729	\$ 29,395	10.2%
Healthy and Safe Communities	\$10,704	\$20,610	\$87,868	\$ 119,183	41.2%
Planning & Economic Development	\$3,918	\$0	\$226	\$ 4,144	1.4%
Public Works	\$14,811	\$17,615	\$83,284	\$ 115,710	40.0%
Total Fees (2020)	\$ 31,010	\$ 40,260	\$ 217,894	\$ 289,163	

Appendix "A" to Report HUR21004

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<i>Total Fees (2019)</i>	\$ 37,481	\$ 64,631	\$ 279,067	\$ 381,179
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Grievance Activity by Category

Grievance Costs by Category	Mediator Fees	Arbitrator Fees	Legal Fees	Total Labour Relations Fees	% of total fees per grievance category
Attendance	\$3,040	\$9,131	\$27,245	\$ 39,416	13.6%
Benefits	\$0	\$1,018	\$20,123	\$ 21,141	7.3%
Compensation	\$1,217	\$1,018	\$7,033	\$ 9,268	3.2%
Corporate Policy	\$526	\$2,035	\$13,093	\$ 15,654	5.4%
Discipline	\$6,711	\$0	\$2,200	\$ 8,911	3.1%
Harassment & Discrimination	\$3,272	\$9,202	\$29,786	\$ 42,260	14.6%
Hours of Work	\$2,779	\$2,035	\$6,363	\$ 11,177	3.9%
Income Protection & RTW	\$6,991	\$4,312	\$48,878	\$ 60,181	20.8%
Job Assignment	\$315	\$0	\$132	\$ 447	0.2%
Job Security	\$0	\$0	\$0	\$ -	0.0%
Recruitment	\$1,692	\$0	\$1,842	\$ 3,534	1.2%
Termination	\$3,216	\$4,203	\$31,838	\$ 39,257	13.6%
Work	\$625	\$7,306	\$28,880	\$ 36,811	12.7%
Workplace Admin & Operations	\$625	\$0	\$481	\$ 1,106	0.4%
Total Fees (2020)	\$ 31,010	\$ 40,260	\$ 217,894	\$ 289,163	

Appendix "A" to Report HUR21004

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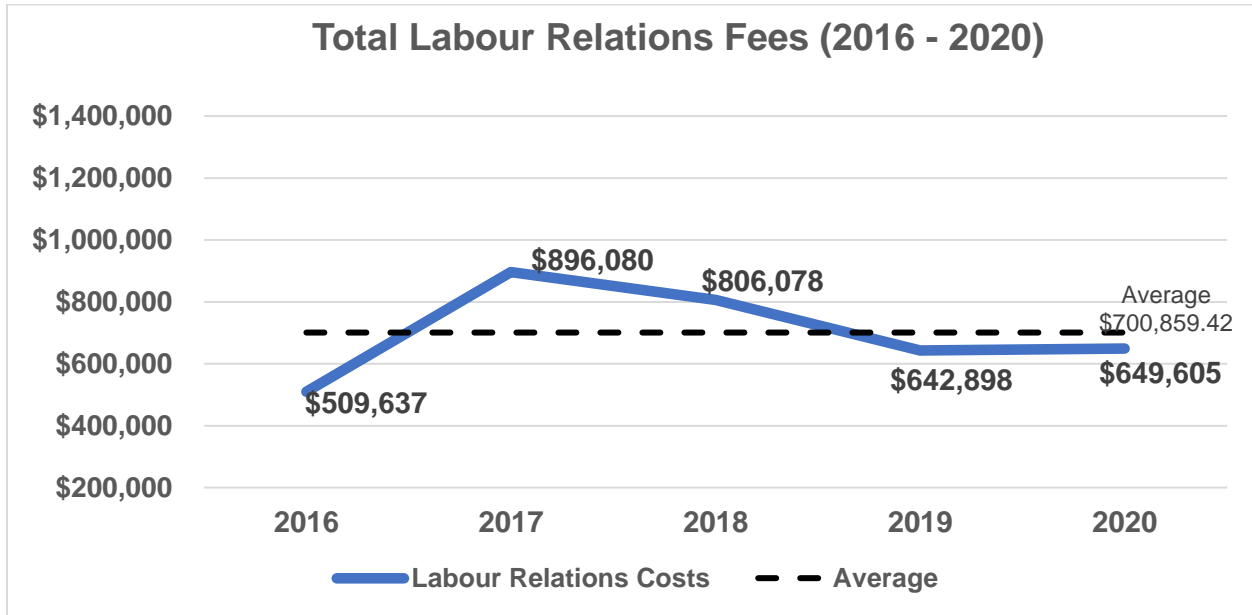
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<i>Total Fees (2019)</i>	\$ 37,481	\$ 69,398	\$ 279,067	\$ 381,179
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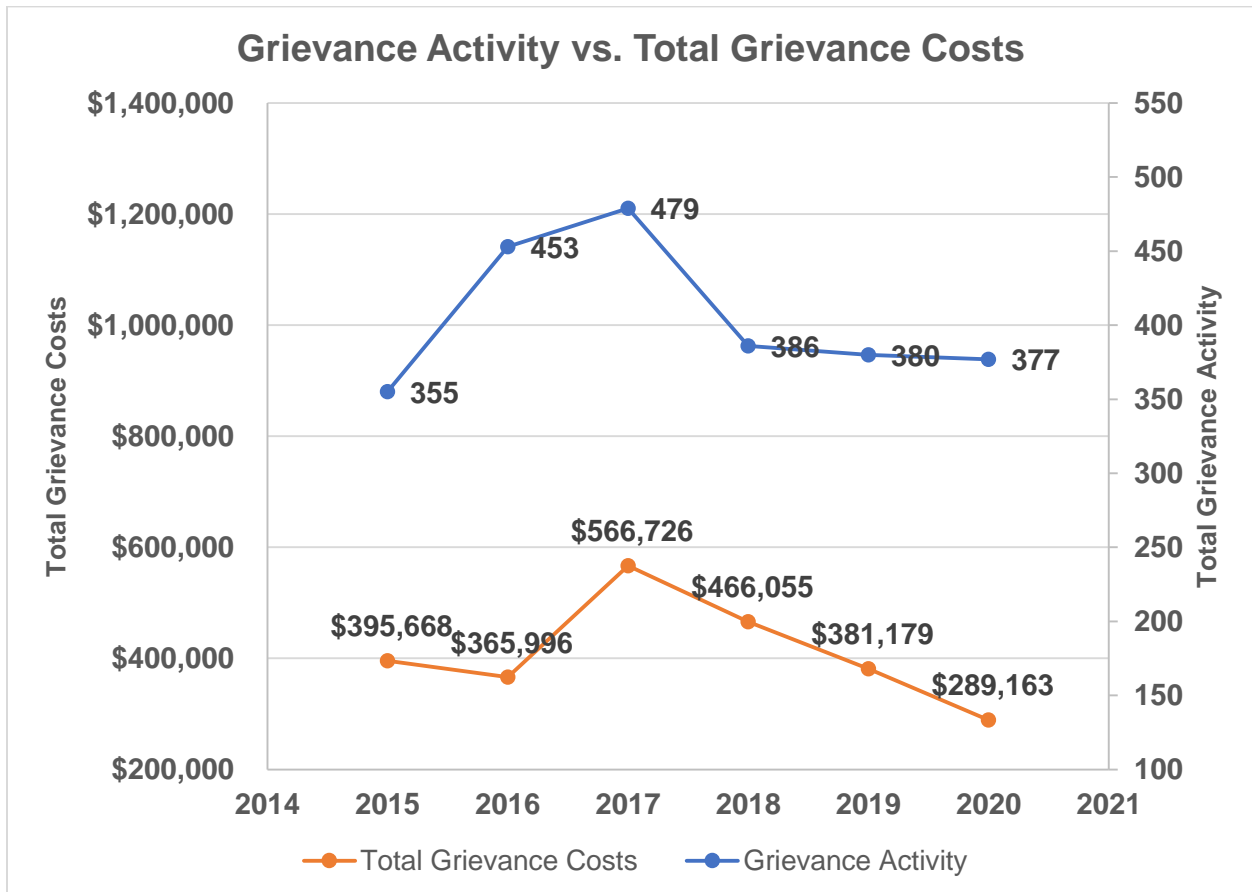
Non-Grievance Activity

