



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

**Meeting #:** 21-016  
**Date:** August 9, 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

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**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. July 5, 2021

**5. COMMUNICATIONS**

**6. DELEGATION REQUESTS**

**7. CONSENT ITEMS**

7.1. Business Improvement Area Advisory Committee Minutes 21-006, June 8, 2021

- 7.2. International Village Business Improvement Area (BIA) Revised Board of Management (PED21150) (Ward 2)

**8. STAFF PRESENTATIONS**

- 8.1. COVID-19 Verbal Update

**9. PUBLIC HEARINGS / DELEGATIONS**

- 9.1. Paven Bratch, Metro Partners Inc. respecting Item 10.1 - Report PED21109, Feasibility of Creating a Technology Hub on South City Hall Lands (no copy)

**10. DISCUSSION ITEMS**

- 10.1. Feasibility of Creating a Technology Hub on South City Hall Lands (PED21109) (Ward 2)
- 10.2. Environmental Remediation and Site Enhancement (ERASE) Redevelopment Grant Application, 260 and 276 Dunsmure Road, Hamilton ERG-18-04 (PED21148) (Ward 3)
- 10.3. Business Improvement Area Advisory Committee Report 21-007, July 13, 2021
- 10.4. Canada Community Revitalization Fund Initial Intake (FCS21077) (City Wide)
- 10.5. Farmers' Markets - Rent Relief and Governance Comparators (PED21158) (City Wide)
- 10.6. Advisory Committee for Persons with Disabilities Report 21-007, July 13, 2021
- 10.7. Hate Flags and Symbols (CM19006(f)/LS19031(e)) (City Wide)
- 10.8. 2021 Property and Liability Insurance Renewal Report (LS21027) (City Wide)

**11. MOTIONS**

**12. NOTICES OF MOTION**

**13. GENERAL INFORMATION / OTHER BUSINESS**

- 13.1. Amendments to the Outstanding Business List
  - 13.1.a. Proposed New Due Dates:

- 13.1.a.a. Potential Solutions to the Chedoke Creek Matter  
 Current Due Date: July 5, 2021  
 Proposed New Due Date: December 8, 2021
- 13.1.a.b. Budgetary Plan to Address the Chedoke Creek Matter  
 Current Due Date: July 5, 2021  
 Proposed New Due Date: September 22, 2021
- 13.1.a.c. Election Expense Reserve Needs related to consideration of  
 Internet Voting for the 2026 Municipal Election  
 Current Due Date: August 9, 2021  
 Proposed New Due Date: September 22, 2021

#### 14. PRIVATE AND CONFIDENTIAL

##### 14.1. Closed Session Minutes - July 5, 2021

Pursuant to Section 9.1, Sub-sections (c), (d), (e), (f) and (k) of the City's Procedural By-law 21-021; and, Section 239(2), Sub-sections (c), (d), (e), (f) and (k) 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; labour relations or employee negotiations; litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board; advice that is subject to solicitor-client privilege, including communications necessary for that purpose; and, a position, plan, procedure, criteria or instruction to be applied to any negotiations carried on or to be carried on by or on behalf of the municipality or local board.

##### 14.2. Disposition of City-Owned Property (PED21154) (Ward 12)

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.

##### 14.3. Human Services Integration (HSC21032) (City Wide)

Pursuant to Section 9.1, Sub-section (b) of the City's Procedural By-law 21-021 and Section 239(2), Sub-section (b) of the *Ontario Municipal Act*, 2001, as amended, as the subject matter pertains to personal matters about an identifiable individual, including municipal or local board employees.

- 14.4. Proposed Settlement of Appeals by 2362302 Ontario Inc. and West End Home Builders Association of City of Hamilton Development Charges By-law 14-153 (LS21024 / FCS21067 / PED21152) (City Wide)

Pursuant to Section 9.1, Sub-sections (e), (f) and (k) of the City's Procedural By-law 21-021 and Section 239(2), Sub-sections (e), (f) and (k) of the *Ontario Municipal Act*, 2001, as amended, as the subject matter pertains to litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board; advice that is subject to solicitor-client privilege, including communications necessary for that purpose; and, a position, plan, procedure, criteria or instruction to be applied to any negotiations carried on or to be carried on by or on behalf of the municipality or local board.

**15. ADJOURNMENT**



## GENERAL ISSUES COMMITTEE MINUTES 21-014

9:30 a.m.

Monday, July 5, 2021

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

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

**Absent:** Councillor T. Whitehead – Leave of Absence

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

**1. Assessing COVID Related Financial Impacts on Local Farmers' Markets (PED21141) (City Wide) (Item 7.2)**

**(Farr/Partridge)**

That the Report PED21141, respecting Assessing COVID Related Financial Impacts on Local Farmers' Markets, be received.

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

Absent	-	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, Deputy Mayor
Yes	-	Ward 5 Councillor Chad Collins
Yes	-	Ward 6 Councillor Tom Jackson
Yes	-	Ward 7 Councillor Esther Pauls
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. Chedoke Creek Order - Cootes Paradise Workplan (PW19008(m)) (City Wide)  
(Item 8.2)**

**(Wilson/Jackson)**

That Report PW190098(m), respecting the Chedoke Creek Order - Cootes Paradise Workplan, 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, Deputy Mayor
Yes	-	Ward 5 Councillor Chad Collins
Yes	-	Ward 6 Councillor Tom Jackson
Yes	-	Ward 7 Councillor Esther Pauls
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

**3. City Manager's 2020 - 2021 Review (CM21006) (City Wide) (Item 8.3)**

**(Ferguson/Jackson)**

That Report CM21006, respecting the City Manager's 2020 - 2021 Review, 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, Deputy Mayor
Yes	-	Ward 5 Councillor Chad Collins
Yes	-	Ward 6 Councillor Tom Jackson
Yes	-	Ward 7 Councillor Esther Pauls
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

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Yes - Ward 13 Councillor Arlene VanderBeek  
Absent - Ward 14 Councillor Terry Whitehead  
Yes - Ward 15 Councillor Judi Partridge

**4. Hamilton Tax Increment Grant - 154 Main Street East, Hamilton (PED21115)  
(Ward 2) (Item 10.1)**

**(Jackson/Collins)**

- (a) That a Hamilton Tax Increment Grant Program Application, submitted by 1970703 Ontario Inc. (Darko Vranich) for the property known as 154 Main Street East, Hamilton, estimated at \$1,211,018.67 over a maximum of a five (5) year period, based upon the incremental tax increase attributable to the development of 154 Main Street East, 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 give effect to the Hamilton Tax Increment Grant for 1970703 Ontario Inc. for the property known as 154 Main Street East, Hamilton, in a form satisfactory to the City Solicitor; and,
- (c) That the General Manager of the Planning and Economic Development Department be authorized to approve and execute any Grant Amending Agreements, together with any ancillary amending documentation, if required, provided that the terms and conditions of the Hamilton Tax Increment Grant Program, as approved by City Council, are maintained.

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

**5. Capital Projects Work-in-Progress Sub-Committee Report 21-002, June 21, 2021 (Item 10.3)****(Danko/Nann)****(a) Capital Project Closing Report as of December 31, 2020 (FCS20079(b))  
(City Wide) (Item 10.1)**

- (i) That the General Manager, Finance and Corporate Services, be authorized and directed to transfer \$221,437 to the Unallocated Capital Levy Reserve (108020) and \$97,064 from other sources, as outlined in Appendix "A" to Capital Projects Work-in-Progress Review Sub-Committee Report 21-002;
- (ii) That the General Manager, Finance and Corporate Services, be authorized and directed to close the completed and / or cancelled capital projects listed in Appendix "B" to Capital Projects Work-in-Progress Review Sub-Committee Report 21-002, in accordance with the Capital Projects Closing and Monitoring Policy;
- (iii) That Appendix "C" to Report FCS20079(b), Capital Projects Budget Appropriations for the period covering October 1, 2020 through December 31, 2020, be received for information;
- (iv) That Appendix "C" to Capital Projects Work-in-Progress Review Sub-Committee Report 21-002, Capital Projects Budget Appropriations of \$250,000 or greater and Capital Project Reserve Funding requiring Council authorization, be approved;
- (v) That the General Manager, Finance and Corporate Services, be authorized and directed to transfer \$2,234,783 from the Unallocated Capital Levy Reserve (108020) and return \$2,234,783 to the Federal Gas Tax Reserve (112213) for various projects, as outlined in Appendix "D" to Capital Projects Work-in-Progress Review Sub-Committee Report 21-002, for the purpose of funding ineligible expenditures, pursuant to the Federal Gas Tax Municipal Funding Agreement; and,
- (vi) That the projects listed in Appendix "E" to Capital Projects Work-in-Progress Review Sub-Committee Report 21-002, that were inadvertently closed during capital work-in-progress review, be re-opened.

**(b) Capital Projects Status Report as of December 31, 2020 (FCS20078(b))  
(City Wide) (Item 10.2)**



- (i) That the Capital Projects Status Report – Tax Supported, as of December 31, 2020, attached as Appendix “A” to Report FCS20078(b), be received;
- (ii) That the Capital Projects Status Report – Rate Supported, as of December 31, 2020, attached as Appendix “B” to Report FCS20078(b), be received; and,
- (iii) That the confidential Appendix “C” to Report FCS20078(b), respecting the Capital Projects Status Report as of December 31, 2020, be received and remain confidential.

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

Yes	-	Mayor Fred Eisenberger
Yes	-	Ward 1 Councillor Maureen Wilson
Absent	-	Ward 2 Councillor Jason Farr
Yes	-	Ward 3 Councillor Nrinder Nann
Yes	-	Ward 4 Councillor Sam Merulla, Deputy Mayor
Yes	-	Ward 5 Councillor Chad Collins
Yes	-	Ward 6 Councillor Tom Jackson
Yes	-	Ward 7 Councillor Esther Pauls
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 VanderBeeck
Absent	-	Ward 14 Councillor Terry Whitehead
Absent	-	Ward 15 Councillor Judi Partridge

**6. School Board Properties Sub-Committee Report 21-002, June 22, 2021 (Item 10.5)**

**(Partridge/Clark)**

**(a) Hamilton-Wentworth District School Board Property at 350 Albright Road, Stoney Creek (PED21128) (Ward 5) (Item 10.1)**

- (i) 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 350 Albright Road, Stoney Creek, as shown on Appendix “A” attached to Report PED21128; and,
- (ii) That staff be directed to advise the Hamilton-Wentworth District School Board of the City of Hamilton’s site development requirements, as identified in Appendix “B” attached to Report PED21128.

- (b) Hamilton-Wentworth District School Board Property at 140 Glen Echo Drive, Stoney Creek (PED21129) (Ward 5) (Item 10.2)**
- (i) 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 140 Glen Echo Drive, Stoney Creek, as shown on Appendix “A” attached to Report PED21129; and,
  - (ii) That staff be directed to advise the Hamilton-Wentworth District School Board of the City of Hamilton’s site development requirements, as identified in Appendix “B” attached to Report PED21129.
- (c) Hamilton-Wentworth District School Board Property at 45 Randall Avenue, Stoney Creek (PED21130) (Ward 5) (Item 10.3)**
- (i) 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 45 Randall Avenue, Stoney Creek, as shown on Appendix “A” attached to Report PED21130; and,
  - (ii) That staff be directed to advise the Hamilton-Wentworth District School Board of the City of Hamilton’s site development requirements, as identified in Appendix “B” attached to Report PED21130.
- (d) Hamilton-Wentworth District School Board Property at 630-640 Rymal Road East, Hamilton (PED21131) (Ward 7) (Item 14.1)**
- (i) That the Manager of Real Estate, or designate, be authorized and directed to advise the Hamilton-Wentworth District School Board (HWDSB) that the City of Hamilton may have an interest in the acquisition of the lands located at 630-640 Rymal Road East, Hamilton, as shown and legally described in Appendix “A” attached to Report PED21131;
  - (ii) That staff be authorized and directed to complete the due diligence work in preparation for the potential acquisition of the of the lands located at 630-640 Rymal Road East, Hamilton, to be funded from the Property Purchases and Sales Capital Account No. 3562850200;
  - (iii) That staff be directed to report back to the School Board Properties Sub-Committee, as to its due diligence findings, refined acquisition and post-acquisition cost estimates, funding model and its recommendations for the City to submit an Offer to Purchase the

Hamilton-Wentworth District School Board lands located at 630-640 Rymal Road East, Hamilton; and,

- (iv) That Report PED21131, respecting Hamilton-Wentworth District School Board Property at 630-640 Rymal Road East, Hamilton, remain confidential and not be released as a public document.

**(e) Hamilton-Wentworth District School Board Property at 20 Lake Avenue South, Stoney Creek (PED21132) (Ward 5) (Item 14.2)**

- (i) That the Manager of Real Estate, or designate, be authorized and directed to advise the Hamilton-Wentworth District School Board (HWDSB) that the City of Hamilton may have an interest in the acquisition of the lands located at 20 Lake Avenue South, Stoney Creek, as shown and legally described in Appendix "A" attached to Report PED21132;
- (ii) That staff be authorized and directed to complete the due diligence work in preparation for the potential acquisition of the Hamilton-Wentworth District School Board lands located at 20 Lake Avenue South, Stoney Creek;
- (iii) That staff be directed to establish a Capital Account Project I.D. to be funded from the Parkland Acquisition Reserve No. 108050, for use as the funding source for all costs related to the due diligence for the potential acquisition of the Hamilton-Wentworth District School Board lands located at 20 Lake Avenue South, Stoney Creek;
- (iv) That staff be directed to report back to the School Board Properties Sub-Committee, as to its due diligence findings, refined acquisition and post-acquisition cost estimates, funding model and its recommendations for the City to submit an Offer to Purchase the Hamilton-Wentworth District School Board lands located at 20 Lake Avenue South, Stoney Creek; and,
- (v) That Report PED21132, respecting the Hamilton-Wentworth District School Board Property at 20 Lake Avenue South, Stoney Creek, remain confidential and not be released as a public document.

**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, Deputy Mayor |
| Yes | - | Ward 5 Councillor Chad Collins              |

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Yes	-	Ward 6	Councillor Tom Jackson
Yes	-	Ward 7	Councillor Esther Pauls
Conflict	-	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

**7. Advisory Committee for Persons with Disabilities Report 21-006, June 8, 2021  
(Item 10.6)**

**(Collins/Partridge)**

**(a) Correspondence from Mary Sinclair respecting Resignation from the  
Advisory Committee for Persons with Disabilities (Item 4.2)**

- (i) That the Correspondence from Mary Sinclair respecting her resignation from the Advisory Committee for Persons with Disabilities (ACPD), be received;
- (ii) That the Selection Committee be reconvened to review the original applications submitted for the Advisory Committee for Persons with Disabilities (ACPD), during the initial 2018-2022 recruitment process; and,
- (iii) That the Committee Clerk be directed to prepare a letter and expression of gratitude to be sent to Mary Sinclair for her service on behalf of the Advisory Committee for Persons with Disabilities.

**(b) Appointment of Tom Manzuk to the Outreach Working Group of the  
Advisory Committee for Persons with Disabilities (Item 6.3(c))**

That Tom Manzuk be appointed to the Outreach Working Group of the Advisory Committee for Persons with Disabilities for the remainder of the 2018 – 2022 Term of Council.

**(c) Advisory Committee for Persons with Disabilities Informational  
Pamphlet (Item 6.3(d))**

WHEREAS, in an effort to educate the public regarding the role and function of the Advisory Committee for Persons with Disabilities (ACPD) with respect to City Council, the Outreach Working Group of ACPD has designed an informational pamphlet to be used in outreach efforts in the community; and,

WHEREAS, the Advisory Committee for Persons with Disabilities logo was approved by Council on May 12, 2021 (see Item 5(b) of Audit, Finance and Administration Committee Report 21-007 for reference) to be used in outreach efforts in the community alongside the City of Hamilton logo in accordance with the City of Hamilton Brand Guidelines;

THEREFORE, BE IT RESOLVED:

- (i) That the Advisory Committee for Persons with Disabilities informational pamphlet, attached as Appendix "A" to Advisory Committee for Persons with Disabilities Report 21-006, to be used in outreach efforts in the community, be approved; and,
- (ii) That the costs, to an upset limit of \$300, for printing 500 copies of the Advisory Committee for Persons with Disabilities informational pamphlet, to be funded from the Advisory Committee for Persons with Disabilities 2021 Budget, be approved.

**(d) Invitation to Donna Skelly, MPP, to Discuss the Report Entitled "Listening to Ontarians with Disabilities: Report of the Third Review of the *Accessibility for Ontarians with Disabilities Act, 2005*" (Item 10.1)**

WHEREAS, the Advisory Committee for Persons with Disabilities (ACPD) directed staff to prepare correspondence to a Member of Provincial Parliament respecting the report "Listening to Ontarians with Disabilities: Report of the Third Review of the *Accessibility for Ontarians with Disabilities Act, 2005*" (see Item (f)(i) of Advisory Committee for Persons with Disabilities Report 19-003 for reference);

THEREFORE, BE IT RESOLVED:

- (i) That correspondence from the Advisory Committee for Persons with Disabilities, attached as Appendix "B" to Advisory Committee for Persons with Disabilities Report 21-006, respecting an invitation to discuss the report "Listening to Ontarians with Disabilities: Report of the Third Review of the *Accessibility for Ontarians with Disabilities Act, 2005*", be emailed to Donna Skelly, MPP; and,
- (ii) That the Advisory Committee for Persons with Disabilities Outstanding Business List Item 2019-C, respecting Correspondence to a Member of Provincial Parliament respecting Listening to Ontarians with Disabilities: Report of the Third Review of the *Accessibility for Ontarians with Disabilities Act, 2005*, be identified as complete and removed from the Advisory Committee for Persons with Disabilities' Outstanding Business List.

**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, Deputy Mayor
Yes	-	Ward 5 Councillor Chad Collins
Yes	-	Ward 6 Councillor Tom Jackson
Yes	-	Ward 7 Councillor Esther Pauls
Yes	-	Ward 8 Councillor J. P. Danko
Absent	-	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

**8. 2022 Municipal Election: Communication Plan (FCS21071) (City Wide) (Item 10.7)**

**(Johnson/Ferguson)**

- (a) That a one-time increase of \$56,000 be transferred to the Election Expense Reserve (112206) from the Tax Stabilization Reserve to support an enhanced communication plan for the 2022 municipal election;
- (b) That an annual increase of \$14,000 for the Election Expense Reserve (112206), to cover the increased costs to deliver an enhanced communications strategy regarding Municipal Elections for the City of Hamilton, be referred to the 2022 Operating Budget (GIC) deliberations for consideration;
- (c) That a one-time increase of \$40,000 to the Election Expense Reserve (112206) be funded through the Tax Stabilization Reserve to allow for the hiring of four summer students to support the Election communication and outreach plan; and.
- (d) That the Outstanding Business List Item requesting that the City Clerk establish a communications strategy to assist in ensuring residents check and are listed on the municipal elections voters list 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, Deputy Mayor
Yes	-	Ward 5 Councillor Chad Collins
Yes	-	Ward 6 Councillor Tom Jackson
Yes	-	Ward 7 Councillor Esther Pauls
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

**9. Investing in City Roads and Sidewalks Infrastructure with Canada Community-Building Funds (Item 11.1)**

**(Collins/Ferguson)**

WHEREAS, Deputy Prime Minister Freeland announced Bill C-25, An Act to amend the *Federal-Provincial Fiscal Arrangements Act*, to authorize certain payments to be made out of the Consolidated Revenue Fund and to amend another Act, which would permanently rename the Federal Gas Tax Fund to the Canada Community-Building Fund and increase funding by \$2.2 billion in 2021, almost double the allocation for this year, totaling approximately \$4.5 billion;

WHEREAS, Bill C-25 has not yet been enacted by the House of Commons Canada;

WHEREAS, the City of Hamilton expects to receive \$32.7 million in one-time funding under Bill C-25 in 2021;

WHEREAS, Federal Gas Tax Funds must be spent within five years;

WHEREAS, highway infrastructure and infrastructure for local roads and bridges eligible projects under the Federal Gas Tax Agreements includes roads, bridges, tunnels, highways and active transportation infrastructure, referring to investments that support active methods of travel of cycling lanes and paths, sidewalks, hiking and walking trails;

WHEREAS, the City of Hamilton maintains roads related infrastructure with an estimated value of \$6 Billion, and,

WHEREAS, the City of Hamilton has a funding gap that does not maintain our current condition for Roads Related infrastructure;

THEREFORE, BE IT RESOLVED:

- (a) That \$30 million of the estimated \$32.7 million of the one-time funding under Bill C-25, be invested in sidewalk and road repairs (minor maintenance);
- (b) That the funds be allocated equally amongst 15 wards (\$2m per ward); and,
- (c) That staff be directed to report back to the Audit, Finance and Administration Committee with a procurement process that expedites the use of the funds to limit exposure to rising (inflationary) prices.

**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
Absent	-	Ward 3 Councillor Nrinder Nann
Yes	-	Ward 4 Councillor Sam Merulla, Deputy Mayor
Yes	-	Ward 5 Councillor Chad Collins
Yes	-	Ward 6 Councillor Tom Jackson
Yes	-	Ward 7 Councillor Esther Pauls
No	-	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 VanderBeeck
Absent	-	Ward 14 Councillor Terry Whitehead
Yes	-	Ward 15 Councillor Judi Partridge

**10. Amendments to the Outstanding Business List (Item 13.1)**

**(Clark/Ferguson)**

That the following amendments to the General Issues Committee's Outstanding Business List, be approved:

**(a) Items to be Referred to the Planning Committee (Item 13.1.c.):**

- (i) Draft Agreement - Biodiversity Action Plan (Item 13.1.c.a.)
- (ii) Update regarding the Progress of the Biodiversity Action Plan (Item 13.1.c.b.)
- (iii) All other matters related to the Biodiversity Action Plan (Item 13.1.c.c.)

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



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Yes	-	Mayor Fred Eisenberger
Yes	-	Ward 1 Councillor Maureen Wilson
Yes	-	Ward 2 Councillor Jason Farr
Absent	-	Ward 3 Councillor Nrinder Nann
Yes	-	Ward 4 Councillor Sam Merulla, Deputy Mayor
Yes	-	Ward 5 Councillor Chad Collins
Yes	-	Ward 6 Councillor Tom Jackson
Yes	-	Ward 7 Councillor Esther Pauls
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

**11. Disposition of City-Owned Industrial Land (PED21135) (Ward 11) (Item 14.1)**

**(Johnson/Clark)**

- (a) That an Offer to Purchase and Sale for the sale of a portion of City-owned Industrial Land, as identified in Appendix "A" attached to Report PED21135, scheduled to close 60 days after the fulfilment of all conditions, be approved and completed, substantially on terms and conditions, outlined in Appendix "B" attached to Report PED21135, and on such other terms and conditions deemed appropriate by the General Manager, Planning and Economic Development Department, with the net proceeds to be credited to Account No. 5160507001 (North Glanbrook Industrial Business Park Servicing);
- (b) That \$329,820 from the proceeds of the sale of the City-owned Industrial Land, as identified in Appendix "A" attached to Report PED21135, be charged to Project ID Account No. 59806-5160507001 (North Glanbrook Industrial Business Park Servicing) and credited to Dept. ID Account No. 59806-812036 for recovery of expenses including real estate, appraisal, property management and legal fees;
- (c) That the Mayor and City Clerk be authorized and directed to execute any necessary documents respecting the sale of the City-owned Industrial Land, as identified in Appendix "A" attached to Report PED21135, in a form satisfactory to the City Solicitor;
- (d) That the City Solicitor be authorized and directed to complete the sale of the City-owned Industrial Land, as identified in Appendix "A" attached to Report PED21135, on behalf of the City, including paying any necessary expenses, amending the closing, due diligence and other dates, and amending and waiving terms and conditions on such terms as he considers reasonable; and,

- (e) That Report PED21135, respecting the Disposition of City-Owned Industrial Land, remain confidential and not be released as a public document until final completion of the real estate transaction.