Non-Grievance Costs by Description	Arbitrator Fees	Legal Fees	Total Labour Relations Fees	Percentage of Total Fees
Interest Arbitration	\$0	\$0	\$0	0.00%
Non-Union Termination	\$0	\$9,807	\$9,807	2.72%
Human Rights Claims	\$0	\$104,294	\$104,294	28.94%
Non-Grievance Legal	\$5,291	\$240,853	\$246,144	68.29%
Non-Union Grievance (Management rights)	\$0	\$195	\$195	0.05%
Total Fees - Non-Grievance (2020)	\$ 5,291	\$ 355,149	\$ 360,441	
<i>Total Fees - Non-Grievance (2019)</i>	<i>\$ 14,547</i>	<i>\$ 242,404</i>	<i>\$ 261,718</i>	
Percentage Change	-63.62%	46.51%	37.72%	

Total Legal, Mediation & Arbitration Fees:



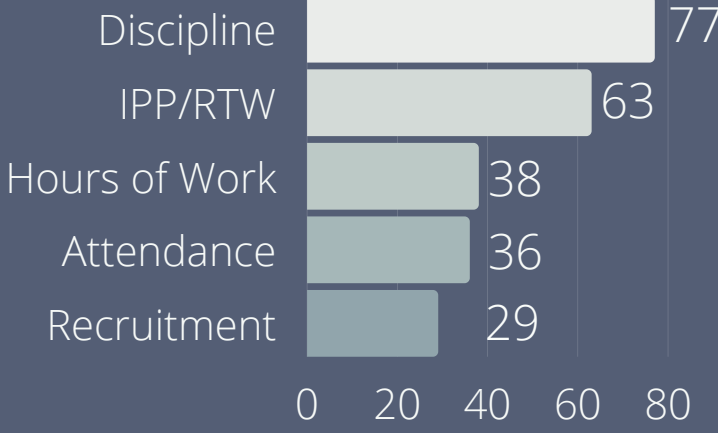
Total Grievance Costs (Legal, Mediation & Arbitration) vs. Grievance Activity:



ANNUAL LABOUR RELATIONS ACTIVITY REPORT

2020 HIGHLIGHTS

Top **5** Grievance Categories



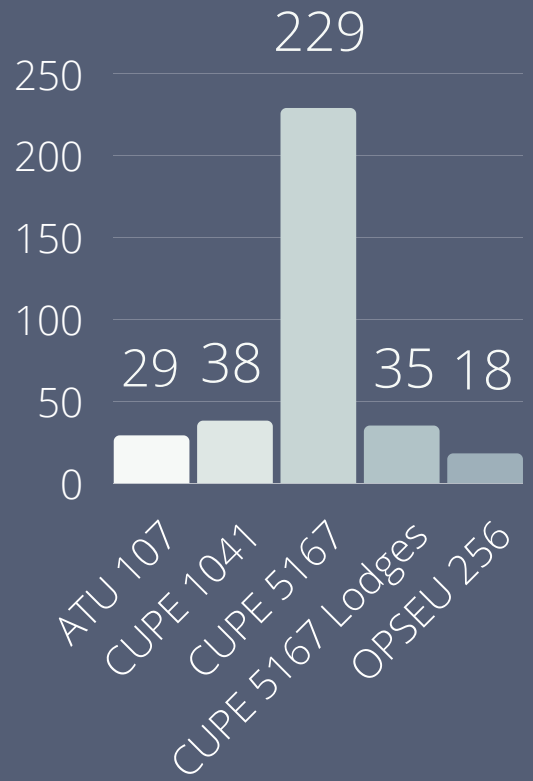
Increase
Attendance 71%
IPP/RTW 85%



Decrease
Discipline 18%
Hours of Work 38%
Recruitment 3%



Top **5** Bargaining Unit Grievance Activity



Grievances by Department



SNAPSHOT OF LABOUR RELATIONS 2020

1 Collective Agreement Ratified

377 GRIEVANCES FILED

7 SETTLED AT ARBITRATION

1 ARBITRATION AWARD

53 RESOLVED BY MEDIATION

\$31,010 MEDIATOR FEES

\$45,552 ARBITRATOR FEES

\$573,043 LEGAL FEES

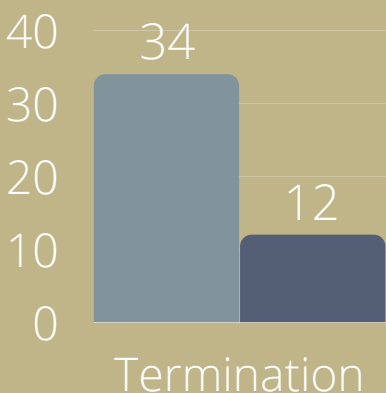
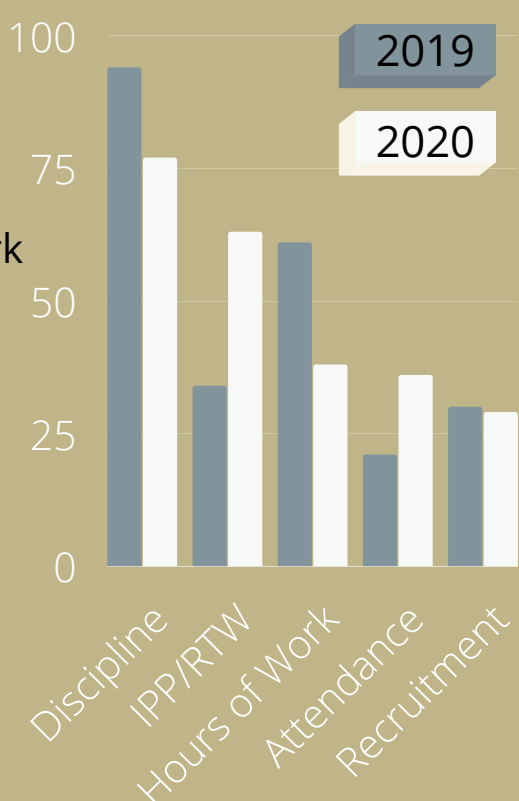
\$649,605 TOTAL LR FEES

ANNUAL LABOUR RELATIONS ACTIVITY REPORT

2019 COMPARISONS

Top 5 Grievance Categories

2019	2020
1. Discipline	1. Discipline
2. Hours of Work	2. IPP/RTW
3. Termination	3. Hours of Work
4. IPP/RTW	4. Attendance
5. Recruitment	5. Recruitment

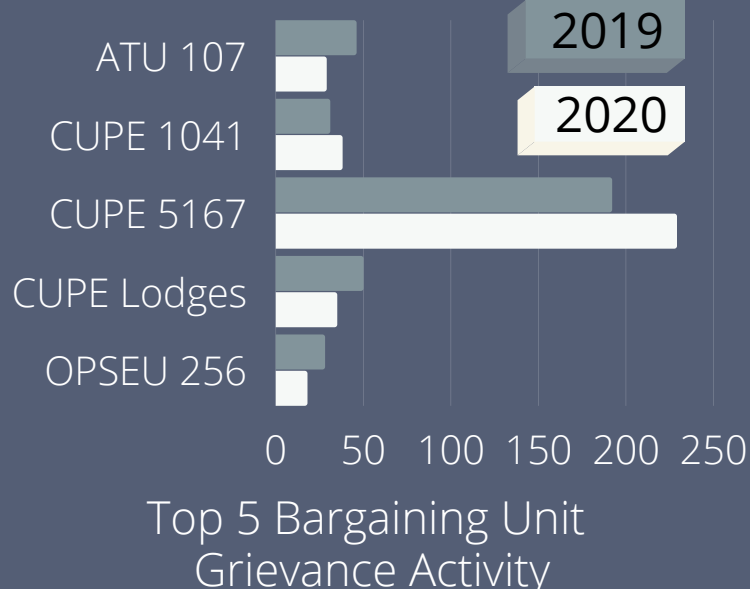
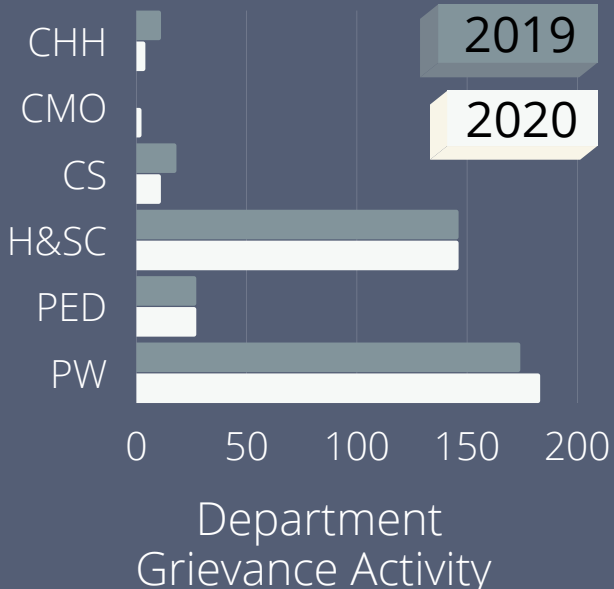


Termination Grievances
 2020- 65% Decrease
 Primarily attributed to the effects of the pandemic and the transition to a work from home environment.