**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, Deputy Mayor
Yes	-	Ward 5 Councillor Chad Collins
Yes	-	Ward 6 Councillor Tom Jackson
Yes	-	Ward 7 Councillor Esther Pauls
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
Absent	-	Ward 13 Councillor Arlene VanderBeek
Absent	-	Ward 14 Councillor Terry Whitehead
Yes	-	Ward 15 Councillor Judi Partridge

**12. Surplus and Disposition of City-Owned Land in Ward 12 (PED21124) (Ward 12) (Item 14.2)**

**(Johnson/VanderBeek)**

- (a) That the City-owned land, as shown in Appendix "A" and described in Appendix "B" to attached to Report PED21124, be declared surplus for the purposes of disposition;
- (b) That an Offer to Purchase, for the sale of City-owned land, as shown in Appendix "A" and described in Appendix "B" attached to Report PED21124, substantially on terms and conditions, outlined in Appendix "B" attached to Report PED21124, and on such other terms and conditions deemed appropriate by the General Manager, Planning and Economic Development Department, be approved;
- (c) That the General Manager, Planning and Economic Development Department, or designate, acting on behalf of the City as land owner, be authorized and directed to provide any requisite consents, approvals and notices related to any applications for land use approval related to the sale of City-owned Lands, as shown in Appendix "A" attached to Report PED21124;
- (d) That staff be authorized and directed to transfer all net proceeds from the disposition of the City-owned Lands, as shown in Appendix "A" attached to Report PED21124, including \$37,500 for recovery of expenses including

appraisal, due diligence, property management and real estate and legal fees, to Dept. ID Account No. 47702-3561850200 (Property Purchases and Sales) and \$37,500 be further allocated to Dept. ID Account No. 59806-812036 (Real Estate – Admin Recovery;

- (e) That the City Solicitor be authorized and directed to complete the sale of City-owned Lands, shown in Appendix “A” and described in Appendix “B” attached to Report PED21124, on behalf of the City, including paying any necessary expenses, amending the closing, due diligence and other dates, and amending and waiving terms and conditions on such terms as considered reasonable;
- (f) That the Mayor and City Clerk be authorized and directed to execute any necessary documents respecting the sale of City-owned Lands, as shown in Appendix “A” attached to Report PED21124, in a form satisfactory to the City Solicitor; and,
- (g) That Report PED21124, respecting the Surplus and Disposition of City-Owned Land in Ward 12, remain confidential until final completion of the real estate transaction.

**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, Deputy Mayor
Yes	-	Ward 5 Councillor Chad Collins
Yes	-	Ward 6 Councillor Tom Jackson
Yes	-	Ward 7 Councillor Esther Pauls
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

**13. Planning and Economic Development Realignments - Real Estate Section (PED21134) (City Wide) (Item 14.3)**

**(Jackson/VanderBeek)**

- (a) That the direction provided to staff in Closed Session, respecting Report PED21134 - Planning and Economic Development Realignments – Real Estate Section, be approved; and,

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- (b) That Report PED21134, respecting the Planning and Economic Development Realignments – Real Estate Section, remain confidential until approved by Council.

**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, Deputy Mayor
Yes	-	Ward 5 Councillor Chad Collins
Yes	-	Ward 6 Councillor Tom Jackson
Yes	-	Ward 7 Councillor Esther Pauls
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

**14. Planning and Economic Development Realignments (PED21151) (City Wide)  
(Item 14.4)**

**(Farr/Clark)**

- (a) That the direction provided to staff in Closed Session, respecting Report PED21151 - Realignments in the Planning & Economic Development Department, be approved; and,
- (b) That Report PED21151, respecting Realignments in the Planning & Economic Development Department, remain confidential until approved by Council.

**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, Deputy Mayor
Yes	-	Ward 5 Councillor Chad Collins
Yes	-	Ward 6 Councillor Tom Jackson
Yes	-	Ward 7 Councillor Esther Pauls
Yes	-	Ward 8 Councillor J. P. Danko
Yes	-	Ward 9 Councillor Brad Clark

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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

**15. Red Hill Valley Parkway Inquiry Update (LS19036(e)) (City Wide) (Item 14.5)**

**(Jackson/Collins)**

- (a) That the direction provided to staff in Closed Session, respecting Report LS19036(e) - Red Hill Valley Parkway Inquiry Update, be approved; and,
- (b) That Confidential Appendix "A" attached to Report LS19036(e) - Red Hill Valley Parkway Inquiry Update, remain confidential.

**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, Deputy Mayor
Yes	-	Ward 5 Councillor Chad Collins
Yes	-	Ward 6 Councillor Tom Jackson
Yes	-	Ward 7 Councillor Esther Pauls
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:

**5. ADDED COMMUNICATION ITEM**

- 5.1. Correspondence from the Hamilton ACORN Tenant Union respecting Item 10.2 – Report PED21140, Vacant Homes Tax and Grant Application for 540 King Street East.

Recommendation: Be received and referred to the consideration of Item 10.2.

## **6. ADDED DELEGATION REQUESTS**

- 6.2. Darlene Wesley, ACORN Hamilton, respecting Item 10.2 – Report PED21140, Vacant Homes Tax and Grant Application for 540 King Street East (For the July 5, 2021 GIC)
- 6.3. Elizabeth Ellis, ACORN Hamilton, respecting Item 10.2 – Report PED21140, Vacant Homes Tax and Grant Application for 540 King Street East (For the July 5, 2021 GIC)
- 6.4. Karl Andrus, Hamilton Community Benefits Network respecting Item 10.4 - Report FCS21017(a)/PED21114, Considerations to Implement a Vacant Home Tax in Hamilton (For the July 5, 2021 GIC)
- 6.5. Lynda Lukasik, Environment Hamilton respecting Item 10.4 - Report FCS21017(a)/PED21114, Considerations to Implement a Vacant Home Tax in Hamilton
- 6.6. Veronica Gonzalez, ACORN Hamilton, respecting Item 10.2 – Report PED21140, Vacant Homes Tax and Grant Application for 540 King Street East (For the July 5, 2021 GIC)
- 6.7. Dayna Sparkes, ACORN Hamilton, respecting Item 10.2 – Report PED21140, Vacant Homes Tax and Grant Application for 540 King Street East (For the July 5, 2021 GIC)
- 6.8. Kojo Dampsey, Hamilton Centre for Civic Inclusion, respecting Item 10.4 - Report FCS21017(a)/PED21114, Considerations to Implement a Vacant Home Tax in Hamilton (For the July 5, 2021 GIC)
- 6.9. Delegation Requests with Video Submissions:
  - 6.9.a. David Galvin, ACORN Hamilton, respecting Item 10.4 - Report FCS21017(a)/PED21114, Considerations to Implement a Vacant Home Tax in Hamilton (For the July 5, 2021 GIC)
  - 6.9.b. Rebecca Guzzo, ACORN Hamilton, respecting Item 10.2 – Report PED21140, Vacant Homes Tax and Grant Application for 540 King Street East (For the July 5, 2021 GIC)

- 6.9.c. Ally Shanner, ACORN Hamilton, respecting Item 10.2 – Report PED21140, Vacant Homes Tax and Grant Application for 540 King Street East (For the July 5, 2021 GIC)
- 6.9.d. Brigitte Huard respecting Items 10.2 – Report PED21140, Vacant Homes Tax and Grant Application for 540 King Street East; and, 10.4 - Report FCS21017(a)/PED21114, Considerations to Implement a Vacant Home Tax in Hamilton (for the July 5, 2021 GIC)

## **10. CHANGE TO DISCUSSION ITEMS**

- 10.8 Chedoke Creek Order - Cootes Paradise Workplan (PW19008(m)) (City Wide)

As a presentation has been added to this report, this matter will now be heard under Item 8.2, and the balance of the presentations will be renumbered accordingly.

## **13. ADDED GENERAL INFORMATION / OTHER BUSINESS ITEMS**

- 13.1. Amendments to the Outstanding Business List:

- 13.1.c. Items to be Referred to the Planning Committee:

- 13.1.c.a. Draft Agreement - Biodiversity Action Plan

- 13.1.c.b. Update regarding the Progress of the Biodiversity Action Plan \*13.1.c.c. All other matters related to the Biodiversity Action Plan.

- 13.1.c.c. All other matters related to the Biodiversity Action Plan

## **14. ADDED PRIVATE AND CONFIDENTIAL ITEMS**

- 14.4. Planning and Economic Development Realignment (PED21151) (City Wide)

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

14.5. Red Hill Valley Parkway Inquiry Update (LS19036(e)) (City Wide)

Pursuant to Section 9.1, Sub-sections (e), (f) and (k) of the City's Procedural By-law 21-021 and Section 239(2), Sub-sections (e), (f) and (k) of the *Ontario Municipal Act*, 2001, as amended, as the subject matter pertains to litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board; advice that is subject to solicitor-client privilege, including communications necessary for that purpose; and, a position, plan, procedure, criteria or instruction to be applied to any negotiations carried on or to be carried on by or on behalf of the municipality or local board.

As well, as there are many members of the City's external legal counsel in attendance, therefore, Item 14.5 will be considered prior to Item 14.1 in Closed Session.

**(Farr/Clark)**

That the agenda for the July 5, 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, Deputy Mayor
Yes	-	Ward 5 Councillor Chad Collins
Yes	-	Ward 6 Councillor Tom Jackson
Absent	-	Ward 7 Councillor Esther Pauls
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

**(b) DECLARATIONS OF INTEREST (Item 3)**

- (i) Councillor S. Merulla declared an interest to Item 5.1, Correspondence from the Hamilton ACORN Tenant Union respecting Item 10.2 – Report PED21140, Vacant Homes Tax and Grant Application for 540 King Street East, as he and his wife are rental property landlords.



- (ii) Councillor S. Merulla declared an interest to Item 6.2, the Delegation Request from Darlene Wesley, ACORN Hamilton, respecting Item 10.2 – Report PED21140, Vacant Homes Tax and Grant Application for 540 King Street East, as he and his wife are rental property landlords.
- (iii) Councillor S. Merulla declared an interest to Item 6.3, the Delegation Request from Elizabeth Ellis, ACORN Hamilton, respecting Item 10.2 – Report PED21140, Vacant Homes Tax and Grant Application for 540 King Street East, as he and his wife are rental property landlords.
- (iv) Councillor S. Merulla declared an interest to Item 6.4, the Delegation Request from Karl Andrus, Hamilton Community Benefits Network respecting Item 10.4 - Report FCS21017(a)/PED21114, Considerations to Implement a Vacant Home Tax in Hamilton, as he and his wife are rental property landlords.
- (v) Councillor S. Merulla declared an interest to Item 6.5, the Delegation Request from Lynda Lukasik, Environment Hamilton respecting Item 10.4 - Report FCS21017(a)/PED21114, Considerations to Implement a Vacant Home Tax in Hamilton, as he and his wife are rental property landlords.
- (vi) Councillor S. Merulla declared an interest to Item 6.6, the Delegation Request from Veronica Gonzalez, ACORN Hamilton, respecting Item 10.2 – Report PED21140, Vacant Homes Tax and Grant Application for 540 King Street East, as he and his wife are rental property landlords.
- (vii) Councillor S. Merulla declared an interest to Item 6.7, the Delegation Request from Dayna Sparkes, ACORN Hamilton, respecting Item 10.2 – Report PED21140, Vacant Homes Tax and Grant Application for 540 King Street East, as he and his wife are rental property landlords.
- (viii) Councillor S. Merulla declared an interest to Item 6.8, the Delegation Request from Kojo Dampthey, Hamilton Centre for Civic Inclusion, respecting Item 10.4 - Report FCS21017(a)/PED21114, Considerations to Implement a Vacant Home Tax in Hamilton, as he and his wife are rental property landlords.
- (ix) Councillor S. Merulla declared an interest to Item 6.9.a., the video Delegation Request from David Galvin, ACORN Hamilton, respecting Item 10.4 - Report FCS21017(a)/PED21114, Considerations to Implement a Vacant Home Tax in Hamilton, as he and his wife are rental property landlords.
- (x) Councillor S. Merulla declared an interest to Item to Item 6.9.b., the video Delegation Request from Rebecca Guzzo, ACORN Hamilton, respecting Item 10.2 – Report PED21140, Vacant Homes Tax and Grant Application for 540 King Street East, as he and his wife are rental property landlords.

- (xi) Councillor S. Merulla declared an interest to Item to Item 6.9.c., the video Delegation Request from Ally Shanner, ACORN Hamilton, respecting Item 10.2 – Report PED21140, Vacant Homes Tax and Grant Application for 540 King Street East, as he and his wife are rental property landlords.
- (xii) Councillor S. Merulla declared an interest to Item 6.9.d., the video Delegation Request from Brigitte Huard respecting Items 10.2 – Report PED21140, Vacant Homes Tax and Grant Application for 540 King Street East; and, 10.4 - Report FCS21017(a)/PED21114, Considerations to Implement a Vacant Home Tax in Hamilton, as he and his wife are rental property landlords.
- (xiii) Councillor S. Merulla declared an interest to Item 10.1, Report PED21115, Hamilton Tax Increment Grant - 154 Main Street East, Hamilton, as he and his wife are rental property landlords.
- (xiv) Councillor S. Merulla declared an interest to Item 10.4, Report FCS21017(a)/PED21114, Considerations to Implement a Vacant Home Tax in Hamilton, as he and his wife are rental property landlords.
- (xv) Councillor J. P. Danko declared an interest to Item 10.5 – School Board Properties Sub-Committee Report 21-002, June 22, 2021, as his wife is currently the Chair of the Hamilton-Wentworth District School Board.
- (xvi) Councillor A. VanderBeek declared an interest to Item 5.1, Correspondence from the Hamilton ACORN Tenant Union respecting Item 10.2 – Report PED21140, Vacant Homes Tax and Grant Application for 540 King Street East, as she is a rental property landlord.
- (xvii) Councillor A. VanderBeek declared an interest to Item 6.2, the Delegation Request from Darlene Wesley, ACORN Hamilton, respecting Item 10.2 – Report PED21140, Vacant Homes Tax and Grant Application for 540 King Street East, as she is a rental property landlord.
- (xviii) Councillor A. VanderBeek declared an interest to Item 6.3, the Delegation Request from Elizabeth Ellis, ACORN Hamilton, respecting Item 10.2 – Report PED21140, Vacant Homes Tax and Grant Application for 540 King Street East, as she is a rental property landlord.
- (xix) Councillor A. VanderBeek declared an interest to Item 6.4, the Delegation Request from Karl Andrus, Hamilton Community Benefits Network respecting Item 10.4 - Report FCS21017(a)/PED21114, Considerations to Implement a Vacant Home Tax in Hamilton, as she is a rental property landlord.
- (xx) Councillor A. VanderBeek declared an interest to Item 6.5, the Delegation Request from Lynda Lukasik, Environment Hamilton respecting Item 10.4 - Report FCS21017(a)/PED21114, Considerations to Implement a Vacant Home Tax in Hamilton, as she is a rental property landlord.

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- (xxi) Councillor A. VanderBeek declared an interest to Item 6.6, the Delegation Request from Veronica Gonzalez, ACORN Hamilton, respecting Item 10.2 – Report PED21140, Vacant Homes Tax and Grant Application for 540 King Street East, as she is a rental property landlord.
- (xxii) Councillor A. VanderBeek declared an interest to Item 6.7, the Delegation Request from Dayna Sparkes, ACORN Hamilton, respecting Item 10.2 – Report PED21140, Vacant Homes Tax and Grant Application for 540 King Street East, as she is a rental property landlord.
- (xxiii) Councillor A. VanderBeek declared an interest to Item 6.8, the Delegation Request from Kojo Dampthey, Hamilton Centre for Civic Inclusion, respecting Item 10.4 - Report FCS21017(a)/PED21114, Considerations to Implement a Vacant Home Tax in Hamilton, as she is a rental property landlord.
- (xxiv) Councillor A. VanderBeek declared an interest to Item 6.9.a., the video Delegation Request from David Galvin, ACORN Hamilton, respecting Item 10.4 - Report FCS21017(a)/PED21114, Considerations to Implement a Vacant Home Tax in Hamilton, as she is a rental property landlord.
- (xxv) Councillor A. VanderBeek declared an interest to Item to Item 6.9.b., the video Delegation Request from Rebecca Guzzo, ACORN Hamilton, respecting Item 10.2 – Report PED21140, Vacant Homes Tax and Grant Application for 540 King Street East, as she is a rental property landlord.
- (xxvi) Councillor A. VanderBeek declared an interest to Item to Item 6.9.c., the video Delegation Request from Ally Shanner, ACORN Hamilton, respecting Item 10.2 – Report PED21140, Vacant Homes Tax and Grant Application for 540 King Street East, as she is a rental property landlord.
- (xxvii) Councillor A. VanderBeek declared an interest to Item 6.9.d., the video Delegation Request from Brigitte Huard respecting Items 10.2 – Report PED21140, Vacant Homes Tax and Grant Application for 540 King Street East; and, 10.4 - Report FCS21017(a)/PED21114, Considerations to Implement a Vacant Home Tax in Hamilton, as she is a rental property landlord.
- (xxviii) Councillor A. VanderBeek declared an interest to Item 10.1, Report PED21115, Hamilton Tax Increment Grant - 154 Main Street East, Hamilton, as she is a rental property landlord.
- (xxix) Councillor A. VanderBeek declared an interest to Item 10.4, Report FCS21017(a)/PED21114, Considerations to Implement a Vacant Home Tax in Hamilton, as she is a rental property landlord.
- (xxx) Councillor M. Pearson declared an interest to Item 5.1, Correspondence from the Hamilton ACORN Tenant Union respecting Item 10.2 – Report

PED21140, Vacant Homes Tax and Grant Application for 540 King Street East, as she is a rental property landlord.

- (xxxix) Councillor M. Pearson declared an interest to Item 6.2, the Delegation Request from Darlene Wesley, ACORN Hamilton, respecting Item 10.2 – Report PED21140, Vacant Homes Tax and Grant Application for 540 King Street East, as she is a rental property landlord.
- (xxxii) Councillor M. Pearson declared an interest to Item 6.3, the Delegation Request from Elizabeth Ellis, ACORN Hamilton, respecting Item 10.2 – Report PED21140, Vacant Homes Tax and Grant Application for 540 King Street East, as she is a rental property landlord.
- (xxxiii) Councillor M. Pearson declared an interest to Item 6.4, the Delegation Request from Karl Andrus, Hamilton Community Benefits Network respecting Item 10.4 - Report FCS21017(a)/PED21114, Considerations to Implement a Vacant Home Tax in Hamilton, as she is a rental property landlord.
- (xxxiv) Councillor M. Pearson declared an interest to Item 6.5, the Delegation Request from Lynda Lukasik, Environment Hamilton respecting Item 10.4 - Report FCS21017(a)/PED21114, Considerations to Implement a Vacant Home Tax in Hamilton, as she is a rental property landlord.
- (xxxv) Councillor M. Pearson declared an interest to Item 6.6, the Delegation Request from Veronica Gonzalez, ACORN Hamilton, respecting Item 10.2 – Report PED21140, Vacant Homes Tax and Grant Application for 540 King Street East, as she is a rental property landlord.
- (xxxvi) Councillor M. Pearson declared an interest to Item 6.7, the Delegation Request from Dayna Sparkes, ACORN Hamilton, respecting Item 10.2 – Report PED21140, Vacant Homes Tax and Grant Application for 540 King Street East, as she is a rental property landlord.
- (xxvii) Councillor M. Pearson declared an interest to Item 6.8, the Delegation Request from Kojo Dampthey, Hamilton Centre for Civic Inclusion, respecting Item 10.4 - Report FCS21017(a)/PED21114, Considerations to Implement a Vacant Home Tax in Hamilton, as she is a rental property landlord.
- (xxxviii) Councillor M. Pearson declared an interest to Item 6.9.a., the video Delegation Request from David Galvin, ACORN Hamilton, respecting Item 10.4 - Report FCS21017(a)/PED21114, Considerations to Implement a Vacant Home Tax in Hamilton, as she is a rental property landlord.
- (xxxix) Councillor M. Pearson declared an interest to Item to Item 6.9.b., the video Delegation Request from Rebecca Guzzo, ACORN Hamilton, respecting Item 10.2 – Report PED21140, Vacant Homes Tax and Grant Application for 540 King Street East, as she is a rental property landlord.

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- (xl) Councillor M. Pearson declared an interest to Item to Item 6.9.c., the video Delegation Request from Ally Shanner, ACORN Hamilton, respecting Item 10.2 – Report PED21140, Vacant Homes Tax and Grant Application for 540 King Street East, as she is a rental property landlord.
- (xli) Councillor M. Pearson declared an interest to Item 6.9.d., the video Delegation Request from Brigitte Huard respecting Items 10.2 – Report PED21140, Vacant Homes Tax and Grant Application for 540 King Street East; and, 10.4 - Report FCS21017(a)/PED21114, Considerations to Implement a Vacant Home Tax in Hamilton, as she is a rental property landlord.
- (xlii) Councillor M. Pearson declared an interest to Item 10.1, Report PED21115, Hamilton Tax Increment Grant - 154 Main Street East, Hamilton, as she is a rental property landlord.
- (xliii) Councillor M. Pearson declared an interest to Item 10.4, Report FCS21017(a)/PED21114, Considerations to Implement a Vacant Home Tax in Hamilton, as she is a rental property landlord.

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

**(i) June 16, 2021 (Item 4.1)**

**(Jackson/Johnson)**

That the Minutes of the June 16, 2021 General Issues Committee meeting 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, Deputy Mayor
Yes	-	Ward 5 Councillor Chad Collins
Yes	-	Ward 6 Councillor Tom Jackson
Absent	-	Ward 7 Councillor Esther Pauls
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

**(d) COMMUNICATION ITEMS (Item 5)**

- (i) Correspondence from the Hamilton ACORN Tenant Union respecting Item 10.2 – Report PED21140, Vacant Homes Tax and Grant Application for 540 King Street East, Hamilton (Item 5.1)**

**(Nann/Ferguson)**

That the correspondence from the Hamilton ACORN Tenant Union respecting Item 10.2 – Report PED21140, Vacant Homes Tax and Grant Application for 540 King Street East, Hamilton, be received and referred to the consideration of Item 10.2.

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

For disposition of this matter, please refer to Information Item (h)(i).

**(e) DELEGATION REQUESTS (Item 6)****(Eisenberger/Jackson)**

That the following Delegation Requests, be approved, as shown below:

- (i) Paven Bratch, Metro Partners Inc., respecting the proposed Downtown TechHub (For a future meeting) (Item 6.1)
- (ii) Darlene Wesley, ACORN Hamilton, respecting Item 10.2 – Report PED21140, Vacant Homes Tax and Grant Application for 540 King Street East (For the July 5, 2021 GIC) (Item 6.2)

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- (iii) Elizabeth Ellis, ACORN Hamilton, respecting Item 10.2 – Report PED21140, Vacant Homes Tax and Grant Application for 540 King Street East (For the July 5, 2021 GIC) (Item 6.3)
- (iv) Karl Andrus, Hamilton Community Benefits Network respecting Item 10.4 - Report FCS21017(a)/PED21114, Considerations to Implement a Vacant Home Tax in Hamilton (For the July 5, 2021 GIC) (Item 6.4)
- (v) Lynda Lukasik, Environment Hamilton respecting Item 10.4 - Report FCS21017(a)/PED21114, Considerations to Implement a Vacant Home Tax in Hamilton (For the July 5, 2021 GIC) (Item 6.5)
- (vi) Veronica Gonzalez, ACORN Hamilton, respecting Item 10.2 – Report PED21140, Vacant Homes Tax and Grant Application for 540 King Street East (For the July 5, 2021 GIC) (Item 6.6)
- (vii) Dayna Sparkes, ACORN Hamilton, respecting Item 10.2 – Report PED21140, Vacant Homes Tax and Grant Application for 540 King Street East (For the July 5, 2021 GIC) (Item 6.7)
- (viii) Kojo Dampsey, Hamilton Centre for Civic Inclusion, respecting Item 10.4 - Report FCS21017(a)/PED21114, Considerations to Implement a Vacant Home Tax in Hamilton (For the July 5, 2021 GIC) (Item 6.8)
- (ix) Video Submission - David Galvin, ACORN Hamilton, respecting Item 10.4 - Report FCS21017(a)/PED21114, Considerations to Implement a Vacant Home Tax in Hamilton (For the July 5, 2021 GIC) (Item 6.9.a.)
- (x) Video Submission - Rebecca Guzzo, ACORN Hamilton, respecting Item 10.2 – Report PED21140, Vacant Homes Tax and Grant Application for 540 King Street East (For the July 5, 2021 GIC) (Item 6.9.b.)
- (xi) Ally Shanner, ACORN Hamilton, respecting Item 10.2 – Report PED21140, Vacant Homes Tax and Grant Application for 540 King Street East (For the July 5, 2021 GIC) (Item 6.9.c.)
- (xii) Brigitte Huard respecting Items 10.2 - Vacant Homes Tax and Grant Application for 540 King Street East; and, 10.4 - Report FCS21017(a)/PED21114, Considerations to Implement a Vacant Home Tax in Hamilton (for the July 5, 2021 GIC) (Item 6.9.d.)

**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
Yes	-	Ward 3 Councillor Nrinder Nann
Conflict	-	Ward 4 Councillor Sam Merulla, Deputy Mayor

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

For disposition of these matters, please refer to Information Items (h)(i) and (h)(ii).

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

**(i) Business Improvement Area (BIA) Advisory Committee Minutes 21-005, May 11, 2021 (Item 7.1)**

**(Farr/Pauls)**

That the Business Improvement Area (BIA) Advisory Committee Minutes 21-005, May 11, 2021, 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, Deputy Mayor
Yes	-	Ward 5 Councillor Chad Collins
Yes	-	Ward 6 Councillor Tom Jackson
Yes	-	Ward 7 Councillor Esther Pauls
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



**(g) PRESENTATIONS (Item 8)**

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

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

**(Farr/Johnson)**

That the presentation, respecting the COVID-19 Verbal Update, 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, Deputy Mayor
Yes	-	Ward 5 Councillor Chad Collins
Yes	-	Ward 6 Councillor Tom Jackson
Yes	-	Ward 7 Councillor Esther Pauls
Absent	-	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

**(ii) Chedoke Creek Order - Cootes Paradise Workplan (PW19008(m)) (City Wide) (Item 8.2)**

Andrew Grice, Director of Hamilton Water, provided the presentation respecting Report PW190089(m) - Chedoke Creek Order - Cootes Paradise Workplan.

**(Wilson/Jackson)**

That the presentation, respecting Report PW190089(m) - Chedoke Creek Order - Cootes Paradise Workplan, 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

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Yes	-	Ward 4	Councillor Sam Merulla, Deputy Mayor
Yes	-	Ward 5	Councillor Chad Collins
Yes	-	Ward 6	Councillor Tom Jackson
Yes	-	Ward 7	Councillor Esther Pauls
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 refer to Item 2.

**(iii) City Manager's 2020-2021 Review (CM21006) (City Wide) (Item 8.3)**

Janette Smith, City Manager, provided a presentation respecting the City Manager's 2020-2021 Review.

**(Jackson/Ferguson)**

That the presentation, respecting the City Manager's 2020-2021 Review, 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, Deputy Mayor
Yes	-	Ward 5 Councillor Chad Collins
Yes	-	Ward 6 Councillor Tom Jackson
Yes	-	Ward 7 Councillor Esther Pauls
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 refer to Item 3.

**(g) PUBLIC HEARINGS / DELEGATIONS (Item 9)**

**(i) Darlene Wesley, ACORN Hamilton, respecting Item 10.2 – Report PED21140, Vacant Homes Tax and Grant Application for 540 King Street East (Item 9.1)**

Darlene Wesley, ACORN Hamilton, addressed Committee respecting Item 10.2 – Report PED21140, Vacant Homes Tax and Grant Application for 540 King Street East.

**(Ferguson/Nann)**

That the presentation, provided by Darlene Wesley, ACORN Hamilton, respecting Item 10.2 – Report PED21140, Vacant Homes Tax and Grant Application for 540 King Street East, be received.

**Result: Motion CARRIED by a vote of 11 to 3, as follows:**

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

For disposition of this matter, please refer to Information Item (h)(i).

**(ii) Elizabeth Ellis, ACORN Hamilton, respecting Item 10.2 – Report PED21140, Vacant Homes Tax and Grant Application for 540 King Street East (Item 9.2)**

Elizabeth Ellis, ACORN Hamilton, addressed Committee respecting Item 10.2 – Report PED21140, Vacant Homes Tax and Grant Application for 540 King Street East.

**(Ferguson/Nann)**

That the presentation provided by Elizabeth Ellis, ACORN Hamilton, respecting Item 10.2 – Report PED21140, Vacant Homes Tax and Grant Application for 540 King Street East, be received.

**Result: Motion CARRIED by a vote of 11 to 3, as follows:**

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

For disposition of this matter, please refer to Information Item (h)(i).

**(iii) Karl Andrus, Hamilton Community Benefits Network, respecting Item 10.4 - Report FCS21017(a)/PED21114, Considerations to Implement a Vacant Home Tax in Hamilton (Item 9.3)**

Karl Andrus, Hamilton Community Benefits Network, addressed Committee respecting Item 10.4 - Report FCS21017(a)/PED21114, Considerations to Implement a Vacant Home Tax in Hamilton.

**(Ferguson/Nann)**

That the presentation provided by Karl Andrus, Hamilton Community Benefits Network, respecting Item 10.4 - Report FCS21017(a)/PED21114, Considerations to Implement a Vacant Home Tax in Hamilton, be received.

**Result: Motion CARRIED by a vote of 11 to 3, as follows:**

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

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

For disposition of this matter, please refer to Item (h)(ii).

**(iv) Lynda Lukasik, Environment Hamilton, respecting Item 10.4 - Report FCS21017(a)/PED21114, Considerations to Implement a Vacant Home Tax in Hamilton (Item 9.4)**

Lynda Lukasik, Environment Hamilton, addressed Committee respecting Item 10.4 - Report FCS21017(a)/PED21114, Considerations to Implement a Vacant Home Tax in Hamilton.

**(Ferguson/Nann)**

That the presentation provided by Lynda Lukasik, Environment Hamilton, respecting Item 10.4 - Report FCS21017(a)/PED21114, Considerations to Implement a Vacant Home Tax in Hamilton, be received.

**Result: Motion CARRIED by a vote of 11 to 3, as follows:**

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

For disposition of this matter, please refer to Information Item (h)(ii).

**(v) Veronica Gonzalez, ACORN Hamilton, respecting Item 10.2 – Report PED21140, Vacant Homes Tax and Grant Application for 540 King Street East (Item 9.5)**

Veronica Gonzalez, ACORN Hamilton, addressed Committee respecting Item 10.2 – Report PED21140, Vacant Homes Tax and Grant Application for 540 King Street East.

**(Ferguson/Nann)**

That the presentation provided by Veronica Gonzalez, ACORN Hamilton, respecting Item 10.2 – Report PED21140, Vacant Homes Tax and Grant Application for 540 King Street East, be received.

**Result: Motion CARRIED by a vote of 11 to 3, as follows:**

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

For disposition of this matter, please refer to Information Item (h)(i).

**(vi) Dayna Sparkes, ACORN Hamilton, respecting Item 10.2 – Report PED21140, Vacant Homes Tax and Grant Application for 540 King Street East (Item 9.6)**

Dayna Sparkes, ACORN Hamilton, addressed Committee respecting Item 10.2 – Report PED21140, Vacant Homes Tax and Grant Application for 540 King Street East.

**(Ferguson/Nann)**

That the presentation provided by Dayna Sparkes, ACORN Hamilton, respecting Item 10.2 – Report PED21140, Vacant Homes Tax and Grant Application for 540 King Street East, be received.

**Result: Motion CARRIED by a vote of 11 to 3, as follows:**

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

For disposition of this matter, please refer to Information Item (h)(i).

**(vii) Kojo Dampthey, Hamilton Centre for Civic Inclusion, respecting Item 10.4 - Report FCS21017(a)/PED21114, Considerations to Implement a Vacant Home Tax in Hamilton (Item 9.7)**

Kojo Dampthey, Hamilton Centre for Civic Inclusion, addressed Committee respecting Item 10.4 - Report FCS21017(a)/PED21114, Considerations to Implement a Vacant Home Tax in Hamilton.

**(Ferguson/Nann)**

That the presentation provided by Kojo Dampthey, Hamilton Centre for Civic Inclusion, respecting Item 10.4 - Report FCS21017(a)/PED21114, Considerations to Implement a Vacant Home Tax in Hamilton, be received.

**Result: Motion CARRIED by a vote of 11 to 3, as follows:**

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

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

For disposition of this matter, please refer to Information Item (h)(ii).

**(viii) David Galvin, ACORN Hamilton, respecting Item 10.4 – Report FCS21017(a)/PED21114, Considerations to Implement a Vacant Home Tax in Hamilton (Item 9.8.a.)**

The video presentation provided by David Galvin, ACORN Hamilton, respecting Item 10.4 – Report FCS21017(a)/PED21114, Considerations to Implement a Vacant Home Tax in Hamilton, was presented to Committee.

**(Ferguson/Nann)**

That the video presentation provided by David Galvin, ACORN Hamilton, respecting Item 10.4 – Report FCS21017(a)/PED21114, Considerations to Implement a Vacant Home Tax in Hamilton, be received.

**Result: Motion CARRIED by a vote of 11 to 3, as follows:**

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

For disposition of this matter, please refer to Information Item (h)(ii).



**(ix) Rebecca Guzzo, ACORN Hamilton, respecting Item 10.2 – Report PED21140, Vacant Homes Tax and Grant Application for 540 King Street East (Item 9.8.b)**

The video presentation provided by Rebecca Guzzo, ACORN Hamilton, respecting Item 10.2 – Report PED21140, Vacant Homes Tax and Grant Application for 540 King Street East, was presented to Committee.

**(Ferguson/Nann)**

That the video presentation provided by Rebecca Guzzo, ACORN Hamilton, respecting Item 10.2 – Report PED21140, Vacant Homes Tax and Grant Application for 540 King Street East, be received.

**Result: Motion CARRIED by a vote of 11 to 3, as follows:**

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

For disposition of this matter, please refer to Information Item (h)(i).

**(x) Ally Shanner, ACORN Hamilton, respecting Item 10.2 – Report PED21140, Vacant Homes Tax and Grant Application for 540 King Street East (Item 9.8.c.)**

The video presentation provided by Ally Shanner, ACORN Hamilton, respecting Item 10.2 – Report PED21140, Vacant Homes Tax and Grant Application for 540 King Street East, was shown for Committee.

**(Ferguson/Nann)**

That the video presentation provided by Ally Shanner, ACORN Hamilton, respecting Item 10.2 – Report PED21140, Vacant Homes Tax and Grant Application for 540 King Street East, be received.

**Result: Motion CARRIED by a vote of 11 to 3, as follows:**

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

For disposition of this matter, please refer to Information Item (h)(i).

**(xi) Brigitte Huard respecting Items 10.2 – Report PED21140, Vacant Homes Tax and Grant Application for 540 King Street East; and, 10.4 - Report FCS21017(a)/PED21114, Considerations to Implement a Vacant Home Tax in Hamilton (Item 9.8.d.)**

The video presentation provided by Brigitte Huard respecting Items 10.2 – Report PED21140, Vacant Homes Tax and Grant Application for 540 King Street East; and, 10.4 - Report FCS21017(a)/PED21114, Considerations to Implement a Vacant Home Tax in Hamilton, was presented to Committee.

**(Ferguson/Nann)**

That the video presentation provided by Brigitte Huard respecting Items 10.2 – Report PED21140, Vacant Homes Tax and Grant Application for 540 King Street East; and, 10.4 - Report FCS21017(a)/PED21114, Considerations to Implement a Vacant Home Tax in Hamilton, be received.

**Result: Motion CARRIED by a vote of 11 to 3, as follows:**

Yes	-	Mayor Fred Eisenberger
Yes	-	Ward 1 Councillor Maureen Wilson
Absent	-	Ward 2 Councillor Jason Farr
Yes	-	Ward 3 Councillor Nrinder Nann
Conflict	-	Ward 4 Councillor Sam Merulla, Deputy Mayor
Yes	-	Ward 5 Councillor Chad Collins
Yes	-	Ward 6 Councillor Tom Jackson
Yes	-	Ward 7 Councillor Esther Pauls

**General Issues Committee  
Minutes 21-014**

**July 5, 2021  
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Yes	-	Ward 8	Councillor J. P. Danko
Yes	-	Ward 9	Councillor Brad Clark
Conflict	-	Ward 10	Councillor Maria Pearson
Yes	-	Ward 11	Councillor Brenda Johnson
Yes	-	Ward 12	Councillor Lloyd Ferguson
Conflict	-	Ward 13	Councillor Arlene VanderBeek
Absent	-	Ward 14	Councillor Terry Whitehead
Yes	-	Ward 15	Councillor Judi Partridge

For disposition of this matter, please refer to Information Items (h)(i) and (h)(ii).

**(h) DISCUSSION ITEMS (Item 10)**

**(i) Hamilton Tax Increment Grant - 540 King Street East, Hamilton (PED21140) (Ward 3) (Item 10.2)**

**(Nann/Wilson)**

That Report PED21140, respecting the Hamilton Tax Increment Grant - 540 King Street East, Hamilton, be referred back to staff to meet with ACORN Hamilton and the applicant, as well as to provide a legal analysis, and policy revisions to address any potential loopholes of this program, which may result in displacement of tenants and report back to the General Issues Committee.

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

**(Farr/Ferguson)**

That the General Issues Committee recess for 30 minutes until 1:30 p.m.

**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, Deputy Mayor
Yes	-	Ward 5 Councillor Chad Collins
Yes	-	Ward 6 Councillor Tom Jackson
Yes	-	Ward 7 Councillor Esther Pauls
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

**(ii) Considerations to Implement a Vacant Home Tax in Hamilton  
(FCS21017(a) / PED21114) (City Wide) (Item 10.4)**

**(Nann/Wilson)**

That staff be directed to report back to the General Issues Committee with a draft by-law, guidelines and framework for a Vacant Homes and Residential Units Tax program for public consultation and consideration.

**Result: Motion CARRIED by a vote of 10 to 2, as follows:**

Yes	-	Mayor Fred Eisenberger
Yes	-	Ward 1 Councillor Maureen Wilson
Yes	-	Ward 2 Councillor Jason Farr
Yes	-	Ward 3 Councillor Nrinder Nann
Conflict	-	Ward 4 Councillor Sam Merulla, Deputy Mayor
No	-	Ward 5 Councillor Chad Collins
No	-	Ward 6 Councillor Tom Jackson
Yes	-	Ward 7 Councillor Esther Pauls
Yes	-	Ward 8 Councillor J. P. Danko
Yes	-	Ward 9 Councillor Brad Clark
Conflict	-	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

**(i) NOTICES OF MOTION (Item 12)**

**(i) Investing in City Roads and Sidewalks Infrastructure with Canada Community-Building Funds (Item 12.1)**

**(Collins/Ferguson)**

That the Rules of Order be waived to allow for the introduction of a Motion respecting Investing in City Roads and Sidewalks Infrastructure with Canada Community-Building Funds.

**Result: Motion CARRIED by a vote of 13 to 0, 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, Deputy Mayor
Yes	-	Ward 5 Councillor Chad Collins
Yes	-	Ward 6 Councillor Tom Jackson
Yes	-	Ward 7 Councillor Esther Pauls
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 refer to Item 9.

**(j) GENERAL INFORMATION / OTHER BUSINESS (Item 13)**

**(a) Amendments to the Outstanding Business List (Item 13.1)**

**(Clark/Ferguson)**

That the following amendments to the General Issues Committee's Outstanding Business List, be approved:

**(1) Proposed New Due Dates (Item 13.1.a.):**

**(aa) CityLAB Pilot Update (Item 13.1.a.a.)**

Current Due Date: July 5, 2021

Proposed New Due Date: September 8, 2021

**(bb) Communications Strategy to assist in ensuring residents on the Municipal Elections Voters List (Item 13.1.a.b.)**

Current Due Date: July 5, 2021  
Proposed New Due Date: August 9, 2021

- (cc) Election Expense Reserve Needs related to consideration of Internet Voting for the 2026 Municipal Election (Item 13.1.a.c.)  
Current Due Date: July 5, 2021  
Proposed New Due Date: August 9, 2021

(2) Items to be Removed (Item 13.1.b.):

- (aa) Downtown Entertainment Precinct Master Agreement (Item 13.1.b.a.) (Addressed as Item 14.2 at the June 2, 2021 GIC - Report PED18168(g))
- (bb) Downtown Entertainment Precinct Master Agreement (Item 13.1.b.b.) (Addressed as Item 14.2 at the June 2, 2021 GIC - Report PED18168(g))

**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
Absent	-	Ward 3 Councillor Nrinder Nann
Yes	-	Ward 4 Councillor Sam Merulla, Deputy Mayor
Yes	-	Ward 5 Councillor Chad Collins
Yes	-	Ward 6 Councillor Tom Jackson
Yes	-	Ward 7 Councillor Esther Pauls
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 further disposition of this matter, please refer to Item 10.

**(k) PRIVATE & CONFIDENTIAL (Item 14)**

**(Farr/Johnson)**

That Committee move into Closed Session to discuss Items 14.1 to 14.6, pursuant to Section 9.1, Sub-sections (c), (d), (e), (f) and (k) of the City's Procedural By-law 21-021; and, Section 239(2), Sub-sections (c), (d), (e), (f) and (k) 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; labour relations or employee negotiations; litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board; advice that is subject to solicitor-client privilege, including communications necessary for that purpose; and, a position, plan, procedure, criteria or instruction to be applied to any negotiations carried on or to be carried on by or on behalf of the municipality or local board.

**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
Absent	-	Ward 3 Councillor Nrinder Nann
Yes	-	Ward 4 Councillor Sam Merulla, Deputy Mayor
Yes	-	Ward 5 Councillor Chad Collins
Yes	-	Ward 6 Councillor Tom Jackson
Yes	-	Ward 7 Councillor Esther Pauls
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

**(i) City Manager's 2020 – 2021 Review (Item 14.6)**

There was nothing to report in Open Session respecting this matter.

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

**(II) ADJOURNMENT (Item 14)**

**(Partridge/Pearson)**

That there being no further business, the General Issues Committee be adjourned at 4:28 p.m.

**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, Deputy Mayor

**General Issues Committee  
Minutes 21-014**

**July 5, 2021  
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Yes	-	Ward 5	Councillor Chad Collins
Yes	-	Ward 6	Councillor Tom Jackson
Yes	-	Ward 7	Councillor Esther Pauls
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

Respectfully submitted,

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Sam Merulla, Deputy Mayor  
Chair, General Issues Committee

Stephanie Paparella  
Legislative Coordinator,  
Office of the City Clerk





# Hamilton

## **BUSINESS IMPROVEMENT AREA ADVISORY COMMITTEE**

**MINUTES 21-006**

**8:00 a.m.**

**Tuesday, June 8, 2021**

**Virtual Meeting**

**Hamilton City Hall**

**71 Main Street West**

**Present:** Susie Braithwaite – International Village BIA  
Tracy MacKinnon – Westdale Village BIA and Stoney Creek BIA  
Cristina Geissler – Concession Street BIA  
Kerry Jarvi – Downtown Hamilton BIA  
Jude Szabo – Ancaster BIA  
Heidi VanderKwaak – Locke Street BIA  
Susan Pennie – Waterdown BIA  
Lisa Anderson – Dundas BIA  
Emily Burton – Ottawa Street BIA

**Absent:** Councillor Esther Pauls (Chair)  
Michal Cybin – King West BIA  
Bender Chug – Main West Esplanade BIA  
Rachel Braithwaite – Barton Village BIA

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### **FOR INFORMATION:**

**(a) CHANGES TO THE AGENDA (Item 2)**

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

**(Geissler/Pennie)**

That the agenda for the June 8, 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) May 11, 2021 (Item 4.1)**

**(VanderKwaak/Jarvi)**

That the May 11, 2021 Minutes of the Business Improvement Area Advisory Committee be approved, as presented.

**CARRIED**

**(d) STAFF PRESENTATIONS (Item 9)**

**(i) Special Events Advisory Team (SEAT) Update (Item 9.1)**

Sarah Linfoot-Fusina, Cultural Project Specialist, addressed the Committee with an update on the Special Events Advisory Team (SEAT).

**(Pennie/Anderson)**

That the staff presentation on the Special Events Advisory Team (SEAT) Update, be received.

**CARRIED**

**(ii) Parking Master Plan Update (Item 9.2)**

Brian Hollingworth, Director of Transportation, Planning, and Parking, and Amanda McIlveen, Manager of Parking Operations and Initiatives addressed the Committee with an update on the Parking Master Plan.

**(Anderson/VanderKwaak)**

That the staff presentation on the Parking Master Plan, be received.

**CARRIED**

**(e) DISCUSSION ITEMS (Item 10)**

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

Julia Davis addressed the Committee respecting the Ontario Business Improvement Area Association (OBIAA) Conference 2021 being held September 26 – 29, 2021.

Julia advised that the Conference is still being planned as a hybrid event with 150 in person attendees and the remainder being virtual. The formal registration will be available mid- June and there will be early bird rates offered.

The host Committee will be meeting this week and is working on the mobile tours. Any BIA that has expressed an interest in hosting a mobile tour will be provided an update following the meeting.

**(Burton/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 Ontario is entering Step One of the reopening framework on Friday, June 11, 2021. This will increase the outdoor limits and allow outdoor dining (will restrictions). In Step One, the capacity for essential retail will be increased, and non-essential retail will be allowed to open (on a restricted capacity).

Julia reminded 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. The proposals must be submitted no later than June 30, 2021 and the funds must be spent in 2021.

Julia advised that the Hamilton COVID Concierge Site is excellent resource for businesses. The website can be accessed at [www.hamiltoncovidconcierge.ca](http://www.hamiltoncovidconcierge.ca). Alternatively, their phone number is 905-521-3989 and this line is staffed Monday – Friday (8:30 am – 4:30 pm).

Julia asked the Committee if there were any volunteers wanting to attend the Infection Prevention and Control meetings, which happen weekly (every Wednesday). As the meetings are weekly, Committee members suggested that a rotating BIA member attendance might be more realistic than the same member attending each week.

The Hamilton Chamber of Commerce is hosting a Webinar on Thursday, June 10, 2021 at 11:00 am. Topic will include Stage One Reopening and Rapid Covid testing. Julia will be sending an email to the BIA's with information on how to sign up.

**(Anderson/Pennie)**

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.

**(Geissler/Burton)**

That the updates from Committee Members, be received.

**CARRIED**

**(g) ADJOURNMENT (Item 15)**

**(Burton/Anderson)**

That there being no further business, the Business Improvement Area Advisory Committee be adjourned at 9:31 a.m.

**CARRIED**

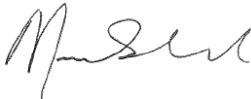
Respectfully submitted,

Susie Braithwaite  
Vice-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**

<b>TO:</b>	Mayor and Members General Issues Committee
<b>COMMITTEE DATE:</b>	August 9, 2021
<b>SUBJECT/REPORT NO:</b>	International Village Business Improvement Area (BIA) Revised Board of Management (PED21150) (Ward 2)
<b>WARD(S) AFFECTED:</b>	Ward 2
<b>PREPARED BY:</b>	Julia Davis (905) 546-2424 Ext. 2632
<b>SUBMITTED BY:</b>	Norm Schleeahn Director, Economic Development Planning and Economic Development Department
<b>SIGNATURE:</b>	

## RECOMMENDATION

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

- (a) Clay Burns

## EXECUTIVE SUMMARY

Appointment of a new Director to the International Village Business Improvement Area (BIA) Board of Management

## Alternatives for Consideration – Not Applicable

## FINANCIAL – STAFFING – LEGAL IMPLICATIONS

Financial: Not Applicable

Staffing: Not Applicable

Legal: *The Municipal Act 2001*, Sections 204-215 governs BIAs. Section (204) Subsection (3) stipulates “A Board of Management shall be composed of, (a)

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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.

**SUBJECT: International Village Business Improvement Area (BIA) Revised Board of Management (PED21150) (Ward 2) - Page 2 of 3**

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

**HISTORICAL BACKGROUND**

The Board of Management of the International Village BIA held a meeting on June 9, 2021, at which Clay Burns was appointed to the Board of Management.

Should Council adopt the recommendation in PED21150, the aforementioned nominated person would be appointed to serve on the International Village BIA Board of Management for the remainder of this term, through the end of 2022.