COVID19

Majority of 2020 Grievances-Issues filed were unique to responses to the pandemic:

- Emergency Order- Implications
- PPE Standards
- Availability
- New processes
- Vacation approval/scheduling
- Vacation on sick leave
- Absence Coding
- Ministry Guidelines
- Employer Self Screening Tool



2019

6 Collective Agreements Ratified

GRIEVANCES FILED	380	GRIEVANCES RESOLVED	254	RESOLVED BY MEDIATION	151	ARBITRATION AWARDS	3
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2020

1 Collective Agreement Ratified

GRIEVANCES FILED	377	GRIEVANCES RESOLVED	147	RESOLVED BY MEDIATION	53	ARBITRATION AWARDS	1
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LABOUR RELATIONS FEES

	2019	2020
Mediation Fees	\$37,481	\$31,010
Arbitration Fees	\$83,945	\$45,552
Legal Fees	\$521,472	\$573,043
Total LR Fees	\$642,898	\$649,605



17.5% Decrease in Mediation fees
 45.7% Decrease in Arbitration fees



9.9% Increase in Legal Fees
 1% Increase in Total LR Fees



CITY OF HAMILTON
CORPORATE SERVICES DEPARTMENT
Financial Planning, Administration and Policy Division

TO:	Mayor and Members General Issues Committee
COMMITTEE DATE:	April 21, 2021
SUBJECT/REPORT NO:	Court Security and Prisoner Transportation Program Agreement for 2021 (FCS21036) (City Wide)
WARD(S) AFFECTED:	City Wide
PREPARED BY:	Cyrus Patel (905) 546-2424 Ext. 4878
SUBMITTED BY:	Brian McMullen Director, Financial Planning, Administration and Policy Corporate Services Department
SIGNATURE:	

RECOMMENDATION(S)

- (a) That the General Manager, Finance and Corporate Services, be authorized and directed to execute a Transfer Payment Agreement between the City of Hamilton and Her Majesty the Queen in Right of Ontario as represented by the Solicitor General with respect to the Provincial funding allocation for court security and prisoner transportation services for 2021, in a form satisfactory to the City Solicitor and the required annual financial report; and,
- (b) That the General Manager, Finance and Corporate Services, be authorized and directed to execute similar future agreements between the City of Hamilton and Her Majesty the Queen in Right of Ontario as represented by the Solicitor General, in similar matters relating to the Provincial funding allocation for court security and prisoner transportation services, in a form satisfactory to the City Solicitor and the required annual financial report.

EXECUTIVE SUMMARY

The purpose of Report FCS21036 is to gain Council's approval to enter into an agreement with the Province that will provide continued funding to help offset court security and prisoner transportation costs that are eligible under the Court Security and Prisoner Transportation (CSPT) Program.

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**SUBJECT: Court Security and Prisoner Transportation Program Agreement
for 2021 (FCS21036) (City Wide) – Page 2 of 5**

Commencing in 2012, the Ontario government began reimbursing a portion of CSPT costs to help municipalities fund the service in their jurisdictions. The City of Hamilton is responsible for the costs of providing security for court premises during hours of court operations and security of persons attending court and / or the costs of transporting prisoners and custodial minors (i.e. persons between twelve and seventeen years of age) between correctional institutions, custodial facilities and court locations for the purposes of court attendance. The CSPT Program will provide a maximum total of \$125 M for 2021 province wide.

An expenditure-based model was used to determine allocation for 2021. Funding is allocated based on each municipality's relative share of the total 2019 CSPT cost across the province. For example, if a municipality's CSPT cost represents 1% of the total provincial CSPT cost, then it will be allocated 1% of the available funding. For the current funding period 2021, the City of Hamilton's funding allocation is \$5.17 M (4.1%).

Alternatives for Consideration – Not Applicable

FINANCIAL – STAFFING – LEGAL IMPLICATIONS

Financial: By entering into the 2021 Transfer Payment Agreement with the Province, the City will receive funding for 2021 to help offset the cost of providing court security and prisoner transportation of \$5.17 M. The 2021 Police budget estimated this provincial funding to be the same as in 2020 (\$5.05 M) due to the Province reviewing all funding programs. The higher allocation for 2021 will result in an additional recovery of \$118 K for the Police compared to the approved budget.

Staffing: N/A

Legal: By entering into the Agreement, the City of Hamilton will receive partial reimbursement from the Province of Ontario for eligible services and activities under the Court Security and Prisoner Transportation Program, in accordance with the terms and conditions of the agreement effective January 1, 2021. The Agreement sets out the criteria for eligible services and activities.

HISTORICAL BACKGROUND

Ontario is the only province in Canada where legislation dictates court security be paid for with municipal property tax dollars and delivered through local police service boards via police chiefs.

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**SUBJECT: Court Security and Prisoner Transportation Program Agreement
for 2021 (FCS21036) (City Wide) – Page 3 of 5**

In the Fall of 2020, the Ministry undertook a review of the delivery of court security and prisoner transportation in Ontario, including the Court Security and Prisoner Transportation (CSPT) Transfer Payment (TP) Program, to help strengthen best practices and explore ways to improve efficiencies. On March 31, 2021 the City was notified that no changes to the program were made for 2021 as a result of the review. However, the City's proportionate share of the funding will increase in 2021.

POLICY IMPLICATIONS AND LEGISLATED REQUIREMENTS

N/A

RELEVANT CONSULTATION

Hamilton Police Service was consulted and did not express concerns in moving forward with the Agreement.

Corporate Services Department – Risk Management has provided the required proof of general liability insurance.

ANALYSIS AND RATIONALE FOR RECOMMENDATION(S)

Funding Allocation: Court Security and Prisoner Transportation (CSPT) Program

Consistent with prior funding periods, the 2021 funding allocation is based on an expenditure model, proportional to each municipality's 2019 relative share of the total CSPT costs across the province. It is to be noted that the proportional funding received by the City is contingent on the overall qualifying expenditure levels for all the Provincial municipalities. Therefore, the proportion of the total Provincial funding received by the City may vary from year to year.

Table 1 shows details of the funding received by the City from 2012 to 2021. The actual CSPT expenditures for the City are continuously increasing and for 2021, there is an anticipated funding shortfall of \$2.7 M.

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OUR Culture: Collective Ownership, Steadfast Integrity, Courageous Change, Sensational Service, Engaged Empowered Employees.

**SUBJECT: Court Security and Prisoner Transportation Program Agreement
for 2021 (FCS21036) (City Wide) – Page 4 of 5**

**Table 1
CSPT Funding and City Expenses – 2012 to 2021**

Year	Total Provincial Funding \$'000	City Expenses \$'000 Budget	City Share of Provincial Funding \$'000	% of City Expense Funded by Province	Funding Shortfall \$'000	City Share % of Provincial Funding
2012	17,800	5,017	705	14%	(4,312)	4.0%
2013	35,700	4,871	1,410	29%	(3,461)	3.9%
2014	53,500	4,779	2,115	44%	(2,664)	4.0%
2015	71,300	5,067	2,546	50%	(2,521)	3.6%
2016	89,200	5,792	3,182	55%	(2,610)	3.6%
2017	107,100	6,315	3,601	57%	(2,714)	3.4%
2018	125,000	6,467	4,201	65%	(2,266)	3.4%
2019	125,000	7,177	4,947	69%	(2,230)	4.0%
2020	125,000	7,411	5,055	68%	(2,356)	4.0%
2021	125,000	7,839	5,173	66%	(2,666)	4.1%
Total		60,735	32,935		(27,800)	

Although total funding from 2018-2021 has been maintained at \$125 M, the City of Hamilton's apportionment has increased slightly over that period as a percentage share of the total CSPT allocation.