**POLICY IMPLICATIONS AND LEGISLATED REQUIREMENTS**

N/A

**RELEVANT CONSULTATION**

N/A

**ANALYSIS AND RATIONALE FOR RECOMMENDATION**

N/A

**ALTERNATIVES FOR CONSIDERATION**

N/A

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

**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

**Economic Prosperity and Growth**

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

**SUBJECT: International Village Business Improvement Area (BIA) Revised Board  
of Management (PED21150) (Ward 2) - Page 3 of 3**

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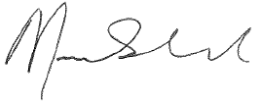
**APPENDICES AND SCHEDULES ATTACHED**

N/A

JD/jrb



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

<b>TO:</b>	Mayor and Members General Issues Committee
<b>COMMITTEE DATE:</b>	August 9, 2021
<b>SUBJECT/REPORT NO:</b>	Feasibility of Creating a Technology Hub on South City Hall Lands (PED21109) (Ward 2) <b>(Outstanding Business List Item)</b>
<b>WARD(S) AFFECTED:</b>	Ward 2
<b>PREPARED BY:</b>	Chris Phillips (905) 546-2424 Ext. 5304 Joshua Van Kampen (905) 546-2424 Ext. 2725 Ray Kessler (905) 546-2424 Ext. 7019
<b>SUBMITTED BY:</b>	Norm Schleeahn Director, Economic Development Planning and Economic Development Department
<b>SIGNATURE:</b>	

### RECOMMENDATION

- (a) That staff be directed to prepare a land disposition strategy, through either a land sale or long-term land lease, for the City Hall Precinct Lands;
- (b) That staff be directed to prepare all relevant technical due-diligence studies required for executing the land disposition strategy including the following;
  - i. Land-use, zoning, heritage planning, massing, parks and open space, environmental assessment, sustainable design, and functional servicing studies;
  - ii. Assessment of municipal corporate requirements, including capital and operational parking impact analysis;
  - iii. Highest and Best Use determination;
  - iv. Property appraisal based on highest and best use;
  - v. Review of municipal financial implications

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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.



**SUBJECT: Feasibility of Creating a Technology Hub on South City Hall Lands (PED21109) (Ward 2) - Page 2 of 14**

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- (c) That staff be directed to prepare options for Committee's consideration on a process to facilitate the land disposition;
- (d) That Reserve Account #112221 entitled "Economic Development Investment Reserve" be approved for up to \$100,000, for any technical due diligence and expertise necessary to complete the approved direction; and establish a project ID;
- (e) That staff report back to the General Issues Committee with recommendations for consideration in first quarter of 2022.

**EXECUTIVE SUMMARY**

On February 5, 2020, representatives from Metro Partners made a public delegation to the General Issues Committee on developing and creating a Technology Hub on the existing City Hall Precinct lands (defined as the south facing lands, adjacent to Hunter Street as well as the former Football Hall of Fame lands). On February 12, 2020, Council approved GIC Report 20-004, including a motion for staff to report back to the General Issues Committee on the feasibility of creating a Technology Hub through a sale or lease of the City Hall precinct lands, and for staff to provide a defined process respecting options to pursue the development of these lands.

Although the Covid-19 pandemic shifted Economic Development priorities, staff continued to discuss both the Council approved direction and the concept of a Technology Hub with representatives from Metro Partners. Concluding these discussions, Metro Partners submitted a proposal to staff, which is attached as Appendix "A" to Report PED21109. It is noted that the Council direction did not specifically contemplate receiving a proposal from Metro Partners.

Although staff have reviewed the proposal, this report does not contain an analysis, evaluation, or conclusion about the Metro Partners proposal itself. This report PED21109 provides a preliminary assessment, further information, and seeks a proposed approach forward based on anticipated input from Committee.

When considering the feasibility of creating a Technology Hub, staff categorized its assessment into 2-separate parts; 1) conceptual feasibility and 2) development feasibility. From a conceptual standpoint, the research would indicate no standardized definition of what constitutes a Technology Hub. Based on existing examples however, the mandate of these types of facilities is to allow for the co-location of organizations to, interact, create, undertake, work, and innovate together. Generally, this is accommodated through a central geographic location, but the form of the development varies.

**SUBJECT: Feasibility of Creating a Technology Hub on South City Hall Lands (PED21109) (Ward 2) - Page 3 of 14**

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Based on the preliminary research and combined with the information obtained through the Metro Partners discussions, staff have concluded that a Technology Hub appears to be conceptually feasible. The City of Hamilton is well positioned geographically, has an established reputation in innovation and research networks, has the general hard and social infrastructure necessary to support innovation and technology companies, and has land availability to support a variety of built-form development options.

From an economic development perspective, Hamilton is well positioned to take advantage of this concept. Looking specifically at an urban oriented hub built within the downtown, the creation of a new Class “A” office space building, the proposed companies who would occupy it, and the subsequent employee-base, would all add value both financially, as well as qualitatively to the City of Hamilton. Staff have not concluded however, whether the City Hall Precinct lands themselves have any specific benefit over other potential sites within either the downtown core or even elsewhere.

From a development feasibility perspective however, staff have concluded that additional studies and analysis would be required to make a firm determination. The recommendations of Report PED21109 include specific actions required to determine the full feasibility of creating a Technology Hub on the identified City Hall lands.

If approved, the recommendations would direct staff to prepare a land disposition strategy, through either a land sale or long-term land lease, for the City Hall Precinct lands. To be clear, this direction would approve staff to report back on the disposition of the City Hall Precinct lands, for Committee’s consideration. To inform this strategy, the recommendations also direct staff to prepare a series of relevant technical due-diligence studies listed below, as well as approve the identified funding sources to complete the plan:

- i. Land-use, zoning, heritage planning, massing, parks and open space, environmental assessment, sustainable design, and functional servicing studies;
- ii. Assessment of municipal corporate requirements, including capital and operational parking impact analysis;
- iii. Highest and Best Use determination;
- iv. Property appraisal based on highest and best use; and,
- v. Review of municipal financial implications.

Lastly, recognizing that there are a variety of processes the City could utilize to identify a potential developer, the recommendations also direct staff to prepare process options and to report back to the General Issues Committee with recommendations for consideration in the first quarter of 2022.

**SUBJECT: Feasibility of Creating a Technology Hub on South City Hall Lands (PED21109) (Ward 2) - Page 4 of 14**

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**Alternatives for Consideration – See Page 13**

**FINANCIAL – STAFFING – LEGAL IMPLICATIONS**

Financial: Approval of \$100,000 from reserve Account #112221 entitled “Economic Development Investment Reserve” to establish a project ID with budget of \$100,000 for any technical due diligence and expertise necessary to complete the direction in Report PED211109.

Staffing: There are no staffing implications associated to Report PED21109.

Legal: There are no legal implications associated to Report PED21109.

**HISTORICAL BACKGROUND**

On February 5, 2020, representatives from Metro Partners, made a public delegation to the General Issues Committee on developing and creating a Technology Hub on the existing City Hall Precinct lands (defined as the south facing lands, adjacent to Hunter Street as well as the former Football Hall of Fame lands). On February 12, 2020, Council approved GIC Report 20-004, including the following motion:

- (a) That staff be directed to report back to the General Issues Committee, by September 2020, on the feasibility of creating a Technology Hub, that may include the sale or lease of the City Hall precinct lands (south facing, adjacent to Hunter Street as well as the former Football Hall of Fame lands) for future office space development, all at fair market value, conditional on: ensuring complementarity with City Hall, parking, greenspace, accessibility, green building design, and amenity requirements are achieved; and,
- (b) That, as part of that report to the General Issues Committee, staff be directed to provide a defined process respecting options to pursue the development of the south facing lands of the City Hall precinct to include the lands adjacent to Hunter Street and including the former Football Hall of Fame lands.

For historical context, the future redevelopment of the City Hall Precinct lands has been the subject of several Council directions over the years.

As part of the City Hall renovation plans, Council approved Committee of the Whole Report 05-005 on May 5, 2005, including Report PD05088 / PW03010(c) / FCS03064(c)

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entitled “City Hall Renovation Plan and Downtown Accommodation Strategy Report”, in which recommendation (f) stated:

“That a long-term accommodation strategy be approved, in principle, providing for the construction of a second office tower of approximately 250,000 square feet, integrated with the existing renovated City Hall and including a new parking structure; this new facility to be targeted to start construction in 2018 and all subject to an acceptable capital financing plan”.

This direction, of utilizing the City Hall lands as part of the City’s long-term accommodation strategy, remains today.

Council has also explored options to redevelop a portion of the City Hall lands in the more recent past. On April 27, 2016, Council approved GIC Report 16-011 including the following direction:

- (a) That staff be directed to investigate the opportunities for the redevelopment of the underutilized City Hall lands, being the south parking lot and structure, and the lands and building of the former Football Hall of Fame and report to the General Issues Committee;
- (b) That staff be directed to include in the investigation into City Hall lands redevelopment opportunities, examination of the following:
  - I. Market potential for various commercial, entertainment, cultural and other events venues;
  - II. City staff office requirements – ownership vs. Leasing; and,
  - III. Concepts brought forward by private, not-for-profit and community organizations;
- (c) That staff be directed to seek expressions of interest for potential opportunities and partners that may be considered for incorporation into any redevelopment concept;
- (d) That staff be directed to ensure that any concepts identified for further investigation be subject to testing for market and financial viability; and,
- (e) That the investigation of opportunities for the redevelopment of the underutilized City Hall lands, being the south parking lot and structure, and the lands and building of the former Football Hall of Fame and related activities, be incorporated

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as a priority item into the Land Development Task Force workplan to be presented to the General Issues Committee in June 2016.

Staff issued an Expression of Interest (EOI) to obtain input from prospective developers for potential re-development opportunities of the City Hall lands. The EOI concentrated on the following three ideas for re-development of those lands:

- (a) Market potential for various commercial, entertainment, hotel, not-for-profit, cultural community service and other event venues;
- (b) City of Hamilton office accommodation requirements, including lease vs. ownership analysis; and
- (c) Accommodation towards maintaining and preferable increasing parking capacity.

On February 22, 2017, Council approved GIC Report 17-004 including that Report CM17004, respecting the City Hall Precinct, be received, and no further action was directed or taken by Council.

## **POLICY IMPLICATIONS AND LEGISLATED REQUIREMENTS**

### **Portfolio Management Strategy – Real Estate Management Plan**

City Council, at its meeting of November 24, 2004, adopted the City's Portfolio Management Strategy Plan, which established a formalized process to be consistently applied across all areas of the City to guide the management of the City's real property.

## **RELEVANT CONSULTATION**

- Corporate Real Estate Office was consulted and provided comment on this report.
- Corporate Services, Capital Budgets, has been consulted and provided comment on this report.

## **ANALYSIS AND RATIONALE FOR RECOMMENDATION**

### **Feasibility of a Technology Hub**

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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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The Council approved motion of February 12, 2020 directed staff to report back on the feasibility of creating a Technology Hub through a sale or lease of the City Hall precinct lands. When considering the feasibility of creating a Technology Hub, staff categorized its assessment into 2-separate parts; 1) conceptual feasibility and 2) development feasibility.

**1. Conceptual Feasibility of a Technology Hub**

From a conceptual standpoint, the research indicates no specific definition of what constitutes a Technology Hub. Based on existing examples however, most Tech Hubs (also branded as Innovation Hubs or Districts, Science or Research Parks, etc.) are aimed at generating business between startup and large companies, much like a meeting point for a community. These hubs allow for organizations within similar sectors to, interact, create, undertake, work, and innovate together. Generally, the “hub” concept is seen as facilitating the development of technology-based companies with high growth potential.

Primarily, these hubs combine traditional hard real estate, office building, and land development assets, with end-users, tenants or occupiers which have been professionally curated around a common theme. The ownership of these real estate assets can vary, and although some are privately owned, many are owned or affiliated with a local academic institution, non-profit group, or government agencies. Hubs are often perceived as contributing to economic development, creating new technologies, leading to the development of scientific and medical advancements, and promotion of foreign direct investment. Hubs also lead to fostering innovation and the development and commercialization of technology where governments, educational institutions, and private companies collaborate.

With no specific definition, comparing and contrasting is difficult, but the following is a brief description of several existing organizations that could be categorized hubs.

**i. MaRS Discovery District**

Located in downtown Toronto, MaRS was established in 2000 as a not-for-profit institution. The campus occupies over 1.5 million square feet of space over 4 traditional office towers, and features research and development labs, office space, collaborative working space, community space, food courts, and some commercial space. The mission of MaRS is to bring to market medical research, startup companies and other technologies with partnerships through public and private enterprises. MaRS helps businesses from various science, technology,

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communication, engineering, and social innovation sectors. MaRS has over 120 tenants, which range from small startup companies within the medical and pharmaceutical industries, to Fortune 500 companies.

**ii. McMaster Innovation Park (MIP)**

McMaster Innovation Park (MIP) is in Hamilton and was established in 2005, through a partnership with McMaster University, with assistance from the municipal, provincial, and federal governments. The campus occupies over 37 acres of land and currently hosts over 115 tenants that range in size and industry including the biomedical research, advanced engineering, automotive information technology, life sciences, metal fabrication, research and development labs, as well as collaborative event and meeting space.

**iii. Cummings Research Park**

Cummings Research Park is in Huntsville, Alabama, and was established in 1961, through a partnership with the local university and the municipality. The campus occupies over 3,843 acres of land and is the 2nd largest research park in the United States. Cummings enables innovation and technological achievements for companies located within the Park, through fostering collaboration, innovated space for research, education, work, living, and other uses. Cummings Research Park has over 300 tenants ranging from Fortune 500 companies, local and international high-tech enterprises, US space and defense agencies, and a business incubator. The park also includes amenities such as recreation, food, retail, hotel, commercial, and residential uses.

**iv. CATALYST137 – Hardware Innovation Centre**

Catalyst137 is in the Region of Waterloo, near both the University of Waterloo and Google's headquarters. With over 2,000 tenants, Catalyst137 has 475,000 square feet

of space, purposely designed to foster and create innovation for hardware technology companies. Catalyst137 leases office spaces ranging from 3,000 to 50,000 square feet and allows communal access to loading bays and a shared manufacturing space featuring 3D printers, laser cutters, metalworking and other specialized equipment. This building also has amenities such as bike parking, over 1,100 parking spots, gym space, restaurants, microbrewery, and coffee shops.

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Based on the preliminary research and combined with the information obtained through the Metro Partners discussions, staff have concluded that a Technology Hub appears to be conceptually feasible. Hamilton is well positioned geographically, has an established reputation in innovation and research networks, has the general hard and social infrastructure necessary to support innovation and technology companies, and has land availability to support a variety of built-form development options. From an economic development perspective, Hamilton is well positioned to take advantage of this concept.

Looking specifically at an urban oriented hub built within the downtown, the creation of a new Class “A” office space building, the proposed companies who would occupy it, and the subsequent employee-base, would all add-value both financially, as well as qualitatively to the City of Hamilton. Staff have not concluded however, whether the City Hall Precinct lands themselves have any specific benefit over other potential sites within either the downtown core or elsewhere.

## **2. Development Feasibility of a Technology Hub**

For the purposes of this report, staff have broadly defined development feasibility as the identification and analysis of the issues involved in taking the hub idea from concept to a full shovel-ready development. Some of the issues would include statutory requirements such as planning and site servicing, some are short and long term financial implications, and others would entail qualitative aspects such as the overall vision for the site, public-space, sustainability, and the degree of overall control the City wishes to retain.

The Council approved direction of February 12, 2020 was in response to a public delegation made by representatives from Metro Partners and not in response to a staff report. Upon review, staff have identified several issues that will have an impact on the decision-making process for determining the development feasibility of a proposed development on the City Hall Precinct lands. The following are the general considerations that require further analysis and direction in determining the overall feasibility of any development.

### **i) Preference of a Land Sale or a City-Owned Long-Term Land Lease**

The Council direction is not clear as to the City’s preference between selling the identified lands, either in-whole or in part, versus the alternative of the City continuing to own the lands and offer a long-term land-lease to facilitate development. The City has employed both options in the past; the Pier 8



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development-blocks are being sold directly to the City's development partner, whereas the property of the privately-owned Jackson Square buildings are City-owned and managed through a long-term land lease, as are the recent decision by Council on the downtown entertainment district properties.

Initial analysis indicates both options could be feasible, achieve revenues by either the land sale or a land-lease, and increase the non-residential tax assessment of the site. Although the financial aspects can be compared to each other, the qualitative differences between the two-options are more difficult to evaluate.

Recommendations to Report PED21109 direct staff to determine a highest and best use assessment, prepare a property appraisal, and review all municipal financial implications. Although the recommendations in Report PED21109 direct staff to prepare a land disposition strategy for both options, the analysis would be focussed if Council indicated a preference between the two options.

**ii) Land-Use Planning, Design, Functional Servicing, and Other Studies**

Currently, the City Hall Precinct lands are subject to a variety of land-use planning regulations and policies and the planning approvals process. Although staff have not conducted a full assessment of the approvals required, the site is complicated by the existing zoning, which includes a variety of land-uses including parkland in the south-east corner of the property, as well as a municipal heritage designation. Similarly, as part of a typical due-diligence in any re-development, studies would be required to determine the site servicing and soil conditions, as well as other technical issues. Lastly, the Council direction also contained conditions on any proposed development including ensuring complementary uses with City Hall, the retention of parking and greenspace, as well as including specific requirements for accessibility, green building design, and amenities.

In order to determine the development feasibility, the recommendations to this report direct staff to prepare all relevant technical due-diligence studies including land-use, zoning, heritage planning, massing, parks and open space, environmental assessment, sustainable design, and functional servicing studies.

**iii) Assessment of Municipal Requirements Including Capital and Operational Parking Impact**

Currently, the City Hall Precinct lands are used substantially for surface parking servicing both City Hall, as well as the broader uses within the downtown core. Any development will have some impact on both the availability and operations of the existing City Hall parking. With that said however, a re-development plan could

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lead to an opportunity to consolidate parking uses in an efficient manner and add amenities such as bike and electric vehicle parking and storage. Staff have identified that the City Hall parking facilities are unique to this site, and therefore a full analysis of both the capital and operational impacts should be conducted.

**Establishing Process Options to Determine a Preferred Developer**

Aside from determining feasibility of the project, the Council motion also directed staff to define a process respecting options to pursue the development of the City Hall Precinct lands. Meaning, to determine how the City would choose the organization to complete the development. Although the City has employed a variety of approaches in the past, the specific process is usually informed by the development goals and vision, as well as the development feasibility. The following is a high-level description of the specific disposition processes employed in the past. Staff believe further analysis of the various options is required.

**(a) Direct Negotiation Process**

The simplest option would be for the City to enter into a direct negotiation with a potential proponent. Once concluded, staff would report back to Committee on the results of the negotiation, an analysis of the potential offer, and a recommendation for Committee's consideration. Staff have listed the following pros and cons to this process:

Pros:

- Process is streamlined, allowing for a quick decision, which could accelerate the timeframe for commencing the development; and
- Fair Market Value of land would be realized on sale or lease of property.

Cons:

- Negotiation with a single proponent based on a singular vision could reduce both the available options of the development and limit the financial terms; and
- The lack of an open and competitive process eliminates other qualified proponents from the process.

**(b) Request for Proposals (RFP) Process**

A common practice employed by public bodies is a formal Request for Proposals (RFP) process. Highly formalized, standardized, and complex, the RFP process allows for potential proponents to submit a proposal for consideration, where each is evaluated against a set of evaluation criteria. Once the proposals are evaluated, scored, and

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ranked, a preferred proponent is identified, and staff would report back to Committee on the results of the RFP and recommend a course of action for Committee's consideration. Staff have listed the following pros and cons to this process:

Pros:

- Formalized process with support from the City's Procurement section; and
- Gives equal opportunity to all interested parties to participate in the process and submit a proposal.

Cons:

- Requires significant staff resources and time to design, execute, and evaluate the process;
- The formalized and structured nature of an RFP process does not allow for easy application for a creative land-development proposal;
- Difficult to evaluate both qualitative and quantitative criteria; and
- Complexity of the process deters some quality proponents.

**(c) Swiss Challenge Process**

Mixing the Direct Negotiation and modified Procurement approaches, one could employ the Swiss Challenge methodology, whereby staff could negotiate the terms and conditions of the proposed development, and based on Council's approval, market the deal to the broader real estate and development community. Assuming a better offer is made, then the original proponent would have an opportunity to match that deal. Staff have listed the following pros and cons to this process:

Pros:

- Possibly more competitive and works, if the vision is well defined.

Cons:

- Procedural complexity, possibility of no one bidding;
- Process usually used for larger transactions

**(d) Real Estate Offering and Development Agreement Process**

The City could employ a typical real estate offering process. This method would entail the City marketing the development opportunity (including key desirable attributes and conditions) to the development and real estate industries, as well as the broader community, and solicit offers, bids, or proposals within a defined timeline. Once received and vetted, staff could either negotiate with the proponents of the best 2-3 offers to achieve their "best" offer and then, report back to the Committee on the results,

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with a recommendation for the Committee's consideration. Staff have listed the following pros and cons to this process:

**Pros:**

- Formalized and open process allowing for customization;
- Limited use of City resources required to execute the process;
- Staff could be supplemented by external marketing expertise; and
- Real estate and development industry professionals are familiar with this type of process and are more likely to engage.

**Cons:**

- Focusses primarily on the real estate transaction, making qualitative aspects more difficult to define; and,
- To ensure aspects of control, the City would have to develop detailed terms and conditions to preserve vision alignment, requiring upfront staff resources and time.

Once the development feasibility has been determined, staff will prepare an analysis and report back to Committee with a recommended disposition process.

**Next Steps and Timelines**

The recommendations include specific actions staff have indicated are critical to determining the feasibility of a creating a Technology Hub on the identified City Hall lands, as well as determining potential options on pursuing any proposed re-development of the City Hall Precinct lands. Staff will report back to the General Issues Committee with recommendations for consideration in the first quarter of 2022.

**ALTERNATIVES FOR CONSIDERATION**

Staff prepared Report PED21109 to re-engage, provide further information, and seek clarity from Committee on the previous February 20, 2020 motion. As such, amendments to the staff recommendations could be made with little impact.

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

**Economic Prosperity and Growth**

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

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**Built Environment and Infrastructure**

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

**APPENDICES AND SCHEDULES ATTACHED**

Appendix "A" to Report PED21109 - Metro Partners Proposal

JVK, CP/jrb



**PROPOSAL TO ACQUIRE CITY LANDS TO DEVELOP A DOWNTOWN TECHNOLOGY HUB**  
**TRANSFORMING HAMILTON'S DOWNTOWN**  
WITHOUT PREJUDICE

Before us is the opportunity to seed the creation of a Downtown Technology District, transforming Hamilton's downtown into a leader in what will be the most significant economic sector in the decades to come.

The proposed downtown Tech Hub will create upwards of 6,000+ new jobs downtown while transforming a paved parking lot into a publicly accessible park with critical bike and car parking below ground and badly needed new grocery and shopping facilities to support the Durand neighbourhood. A wellness centre will also be constructed on the site creating a world class facility designed to attract doctors and other practitioners to a part of Hamilton that today suffers from a physician shortage.

We can see incredible levels of condominium development in Hamilton's downtown but virtually no creation of Class A office space that will ensure that our citizens are able to work locally. The proposed LRT and other significant transit investments for the entire city combined with the entertainment and conference investments leave the need for the creation of significant post-covid designed office employment facilities.

If we start TODAY, the earliest that we could be ready would be 2025-2026. It is therefore critical that we move quickly to complete this process that began through a public RFI in 2016.

The City Hall parcel of properties, estimated to be 2.3 Acres, provides the needed critical mass of land that is simply not available elsewhere in the City's downtown and adjacent to the Downtown (Hamilton Centre) GO Station. Furthermore, Metro Partners has made offers to purchase development lands AT THE SELLER's fair market cost. Regrettably most downtown property owners continue to refuse to sell their properties or have opted for residential development. This has not changed during Covid. In the meantime, residential development continues to accelerate downtown and without meaningful office development, new downtown residents will be forced to seek technology-based employment elsewhere leaving our City as more of a bedroom community.

Critically, Metro Partners has engaged US Headquartered CBRE (Coldwell Banker Richard Ellis) **the largest commercial real estate services company in the world**. Together, we have created a post-COVID vision for the City of Hamilton as an HQ2 Destination in which companies will seek to locate a second Headquarters in a facility like Hamilton's proposed Tech Hub. We both agree that Hamilton's time has arrived but that the City lacks the needed Class A office infrastructure seamlessly tied to local and provincial transit. **In a recent CBRE report, CBRE identified the opportunity for Hamilton to be an 'HQ2'**



**location for companies looking to create a second Head Quarter outside of a larger Metro City.** In the report, CBRE outlines how Hamilton is perfectly positioned in the new office space reality to capitalize on the impact that Covid is having on how companies will manage their office space needs in the future.