The funding amount of \$5,172,969 for 2021 represents approximately 4.1% of the available funding.

Funding is conditional upon the execution of the Agreement for 2021 between the Province and the City by April 30, 2021.

Delegation of Authority

Each year the Province requires the City to enter into a new agreement in order to access the funds made available for the CSPT Program. In the interest of operational efficiency, authorization is sought for the General Manager, Finance and Corporate Services, to be able to execute similar future agreements between the City of Hamilton and the Province as represented by its Solicitor General, in a form satisfactory to the City Solicitor.

ALTERNATIVES FOR CONSIDERATION

N/A

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**SUBJECT: Court Security and Prisoner Transportation Program Agreement
for 2021 (FCS21036) (City Wide) – Page 5 of 5**

ALIGNMENT TO THE 2016 – 2025 STRATEGIC PLAN

Community Engagement and Participation

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

Our People and Performance

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

APPENDICES AND SCHEDULES ATTACHED

None.

CP/dt

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Hamilton

BUSINESS IMPROVEMENT AREA ADVISORY COMMITTEE

MINUTES 21-003

8:00 a.m.

Tuesday, March 23, 2021

Virtual Meeting

Hamilton City Hall

71 Main Street West

Present: Councillor Esther Pauls (Chair)
 Tracy MacKinnon – Westdale Village BIA and Stoney Creek BIA
 Cristina Geissler – Concession Street BIA
 Lisa Anderson – Dundas BIA
 Kerry Jarvi – Downtown Hamilton BIA
 Susan Pennie – Waterdown BIA
 Rachel Braithwaite – Barton Village BIA
 Susie Braithwaite – International Village BIA
 Jennifer Mattern – Ancaster BIA

Absent: Michal Cybin – King West BIA
 Bender Chug – Main West Esplanade BIA
 Emily Burton – Ottawa Street BIA
 Heidi VanderKwaak – Locke Street BIA

FOR INFORMATION:

(a) CHANGES TO THE AGENDA (Item 2)

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

(Anderson/S. Braithwaite)

That the agenda for the March 23, 2021 Business Improvement Area Advisory Committee meeting be approved, as presented.

CARRIED

(b) DECLARATIONS OF INTEREST (Item 3)

There were no declarations of interest.

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

(i) February 9, 2021 (Item 4.1)

(Pennie/MacKinnon)

That the February 9, 2021 Minutes of the Business Improvement Area Advisory Committee be approved, as presented.

CARRIED

(d) STAFF PRESENTATIONS (Item 9)

(i) Film Office Update (Item 9.1)

(Mattern/Anderson)

That the Film Office Update be deferred until after Item 9.2, to allow a presenting staff member to resolve their technical issues.

CARRIED

(ii) Infection Prevention and Control Update (Item 9.2)

Dr. Doug Sider, Public Health Physician and Latchman Nandu, Manager of Infection Prevention and Control addressed the Committee with an update on Infection Prevention and Control.

(R. Braithwaite/MacKinnon)

That the staff presentation on Infection Prevention and Control, be received.

CARRIED

(iii) Film Office Update (Item 9.1 - Continued)

Kimberley Adrovez, Senior Project Manager of Film, and Sarah Rock, Business Development Officer, Creative Industries, addressed the Committee with an update on the Film Office.

(R. Braithwaite/S. Braithwaite)

That the staff presentation on the Film Office Update, be received.

CARRIED

(e) DISCUSSION ITEMS (Item 10)

**(i) Ontario Business Improvement Area Association (OBIAA)
Conference 2021 (Item 10.1)**

Kerry Jarvi addressed the Committee respecting the Ontario Business Improvement Area Association (OBIAA) Conference 2021 and confirmed that the Conference will be held September 26 – 29, 2021. Kerry advised that most of the planning will begin in May 2021.

BIA members can expect to receive an email shortly respecting the OBIAA virtual sessions, which will be happening between April 21 – May 12.

(Anderson/Pennie)

That the discussion respecting Ontario Business Improvement Area Association Conference 2021, be received.

CARRIED

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

(i) Verbal Update from Julia Davis, Business Development and BIA Officer (Item 13.1)

Julia Davis advised the Committee that the Shop Local Grant funding of \$10,000 is available to each BIA. The BIA's will need to submit a written proposal with a budget. Julia advised that she is available to provide guidance with this.

Julia advised that an email was sent to each BIA with the 2021 Levy List and requested that members review the list and let Julia or Maria Di Santo know by April 16, 2021 if there are any discrepancies.

Julia shared with Committee that the Outdoor Dining District Program is now open and that they have received at least one application from each BIA.

Julia advised Committee that the deadline for the Placemaking Grant is April 9, 2021 at 4:30 pm.

Julia reminded Committee that the COVID Concierge is available for the business community and is manned daily from 8:30 am – 4:30 pm by staff dedicated to answering their questions.

Julia advised Committee about an upcoming Webinar called Destination Bike: Welcoming Cyclists in Hamilton and that the date is April 27, 2021.

(Geissler/R. Braithwaite)

That the verbal update from Julia Davis, Business Development and BIA Officer, be received.

CARRIED

(ii) Statements by Members (Item 13.2)

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

Councillor Pauls relinquished the Chair to Rachel Braithwaite as she had another meeting to attend.

(MacKinnon/R. Braithwaite)

That the updates from Committee Members, be received.

CARRIED

(g) ADJOURNMENT (Item 15)

(Geissler/Mattern)

That there being no further business, the Business Improvement Area Advisory Committee be adjourned at 9:32 a.m.

CARRIED


Respectfully submitted,

Councillor Esther Pauls
Chair Business Improvement Area
Advisory Committee

Angela McRae
Legislative Coordinator
Office of the City Clerk



CITY OF HAMILTON
PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT
Economic Development Division

TO:	Mayor and Members General Issues Committee
COMMITTEE DATE:	April 21, 2021
SUBJECT/REPORT NO:	Hamilton Tax Increment Grant - 29 Severn Street, Hamilton (PED21066) (Ward 2)
WARD(S) AFFECTED:	Ward 2
PREPARED BY:	Carlo Gorni (905) 546-2424 Ext. 2755
SUBMITTED BY:	Norm Schleeahn Director, Economic Development Planning and Economic Development
SIGNATURE:	

RECOMMENDATION

- (a) That a Hamilton Tax Increment Grant Program application submitted by 2512260 Ontario Inc. (Graham McNally, Kevin McNally, Beth McNally), for the property at 29 Severn Street, Hamilton, estimated at \$55,656.45 over a maximum of a five(5) year period, and based upon the incremental tax increase attributable to the development of 29 Severn Street, Hamilton, be authorized and approved in accordance with the terms and conditions of the Hamilton Tax Increment Grant Program;
- (b) That the Mayor and City Clerk be authorized and directed to execute a Grant Agreement together with any ancillary documentation required, to effect recommendation (a) of Report PED21066, in a form satisfactory to the City Solicitor;
- (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 Hamilton Tax Increment Grant Program, as approved by City Council, are maintained.

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**SUBJECT: Hamilton Tax Increment Grant - 29 Severn Street, Hamilton (PED21066)
(Ward 2) - Page 2 of 7**

EXECUTIVE SUMMARY

The Hamilton Tax Increment Grant Program (HTIGP) application for the construction of the project at 29 Severn Street, Hamilton was submitted by 2512260 Ontario Inc., owner of the property. Currently a vacant lot, the development of the property will see the construction of a five-storey mixed use building with one ground floor commercial unit and six residential rental units on the upper storeys.

Development costs are estimated at \$4.2 million and it is projected that the proposed development will increase the assessed value of the property from its current value of \$291,000 to approximately \$1,760,000.

This will increase total annual property taxes generated by the property. The municipal share of this property tax increase (municipal tax increment) will be approximately \$18,552.15, of which 100% would be granted to the owner during year one, 80% or approximately \$14,841.72 in year two, 60% or approximately \$11,131.29 in year three, 40% or approximately \$7,420.86 in year four and 20% or approximately \$3,710.43 in year five. The estimated total value of the grant is approximately \$55,656.45. Note that every year the tax increment is based on actual taxes for that year.

Upon completion of the redevelopment and reassessment of the property by the Municipal Property Assessment Corporation (MPAC), staff will report back in an Information Update to Council on the actual redevelopment costs, the reassessment amount determined by MPAC and the grant amount.



Pre-Redevelopment status of property-29 Severn Street, Hamilton (Source: Applicant)

**SUBJECT: Hamilton Tax Increment Grant - 29 Severn Street, Hamilton (PED21066)
(Ward 2) - Page 3 of 7**



Rendering of Project-29 Severn Street, Hamilton (Source: Applicant)

Alternatives for Consideration – See Page 7

FINANCIAL – STAFFING – LEGAL IMPLICATIONS

Financial: The City will collect full property taxes on the property and, in turn, provide a grant for five years, declining each year after the first year by 20%, based on the increase in the municipal portion of the taxes, post-development completion of 29 Severn Street, Hamilton. Following year one of the grant payment, the City will start to realize the positive results of the Program from a financial perspective. Based on the projected figures, the estimated tax increment over five years totals \$92,760.75, of which the applicant would receive a grant totalling approximately \$55,656.45 and the City retaining taxes totalling approximately \$37,104.30.

Staffing: Applicants and subsequent grant payments under the HTIGP are processed by the Commercial Districts and Small Business Section and Taxation Section, Corporate Services Department. There are no additional staffing requirements.

Legal: Section 28 of the *Planning Act* permits a municipality, in accordance with a Community Improvement Plan, to make loans and grants which would otherwise be prohibited under Section 106(2) of the *Municipal Act*, to registered / assessed owners and tenants of lands and buildings. A

**SUBJECT: Hamilton Tax Increment Grant - 29 Severn Street, Hamilton (PED21066)
(Ward 2) - Page 4 of 7**

Community Improvement Plan can only be adopted and come into effect within a designated Community Improvement Project Area. Changes to a Community Improvement Plan or Community Improvement Project Area require formal amendments as dictated by the *Planning Act*.

The applicant will be required to execute a Grant Agreement prior to the grant being advanced. The Grant Agreement will be developed in consultation with Legal Services.

As construction projects move forward, it is sometimes necessary to amend previously approved Grant Agreements and any ancillary documentation. Therefore, staff recommends that the General Manager of Planning and Economic Development be authorized to amend Grant Agreements and any ancillary documentation, provided that the terms and conditions of the HTIGP are maintained.

HISTORICAL BACKGROUND

City Council, at its meeting held August 22, 2001, approved an amendment to the Downtown and Community Renewal Community Improvement Plan which introduced the HTIGP. Since that time, a number of Program refinements have been approved by City Council, including expanding the Program to Community Downtowns, Business Improvement Areas, the Mount Hope / Airport Gateway, the corridors of Barton Street and Kenilworth Avenue as identified in the Downtown and Community Renewal Community Improvement Project Area and most recently, to properties designated under Part IV or V of the *Ontario Heritage Act*. The terms of the Program offer a five-year grant not to exceed the increase in municipal realty taxes as a result of the development. The grant is to be in an amount which does not exceed 100% of the municipal realty tax increase during the first year, 80% in year two, 60% in year three, 40% in year four, and 20% in year five.

The project at 29 Severn Street, Hamilton, is an eligible project under the terms of the HTIGP. The applicant will qualify for the HTIGP grant upon completion of the development project. Development costs are estimated at \$4.2 million. The total estimated grant over the five-year period is approximately \$55,656.45.

POLICY IMPLICATIONS AND LEGISLATED REQUIREMENTS

Urban Hamilton Official Plan

The site is municipally known as 29 Severn Street, Hamilton and is located within the "Primary Corridor" on Schedule "E" – Urban Structure and designated as "Neighbourhoods" on Schedule "E-1" – Urban Land Use Designations. The

**SUBJECT: Hamilton Tax Increment Grant - 29 Severn Street, Hamilton (PED21066)
(Ward 2) - Page 5 of 7**

Neighbourhoods designation is intended to support a full range of residential dwelling types and densities as well as supporting uses that will serve local residents while the “Primary Corridor” element identifies the sites proximity to James Street North, Hamilton and the role this corridor has in supporting important commercial and transportation functions.

The planned use of the site conforms to the above designation. The specific ground floor commercial uses have not yet been identified and will be subject to the respective sections of the in force and effect Urban Hamilton Official Plan with respect to supported uses and associated policies.

Former City of Hamilton Zoning By-law No. 6593

Under the former City of Hamilton Zoning By-Law No. 6593, the site is zoned “H/S-1310” and “H/S-1310(a) – (Community Shopping and Commercial, Etc.) with site specific exceptions. The base zoning is intended to permit a range of commercial, residential and institutional uses.

Current zoning in combination with Committee of Adjustment decision HM/A-17:35 permits the planned use of the site. The specific ground floor commercial uses have not yet been identified and will be subject to the respective sections of the in force and effect Zoning By-Law with respect to permitted uses and associated regulations.

RELEVANT CONSULTATION

Staff from the Taxation Section and the Finance and Administration Section, Corporate Services Department and the Legal Services Division, City Manager’s Office was consulted, and the advice received is incorporated into Report PED21066.

ANALYSIS AND RATIONALE FOR RECOMMENDATION

Commercial Districts and Small Business staff, in co-operation with staff from the Taxation Section and Legal Services Division, developed an estimated schedule of grant payments under the terms of the Program. The final schedule of grant payments will be contingent upon a new assessment by MPAC following completion of the project. The applicant will be required to sign a Grant Agreement. The Grant Agreement contains provisions for varying the grant payment in each, and every year based on MPAC’s assessed value. By signing, the applicant will accept the terms and conditions outlined therein prior to any grant payments being made. The Agreement outlines the terms and conditions of the grant payments over the five-year period.

**SUBJECT: Hamilton Tax Increment Grant - 29 Severn Street, Hamilton (PED21066)
(Ward 2) - Page 6 of 7**

The estimated grant shall be calculated according to the following formulas:

Grant Level:		100%
Total Eligible Costs (Maximum):	\$4,200,000.	
Total Pre-project CVA: CX (Vacant Commercial)	\$291,000.00.	Year: 2020
Pre-Project Property Taxes		
Municipal Levy:	\$ 5,966.98	
Education Levy:	\$ 2,851.80	
Pre-project Property Taxes	\$ 8,818.78	
*Post-project CVA:		
XT (Commercial New Construction)	\$ 620,000.	Year: TBD
RT (Residential)	\$ 1,140,000.	
Estimated Post-project CVA	\$ 1,760,000.	
Post-Project Property Taxes		
** Estimated Municipal Levy:	\$ 24,519.13	
** Estimated Education Levy:	\$ 7,820.20	
** Estimated Post-Project Property Taxes:	\$ 32,339.33	

*The actual roll number(s) assessed value(s), tax classification(s) and value partitioning (where applicable) are to be determined by the Municipal Property Assessment Corporation (MPAC).

**2020 tax rates have been used for calculation of the estimated post-development property taxes.

Pre-project Municipal Taxes = Municipal Levy = \$5,966.98
Municipal Tax Increment = \$24,519.13 - \$5,966.98 = \$18,552.15
Payment in Year One = \$18,552.15 x 1.0 = \$18,552.15

**SUBJECT: Hamilton Tax Increment Grant - 29 Severn Street, Hamilton (PED21066)
(Ward 2) - Page 7 of 7**

ESTIMATED GRANT PAYMENT SCHEDULE for mixed use building: One commercial unit on ground floor with six residential rental units on upper storeys

Year	Grant Factor	Tax Increment*	Grant
1	100%	\$18,552.15	\$18,552.15
2	80%	\$18,552.15	\$14,841.72
3	60%	\$18,552.15	\$11,131.29
4	40%	\$18,552.15	\$ 7,420.86
5	20%	\$18,552.15	\$ 3,710.43
Total		\$92,760.75	\$55,656.45

*Note that the tax increment is based every year on actual taxes for that year. The figures above are estimates. In other words, for each year a grant payment is paid, the actual taxes for the year of the grant payment will be used in the calculation of the grant payment.