Meanwhile, the current parking lot behind City Hall which offers approximately 200 parking spaces, is frequently full and significant waiting lists (2 years plus) for staff parking exist today. Like all properties, it requires maintenance and structural updates.



The cost to demolish and build a full underground parking structure ALONE is estimated to be at least \$60,000,000. Projected partial availability of new parking facility would be 2023.

“Despite the pandemic’s terrible economic toll across the economy, there are now nearly 100,000 more jobs in STEM disciplines — science, technology, engineering and math — than there were before COVID-19.

The rest of the economy has lost more than 400,000 jobs, leaving a gaping hole in Canada’s employment market. But not for STEM workers, who include many of our best and brightest.” Toronto Star 12.27.20

The centre would become Hamilton’s signature downtown office towers and would complement Hamilton’s iconic City Hall facility and be directly connected to the Hamilton GO Centre station enabling staff at the new Tech Centre to travel to Toronto’s Union and the PATH system without the need for a coat in the middle of winter. In addition, the plaza retail level would provide the Durand and surrounding neighbourhoods with a mid-sized grocery store with delivery and underground pick up as well as many other premium retailers not currently operating in Hamilton’s downtown. Carbon Net Zero would be the goal with low impact concrete.

“We expect greater resilience in lower-density markets outside Canada’s large urban cores,” Moody’s economist Abhilasha Singh wrote.

“The pandemic has boosted demand for properties offering more space for working from home and fewer shared areas with neighbours. Smaller markets where such properties are more affordable will particularly benefit from this trend.”  
Huffington Post 1.02.21

The plan provides for a 12 story City Hall expansion area or possibly additional office space which would be available for 5 years on a first right of refusal basis. A separate health and wellness centre will offer a single point of care for multiple health and wellness disciplines as well as exercise facilities.





The project was presented to the board of the Durand Neighbourhood Association prior to Covid, and the concept met with strong support. We have worked to height and shadowing requirements anticipated by the City. The current small, designated park land on the South West corner of the proposed site would be replaced by a larger publicly accessible park area on the new site.

“Oakville, Ont.-based Prodigy Education Inc, which had previously raised just \$15-million in institutional capital from CBGF in 2019, said the new funds would fuel a hiring spree, with plans to double in size to 800 people this year.

“We’re planning on growing very aggressively with this fundraiser ... and pursue our mission of helping every student in the world love learning,” co-chief executive officer Rohan Mahimker said in an interview.” Globe and Mail 1.12.21

The developer also envisages creating an onsite tourist attraction and destination for local schools.

#### City Hall Tech & Innovation Hub:

The City issued and publicly advertised a request for Information in 2016 and Metro Partners formally submitted this concept with architectural concepts and other research together with other proponents.

Proposal is to acquire the lands at FAIR MARKET VALUE (FMV) as determined by an independent appraisal and has been revised to contemplate in the alternative, a 100-year lease of the lands **THOUGH THIS OPTION WILL GREATLY REDUCE THE ATTRACTIVENESS OF THIS PROJECT TO THE MARKET. COMPARABLE TAX incentives TO THOSE OFFERED TO ATTRACT OTHER COMMERCIAL DEVELOPMENTS LIKE AMAZON and that are today being offered to other large-scale tenancies would be requested.** An extendable period of three years to close would be required to secure the necessary tenants and finalize the architectural and engineering specifications. In the event that the project did not move forward, Metro Partners would provide, at cost, all studies and detailed drawings created to the City for \$1. While an effort was made to publicly communicate the opportunity to redevelop the City Hall lands, the City has established the precedent of divesting of properties and in 2017 when the City sold its technology centre:

“The city-owned Hamilton Technology Centre (HTC) has been sold to a private company called Clearcable, one of the centre’s tenants.

City officials confirmed the \$3.25 million sale on Wednesday, calling it a win-win business transaction for both the city and Clearcable, a company that builds broadband for smaller providers of internet and telecommunications services.



"We had an opportunity to sell it and it was a strategic sale," said John Hertel, the city's revenue generation director. "We're selling it to someone who would continue to operate it as a technology incubator."

<https://www.thespec.com/business/2017/09/06/city-sells-its-technology-centre-to-tenant-firm.html>

Office tenants would include but not be limited to corporate and technology and Health care sector operations, incubators, ancillary industries including legal, corporate finance, training and development. Laboratory and physical research would NOT be a part of the planned development and would be best left to the MIP district and others like it. Priority would be given to Canadian owned firms.

"Over a 12-month period ending July 1, 2020, and overlapping with the first wave of the pandemic, the metropolitan area of Toronto saw a net intraprovincial outflow of 50,375 people, according to Statistics Canada figures released Thursday. That means 50,375 more people left the Toronto area for other parts of Ontario than moved in – a record high according to data going back almost two decades." Globe and Mail 1.14.21

1. Technology and associated industries will be the strongest growth areas for advanced economies in the decades ahead. Hamilton is not currently a major contender in this sector despite its close proximity to Toronto, its significant base of technology workers and its new-found, vibrant downtown atmosphere, its significant education and research facilities and being a truly METROPOLITAN city rivalled in the region only by Toronto. Cities like Kitchener Waterloo have created facilities and a tech centre that today is attracting significant tenants like Google and others despite the demise of RIM and despite its substantial geographic distance from Toronto and extremely poor transit connectivity to other regions when compared with Hamilton.
2. Hamilton's downtown must dramatically pivot to being a major technology driven centre with the critical mass of downtown tech tenants or risk becoming more of a bedroom community with condominiums and residential development and its growing tech-worker citizenry commuting to Toronto as is today the case. MIP and other facilities in the airport region are entirely complementary to the effort to create a tech district in Hamilton's downtown.
3. The challenge around creating a downtown tech district remains not one of construction or financing but of securing a critical mass of tenants in the technology sector to relocate to Hamilton's Downtown. Communicating a vision for Hamilton as a tech hub in a city that today does not have a single Class A office tower.



4. A percentage of the net new tech workers will choose to live downtown and, in some cases, require affordable housing as many shift to the City to begin their careers. They will require downtown access to parking, shopping including grocery and seamless access to Toronto by GO Transit from Hamilton's downtown. If the LRT becomes a reality, the intra-city connection will be perfect to connect to MIP, McMaster and residential city wide.

"...the story of the Bay Area's [San Francisco's] latest tech era is ending for a growing crowd of tech workers and their companies. They have suddenly movable jobs and money in the bank — money that will go plenty further somewhere else." New York Times 1.14.21

5. The Impact and Opportunity created by COVID and future global issues:
  - a. The number of incidents like COVID is likely to accelerate in frequency given our global population growth that is breaking down barriers between animal wildlife and humans enabling viruses and other contagions to jump into human populations. Global connectivity through travel and the exchanges of goods adds to the ability of such contagions to spread rapidly.
  - b. Global warming and political and societal unrest have had a significant impact on major tech regions like California which is now seeing a mini exodus to markets like Texas and Canada/Hamilton has the potential to be a destination.
  - c. COVID has dampened the demand for office space in the immediate term BUT expected to resume as in person is realistically the only way to create value and operate a company. Younger staff in particular rely on interpersonal interactions to grow and develop
  - d. Canadians are shifting to the suburbs with lower density, larger homes with property and lower costs of living
  - e. Corporations recognize that employee cost of living impacts compensation and that turnover is reduced when an employee adopts a lifestyle that cannot easily be achieved in a denser, urban settings
    - i. Housing
    - ii. Access to good public and private schools
    - iii. Health Facilities
    - iv. A vibrancy (that Hamilton has already created with its restaurant and art scene)
    - v. Access to 'nature' which Hamilton, as Canada's most biodiverse region, is uniquely suited to provide
  - f. All commercial tenants will look to a prospective facility's post-COVID credentials when siting office locations
    - i. Systems designed to ensure safety for staff



1. HVAC with higher frequency of air replacement and flow designed to minimize droplet spread
  2. Touchless systems for elevators and doors
  3. Increased distancing by increasing square footage per person
  4. Recognition that public transit is the less preferred option for transportation during a health crisis and parking for bikes and other vehicles still relevant
- g. Hamilton's downtown currently does NOT have
- i. Class A office towers with sufficient parking and linkages to transit
  - ii. Sufficient vehicle parking (parking study) and monitored Bike parking that addresses significant theft barrier to riding personal bikes
  - iii. A tech district
    1. Tech firms seek to locate in areas where there is a culture and concentration of like-minded individuals and
    2. A downtown vibrancy driven by others in a similar sector
6. The Board of Advisors will be critical to the success of the project. MetroPartners is led by Hamilton born and raised Paven R. Bratch who draws on 35 years+ in the marketing and technology sector, much of it in the GTA and extends worldwide. Named as Canada's Top 40 Under 40, in 2003 and recently recognized in Hamilton as a developer committed preserving the City's heritage properties. Paven is an innovator who believes that Hamilton's time is now (though he created the Tech Hub proposal in 2016) especially given the recently announced investments in transit. Separately, Metro Partners, through its designate, has entered into a binding agreement to acquire a 2.9 Acre site opposite the West Harbour GO Station to create a live:work development on what are today contaminated lands in Hamilton's North End. The facility will feature a strong commitment to reducing its carbon footprint and to creating workspaces that are designed for safety in a post-covid era.

Advisors:

- a. [John Ruffolo](#), former founder and CEO of OMERS Ventures (invested in Shopify, Hootsuite and more) Vice Chair and co-founder (with Jim Balsillie of the Canadian Council of Innovators, founder of new venture firm Maverix Private Equity with planned \$500M equity raise)
- b. [Peter DeGroot](#), CTO Post Media responsible for 170+ national publications and extensive technology infrastructure
- c. [Anand Sinha](#) Employee #9 RIM and Hamiltonian, Technology visionary
- d. [Jazz Samra](#), formerly GOOGLE Global Nest Emerging Partnerships and former Head of US Channel Sales for GOOGLE – Small and Medium Sized Business (California based)
- e. [Tim Jackson](#), President and CEO, Shad (National STEM programming for post-secondary Students) - Shad is Canada's premier live-in summer enrichment program



for high-potential high school students focused on STEAM and entrepreneurship. Prior to this, **Tim was a former executive with MaRS**, one of the world's largest innovation hubs

- f. [Jake Bullen](#), Partner, [Cassels.com](#) (national law firm)
- g. XXX (TBA), CEO/COO, Former Pension Fund Signing officer and real estate development executive

#### Secondary School Integration building Hamilton:

The Tech Hub would have a formal integration with local secondary and post-secondary institutions. Mr. Cesare Di Donato, head of the Industry-Education Council is prepared to collaborate with the new centre to create programming that will enhance the development of Hamilton's secondary school age students.

Metro Partners Advisor, Tim Jackson who leads Canada's incredible SHAD program (STEAM) and served as an executive with MaRS in Toronto, will be an invaluable resource as well as we create programming for our region's students to create the leaders of tomorrow.

Metro Partners Advisor John Ruffolo, founder and Vice Chairman of the Canadian Council for Innovators is a founding member of incubator OneEleven that is now being re-established and he will also be an incredible resource as we create spaces for young innovators to create the companies of the future.

#### Industry Education Council of Hamilton relationship + SHAD

7. Current Professional Advisors
  - a. Cassels (leading Toronto based Canadian Law Firm)
  - b. CBRE Toronto/Global Real Estate with key contacts in tech and retail sector
  - c. Metro Partners team
  - d. CBRE Finance and Structure for funding needs
  - e. Architecture: Lintack & Associates + Global partners
  - f. Project Management – [Gillam Group Inc.](#) (former firm Vanbots)
    - i. <https://www.canadianbusiness.com/lists-and-rankings/profit-500/2017-gillam-group/>
8. Proposed Advisors/Construction Partners
  - a. Engineering-Stantec
  - b. Construction: EllisDon level partner
  - c. Identified Pension Fund/Capital Partners



“Canadian pension funds are seeking to boost their real estate investments, betting the slumping property market will recover as the COVID-19 pandemic recedes...”  
Globe and Mail 1.21.21

Image below NOT confidential – MetroPartners:



**HAMILTON CITY HALL EXPANSION**  
The redevelopment of under utilized municipal lands for the creation of a A+ Class office and medical space

NEW DEVELOPMENT:

Technology and Medical Innovation Centre  
**MetroPartners Inc**  
HAMILTON, ON  
SEPT 30, 2019

**LINTACK ARCHITECTS**  
INCORPORATED  
100 JAMES STREET SUITE 1000 WESTON, ONTARIO L9M 1P7  
781.222.4142 • F 905.222.2874 • [info@lntack.com](mailto:info@lntack.com)  
[www.lntack.com](http://www.lntack.com)



COVER

DWG. No.  
A1.0

**Breakdown:**

- Parking structure would be 3 levels at 450 parking spaces per level totalling 1350 Spaces (subject to soil analysis)
- Retail plaza – 50-100,000 sq feet with Grocery, Pharma, food court and boutique retailers to compete with Mapleview Mall, Burlington
- Skytop auditorium with ability to link to global conferences and TV Studios
- Two office towers 20 and 24 Stories totalling 572,000 square feet – Key target would be Amazon, Govt of Canada and OneEleven? Plus College or University from Toronto or other, tech focused law firms, finance companies, Pharma head offices.
- Health Centre – Approximately 11,400 Sq Feet – Leased
- Future expansion space for City of Hamilton or other occupant – 12 storeys x10,000-120,000 Sq ft.



How we will sell occupancy:

Marketing and PR – Create a national campaign and social media presence of the downtown Tech Hub leveraging a New York City based creative agency and local marketers.  
 YouTube channel interviewing key influencers on their views of Hamilton/Tech District potential  
 Work closely with Economic Development team

Create Key Sales Offices:

- Toronto Downtown Sales office above Union Station
- Hamilton Sales Office
- California Sales Office
- UK Sales Office

Deal (more details):

- FMV (FAIR MARKET VALUE) sale with closing in 3-5 years\* or sooner which generates critical capital for City
- Focus of hub:
  - o Any and all tenants that fit an innovation paradigm and supporting services including legal, financial, education, incubator, government agency that supports technology...e.g. (scenarios)
  - o Professional services/banking
  - o City to remain at arms-length on all operations of property
  - o Green space to be privately managed, publicly accessible
  - o Provision to address corner heritage space
- Office space at City Hall site for sales and hosting OR permission to erect a sales office
- Parking at FMV dedicated to City
- City has first right of refusal on expansion tower estimated to occur in 5 years from commencement of project for construction of 12 story civic building expansion area as tenant
- Carbon Net Zero is goal but may have to be adjusted given geological issues
- Goal is to create SAFE BIKE parking for city core + electric/hydrogen charging
- Partnership with local secondary and post-secondary schools

Community Benefit:

- Transform Hamilton from majority public sector employer to tech/innovation employer estimated at 6,000 jobs initially with plus additional retail employment
- Create high value jobs for Hamiltonians and future generations that do not require them to relocate to pursue



- Create an integrated education platform for secondary and post-secondary students in cooperation with the Hamilton Public and Separate School boards for living lab, internship and mentoring programs as well as ‘junior incubators’ funded and supported by the private sector
- Improve the commercial tax base for Hamilton providing relief to residential rate payers
- Enable the Hamilton GO Centre station to expand and potentially transform to all day GO with Express service to Union
- Create a Signature building for Hamilton with its first Class-A downtown towers breaking decades of high vacancy office
- Transform a large mass of asphalt and concrete (current parking lot) to a green space with potential tourist destination
  - Tourist attraction all season plus corporate team building
  - Integration with Wellness Centre
- Bring another world class Integrated Health & Wellness Centre to the downtown core focused on whole health healing and exercise
- Provide an expanded range of educational choices for certificate and diploma programs
- Provide a tech centre auditorium and studios for global broadcast events
- Create safe theft proof storage parking for downtown cyclists not currently available to those using network of bike lanes

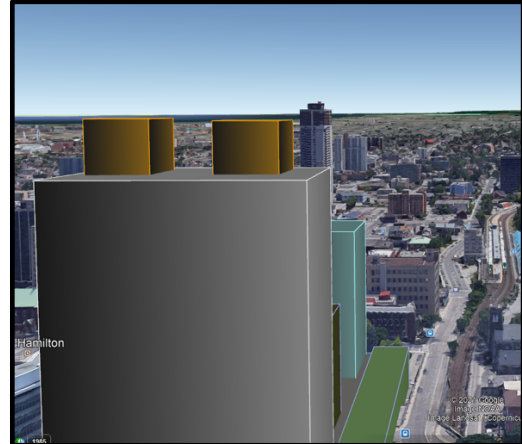
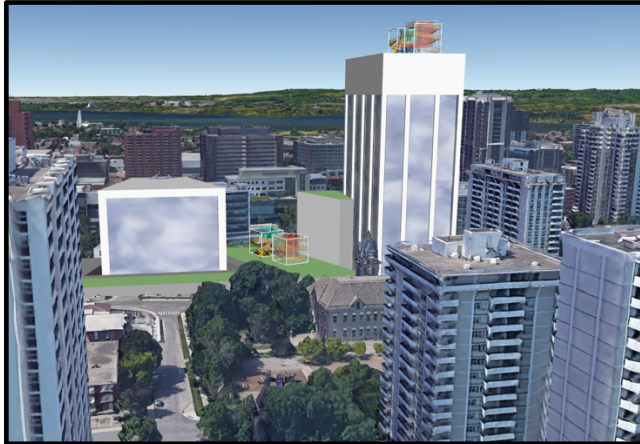
Alternative is concept to create facility on the roof top that requires less staffing and can combine youth activities with adults with no physical abilities to participate with photos and shared experience. Potential roof top location allows US TO RESET PEOPLE’S PERCEPTION OF HAMILTON FORMED ON SKYWAY BRIDGE. CREATE A SIGNIFICANT SOCIAL MEDIA EVENT THAT CAN HELP CORRECT THE PERCEPTION OF HAMILTON AS PURELY INDUSTRIAL.





CONCEPTS:





## PHASED APPROACH:

### Phase 1: Pre-sale (low Millions invested at risk by Metro Partners)

- Purchase /100 YEAR LEASE of lands at FMV
- Secure City Hall property conditional on securing tenants over period of 4 years (extended due to COVID). All drawings and work done revert to City in the event of failure to close
- Financing and tax incentives matching or greater than that offered to Amazon subject to tenants meeting standards of quality of Amazon though preferably Canadian
- City has first right of refusal on rental of City tower (12 stories) for five years
- MP has first right of refusal for purchase of City Hall building, respecting all heritage designations.
- Non-Residential tenancies with focus on Technology, Health Sciences and ancillary services (Legal, Finance, Education)
- Auditorium facilities
- Designated parkette to be transferred or preserved
- Tenants identified for Wellness Centre, Grocery Retail
- City
  - Access to parking at market prices
  - Reserved parking for Councillors and Senior Staff
  - Integration for security/public safety
- Create Living Lab strategy with Local Secondary school boards for internships, mentoring, digital labs and integrate local college and University



## Phase 2: Sales Phase

- Operational
  - Drawings and geological
  - Net Zero planning (GEOTHERMAL) and integration with HCE
  - Planning approvals
  - Secure alternate parking facilities/lands for construction
  - Close construction and ongoing financing through CBRE Finance and in partnership with pension funds
  - Bicycle parking, HSR bus access, EV parking, Hydrogen Refill, TreeTops climbing centre and other relationships to be finalized, downtown bike and EV delivery
  - Integration with
  
- Sales
  - CBRE
  - Create Technology and Health Sciences sales Team with significant marketing, PR and Digital presence integrated with Government of Ontario, Government of Canada, City of Hamilton-Economic Development and in cooperation with local players such as MIP, Mohawk and more.
  - Ensure cooperation with MIP, Entertainment district and other innovators to make Hamilton successful
  - Create dedicated Technology downtown sales Centre at Union Station, Toronto
  - Finalize retail tenancies
  - Secure global tenancies through CBRE and achieve 50-60% sales of Tower One and or Tower Two to proceed.
  - Local incubators or organizations like DMZ and OneEleven

## Phase 3 Construction and Move-in:

- Execute Financing
  - CBRE Finance and Debt Team leading or other
  - In-house CFO (former signing officer, Pension Funds with Global Fundraising Experience)
  - Cassels Private equity team
  
- Proposed Construction (likely subject to final detailed bidding overseen by project manager)
  - Rick Lintack, Lintack and Associates
  - Stantec Engineering
  - Bid from Canadian leaders like EllisDon/PCL
  - Cassels – Legal
  - Gillam – Project Management
  - Local engineering firms
  - Alternate City Hall parking to be identified once timelines confirmed



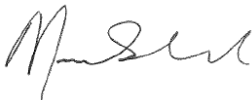
METRO PARTNERS  
HAMILTON

\*All terms subject to adjustment related to uncontrollable market conditions as reasonably established in advance

Project: Technology and Medical Innovation Centre - Hamilton											
Description: Hamilton City Hall Expansion and Redevelopment - Preliminary Preconstructions and Construction Schedule <small>Based on Lusk Architects Drawing A31 (A3) B issued on September 30, 2020</small>											
Description	Preconstruction					Construction					Post Construction
	2021	2022	2023	2024	2025	2026	2027	2028	2029	2030	
<b>Project Milestones</b>											
<b>PRE-CONSTRUCTION</b>											
Design Development	[Gantt bar from 2021 Q1 to 2021 Q3]										
SPA Process and Building Permits Obtained (Assumed Milestone Date)	[Gantt bar from 2021 Q1 to 2021 Q3]										
Contract Procurement	[Gantt bar from 2021 Q1 to 2021 Q3]										
Enabling Works and Demolition of Existing Building	[Gantt bar from 2021 Q1 to 2021 Q3]										
Underground Parking, Urban Plaza, Municipal Tower	[Gantt bar from 2021 Q1 to 2021 Q3]										
Wellness Centre	[Gantt bar from 2021 Q1 to 2021 Q3]										
Social Function Space	[Gantt bar from 2021 Q1 to 2021 Q3]										
South-West Transition Space and Tower	[Gantt bar from 2021 Q1 to 2021 Q3]										
South-East Transition Space and Tower	[Gantt bar from 2021 Q1 to 2021 Q3]										
<b>CONSTRUCTION</b>											
Construction Start Date (Assumed)	[Gantt bar from 2021 Q3 to 2021 Q3]										
Enabling Works and Demolition of Existing Building	[Gantt bar from 2021 Q3 to 2021 Q3]										
Underground Parking	[Gantt bar from 2021 Q3 to 2021 Q3]										
Urban Plaza	[Gantt bar from 2021 Q3 to 2021 Q3]										
Municipal Tower	[Gantt bar from 2021 Q3 to 2021 Q3]										
Wellness Centre	[Gantt bar from 2021 Q3 to 2021 Q3]										
Social Function Space	[Gantt bar from 2021 Q3 to 2021 Q3]										
South-West Transition Space and Tower	[Gantt bar from 2021 Q3 to 2021 Q3]										
South-East Transition Space and Tower	[Gantt bar from 2021 Q3 to 2021 Q3]										
Construction Completion Date	[Gantt bar from 2021 Q3 to 2021 Q3]										
<b>POST-CONSTRUCTION</b>											
	[Gantt bar from 2021 Q3 to 2021 Q3]										



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

<b>TO:</b>	Mayor and Members General Issues Committee
<b>COMMITTEE DATE:</b>	August 9, 2021
<b>SUBJECT/REPORT NO:</b>	Environmental Remediation and Site Enhancement (ERASE) Redevelopment Grant Application, 260 and 276 Dunsmure Road, Hamilton ERG-18-04 (PED21148) (Ward 3)
<b>WARD(S) AFFECTED:</b>	Ward 3
<b>PREPARED BY:</b>	Phil Caldwell (905) 546-2424 Ext. 2359
<b>SUBMITTED BY:</b>	Norm Schleeahn Director, Economic Development Planning and Economic Development Department
<b>SIGNATURE:</b>	

### RECOMMENDATION

- (a) That Environmental Remediation and Site Enhancement (ERASE) Redevelopment Grant Application ERG-18-04, submitted by Dunsmure Developments Ltd.(Sarit Chandaria), owner of the properties at 260 and 276 Dunsmure Road, Hamilton, for an ERASE Redevelopment Grant not to exceed \$1,875,628, the actual cost of the remediation over a maximum of ten (10) years, be authorized and approved in accordance with the terms and conditions of the ERASE Redevelopment Agreement;
- (b) That the General Manager of Planning and Economic Development Department be authorized and directed to execute the Environmental Remediation and Site Enhancement (ERASE) Redevelopment Agreement together with any ancillary documentation required, to give effect to the ERASE Redevelopment Grant for Dunsmure Development Ltd. (Sarit Chandaria), owner of the properties at 260 and 276 Dunsmure Road, Hamilton, in a form satisfactory to the City Solicitor; and,
- (c) That the General Manager of the Planning and Economic Development Department be authorized and directed to administer the Grant and Grant Agreement including but not limited to: deciding on actions to take in respect of

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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.

**SUBJECT: Environmental Remediation and Site Enhancement (ERASE) Redevelopment Grant Application, 260 and 276 Dunsmure Road, Hamilton ERG-18-04 (PED21148) (Ward 3) - Page 2 of 9**

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events of default and executing any Grant Amending Agreements, together with any ancillary amending documentation, if required, provided that the terms and conditions of the Environmental Remediation and Site Enhancement (ERASE) Redevelopment Grant, as approved by City Council, are maintained.

## **EXECUTIVE SUMMARY**

An Environmental Remediation and Site Enhancement (ERASE) Redevelopment Grant Application was submitted for 260 and 276 Dunsmure Road, Hamilton (the “site”) on May 4, 2018, by Dunsmure Developments Ltd. (Sarit Chandaria), the owner of the site.

The site is approximately 0.79 ha (1.95 ac) in size and located in a primarily low density residential and commercial area of the Crown Point West neighbourhood of East Hamilton. The site is located at the southeast corner of Dunsmure Road and Gage Avenue South. The site primarily fronts on Dunsmure Road and is bounded by a rail line to the east and south and low density residential to the west and north. The closest signalized intersection is approximately 70 m southwest of the site at Gage Avenue South and Main Street East. The site contains five vacant industrial/commercial and administrative buildings associated with its historical use as a lumber yard for Lawson Lumber Company Ltd.

A Phase Two Environmental Site Assessment undertaken in 2013 and supplemented with subsequent site investigations in 2020 and 2021 to investigate the site’s soil and groundwater conditions identified the presence of contaminants at levels above the applicable standards required to accommodate the planned development in accordance with Ontario Regulation 153/04. Identified Contaminates of Concern (COC) included various metals, polycyclic aromatic hydrocarbons (PAHs), petroleum hydrocarbons (PHCs) and volatile organic compounds (VOCs).

The Grant application is for \$1,875,628 in estimated eligible costs associated with the remediation of the site and activities associated with a required filing of a Record of Site Condition.

The planned development, for which conditional Site Plan approval has been granted, consists of 60 rental dwelling units within three blocks of stacked townhouses. An additional four rental units are planned on the portion of the property known as 260 Dunsmure Road, Hamilton for a total of 64 rental dwelling units.

Project construction costs are estimated at approximately \$27,000,000. It is estimated that the proposed development will increase the property assessment from the pre-development value of \$1,147,500 (CT-Commercial) to approximately \$9,990,000 (NT-New Multi Residential). This will increase total annual property taxes generated by this

**SUBJECT: Environmental Remediation and Site Enhancement (ERASE) Redevelopment Grant Application, 260 and 276 Dunsmure Road, Hamilton ERG-18-04 (PED21148) (Ward 3) - Page 3 of 9**

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site from \$37,399 to \$118,742, an increase of approximately \$81,343. The municipal portion of this increase is \$78,648 of which 80%, representing the maximum potential annual Grant, would be approximately \$62,918. Based on the estimated eligible costs provided by the Applicant, the maximum Grant will not exceed \$629,184 over a period of 10 annual payments.

The existing condition of the site as well as renderings of the planned redevelopment are provided below:



Existing Conditions – 260 and 276 Dunsmure Road, Hamilton looking southwest on Dunsmure Road (Source: maps.google.ca)



Planned Development – 260 and 276 Dunsmure Road, Hamilton (Source: Dunsmure Developments Ltd.)

**Alternatives for Consideration – See Page 8**

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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.  
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**SUBJECT: Environmental Remediation and Site Enhancement (ERASE) Redevelopment Grant Application, 260 and 276 Dunsmure Road, Hamilton ERG-18-04 (PED21148) (Ward 3) - Page 4 of 9**

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**FINANCIAL – STAFFING – LEGAL IMPLICATIONS**

**Financial:** As per the ERASE Redevelopment Grant (ERG) Program, the City will provide the Applicant with a Grant equivalent to 80% of the increase in municipal taxes up to the total eligible cost figure of \$1,875,628. Based on an estimated maximum potential annual Grant amount of \$62,918, the annual grant payments will conclude in year 10 with an estimated total Grant of \$629,184. The City will realize the full tax increment after year 10.

The City will retain the remaining 20% of the annual municipal tax increment estimated at \$15,730, and estimated to total \$157,300 over 10 years, will be deposited into the Brownfield Pilot Project Account No. 3620155102 to be used by the City for its Municipal Acquisition and Partnership Program. This Program, as approved in the ERASE Community Improvement Plan (CIP), involves the City acquiring key Brownfield sites, remediating and redeveloping property it already owns, or participating in public/private partnerships to redevelop brownfield properties.

**Staffing:** Applications and Grant payments under the ERG program are processed by existing staff from the Commercial Districts and Small Business Section, Economic Development Division and Taxation Section of the Finance and Administration Division.

There are no additional staffing requirements.

**Legal:** The ERG Program is authorized by the ERASE CIP which was adopted and approved in 2001 and subsequently comprehensively updated in 2005, 2010 and 2018 under Section 28 of the *Planning Act*. The ERASE Redevelopment Agreement will specify the obligations of the City and the Applicant and will be prepared in a form satisfactory to the City Solicitor.

Through a corporate title and litigation due diligence search conducted by staff on the subject site, two construction liens were identified as currently being in place. As per the ERG legal agreement that approved applicants are required to enter with City, the Applicant will be required to have these liens resolved and lifted from the site prior to any Grant being provided.



**SUBJECT: Environmental Remediation and Site Enhancement (ERASE)  
Redevelopment Grant Application, 260 and 276 Dunsmure Road,  
Hamilton ERG-18-04 (PED21148) (Ward 3) - Page 5 of 9**

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## **HISTORICAL BACKGROUND**

The site is approximately 0.79 ha (1.95 ac) in size and located in a primarily low density residential and commercial area of the Crown Point West neighbourhood in East Hamilton. The site is located at the southeast corner of Dunsmure Road and Gage Avenue South. The site primarily fronts on Dunsmure Road and is bounded by a rail line to the east and south and low density residential to the west and north. The closest signalized intersection is approximately 70 m southwest of the site at Gage Avenue South and Main Street East. The site contains five vacant industrial/commercial and administrative buildings associated with its historical use as a lumber yard for Lawson Lumber Company Ltd.

As part of the investigation of the environmental condition of the site, a Phase One Environmental Site Assessment (ESA) was undertaken by MTE in 2018 to investigate historical land use activities and the potential presence of contaminates. The results of the Phase One ESA identified five on-site and two off-site Areas of Potential Environmental Concern (APEC). These potential environmental concerns included:

- The current and historical presence of various Underground Storage Tanks (UST) throughout the site used for the storage of gasoline and oil;
- The presence of an on-site underground boiler room;
- The potential presence of fill and debris associated with former buildings on the site;
- A former on-site oil storage area;
- The presence of a rail line adjacent to the site;
- The current and historical presence of multiple vehicle repair businesses and gas stations in the vicinity of the site; and,
- Historical on-site activities associated with the treatment and storage of preserved wood products.

A Phase Two ESA which was previously undertaken by G2S Environmental Consulting in 2013 to investigate the site's current soil and groundwater conditions was supplemented by MTE with subsequent site investigations in 2020 and 2021 to further delineate the extent of soil and groundwater contamination in response to the updated Phase One ESA undertaken in 2018. This supplementary investigation was informed by the drilling of an additional approximately 20 boreholes on the site and the installation of 10 additional groundwater monitoring wells. The results confirmed the

**SUBJECT: Environmental Remediation and Site Enhancement (ERASE) Redevelopment Grant Application, 260 and 276 Dunsmure Road, Hamilton ERG-18-04 (PED21148) (Ward 3) - Page 6 of 9**

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presence of various metals, polycyclic aromatic hydrocarbons (PAHs), petroleum hydrocarbons (PHCs) and volatile organic compounds (VOCs) in the soil throughout the site at concentrations exceeding the Ministry of Environment, Conservation and Parks (the Ministry) Table 7 Generic Site Condition Standards (SCS) for Shallow Soil in a Non-Potable Groundwater Condition for residential/parkland/institutional land uses in accordance with Ontario Regulation 153/04.

The sites planned use as residential combined with the presence of contamination above the applicable SCS will result in the Applicant being required to undertake remediation of the site's soil and groundwater in order to file a RSC with the Ministry to facilitate the planned redevelopment of the site.

A Remedial Action Plan (RAP) was prepared in June 2021 by Occupational Hygiene & Environment (OHE) Consultants to outline the planned remediation of the site which will primarily consist of the following:

- The removal of known and suspected USTs;
- Excavation and disposal of contaminated soil and groundwater; and
- Backfilling of soil that meets the applicable SCS standards to facilitate the planned redevelopment.

## **POLICY IMPLICATIONS AND LEGISLATED REQUIREMENTS**

### **Urban Hamilton Official Plan**

The site is designated as “Neighbourhoods” on Schedule “E” – Urban Structure and on Schedule “E-1” – Urban Land Use Designations of the Urban Hamilton Official Plan. This designation is intended to accommodate a full range of residential dwelling types and densities to which the planned development complies.

### **Former City of Hamilton Zoning By-law No. 6593**

The site is primarily zoned “DE” Low Density Multiple Dwellings Zone with a small portion of the site located at the intersection of Dunsmure Road and Gage Avenue South and municipally known as 260 Dunsmure Road zoned “D” Urban Protected Residential – One- and Two-Family Dwellings Etc. Zone.

The planned use of the site is permitted.

**SUBJECT: Environmental Remediation and Site Enhancement (ERASE)  
Redevelopment Grant Application, 260 and 276 Dunsmure Road,  
Hamilton ERG-18-04 (PED21148) (Ward 3) - Page 7 of 9**

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### **Site Plan Control**

The site is subject to Site Plan Control. At the time of writing of this Report, the proposed development had received conditional Site Plan approval.

### **RELEVANT CONSULTATION**

Staff from the Taxation Section of the Finance and Administration Division and the Legal Services Division of the Corporate Services Department were consulted, and the advice received incorporated in this Report.

### **ANALYSIS AND RATIONALE FOR RECOMMENDATION(S)**

Potential estimated costs, as submitted by the Applicant, which may be eligible under the ERG Program based on the site's location within Area 3 – Urban Area of the ERASE Community Improvement Project Area (CIPA) include the following:

- \$122,028 in potentially eligible environmental consulting and Phase Two ESA study costs incurred since the ERG application was submitted to the City in 2018;
- \$55,000 for the removal of on-site USTs and decommissioning of monitoring wells;
- \$1,203,600 in costs and contingencies for the excavation of approximately 6,570 m<sup>3</sup> of contaminated soil and 100,000 Litres of groundwater to be disposed of at a licensed facility;
- \$100,000 in costs for possible shoring/protective technologies; and
- \$395,000 in future environmental consulting costs including the preparation of a Modified Generic Risk Assessment and Soil Management Plan and RSC submission.

In total, estimated eligible costs are \$1,875,628. Invoicing and associated documentation for said costs will be the subject of an audit by staff upon the completion of the site's remediation to ensure eligibility and compliance with the Council approved parameters of the ERG program.

The following is an overview of pre and post development property assessments and associated taxes which have informed the estimated potential Grant and Grant payment period contained in this report:

**SUBJECT: Environmental Remediation and Site Enhancement (ERASE)  
Redevelopment Grant Application, 260 and 276 Dunsmure Road,  
Hamilton ERG-18-04 (PED21148) (Ward 3) - Page 8 of 9**

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Grant Level:		80%
Total Estimated Eligible Costs (Maximum):	\$	1,875,628
Total Estimated Grant (Maximum):	\$	629,184
Pre-project CVA (CT - Commercial):	\$	1,147,500 Year: 2018
Municipal Levy:	\$	24,810
Education Levy:	\$	<u>12,589</u>
Pre-project Property Taxes	\$	37,399
Estimated Post-project CVA (NT – New Multi Residential):	\$	9,990,000 Year: TBD
Estimated Municipal Levy:	\$	103,458
Estimated Education Levy:	\$	<u>15,285</u>
Estimated Post-project Property Taxes:	\$	118,743

**Notes:**

- 1) 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).
- 2) 2020 tax rates have been used for calculation of the estimated post-development property taxes.
- 3) Annual Taxes exclude any Local Charges.
- 4) Pre-development estimate is subject to the adjustment due to the proposed severance.
- 5) All dollar figures rounded to the nearest dollar.

**ALTERNATIVES FOR CONSIDERATION**

The Grant application meets the eligibility criteria and requirements of the program. In the event the project is not considered for the program, the application should be referred back to staff for further information on possible financial or legal implications.

**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.

**SUBJECT: Environmental Remediation and Site Enhancement (ERASE)  
Redevelopment Grant Application, 260 and 276 Dunsmure Road,  
Hamilton ERG-18-04 (PED21148) (Ward 3) - Page 9 of 9**

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### **Clean and Green**

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

### **Our People and Performance**

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

### **APPENDICES AND SCHEDULES ATTACHED**

Appendix "A" to Report PED21148 – Location Map

PC/jrb

Appendix "A" to Report PED21148  
Page 1 of 1



● Site Location



Key Map - Ward 3

# Location Map



PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT

File Name/Number:  
276 Dunsmure Rd

Date:  
August 5, 2020

Appendix "A"

Scale:  
N.T.S

Planner/Technician:  
PC/AL

**Subject Property**

 276 Dunsmure Road



# Hamilton

## **BUSINESS IMPROVEMENT AREA ADVISORY COMMITTEE**

**REPORT 21-007**

**8:00 a.m.**

**Tuesday, July 13, 2021**

**Virtual Meeting**

**Hamilton City Hall**

**71 Main Street West**

**Present:** Councillor Esther Pauls (Chair)  
 Susie Braithwaite – International Village BIA  
 Tracy MacKinnon – Westdale Village BIA and Stoney Creek BIA  
 Cristina Geissler – Concession Street BIA  
 Kerry Jarvi – Downtown Hamilton BIA  
 Jude Szabo – Ancaster BIA  
 Susan Pennie – Waterdown BIA  
 Lisa Anderson – Dundas BIA  
 Emily Burton – Ottawa Street BIA

**Absent:** Michal Cybin – King West BIA  
 Bender Chug – Main West Esplanade BIA  
 Rachel Braithwaite – Barton Village BIA  
 Heidi VanderKwaak – Locke Street BIA

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### **THE BUSINESS IMPROVEMENT AREA ADVISORY COMMITTEE PRESENTS REPORT 21-007 AND RESPECTFULLY RECOMMENDS:**

**1. International Village Business Improvement Area Expenditure Request  
 (Item 11.1)**

That the expenditure request from the International Village Business Improvement Area, in the amount of \$7,110.80 for Office Expenses – moving expenses, renovations and new furniture, to be funded from the Community Improvement Plan (CIP) Contribution Program (BIA Payments Account 815010-56905), be approved.

**2. Business Improvement Areas Parking Master Plan Response (Item 11.2)**

WHEREAS, the City of Hamilton Parking has recently shared with BIAs recommendations for a parking plan in the City of Hamilton, and in response, the Hamilton BIAs would like to see City of Hamilton support for local small businesses and local BIAs continue;

WHEREAS, in keeping with Hamilton BIAs contributions to the unique vibrant neighbourhoods, destinations and districts of Hamilton;

WHEREAS, priority pricing for parking and reduced paid hours for parking are key strategies that promote foot traffic to our local businesses and attract new visitors within the Business Improvement Areas (BIAs); and,

WHEREAS, a supportive parking plan is critical as small businesses move to recovery mode following the pandemic;

THEREFORE, BE IT RESOLVED:

- (a) That the Business Improvement Areas Advisory Committee request that there be no changes to the current paid parking schedule for Monday-to-Sunday parking, within the BIAs where paid parking is established;
- (b) That the current paid parking hours remain in effect;
- (c) That a free Saturday and Sunday parking program be extended to those BIAs that wish to partake; and,
- (d) That City Staff, in collaboration with the BIAs, investigate parking revenue options that would support a BIA preferred parking program.

**FOR INFORMATION:**

**(a) CHANGES TO THE AGENDA (Item 2)**

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

The agenda for the July 13, 2021 Business Improvement Area Advisory Committee meeting 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) June 8, 2021 (Item 4.1)**

The June 8, 2021 Minutes of the Business Improvement Area Advisory Committee were approved, as presented.

**(d) DELEGATION REQUESTS (Item 6)**

- (i) Alex Weinberger, YWCA Hamilton, respecting what YWCA Hamilton offers and to learn from the BIAs what we can do to support and collaborate with the businesses in their areas (For a future meeting) (Item 6.1)**

The delegation request from Alex Weinberger, YWCA Hamilton, respecting what YWCA Hamilton offers and to learn from the BIAs what



we can do to support and collaborate with the businesses in their areas, was approved for a future meeting.

**(e) STAFF PRESENTATIONS (Item 8)**

**(i) Infection Prevention and Control Team Update (Item 8.1)**

Latchman Nandu, Manager, Infection Prevention and Control, Dr. Ninh Tran, Associate Medical Officer of Health, and Elissa Press, Health Promotion Specialist addressed the Committee with an update from the Infection Prevention and Control Team.

The staff presentation on Infection Prevention and Control Team Update, was received.

**(f) 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 being held September 26 – 29, 2021.

Kerry advised that with the changing COVID 19 restrictions, that the Committee is meeting and will be making changes to the format of the Conference.

Kerry requested that BIAs hosting a mobile tour during the Conference ensure that they send their information to Erin at OBIAA.

The discussion respecting Ontario Business Improvement Area Association Conference 2021 was received.

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

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

Julian reminded Committee of the Small Business Tax Class Consultation Meeting that is being held Thursday, July 15<sup>th</sup> from 1:00 pm – 3:00 pm.

Julia advised that the Hamilton COVID Concierge Site has updated their content and provides many business supports, including screening tools and posters that have been updated with the current regulations. The website can be accessed at [www.hamiltoncovidconcierge.ca](http://www.hamiltoncovidconcierge.ca).

Alternatively, their phone number is 905-521-3989 and this line is staffed Monday – Friday (8:30 am – 4:30 pm).

Julia advised that the BIAs who applied for the Shop Local Grant funding of \$10,000 will be receiving their payments shortly. Julia requested that BIAs submit to her any photos and/or testimonials of what the funds were used for.

Julia reminded Committee that the Hamilton Chamber of Commerce is providing rapid testing kits for businesses that have less than 150 employees. There are also Work Wise window decals that the BIAs can pick up to distribute to businesses in their area.

Julia advised the Committee to investigate the Canada Community Revitalisation Fund that is open for applications until July 23, 2021.

Julia advised Committee that she attends the Infection Prevention and Control meetings, and should BIA members have any questions, Julia can raise them at the meetings.

The verbal update from Julia Davis, Business Development and BIA Officer, was received.

**(ii) Statements by Members (Item 13.2)**

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

The updates from Committee Members, were received.

**(h) ADJOURNMENT (Item 15)**

There being no further business, the Business Improvement Area Advisory Committee adjourned at 9:22 a.m.

Respectfully submitted,

Councillor E. Pauls  
Chair Business Improvement Area  
Advisory Committee

Angela McRae  
Legislative Coordinator  
Office of the City Clerk



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

<b>TO:</b>	Mayor and Members General Issues Committee
<b>COMMITTEE DATE:</b>	August 9, 2021
<b>SUBJECT/REPORT NO:</b>	Canada Community Revitalization Fund Initial Intake (FCS21077) (City Wide)
<b>WARD(S) AFFECTED:</b>	City Wide
<b>PREPARED BY:</b>	John Savoia (905) 546-2424 Ext. 7298
<b>SUBMITTED BY:</b>	Brian McMullen Director, Financial Planning, Administration and Policy Corporate Services Department
<b>SIGNATURE:</b>	

### RECOMMENDATION(S)

- (a) That the Mayor and City Clerk be authorized to execute all necessary documentation, including Funding Agreements to receive funding under the Canada Community Revitalization Fund with content satisfactory to the General Manager, Finance and Corporate Services, and in a form satisfactory to the City Solicitor;
- (b) That the City Solicitor be authorized and directed to prepare any necessary by-laws for Council approval, for the purpose of giving effect to the City's acceptance of funding from the Canada Community Revitalization Fund.

### EXECUTIVE SUMMARY

On June 23, 2021, the Federal government announced the launch of the Canada Community Revitalization Fund (CCRF) which aims to help non-profit organizations, municipalities, Indigenous communities and other community groups across Canada to build and improve community infrastructure projects so they can rebound from the effects of the COVID-19 pandemic, assist with community vitality, support social and economic cohesion and help reanimate communities.

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**SUBJECT: Canada Community Revitalization Fund Initial Intake (FCS21077)  
(City Wide) – Page 2 of 7**

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Regional development agencies across Canada are delivering \$500 M over two years (2021-2022 to 2022-2023) for community infrastructure projects, with FedDev Ontario delivering \$144.7 M in southern Ontario via competitive intakes.

Eligible projects will be prioritized in the following order of importance:

- Revitalize downtown cores and main streets
- Reinvent outdoor spaces
- Create green infrastructure
- Increase accessibility of community spaces

Priority will be given to projects that are “shovel ready” such that:

- a) plans and specifications of the project have been complete
- b) the project is ready to accept bids for contracts
- c) has secured all necessary environmental approvals
- d) projects will be substantially completed by March 31, 2023

Additionally, selected projects must help communities rebound from the effects of the pandemic and are able to demonstrate measurable direct or indirect social and economic benefits.

A one-time special scheduled intake will accept applications and focus on eligible projects that are ready to proceed. Applicants are strongly encouraged to submit their applications by July 23, 2021. Should there be remaining funding after the scheduled intake period, applications will continue to be accepted and funded on a continuous intake basis over the next two years or until such a time as the allocated funding is fully distributed. Organizations that submit multiple applications are required to rank the priority of each application. A resolution of support from municipal councils is not required under the CCRF program guidelines.

CCRF contributions will be determined based on the minimum amount required to carry out a project and may represent up to 75 percent of total eligible costs. Recipients could receive up to \$750 K. All contributions will be non-repayable. Eligible expenses must be incurred between April 19, 2021 and March 31, 2023.

For the aforementioned reasons, staff has identified the following projects for which applications have been submitted by the scheduled intake’s submission deadline of July 23, 2021. The following are listed in priority ranking that staff determined by assessing the project’s scope of work achieving CCRF program priorities (refer to the Analysis and Rationale for Recommendation(s) section of Report FCS21077 for more details of the submitted projects’ alignment with the Program’s assessment criteria).

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**SUBJECT: Canada Community Revitalization Fund Initial Intake (FCS21077)  
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Projects Submitted to FedDev Ontario for CCRF Program Funding Consideration

<b>Priority Ranking</b>	<b>Project Title</b>
1	St. Mark's Cultural Space Enhancements
2	Beasley Park Rehabilitation Phase 2
3	Victoria Park Spray Pad Replacement
4	Children's Museum Accessibility Improvements
5	Washroom Touchless Accessories

**Alternatives for Consideration – N/A**

**FINANCIAL – STAFFING – LEGAL IMPLICATIONS**

**Financial:** As reflected in Appendix “A” to Report FCS21077, five projects have been submitted with a total gross cost of \$14.3 M. CCRF requested funding share of \$2.96 M with a City contribution of \$8.75 M. It should be noted that in February 2021, the Children’s Museum Accessibility project received funding approval for \$2.58 M from the Community, Culture and Recreation (CCR) funding stream of the Investing in Canada Infrastructure Program (ICIP).

The City share is included in 2021 – 2023 Capital Budgets and as such, funding provided by the CCRF Program will free up capital funding capacity that may be reallocated to other priority needs.

It is anticipated that there will be no significant operating expense impacts associated with the completion of the five projects submitted for funding consideration under CCRF.

**Staffing:** No impact to current staffing levels.

**Legal:** It is anticipated that the City will be required to enter into a funding agreement to receive CCRF grants and may need to enter into other ancillary agreements or pass by-laws to receive funding.