ALTERNATIVES FOR CONSIDERATION

Declining a grant and/or approving a reduced amount would undermine the principles of the HTIGP and regeneration efforts in general. This alternative is not recommended.

Financial: Grants totalling \$55,656.45 over a five (5) year period would not be issued.

Staffing: Not applicable

Legal: Not applicable

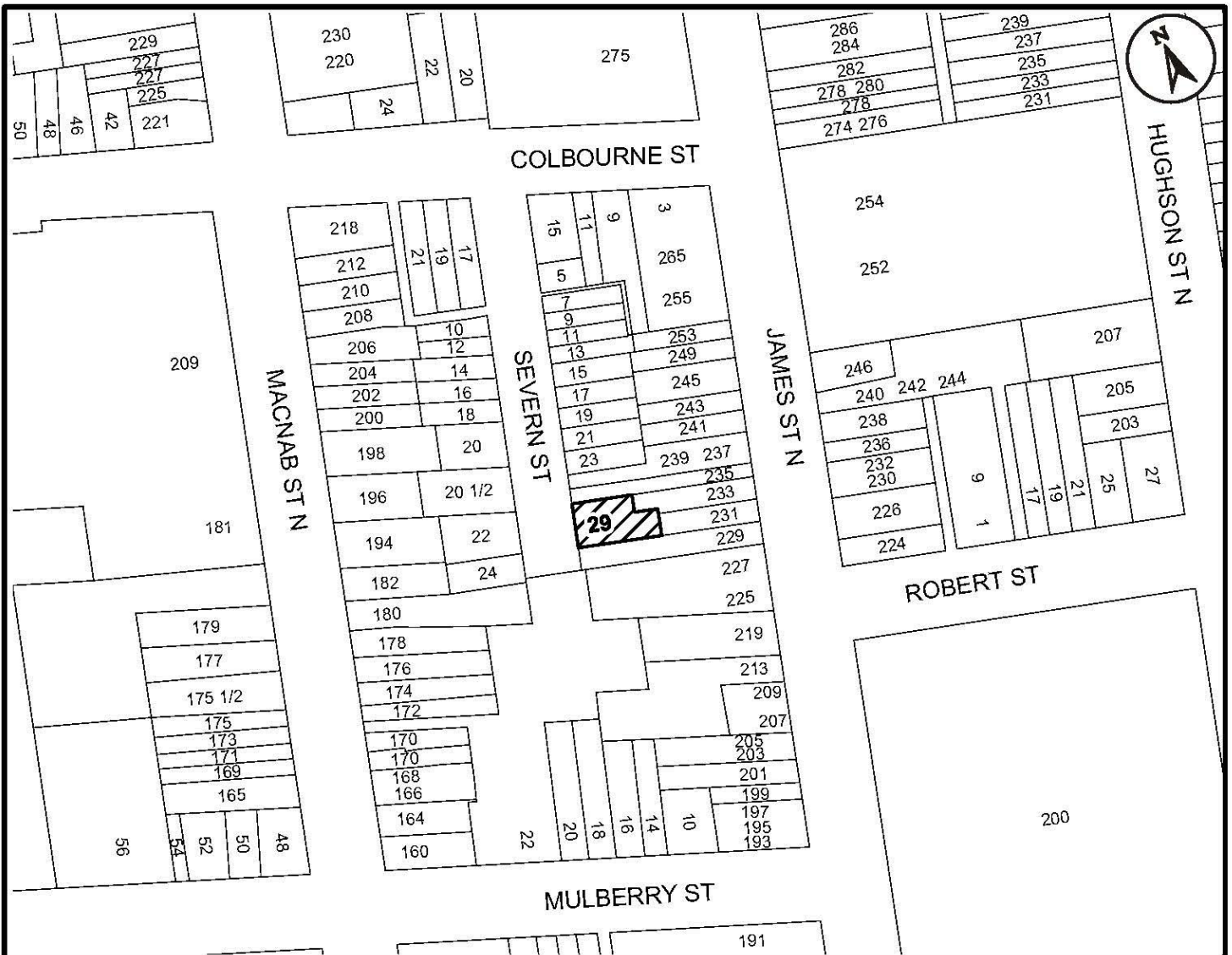
ALIGNMENT TO THE 2016 – 2025 STRATEGIC PLAN

Economic Prosperity and Growth

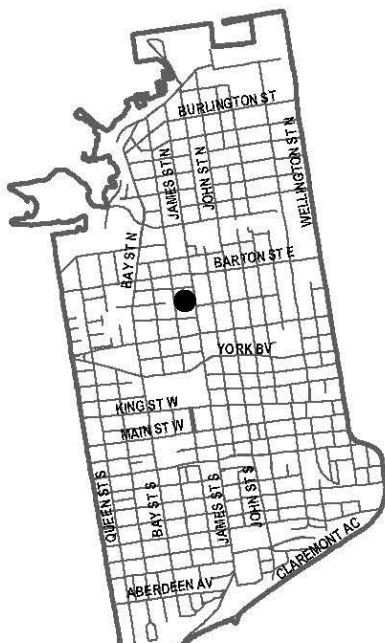
Hamilton has a prosperous and diverse local economy where people have opportunities to grow and develop.

APPENDICES AND SCHEDULES ATTACHED

Appendix “A” to Report PED21066 – Location Map



● Site Location



Location Map



PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT

File Name/Number:
29 Severn St

Date:
Dec. 17, 2017

Appendix "A"

Scale:
N.T.S.

Planner/Technician:
CG/AL

Subject Property

 29 Severn Street



Hamilton

**SCHOOL BOARD PROPERTIES SUB-COMMITTEE
REPORT 21-001**

Monday, 12 April, 2021

Due to the COVID-19 and the closure of City Hall, this meeting was held virtually.

Present: Councillor C. Collins (Chair)
Councillors S. Merulla (Vice Chair) and T. Jackson

**Absent with
Regrets:** Councillors T. Whitehead - Leave of Absence and J. Partridge -
Personal

**THE SCHOOL BOARD PROPERTIES SUB-COMMITTEE PRESENTS REPORT 21-001
AND RESPECTFULLY RECOMMENDS:**

- 1. Hamilton-Wentworth District School Board Property at 441 Old Brock Road, Flamborough (PED21068) (Ward 13) (Item 10.1)**
 - (a) That staff be authorized and directed to advise the Hamilton-Wentworth District School Board (HWDSB) that the City of Hamilton has no interest in acquiring its property located at 441 Old Brock Road, Flamborough, as shown on Appendix "A" attached to Report PED21068; and,
 - (b) That staff be directed to advise the HWDSB of the City of Hamilton's site development requirements as identified in Appendix "B" attached to Report PED21068.

- 2. Hamilton-Wentworth District School Board Property at 1886 Governor's Road, Ancaster (PED21069) (Ward 12) (Item 10.2)**
 - (a) That staff be authorized and directed to advise the Hamilton-Wentworth District School Board (HWDSB) that the City of Hamilton has no interest in acquiring its property located at 1886 Governor's Road, Ancaster, as shown on Appendix "A" attached to Report PED21069; and,
 - (b) That staff be directed to advise the (HWDSB) of the City of Hamilton's site development requirements as identified in Appendix "B" attached to Report PED21069.

3. Hamilton-Wentworth District School Board Property at 1279 Seaton Road, Flamborough (PED21070) (Ward 13) (Item 10.3)

- (a) That staff be authorized and directed to advise the Hamilton-Wentworth District School Board (HWDSB) that the City of Hamilton has no interest in acquiring its property located at 1279 Seaton Road, Flamborough, as shown on Appendix “A” attached to Report PED21070; and,
- (b) That staff be directed to advise the (HWDSB) of the City of Hamilton’s site development requirements as identified in Appendix “B” attached to Report PED21070.