**HISTORICAL BACKGROUND**

On June 23, 2021, the federal government announced the launch of the Canada Community Revitalization Fund (CCRF) which aims to help communities, towns and cities across Canada to build and improve community infrastructure projects so they can rebound from the effects of the COVID-19 pandemic, assist with community vitality, support social and economic cohesion and help reanimate communities.

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**SUBJECT: Canada Community Revitalization Fund Initial Intake (FCS21077)  
(City Wide) – Page 4 of 7**

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Regional development agencies across Canada are delivering \$500 M over two years (2021-2022 to 2022-2023) for community infrastructure projects, with FedDev Ontario delivering \$144.7 M in southern Ontario via competitive intakes.

Eligible applicants:

- Not-for-profit organizations
- Co-operatives and business improvement areas (BIAs)
- Municipal or regional governments established by or under provincial or territorial statute
- Public-sector bodies that are established under provincial or territorial statute or regulation, or that are wholly owned by provincial, territorial, municipal or regional governments, that provide municipal-type infrastructure services to communities
- Indigenous organizations

Eligible activities

The Fund will provide support for the following types of projects:

- Adapting and reimagining / re-envisioning community spaces and maintaining accessibility standards so that they may safely be used by communities in accordance with social distancing and local public health guidelines to help revitalize areas and support future planning efforts. Projects could include community transformation infrastructure to help rejuvenate communities, downtown cores, main streets and shared spaces.
- Building or improving community infrastructure through the expansion, improvement or creation of community spaces to encourage Canadians to re-engage in and explore their communities and regions.

Eligible costs

Eligible costs include reasonable and necessary expenses associated with the activities listed above. This includes, but is not limited to, construction materials and contractor fees for building or improving a community asset. Consult the Application Guide for further details.

Ineligible costs

Ineligible costs include expenses associated with maintenance and operational activities that typically need to be undertaken on a recurring / annual basis, motorized vehicles, the purchase of a building and land.

**SUBJECT: Canada Community Revitalization Fund Initial Intake (FCS21077)  
(City Wide) – Page 5 of 7**

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A one-time special scheduled intake will accept applications and focus on eligible projects that are ready to proceed. Applicants are strongly encouraged to submit their applications by July 23, 2021. Should there be remaining funding after the scheduled intake period, applications will continue to be accepted and funded on a continuous intake basis over the next two years or until such a time as the allocated funding is fully distributed. Organizations that submit multiple applications are required to rank the priority of each application. A resolution of support from municipal councils is not required under the CCRF program guidelines.

**POLICY IMPLICATIONS AND LEGISLATED REQUIREMENTS**

N/A

**RELEVANT CONSULTATION**

The following departments provided project proposals for submission consideration under the CCRF Intake:

- Planning and Economic Development Department
- Public Works Department

**ANALYSIS AND RATIONALE FOR RECOMMENDATION(S)**

Eligible projects will be prioritized in the following order of importance:

- revitalize downtown cores and main streets
- reinvent outdoor spaces
- create green infrastructure
- increase the accessibility of community spaces

Examples may include projects involving:

- downtown cores and main streets
- green projects and projects that reduce environmental impacts
- improvement of accessibility
- farmers' markets
- community and cultural centres
- museums and libraries
- public outdoor community sports facilities and spaces
- waterfront and tourism facilities
- multi-purpose centres
- other existing community facilities for public benefit that have a local community impact and underpin local economies

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**SUBJECT: Canada Community Revitalization Fund Initial Intake (FCS21077)  
(City Wide) – Page 6 of 7**

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Projects to be selected will be those that are able to demonstrate how the project aligns with the priorities of the CCRF:

- priority will be given to projects that are “shovel ready” such that:
  - a) plans and specifications of the project have been complete
  - b) the project is ready to accept bids for contracts
  - c) has secured all necessary environmental approvals
  - d) projects will be substantially completed by March 31, 2023
- bring in other partners to leverage project funding
- are of a smaller scope, where the project will be completed quickly so the program benefits will be shared broadly
- help communities rebound from the effects of the pandemic and contribute to the reanimation of communities, towns and cities
- can demonstrate measurable direct or indirect social and economic benefits
- encourage the participation of underrepresented groups and take into consideration the unique challenges of rural and remote communities
- are submitted before July 23, 2021

As previously noted, organizations that submit multiple applications are required to rank the priority of each application. There is no indication as to the weighting of applicant’s priority ranking as projects are assessed for potential funding under the CCRF Program.

Staff carefully assessed projects for the best alignment with the CCRF Program’s funding selection criteria. The projects that have been submitted to FedDev Ontario for funding consideration are listed in Appendix “A” of Report FCS21077, reflect a list of five projects requesting CCRF funding of \$2.96 M. Additionally, the priority ranking is noted with corresponding rationale for each project ranking.

## **ALTERNATIVES FOR CONSIDERATION**

N/A

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

### **Healthy and Safe Communities**

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



**SUBJECT: Canada Community Revitalization Fund Initial Intake (FCS21077)  
(City Wide) – Page 7 of 7**

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**Clean and Green**

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

**Built Environment and Infrastructure**

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

**Culture and Diversity**

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

**APPENDICES AND SCHEDULES ATTACHED**

Appendix “A’ to Report FCS21077 – Canada Community Revitalization Fund (CCRF)  
Program Project Submissions


JS/dt

### Canada Community Revitalization Fund (CCRF) Program Project Submissions

Project Title	Cost Sharing Breakdown						City Total (000's)	Alignment with CCRF Priorities (Priority ranking in parentheses)
	Total Gross (000's)	Total Eligible (000's)	Federal CCRF Share (000's)	Other Grants (000's)	City Share (000's)	City Ineligible (000's)		
St. Mark's Cultural Space Enhancements	\$ 4,750	\$ 4,750	\$ 500	\$ -	\$ 4,250	\$ -	\$ 4,250	Shovel ready project entails accessibility improvements, new green infrastructure, safe outdoor gathering space & represents investment in downtown infrastructure. CCRF request < than max \$750K. (1)
Beasley Park Rehabilitation Phase 2	\$ 1,213	\$ 1,106	\$ 750	\$ -	\$ 356	\$ 107	\$ 463	Project is shovel ready, project meets all CCRF criteria (revitalize downtown cores and main streets, reinvent outdoor spaces, create green infrastructure & increases the accessibility of community spaces), phase 2 will complete Beasley Park redevelopment in a Code Red neighbourhood. (2)
Victoria Park Spray Pad Replacement	\$ 1,020	\$ 925	\$ 694	\$ -	\$ 231	\$ 95	\$ 326	Shovel ready only needs building permit, no special approvals and meets all CCRF criteria like, CCRF request < than max \$750K. (3)
Children's Museum Accessibility Improvements	\$ 6,551	\$ 6,551	\$ 450	\$ 2,581	\$ 3,520	\$ -	\$ 3,520	CCRF request < than max \$750K, project that leverages other grant funding (ICIP CCR), feasibility study/design complete and project construction is set for 2022. (4)
Washroom Touchless Accessories (various City facilities)	\$ 750	\$ 750	\$ 563	\$ -	\$ 188	\$ -	\$ 188	Shovel ready with budget flexibility as multiple sites have been identified and prioritized for the washroom enhancements. Project meets a single CCRF criteria of increasing the accessibility of community spaces. (5)
	<b>\$ 14,284</b>	<b>\$ 14,082</b>	<b>\$ 2,957</b>	<b>\$ 2,581</b>	<b>\$ 8,545</b>	<b>\$ 202</b>	<b>\$ 8,747</b>	



## INFORMATION REPORT

<b>TO:</b>	Mayor and Members General Issues Committee
<b>COMMITTEE DATE:</b>	August 9, 2021
<b>SUBJECT/REPORT NO:</b>	Farmers' Markets - Rent Relief and Governance Comparators (PED21158) (City Wide)
<b>WARD(S) AFFECTED:</b>	City Wide
<b>PREPARED BY:</b>	Raymond Kessler (905) 546-2425 Ext. 7019 Cyrus Tehrani (905) 546-2424 Ext. 2261
<b>SUBMITTED BY:</b>	Norm Schleeahn Director, Economic Development Planning and Economic Development Department
<b>SIGNATURE:</b>	

### COUNCIL DIRECTION

At the meeting of the General Issues Committee on February 17, 2021, in response to the public hearing / delegation of Shane Coleman, Hamilton Farmers' Market Stallholder Association, respecting Rent Relief for the Hamilton Farmers' Market, staff were directed to report back to GIC with a review of comparator municipalities such as Kitchener-Waterloo, London, Mississauga and Cambridge with respect to rent relief for their farmer's markets and market governance.

### INFORMATION

In response to this direction, staff contacted comparator municipalities asking for information related to the impact to the COVID-19 pandemic on their local farmer's market operations and what, if any, related relief programs may have been provided to minimize the impact to market vendors and/or stallholders. In addition to general questions around typical operations to level set potential differences between markets, specific questions were asked about rent relief, fee deferrals and COVID-19 related expenses, as well as what type of governance model the market operates under.

Municipalities that contributed to the information summarized in this report include Brantford, Guelph, Kitchener, St. Catharines and Toronto. London and Cambridge were

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**SUBJECT: Farmers' Market - Rent Relief and Governance Comparators  
(PED21158) (City Wide) - Page 2 of 6**

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also contacted but did not respond to the survey at the time this report was written. In total, seven comparator municipalities were contacted, with five municipalities providing responses.

**Survey Response Summary – General Market Context**

Responding municipalities with indoor markets ranged in size from approximately 48 to over 80 permanent stalls, with outdoor markets being less than 40 stalls. Appendix “A” to Report PED21158 – Markets Overview provides a comparative overview of the markets surveyed.

All outdoor market areas, plus the St. Catharines Farmers’ Market indoor area, are set-up/tear down market day operations. The Hamilton Farmers’ Market has approximately 53 permanent stalls with 48 currently occupied.

Hours of operation range from being open only one-day per week, on a Saturday, to being open on the weekend plus a day or two during the week (typically Tuesday and/or Thursday). All markets are closed on Sunday and Monday. The Hamilton Farmers’ Market days of operation are Tuesday, Thursday, Friday and Saturday. Only Toronto has a market open on a Wednesday, and also has a Sunday Antique Market. Responses did not indicate seasonal adjustments to hours of operation, except for outdoor markets that are not operational in the off-season.

All but the St. Catharines Farmers’ Market, which charge their vendors monthly or bi-annually for stall holders (guarantees the same spot), have annual vendor / stallholder rental agreements ranging from one-year in length to five-years in Toronto. Rental rates can be impacted by the size of the stall at the Kitchener Market to the location and use of the stall at the Toronto market. The license contracts with the Hamilton Farmers’ Market are currently one-year in length and renewed annually. The Hamilton Farmers’ Market Corporation Board (HFMC) is reviewing stallholder agreement lengths.

Although not a lot of detail around market governance was provided in response to the survey, information collected indicates that governance varies from market to market, but all are operated directly by the City, except for Hamilton. Only the Kitchener market runs without a Board or Advisory/Executive Committee of some sort, with the Brantford Farmers Market Vendor Association operating only as an advisory body. Hamilton Farmers’ Market is currently governed by the Hamilton Farmers’ Market Corporation and its board is made up of a combination of Citizen and Stallholder/Vendor Board members as well as a Council Representative.

The Hamilton Farmers’ Market - Sole Voting Member (City Council) has previously approved a third-party consultant engagement to review Hamilton Farmers’ Market Governance and Operating Model, which is in progress.

**SUBJECT: Farmers' Market - Rent Relief and Governance Comparators  
(PED21158) (City Wide) - Page 3 of 6**

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**Survey Response Summary – Impact of the COVID-19 pandemic**

In response to the impact of the COVID-19 pandemic on local markets' operations, the following specific questions were asked:

1. Did you close indoor market operations for any duration during the COVID-19 pandemic? If yes, provide a brief overview of when closed, when re-opened, and any reductions in operating hours, if applicable;
2. Outline any COVID-19 related rent relief provided directly to your indoor vendors/stallholders and outline what form and estimate value of relief was provided? Be as specific as possible as to the nature and type of relief and duration for which that relief was/is being provided;
3. Have you deferred any fees/rents or similar to vendor/stallholders? If yes briefly outline the nature or value of those deferrals? and,
4. Has your market incurred any one-time related COVID-19 pandemic expenses? Please briefly outline and estimate cost, identifying who covered those costs.

The City of Toronto was the only responding municipality that did not close as a result of the COVID-19 pandemic. All other responding municipalities closed their markets during the first wave of infections. For some markets, this was a short closure i.e. March – May/June of 2020 while the indoor market in Guelph did not reopen until September of 2020. The Hamilton Farmers' Market remained open throughout the COVID-19 pandemic though the HFMC Board approved reducing some of the operating hours of the market due to reduced visitor traffic to the market due to the pandemic and stay at home Provincial orders. The Hamilton Farmers' Market was closed between January 5, 2021, to January 19, 2021, due to ventilation system upgrades for previously planned capital upgrades to the facility. Fees were prorated for 2021 to exclude closure days related to ventilation system upgrade. Certain non-essential vendor product groups (i.e. Artisans – four stallholders) were not able to open due to Provincial restrictions at various stages of the pandemic during 2020 and 2021 as per Provincial frameworks and requirements. Stallholders not able to open due to provincial restrictions did not receive rent abatement for those mandated closures. All markets were required to follow all public health guidelines for their region that would have been in effect.

Responses related to rent relief (Questions #2 and #3 above) and one-time COVID-19 related expenses (Question #4 above) can be found in Table 1 – Rent Relief Summary and Table 2 – One-Time COVID-19 Related Expenses below.

**SUBJECT: Farmers' Market - Rent Relief and Governance Comparators  
(PED21158) (City Wide) - Page 4 of 6**

**Table 1 – Rent / Fee Relief Summary**

<b>Municipality</b>	<b>Rent / Fee Relief</b>
Brantford	<ul style="list-style-type: none"> <li>• Rent was not charged when market was closed; and,</li> <li>• Did not defer any fees.</li> </ul>
Guelph	<ul style="list-style-type: none"> <li>• Rent was not charged when market was closed;</li> <li>• Indoor market reopened in September, with no fees until November when regular rentals fees resumed;</li> <li>• Vendors were not charged for any safety equipment (i.e. sneeze guards, customer order windows etc.); and,</li> <li>• Did not defer any fees.</li> </ul>
Hamilton	<ul style="list-style-type: none"> <li>• HFMC approved an optional six-month interest free deferral of 2020 fees (note: 13 vendors requested deferral) allowing for repayment by December 31, 2021, in alignment to City of Hamilton's City Wide COVID-19 Occupancy Framework; and,</li> <li>• Stallholders provided details via Market Stallholders/Vendor Newsletter on Government support programs i.e. Canadian Emergency Rent Subsidy (CERS), Canadian Emergency Wage Subsidy (CEWS) and Canadian Emergency Business Account (CEBA).</li> </ul>
Kitchener	<ul style="list-style-type: none"> <li>• Rent was not charged when market was closed;</li> <li>• June of 2020 – 85% rent discount;</li> <li>• July to October of 2020, rent was increased by 15% each month to incrementally return to normal rates;</li> <li>• Market vendors and/or stallholders were encouraged to take advantage of Federal relief programs with market staff available to assist with applications (service was not utilized). If ineligible for relief through existing programs, market would provide 25% reduction in rent if proof in ineligibility provided (note: no vendors requested this support); and,</li> <li>• Did not defer any fees.</li> </ul>
St. Catharines	<ul style="list-style-type: none"> <li>• Interest was frozen on balances owing from March to July of 2020;</li> <li>• Stall fees were required on the first day of reopening and discounts were applied to support public health measures i.e. appropriate distancing if additional stalls required;</li> <li>• Full rates for 2021 spring/summer market season; and,</li> <li>• Fees were only deferred for one vendor due to leaving the market.</li> </ul>
Toronto	<ul style="list-style-type: none"> <li>• Offered rent deferral. Payback over the term of the existing lease or extend leases by a term that would enable payback;</li> <li>• In exceptional circumstances, worked with individual tenants on addressing financial difficulties; and,</li> </ul>

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**SUBJECT: Farmers' Market - Rent Relief and Governance Comparators  
(PED21158) (City Wide) - Page 5 of 6**

<b>Municipality</b>	<b>Rent / Fee Relief</b>
	<ul style="list-style-type: none"> <li>• Post-CERS, tenants directed to seek relief through CERS with only any unsubsidized portion remaining eligible for deferral.</li> </ul>

**Table 2 – One-Time COVID-19 Related Expenses**

<b>Municipality</b>	<b>One-Time COVID-19 Related Expenses</b>
Brantford	<ul style="list-style-type: none"> <li>• Stall dividers and all COVID-19 related signage and floor stencils.</li> </ul>
Guelph	<ul style="list-style-type: none"> <li>• Material and staffing costs that were COVID related (i.e. building of customer order windows) were split between the operation budget and a general COVID-19 City fund.</li> </ul>
Hamilton	<ul style="list-style-type: none"> <li>• As part of the federal-provincial Safe Restart Agreement, the City of Hamilton allocated \$144,652 in 2020 to offset COVID-19 related operating costs and financial pressures (i.e. Personal Protective Equipment (PPE), additional cleaning and security staff to facilitate screening);</li> <li>• 2021 additional COVID-19 related costs to date (May 31, 2021) are \$44,876; and,</li> <li>• \$30 K in additional marketing budget from reserves for 2021.</li> </ul>
Kitchener	<ul style="list-style-type: none"> <li>• \$150 K in extra staffing for COVID-19 screening, directional markings; and,</li> <li>• Separate clean costs at approximately \$200 K - \$300 K.</li> </ul>
St. Catharines	<ul style="list-style-type: none"> <li>• Purchasing of hand sanitizer stations, traffic cones, safety vests, a-frame signage; and,</li> <li>• Costs estimated at \$3 K.</li> </ul>
Toronto	<ul style="list-style-type: none"> <li>• PPE and staff costs related to supporting programs and implementing public health measure/provincial measures.</li> </ul>

The survey results demonstrate that every municipality, as did the City of Hamilton, provided (and continue to provide) its market with one-time financial support for COVID-19 expenses. Similarly, each municipality provided a degree of relief for the fees/rent during this pandemic period – some by way of interest-free deferral of outstanding fees/rent due to be paid out over time, and some by way of not collecting fees during a period of closure. In summary, each municipality surveyed has taken its own path toward the nature and degree of support it has provided its vendor community and/or its market as a whole. This was not an unanticipated outcome of the survey results as the operations, nature, and contractual nature of each market's relationship to its' vendors is unique.

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**SUBJECT: Farmers' Market - Rent Relief and Governance Comparators  
(PED21158) (City Wide) - Page 6 of 6**

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**APPENDICES AND SCHEDULES ATTACHED**

Appendix "A" to Report PED21158 – Markets Overview

RK,CT/sd



### Appendix “A” Markets Overview

Municipality	Model	Operations [1]
Brantford	<ul style="list-style-type: none"> <li>• Directly city staff operated; and,</li> <li>• Vendor association acts advisory body.</li> </ul>	<ul style="list-style-type: none"> <li>• 48 indoor stalls – permanent;</li> <li>• Open Fridays (9 a.m.- 2 p.m.) and Saturdays (7 a.m.- 2 p.m.);</li> <li>• Annual stall agreement; and,</li> <li>• Variety of farmer and food types of vendors.</li> </ul>
Guelph	<ul style="list-style-type: none"> <li>• Directly city staff operated; and,</li> <li>• Executive committee acts as advisory body.</li> </ul>	<ul style="list-style-type: none"> <li>• 80 indoor booths – permanent;</li> <li>• Also, outdoor (8 months of year) spots;</li> <li>• Open Saturdays, 7 a.m. – noon;</li> <li>• Annual booth agreements based on daily fee rate; and,</li> <li>• Farmers, food resellers, prepared food sales, arts and crafts, and other NFP/organizations.</li> </ul>
Hamilton	<ul style="list-style-type: none"> <li>• Hamilton Farmers’ Market Corporation operated.</li> </ul>	<ul style="list-style-type: none"> <li>• 55 indoor stalls and market carts;</li> <li>• Open Tuesdays, Thursdays, Fridays (8 a.m. - 6 p.m.) and Saturdays (7 a.m. - 5 p.m.) year-round;</li> <li>• Annual stall licence fees based on stall size and location; and,</li> <li>• Produce/fruit, meat/poultry/eggs, cheese/deli, seafood, bakeries/coffee, grocery/prepared foods, florist, artisan, and VQA wine.</li> </ul>
Kitchener	<ul style="list-style-type: none"> <li>• Directly city staff operated.</li> </ul>	<ul style="list-style-type: none"> <li>• 50 indoor booths plus 10 food hall (mezzanine) – permanent;</li> <li>• Also, outdoor spots;</li> <li>• Food hall open Tuesday-Friday, 10:30 a.m. – 3 p.m.;</li> <li>• Market and food hall open Saturdays (7 a.m. - 2 p.m.) year-round;</li> <li>• Annual agreement based on booth size; and,</li> <li>• Produce/flowers, deli/dairy/seafood, bakeries, prepared foods, pantry items.</li> </ul>
St. Catharines	<ul style="list-style-type: none"> <li>• Directly city staff operated; and,</li> <li>• Market sub-committee.</li> </ul>	<ul style="list-style-type: none"> <li>• 74 stands (enclosed pavilion) – not permanent;</li> <li>• Open Tuesday, Thursday (8 a.m. – 2 p.m.), Saturday, 6 a.m. – 2 p.m. year-round;</li> </ul>

**Appendix “A” to Report PED21158**  
**Page 2 of 2**

Municipality	Model	Operations [1]
		<ul style="list-style-type: none"> <li>• Monthly and Bi-Annual stand agreements based on a daily fee rate plus monthly marketing and hydro fees, plus annual vendor association fee; and,</li> <li>• Meat, eggs, cheese, fruits, vegetables, flowers, baked goods, prepared foods, handcrafts, other.</li> </ul>
Toronto	<ul style="list-style-type: none"> <li>• Directly city staff operated; and,</li> <li>• Advisory committee.</li> </ul>	<ul style="list-style-type: none"> <li>• 63 South Market (permanent) plus 43 North Market (non-permanent) stands;</li> <li>• Also, outdoor stalls and market carts;</li> <li>• South Market open Tuesday - Thursday (8 a.m. -6 p.m.), Friday (8 a.m. – 7 p.m.), Saturday (5 a.m. – 5 p.m.) year-round;</li> <li>• Farmers Market (North Market) open Saturday, 5 a.m. – 3 p.m., year-round;</li> <li>• Antique Market (North Market) open Sunday, 5 a.m. – 3 p.m., year-round;</li> <li>• Standard 5-year semi-gross and % rent commercial lease for South Market vendors, plus annual permit fee for Farmers Market – various rates based on size, location, type of vendor; and,</li> <li>• Meat, eggs, cheese, fruits, vegetables, flowers, baked goods, prepared foods, handcrafts, other.</li> </ul>

[1] Represents regular operations – excludes any alterations due to COVID-19



Hamilton

**ADVISORY COMMITTEE FOR PERSONS WITH  
DISABILITIES  
REPORT 21-007**

**4:00 p.m.**

**Tuesday, July 13, 2021**

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

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**Present:** A. Mallet (Chair), S. Aaron, P. Cameron,  
J. Cardno, M. Dent, L. Dingman, A. Frisina,  
J. Kemp, T. Manzuk, C. McBride, M. McNeil,  
K. Nolan, T. Nolan and R. Semkow

**Absent**

**with regrets:** Mayor F. Eisenberger  
P. Kilburn (Vice-Chair), S. Geffros and T. Murphy

**Also Present:** J. Bowen, Supervisor, Diversity and Inclusion  
C. Cutler, Advisor to the Mayor

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**THE ADVISORY COMMITTEE FOR PERSONS WITH  
DISABILITIES PRESENTS REPORT 21-007 AND  
RESPECTFULLY RECOMMENDS:**

**1. Communications (Item 4.4)**

- (a) That the correspondence from Justin Jones, WSP Canada Inc., respecting Ward 8 Complete Streets Project Feedback (Item 4.4), be received; *and,*

- (b) That Anthony Frisina and James Kemp be approved to represent the Advisory Committee for Persons with Disabilities at the Residents Advisory Council for the Ward 8 Complete Streets Project.

**2. Resignation of Shahan Aaron from the Built Environment Working Group of the Advisory Committee for Persons with Disabilities (Item 6.1(a))**

That the resignation of Shahan Aaron from the Built Environment Working Group of the Advisory Committee for Persons with Disabilities, be received.