4. Hamilton-Wentworth District School Board Property at 1346 Concession 4 West, Flamborough (PED21071) (Ward 13)

- (a) That staff be authorized and directed to advise the Hamilton-Wentworth District School Board (HWDSB) that the City of Hamilton has no interest in acquiring its property located at 1346 Concession 4 West, Flamborough, as shown on Appendix “A” attached to Report PED21071; and,
- (b) That staff be directed to advise the (HWDSB) of the City of Hamilton’s site development requirements as identified in Appendix “B” attached to Report PED21071.

5. Hamilton-Wentworth District School Board Property at 299 Barton Street, Stoney Creek (PED21082) (Ward 10) (Item 10.5)

- (a) That staff be authorized and directed to advise the Hamilton-Wentworth District School Board (HWDSB) that the City of Hamilton has no interest in acquiring its property located at 299 Barton Street, Stoney Creek, as shown on Appendix “A” attached to Report PED21082; and
- (b) That staff be directed to advise the HWDSB of the City of Hamilton’s site development requirements as identified in Appendix “B” attached to Report PED21082.

FOR INFORMATION:

(a) CHANGES TO THE AGENDA (Item 2)

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

The agenda for the April 12, 2021 meeting of the School Board Properties Sub-Committee was approved, as presented.

(b) DECLARATIONS OF INTEREST (Item 3)

There were no declarations of interest.

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

(i) December 17, 2019 (Item 4.1)

The Minutes of the December 17, 2019 meeting of the School Board Properties Sub-Committee were approved, as presented.

(d) ADJOURNMENT (Item 15)

There being no further business, the School Board Properties Sub-Committee adjourned at 1:37 p.m.

Respectfully submitted,

Councillor C. Collins, Chair
School Board Properties Sub-
Committee

Loren Kolar
Legislative Coordinator
Office of the City Clerk



Hamilton

**West Harbour Development Sub-Committee
Report 21-001**

11:00 a.m.

**Tuesday, April 13, 2020
Room 264, 2nd Floor, City Hall
71 Main Street West
Hamilton, Ontario**

Present: Mayor F. Eisenberger
Councillors J. Farr (Chair), M. Wilson (Vice-Chair), C. Collins, and
J.P. Danko

THE WEST HARBOUR DEVELOPMENT SUB-COMMITTEE PRESENTS REPORT 21-001 AND RESPECTFULLY RECOMMENDS:

- 1. Pier 8 Animation Program and HWT (Discovery) Centre - Status Update (PED21090) (Ward 2) (Item 10.1) (Attached hereto as Appendix "A")**
 - (a) That staff prepare a long-term strategy including an assessment of the existing conditions of the HWT (former Discovery) Centre building including the cost of existing operations, future capital requirements, planning approvals, parking requirements, real estate evaluations, market soundings, and other relevant due diligence, and report back to the West Harbour Development Sub Committee identifying options for future uses of the property, as well as various ownership and/or operating models;
 - (b) That staff promote the availability of the HWT (former Discovery) Centre property for lease, on the following conditions, and report back to the Sub Committee:
 - (i) Any currently unoccupied and available space within and outside of the building;
 - (ii) Suitable uses being restricted to permitted zoning/land use regulations, with a preference for outdoor year-round programming/animation, and a desire for variety, including some food and beverage;
 - (iii) Minimum Term of 1-year and a Maximum Term of 5 years, with potential for options;
 - (iv) Structured on a Fully Net and Carefree basis;

- (v) A portion of the space be available for some public meetings or events.

FOR INFORMATION:**(a) CHANGES TO THE AGENDA (Item 2)**

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

13. GENERAL INFORMATION/OTHER BUSINESS (Item 13)**13.1 Amendments to the Outstanding Business List****13.1.a. Items Considered Complete and to Be Removed**

- (i) Animation of Piers 5-8 Lands
Item on OBL: 20-A
Addressed as Item 10.1 on today's agenda

The Agenda for the April 13, 2021 meeting of the West Harbour Development Sub-Committee were approved, as amended.

(b) DECLARATIONS OF INTEREST (Item 3)

There were no declarations of interest.

(c) APPROVAL OF MINUTES (Item 4)**(i) December 2, 2020 (Item 4.1)**

The Minutes for the December 2, 2020 meeting of the West Harbour Development Sub-Committee were approved, as presented.

(d) DISCUSSION ITEMS**(i) Amendment to the Project Management Agreement Between the City of Hamilton and the Hamilton Waterfront Trust (PW19090(a)) (Ward 2)**

Staff were directed to report back to the West Harbour Development Sub-Committee, after consultation with Hamilton Waterfront Trust, with information regarding changes to the scope of work to deliver the Piers 5-7 works given the increase in total project cost to \$23.5M that would justify the proposed increase in project management fees.

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

(i) Amendments to the Outstanding Business List (Added Item 13.1)

The following amendments to the Outstanding Business List, were approved:

13.1 (a) Items Considered Complete and to Be Removed

- (i) Animation of Piers 5-8 Lands
Item on OBL: 20-A
Addressed as Item 10.1 on today's Agenda

(f) ADJOURNMENT (Item 15)

There being no further business, the West Harbour Development Sub-Committee was adjourned at 11:48 a.m.

Respectfully submitted,

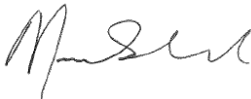
Councillor J. Farr, Chair
West Harbour Development
Sub-Committee

Tamara Bates
Legislative Coordinator
Office of the City Clerk

Appendix "A" to West Harbour Development Sub-Committee Report 21-001



CITY OF HAMILTON
PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT
Economic Development Division

TO:	Chair and Members West Harbour Development Sub Committee
COMMITTEE DATE:	April 13, 2021
SUBJECT/REPORT NO:	Pier 8 Animation Program and HWT (Discovery) Centre - Status Update (PED21090) (Ward 2) (Outstanding Business List Item)
WARD(S) AFFECTED:	Ward 2
PREPARED BY:	Chris Phillips (905) 546-2424 Ext. 5304 Ray Kessler (905) 546-2424 Ext. 7019
SUBMITTED BY:	Norm Schleeahn Director, Economic Development Planning and Economic Development Department
SIGNATURE:	

RECOMMENDATION

- (a) That staff prepare a long-term strategy including an assessment of the existing conditions of the HWT (former Discovery) Centre building including the cost of existing operations, future capital requirements, planning approvals, parking requirements, real estate evaluations, market soundings, and other relevant due diligence, and report back to the West Harbour Development Sub Committee identifying options for future uses of the property, as well as various ownership and/or operating models;
- (b) That staff promote the availability of the HWT (former Discovery) Centre property for lease, on the following conditions, and report back to the Sub Committee:
- i) Any currently unoccupied and available space within and outside of the building;
 - ii) Suitable uses being restricted to permitted zoning/land use regulations, with a preference for outdoor year-round programming/animation, and a desire for variety, including some food and beverage;
 - iii) Minimum Term of 1-year and a Maximum Term of 5 years, with potential for options;

OUR Vision: To be the best place to raise a child and age successfully.

OUR Mission: To provide high quality cost conscious public services that contribute to a healthy, safe and prosperous community, in a sustainable manner.

OUR Culture: Collective Ownership, Steadfast Integrity, Courageous Change, Sensational Service, Engaged Empowered Employees.

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- iv) Structured on a Fully Net and Carefree basis;
- v) A portion of the space be available for some public meetings or events.

EXECUTIVE SUMMARY

On December 16, 2020, Council approved GIC Report 20-023, which included the West Harbour Development Sub-Committee Report 20-001 dated December 2, 2020 including the following Motion:

West Harbour Waterfront Re-Development Plan – Implementation Status Update (PED17181(b))

- (i) *Animation of Piers 5-8 Lands*
 - (1) *That staff from the Tourism and Culture Division be directed to prepare and execute an agreement with an external entity to a maximum value of \$40,000 for the implementation of operating and programming temporary animation of the Piers 5 to 8 lands, inclusive of the Waterfront Trust Centre (formerly the Discovery Centre), with nominal cost for leasing of the lands, for the 2021-2022 seasons, to be funded through Project 4411606003 (West Harbour Community Engagement) in a manner and on conditions deemed appropriate by the General Manager of the Planning and Economic Development Department, and in a form acceptable to the City Solicitor; and,*
 - (2) *That staff be directed to report back to the West Harbour Development Sub-Committee, by the end of the first quarter of 2021, with interim and long-term strategies for the use of the Waterfront Trust Centre (formerly the Discovery Centre), including animation of the surrounding outdoor area; and*
- ii) *That Report PED17181(b), respecting West Harbour Waterfront Re-Development Plan – Implementation Status Update, be received.*

This Report PED21090 provides a status update on both items identified.

Piers 6 and 7 Temporary Programming & Animation Plan

Staff have executed a Letter of Agreement with Whitney McMeekin for the operation and programming of temporary animation of the Pier 8 lands, in compliance with the Council direction and existing City policies. The agreement is for the geographic area directly adjacent to the HWT (former Discovery) Centre building and covers the timeframe from mid-spring 2021 to the end of summer 2021. The agreement ensures the programming will take many forms including festivals and temporary public art to community gatherings, will engage a minimum of four (4) community partners in diverse

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arts / cultural programming, and will preserve accessibility for all citizens by not charging an entry fee to the Program area. It should be noted that all activations will comply with provincial and local City of Hamilton COVID-19 guidelines and all other applicable regulations in effect at the time.

As identified in Report PED17181(b), the City's facilities group is responsible for the management of the building and the Hamilton Waterfront Trust (HWT) continues to be retained to operate and maintain the building on a day-to-day basis, as well as managing the programming and rental bookings. Staff expect this relationship to continue throughout 2021, in compliance with all applicable guidelines and regulations.

Developing a Long-term Strategy for the HWT (former Discovery) Centre Building

Report PED17181(b) identified the short-term and long-term future of the HWT Centre building as an important emerging issue over the 2021-2022 timeframe. The report highlighted some of the complexities of the site, its past uses, the community interest in the building's future, and the direct and indirect relationship with the adjacent Pier 8 development.

Report PED21090 seeks approval for staff to prepare an assessment of the existing conditions of the HWT Centre including the cost of existing operations, future capital requirements, planning approvals, parking requirements, real estate evaluations, market soundings, and other relevant due diligence, and report back to the West Harbour Development Sub Committee identifying options for future uses for the property, as well as various ownership and/or operating models.

Report PED17181(b) also indicated that several private and non-profit entities, including the City's Successful Proponent of the Pier 8 Development Opportunity, the Waterfront Shores Corporation (WSC), have approached staff with an interest in pursuing the building for various uses.

Staff are proposing a framework for pursuing the lease-up of the property and for any future lease negotiations of the building and will report back to the West Harbour Development Sub Committee on any proposed agreements.

Alternatives for Consideration – See Page 6

FINANCIAL – STAFFING – LEGAL IMPLICATIONS

Financial: N/A

Staffing: N/A

Legal: N/A

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HISTORICAL BACKGROUND

On December 16, 2020, Council approved GIC Report 20-023, which included the West Harbour Development Sub-Committee Report 20-001 dated December 2, 2020 including report PED17181(b) entitled West Harbour Waterfront Re-Development Plan – Implementation Status Update.

Prior to this, on November 27, 2019, Council approved GIC Report 19-024 containing Report PED19191(a) entitled Pier 6 and 7 Land Disposition and Interim Activation Plan. This report approved capital funding of up to \$40,000 and directed staff to retain an external entity to plan and operate a temporary animation program located on the Piers 5 to 8 lands, during the 2020 season (spring-fall). Although staff from the Tourism and Culture Division were preparing to enact the direction, the COVID-19 pandemic restricted the ability to execute the envisioned plan, and no further action was taken.

POLICY IMPLICATIONS AND LEGISLATED REQUIREMENTS

N/A

RELEVANT CONSULTATION

No formal consultation has taken place on the recommendations outside of West Harbour and Real Estate staff.

ANALYSIS AND RATIONALE FOR RECOMMENDATION

The HWT Centre building is a City-owned facility, that has been primarily vacant for the past few years. Initially built and operated as the Parks Canada Marine Discovery Centre, the building footprint is zoned for institutional use, but has most recently been used as a full-service restaurant with waterfront patio and an informal event and meeting facility. Upon closure, the internal and patio restaurant furnishings and fixtures were removed, leaving the former restaurant primarily vacant open interior space. Parks Canada still occupies the north-east portion of the building as office-space, with the remainder consisting of an entrance lobby, two small meeting rooms with waterfront patio access, a 50-seat theatre, washroom facilities, and direct access to the north portion of the waterfront trail.

The long-term future of the building has been a topic of discussion at Council and within the community. Opinions vary on the future-state, but generally they can be categorized into the following broad categories:

- i) Remain a City-owned facility with primarily public-uses (e.g. library, museum, community space);

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- ii) Remain a City-owned facility with a combination of private and public uses (e.g. restaurant, convention facility, other commercial uses); or
- iii) Dispose of the property (long-term lease or sale), with or without restrictions.

On January 24, 2018, Council approved GIC Report 18-002, which included direction to investigate the feasibility of incorporating the former Parks Canada lands/building, into the Pier 8 Request for Proposals (RFP) process and to report back with a recommendation that best maximizes the disposition value, does not adversely affect the value the City can expect to receive from the Pier 8 lands, and best ties into the vision of Setting Sail and the successful developer. Staff informed the RFP Proponents of the Council direction and the general public on March 29, 2018 during a comprehensive Community Conversation Meeting. Although the future of the building was discussed during the Development Agreement (DA) negotiations with the City's Successful Proponent developer, the building was not incorporated into the final agreement.

Over time, several private and non-profit entities have approached staff with an interest in pursuing the building for various uses, and generally the public would like to see activity within the facility. Although not a condition of the DA, WSC has explicitly expressed an interest in obtaining a short-term lease for the building, with a commitment to incorporate a variety of indoor and outdoor uses including food and beverage, the continuation of meeting/event space, as well as office and marketing space for their on-site operations.

The staff recommendations are intended as initial steps in developing a decision-making framework for the future of the site. Staff have identified the need to collate a variety of pertinent background information such as the costs of existing operations, any planned or forecasted capital requirements, existing planning approvals and/or limitations, necessary parking requirements, real estate evaluations, market soundings, and other relevant due diligence information. Staff will review, analyse, and report back to the West Harbour Development Sub Committee, identifying options for future uses for the property, as well as various ownership and/or operating models.

In the interim, staff are also proposing to lease out the building on a short-term basis to maximize use of the property. Taking into consideration the site's prime location, its public ownership, and the desire to create public animation, especially during the initial stages of the Pier 8 construction, Corporate Real Estate staff will conduct a limited market offering and allow for offers over an approximate period of 60 days based on the following:

- i) Any currently unoccupied and available space within and outside of the building;

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- ii) Suitable uses being restricted to permitted zoning/land use regulations, with a preference for outdoor year-round programming/animation, and a desire for variety, including some food and beverage;
- iii) Minimum Term of 1-year and a Maximum Term of 5 years, with potential for options;
- iv) Structured on a Fully Net and Carefree basis;
- v) A portion of the space be available for some public meetings or events.

This framework is consistent with the City's real estate policies and procedures. Staff will report back to the Sub-Committee with proposed tenancies for approval of lease terms and conditions.

ALTERNATIVES FOR CONSIDERATION

On December 16, 2020, Council approved GIC Report 20-023, including the direction that staff report back to the West Harbour Development Sub-Committee, by the end of the first quarter of 2021, with interim and long-term strategies for the use of the HWT Centre, including animation of the surrounding outdoor area. The staff recommendations of Report PED21090 expand the previous direction by providing further specificity to the previous direction.

Alternative #1 – Do not Approve

If the staff recommendations are not approved, staff will proceed to execute the December 16, 2020 direction, and will report back to the Sub-Committee with interim and long-term strategies for the use of the Waterfront Trust Centre (formerly the Discovery Centre), including animation of the surrounding outdoor area.

ALIGNMENT TO THE 2016 – 2025 STRATEGIC PLAN

Economic Prosperity and Growth

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

Culture and Diversity

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

APPENDICES AND SCHEDULES ATTACHED

N/A