**FOR INFORMATION:**

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

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

**4. COMMUNICATIONS**

- 4.2 Correspondence from Andrea McDowell, City of Hamilton, respecting Hamilton Climate Change Impact Adaptation Planning Follow-Up

Recommendation: Be received.

- 4.3 Correspondence from Aine Leadbetter, City of Hamilton, respecting 2022 Municipal Election Consultation Follow-Up

Recommendation: Be received.

- 4.4 Correspondence from Justin Jones, WSP Canada Inc., respecting Ward 8 Complete Streets Project Feedback

Recommendation: Be received.

## **6. CONSENT ITEMS**

- 6.1 Built Environment Working Group Update
- 6.1(b) Built Environment Working Group Meeting Notes - May 4, 2021
- 6.1(c) Built Environment Working Group Meeting Notes - June 1, 2021

### **CHANGES TO THE ORDER OF ITEMS:**

That the following Staff Presentations be moved up on the agenda to be considered following the Approval of Minutes of the Previous Meeting:

- 7.1 Landscape Architectural Services Section Work Overview
- 7.2 Mountain Drive Park Masterplan Overview

The agenda for the July 13, 2021 meeting of the Advisory Committee for Persons with Disabilities was approved, as amended.

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

There were no declarations of interest.

**(c) APPROVAL OF MINUTES (Item 3)****(i) June 8, 2021 (Item 3.1)**

The minutes of the June 8, 2021 meeting of the Advisory Committee for Persons with Disabilities, were approved, as presented.

**(d) COMMUNICATIONS (Item 4)**

Communications 4.1 to 4.3 were approved, as follows:

- 4.1 Correspondence from the City of Hamilton's Transit Division respecting an HSR Team Structure Change

Recommendation: Be received.

- 4.2 Correspondence from Andrea McDowell, City of Hamilton, respecting Hamilton Climate Change Impact Adaptation Planning Follow-Up

Recommendation: Be received.

- 4.3 Correspondence from Aine Leadbetter, City of Hamilton, respecting 2022 Municipal Election Consultation Follow-Up

Recommendation: Be received.

For further disposition of this matter, see Item 1.

**(e) DELEGATION REQUESTS (Item 5)****(i) Susan Creer, Accessible Hamilton, respecting Accessibility Concerns with the Outdoor Dining District Program (for a future meeting) (Item 5.1)**

The delegation request, submitted by Susan Creer, Accessible Hamilton, respecting Accessibility Concerns with the Outdoor Dining District Program, was approved for a future meeting.

**(f) CONSENT ITEMS (Item 6)****(i) Built Environment Working Group Update (Item 6.1)****(1) Built Environment Working Group Meeting Notes – May 4, 2021 (Added Item 6.1(b))**

The Built Environment Working Group Meeting Notes of May 4, 2021, were received.

**(2) Built Environment Working Group Meeting Notes – June 1, 2021 (Added Item 6.1(c))**

The Built Environment Working Group Meeting Notes of June 1, 2021, were received.

**(ii) Housing Issues Working Group Update (Item 6.2)****(1) Housing Issues Working Group Meeting Notes – May 18, 2021 (Item 6.2(a))**

The Housing Issues Working Group Meeting Notes of May 18, 2021, were received.

**(iii) Outreach Working Group Update (Item 6.3)**

J. Kemp advised that the meeting notes from the May 2021 meeting of the Outreach Working Group were lost due to technical difficulties. The Working Group is currently developing a disability awareness calendar containing disability-related dates and is assisting the Transportation Working Group with organizing the Virtual Collaborative Roundtable Meeting to Discuss Changes and Challenges to Public Transportation in Hamilton. It was also noted that the Advisory Committee for Persons with Disabilities Informational Pamphlet was approved by Council on July 9, 2021.

The verbal update from J. Kemp, respecting the Outreach Working Group, was received.

**(iv) Transportation Working Group Update (Item 6.4)****(a) Transportation Working Group Meeting Notes – June 22, 2021 (Item 6.4(a))**

The Transportation Working Group Meeting Notes of June 22, 2021, were received.

**(v) Strategic Planning Working Group Update (Item 6.5)****(a) Strategic Planning Working Group Meeting Notes – June 28, 2021 (Item 6.5(a))**

The Strategic Planning Working Group Meeting Notes of June 28, 2021, were received.



**(g) STAFF PRESENTATIONS (Item 7)****(i) Landscape Architectural Services Section Work Overview (Item 7.1)**

Cynthia Graham, Manager, Landscape Architectural Services, addressed Committee respecting a Landscape Architectural Services Section Work Overview.

The presentation, respecting a Landscape Architectural Services Section Work Overview, was received.

**(ii) Mountain Drive Park Masterplan Overview (Item 7.2)**

Louise Thomassin, Landscape Architect, addressed Committee respecting a Mountain Drive Park Masterplan Overview, with the aid of a handout.

The presentation, respecting a Mountain Drive Park Masterplan Overview, was received.

**(h) GENERAL INFORMATION / OTHER BUSINESS (Item 12)****(i) Accessibility Complaints to the City of Hamilton (Item 12.1)**

No update.

**(ii) *Accessibility for Ontarians with Disabilities Act, 2005 (AODA) Update (Item 12.2)***

No update.

**(iii) Presenters List for the Advisory Committee for  
Persons with Disabilities (Item 12.3)**

No update.

**(i) ADJOURNMENT (Item 14)**

There being no further business, the Advisory Committee for  
Persons with Disabilities adjourned at 6:08 p.m.



Respectfully submitted,

A. Mallet, Chair  
Advisory Committee for  
Persons with Disabilities

Alicia Davenport  
Legislative Coordinator  
Office of the City Clerk



**CITY OF HAMILTON**  
**CITY MANAGER'S OFFICE**  
**Government & Community Relations Division**  
**and**  
**CORPORATE SERVICES DEPARTMENT**  
**Legal and Risk Management Services Division**

<b>TO:</b>	Mayor and Members General Issues Committee
<b>COMMITTEE DATE:</b>	August 9, 2021
<b>SUBJECT/REPORT NO:</b>	Hate Flags and Symbols (CM19006(f)/LS19031(e)) (City Wide) <b>(Outstanding Business List Item)</b>
<b>WARD(S) AFFECTED:</b>	City Wide
<b>PREPARED BY:</b>	Pauline Kajiura (905) 546-2424 Ext. 2567 Susan Nicholson (905) 546-2424 Ext. 4707
<b>SUBMITTED BY:</b>	Morgan Stahl Director, Government & Community Relations City Manager's Office
<b>SIGNATURE:</b>	
<b>SUBMITTED BY:</b>	Stephen Spracklin City Solicitor Legal and Risk Management Services
<b>SIGNATURE:</b>	

## RECOMMENDATION

- (a) That signs or decoration, which include, but are not limited to, expressions and symbols associated with hate, such as the Confederate flag and the Nazi swastika, be banned from public property within the City of Hamilton, in recognition of the adverse power that such symbols can have on the psychology and well-being of community members;
- (b) That staff be directed to prepare an Amending By-law to By-law 10-197, being the Hamilton Sign By-law, to provide that the City of Hamilton may, at its sole discretion, remove, without notice, or order to be removed, any sign or decoration, which has been determined is for an unlawful activity, or contains

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**SUBJECT: Hate Flags and Symbols (CM19006(f)/LS19031(e)) (City Wide)****Page 2 of 8**

expressions and symbols associated with hate, profanity or obscenity or other message that is deemed offensive or discriminatory, as defined in the Ontario Human Rights Code, for Council's approval;

- (c) That the Mayor correspond with the Honourable David Lametti, Minister of Justice and Attorney General of Canada, in support of the Federation of Canadian Municipalities (FCM) resolution, respecting Strengthening Canada's Hate Speech Laws (attached as Appendix "A" to Report CM19006(f) / LS19031(e)), to request the Federal Government develop legislation that would clarify and strengthen the definition of hate speech and symbols, including explicit recognition of the psychological harm that can be caused by hateful symbols, and work with all levels of government in addressing the root causes of hate speech;
- (d) That the Mayor correspond with the Honourable Doug Downey, Attorney General of Ontario, to request that the Province enact legislation that would enable municipalities to make enforceable decisions regarding symbols deemed unacceptable by the local community, such consideration to also include a review of statutes where hate speech may be identified as illegal; and,
- (e) That a copy of this resolution be forwarded to the Association of Municipalities of Ontario, the Federation of Canadian Municipalities as well as local MPs and MPPs for their information.

**EXECUTIVE SUMMARY**

Recommendations presented in this report are based upon consultation with Legal Services staff and research on the related activities of other municipalities.

**Alternatives for Consideration – Not Applicable**

**FINANCIAL – STAFFING – LEGAL IMPLICATIONS**

Financial: There are no financial implications related to the recommendations of Report CM19006(f)/LS19031(e)

Staffing: There are no staff implications related to the recommendations of Report CM19006(f)/LS19031(e)

**SUBJECT: Hate Flags and Symbols (CM19006(f)/LS19031(e)) (City Wide)****Page 3 of 8**

Legal: There are legal implications related to the recommendations of CM19006(f)/LS19031(e) as staff is recommending an amendment to the City of Hamilton Sign By-law as well as petitions to both Federal and Provincial governments on the development of legislation that clarifies and expands hate speech and symbols as well as legislation that enables municipalities to make enforceable decisions on these matters. Currently enforcement actions, beyond the Sign-By-law, are outside of the scope of municipal authority.

**HISTORICAL BACKGROUND**

On September 23, 2020, staff provided Council with recommendations along with the two reports, submitted by the project consultant on research and public engagement. (LS19031(c)/PW19068(c)/CM19006(c) (City Wide) Recommendation (b) of the report indicated that City staff prepare a report on hate-related flags and symbols, which would enable City Council to consider options and actions that could be taken to address public display of any racist, hateful, offensive and insensitive emblems in Hamilton.

Council at its meeting of September 30, 2020, approved Item 13(b) of the General Issues Committee Report 20-014, which reads as follows:

That Community Initiatives staff be directed to prepare a report on hate-related flags and symbols, which would enable Council to consider options and actions that could be taken to address public displays of any racist, hateful, offensive and insensitive emblems in Hamilton, in consultation with Legal Services staff with respect to Section (2), Fundamental Freedoms, Canadian Charter of Rights and Freedoms, and report back to the General Issues Committee

This report provides recommendations for consideration and is presented to the General Issues Committee, August 9, 2021.

Related to the recommendations of this report, City Council at its meeting September 30, 2021, within Item 8.8, approved the following:

That City Council write a letter to the federal Minister of Justice, requesting that the threshold of “hate crime” as defined in the Criminal Code be consistently applied across law enforcement agencies in Canada;

Also related to the recommendations of this report, at the Council meeting of June 23, 2021, the Mayor and Council endorsed Motion M-84 *Anti-Hate Crimes and Incidents* and Private Member’s Bill C-313 *Banning Symbols of Hate Act*, put forward by Peter Julian, MP. (City Council, 21-011, Item 4.9)

**SUBJECT: Hate Flags and Symbols (CM19006(f)/LS19031(e)) (City Wide)****Page 4 of 8****POLICY IMPLICATIONS AND LEGISLATED REQUIREMENTS**

The municipality only has the powers provided by applicable legislative authority, principally the *Municipal Act*, 2001, S.O. 2001, c. 25;

The municipality can ban a symbol or expression, such as the Confederate flag and Nazi swastika, from public municipal property under the Sign by-law;

There is no inherent ability on the part of the municipality to limit an individual's freedom of expression on private property unless such expression falls under the provisions of the federal Criminal Code (R.S.C., 1985, c. C-46) and Section 319, inciting hatred against an identifiable group which is likely to result in a breach of the peace.

The Ontario Human Rights Code, R.S.O. 1990, c. H.19 does not include a category that would cover discrimination where an individual displays such symbols on private property unless it was used to discriminate in any of the categories of employment, housing, services, unions and vocational associations and contracts.

**RELEVANT CONSULTATION**

Legal Services Division:

Regarding staff recommendation on developing a report for Council on flags, symbols and emblems considered by many equity-seeking residents to be racist, offensive and discriminatory, which have been displayed in Hamilton and other communities.

**ANALYSIS AND RATIONALE FOR RECOMMENDATION**

Like many communities across the country and around the world, Hamilton is also increasingly tested and challenged by incidents of hate, racism and discrimination. While these acts are perpetrated by a very few, their actions nevertheless affect all Hamiltonians by impugning the city's reputation and diminishing community sense of belonging for many equity-seeking populations.

As directed by Council, in November 2019 staff retained a consultant, Sage Solutions, through a procurement process, to assist the City in reviewing its existing draft hate-related policies, suggest other relevant policies, conduct community engagement and develop key recommendations. Between December 2019 and July 2020, the consultant completed the following project activities:

Best practices research from over 20 municipalities in Canada, United States, Australia and the United Kingdom.

Community conversations with over 300 residents and equity-seeking

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**SUBJECT: Hate Flags and Symbols (CM19006(f)/LS19031(e)) (City Wide)****Page 5 of 8**

groups, including Black, Indigenous, 2SLGBTQI+, racialized and faith-based communities. The engagement also included a citywide community survey.

A review of the City's existing draft hate prevention and mitigation policies, procedures, by-laws and related strategies. One of the key finding reads as follows:

Charter of Rights & Freedom as a cover for Hateful expressions -  
Flags, symbols and emblems viewed as racist, hateful and discriminatory by many equity-seeking groups and community advocates continue to be displayed in Hamilton and various communities in Ontario, such as the Confederate flag. While there is the belief that the Charter of Rights and Freedom protects these expressions, many municipalities are now exploring ways to ban and reinforce their own beliefs and values of community equity, diversity and inclusion. Broader municipal associations such as the Federation of Canadian Municipalities (FCM) and the Association of Municipalities of Ontario (AMO) can play key roles in these conversations.

Recommendation (b) of report (LS1903(c)/PW19068(c)/CM19006(c) (City Wide) required City staff to prepare a report on hate-related flags and symbols, which would enable City Council to consider options and actions that could be taken to address public display of any racist, hateful, offensive and insensitive emblems in Hamilton. The then being whether there is an ability for the municipality to regulate hate symbols or would this fall outside of municipal jurisdiction.

The legal analysis starts with the *Municipal Act*, 2001, SO 2001, c.25, the statutory authority that grants various rights and abilities to the municipality. It does not however include the ability to pass by-laws that are properly within the jurisdiction of the Province of Ontario or the Federal government. This is often referred to as higher order legislation and a by-law that operates in conflict with a higher jurisdiction is not sustainable. The topic of hate speech and symbols is one that also has to take into account federal legislation, in that the municipality must also acknowledge and not infringe on the rights and freedoms afforded to citizens in the Charter of Rights and Freedoms as set out in the *Constitution Act*, 1982. Section 2, Fundamental Freedoms, which provides the following:

Everyone has the following fundamental freedoms:

- (a) freedom of conscience and religion;
- (b) freedom of thought, belief, opinion and expression, including freedom of the press and other media of communication;
- (c) freedom of peaceful assembly; and
- (d) freedom of association.

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**SUBJECT: Hate Flags and Symbols (CM19006(f)/LS19031(e)) (City Wide)****Page 6 of 8**

There was considerable discussion and debate in Ontario municipalities in the summer of 2020 regarding the Confederate flag and the Black Lives Matter movement. Many articles have been written and concluded that the flag represents racial intolerance and oppression. While not data based, there is general commonality that this flag is a hate symbol as is the other notable symbol, the Nazi swastika.

The ability of the City to ban such flags and symbols from municipal property has been debated in other municipalities. A particular example is from the City of Peterborough, where Council unanimously approved a ban on Confederate flags and swastikas on city property in 2020 as follows:

That all actions, speech and symbols of hate and racism including but not limited to the Confederate battle flag and Swastikas be banned from all City of Peterborough property.

The City of Peterborough Council also sent a letter to the office of the Attorney General of Canada, the Prime Ministers Office and their local Member of Parliament to seek support for such bans.

Legal analysis has concluded that while a ban on municipal property is permitted such as the City of Peterborough example, to take a broader approach and that such a ban extend to private property would be beyond municipal jurisdiction as this freedom of expression protected by the Charter of Rights and Freedoms. A by-law passed with the intention of limiting freedom of expression would be quashed by the court for being outside its jurisdiction and found invalid for being in conflict with the Charter. The Ontario Divisional Court has confirmed that while a municipality may create policies about the kinds of flags that may be raised on public property, presuming a legitimate policy reason, it may not ban private flags by creating a by-law or policy that suppresses or denies this fundamental freedom of expression.

There is no inherent ability on the part of the municipality to limit an individual's freedom of expression on private property unless such expression falls under the Criminal Code (R.S.C., 1985, c. C-46) and the provisions of Section 319 which states that:

**“319 (1)** Everyone who, by communicating statements in any public place, incites hatred against any identifiable group where such incitement is likely to lead to a breach of the peace...”

The interpretation of Section 319 of the Criminal Code is such that the use of Confederate flag is only illegal if it is used to promote or incite hatred or violence against an identifiable group. The display of a Confederate flag on its own is not illegal, and no one is prohibited from purchasing one, owning one, or displaying it under the Fundamental Freedoms provision of the Charter on private property, unless it meets the test of Section 319.

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**SUBJECT: Hate Flags and Symbols (CM19006(f)/LS19031(e)) (City Wide)****Page 7 of 8**

With respect to provincial legislation, the Human Rights Code, R.S.O. 1990, c. H.19 addresses discrimination but not discrimination between ordinary citizens. Under the Human Rights Code, all individuals have the right to be free from discrimination in identified social areas: employment, housing, services, unions and vocational associations and contracts. The relationship between an individual flying an offensive flag and another individual would not fall under one of those categories and no remedy would be available under this legislation.

Note however that the Human Rights Code would apply if the Confederate flag or Nazi swastika was used as a tool of discrimination in employment, housing, services, unions or vocational associations and contracts.

The conclusion of the legal analysis is as follows:

The municipality only has the powers provided by applicable legislative authority, principally the *Municipal Act*, 2001, S.O. 2001, c. 25;

The municipality can ban a symbol or expression such as the Confederate flag and Nazi swastika from public municipal property under the Sign by-law;

There is no inherent ability on the part of the municipality to limit an individual's freedom of expression on private property unless such expression falls under the provisions of the federal Criminal Code (R.S.C., 1985, c. C-46) and Section 319, inciting hatred against an identifiable group which is likely to result in a breach of the peace.

The Ontario Human Rights Code, R.S.O. 1990, c. H.19 does not include a category that would cover discrimination where an individual displays such symbols on private property unless it was used to discriminate in any of the categories of employment, housing, services, unions and vocational associations and contracts.

**The Federation of Canadian Municipalities resolution**

Resolution – Strengthening Canada's Hate Speech Laws

Meeting – Annual Conference – June 2021

Resolution Status – Adapted

Sponsor – Town of Collingwood, ON

Resolution:

WHEREAS Canadians generally recognize of the strength of community that is derived from embracing and appreciating all community members regardless of ethnic origin,

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**SUBJECT: Hate Flags and Symbols (CM19006(f)/LS19031(e)) (City Wide)****Page 8 of 8**

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gender and sexual orientation, socioeconomic status, or faith – and in accordance with statements made by the Federal Government, individual Provinces, and The United Nations, that hate speech has no place in an inclusive society that seeks to empower its constituents; and

WHEREAS it is widely recognized that symbols can have a powerful and profound effect on the psychology and well-being of community members; therefore, be it

RESOLVED that FCM petition the Canadian Government to build on Parliament's 2019 Report Taking Action to End Online Hate and engage in the development of legislation that would clarify and strengthen the definition of hate speech, including explicit recognition of the psychological harm that can be caused by hateful symbols, and work with all levels of government in addressing the root causes of hate speech.

**ALTERNATIVES FOR CONSIDERATION**

None

**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

**Healthy and Safe Communities**

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

**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**

Appendix "A" to Report CM19006(f)/LS19031(e) - Resolution – Strengthening Canada's Hate Speech Laws

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**The Federation of Canadian Municipalities resolution**

Resolution – Strengthening Canada’s Hate Speech Laws

Meeting – Annual Conference – June 2021

Resolution Status – Adapted

Sponsor – Town of Collingwood, ON

Resolution:

WHEREAS Canadians generally recognize of the strength of community that is derived from embracing and appreciating all community members regardless of ethnic origin, gender and sexual orientation, socioeconomic status, or faith – and in accordance with statements made by the Federal Government, individual Provinces, and The United Nations, that hate speech has no place in an inclusive society that seeks to empower its constituents; and

WHEREAS it is widely recognized that symbols can have a powerful and profound effect on the psychology and well-being of community members; therefore, be it

RESOLVED that FCM petition the Canadian Government to build on Parliament’s 2019 Report Taking Action to End Online Hate and engage in the development of legislation that would clarify and strengthen the definition of hate speech, including explicit recognition of the psychological harm that can be caused by hateful symbols, and work with all levels of government in addressing the root causes of hate speech.



**CITY OF HAMILTON**  
**CORPORATE SERVICES DEPARTMENT**  
**Legal and Risk Management Services Division**

<b>TO:</b>	Mayor & Members General Issues Committee
<b>COMMITTEE DATE:</b>	August 9, 2021
<b>SUBJECT/REPORT NO:</b>	2021 Property and Liability Insurance Renewal Report (LS21027) (City Wide)
<b>WARD(S) AFFECTED:</b>	City Wide
<b>PREPARED BY:</b>	John McLennan (905) 546-2424 Ext. 5736
<b>SUBMITTED BY:</b>	Mike Zegarac General Manager, Finance and Corporate Services
<b>SIGNATURE:</b>	

### RECOMMENDATION

- (a) That the Liability and Property Insurance coverage for the term January 1, 2021, to January 1, 2022, be renewed through Arthur J. Gallagher Canada Ltd. and Marsh Canada Ltd. at a cost of \$10,148,551 (net of taxes)
- (b) That the 2021 Risk Management Property and Liability budget shortfall of \$2,085,121 be funded through the 2021 year-end surplus or Tax Stabilization Reserve (110046)
- (c) That the General Manager, Finance and Corporate Services, be authorized and directed to execute all associated documents related to the renewals of the Liability and Property Insurance coverage for the terms January 1, 2021, to January 1, 2022, through Marsh Canada Ltd., in a form satisfactory to the City Solicitor, on behalf of the City of Hamilton;
- (d) That five (5) permanent FTE be approved effective January 2022, namely two litigation solicitors, a law clerk, a legal assistant and a Risk Management assistant, and that the annual compensation costs totalling \$645,000 be cost recovered from City Departments and appropriate Boards and Agencies commencing in 2022 and;
- (e) That the one-time costs of \$29,000 related to equipment and materials in support

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of the additional complement be funded from the Unallocated Capital Reserve (108020).

**EXECUTIVE SUMMARY**

The difficult insurance market conditions detailed in last year's insurance renewal report (LS20010) have continued. In most types of coverage, conditions have worsened, particularly for commercial consumers. Compounding the impact of a hard market is the fact that the City's liability claims experience over the last 10 years shows a pattern of unprofitability for any prospective insurer.

The City's insurance broker has confirmed that in an already limited competitive marketplace, no other potential insurers are interested in the City account. With no reasonable alternative options at this time, staff and the City's insurance broker of record (Gallagher) are recommending renewal of the City's insurance program with the current insurers, and a further increase in the liability deductible to mitigate the premium increase as much as reasonably possible. The increase in deductible will mean the City will face extra claim costs up to the higher deductible limit.

Staff and the City's insurance broker of record are recommending a program of coverages which will see a total insurance premium increase of \$2,085,121 (25.9%) based on budgeted amounts. Liability deductible options ranging from \$2,500,000 to \$5,000,000 were presented to the City. It is not an option for the City to remain at the \$1,500,000 liability deductible level.

A review of the liability claims experience of the past 10 years, with all amounts converted into present day values, showed the \$5,000,000 deductible to be the most favourable option in terms of basic Total Cost of Risk in the event future claims are similar.

Staff will be providing a separate report focusing on Enterprise Risk Management (ERM) for the General Issues Committee meeting of September 22, 2021 to support the effort in mitigating future claims and insurance costs.

**Alternatives for Consideration – see Page 10**

**FINANCIAL – STAFFING – LEGAL IMPLICATIONS**

Financial: The 2021 premium of \$10,148,551 (net of taxes) will be funded through the 2021 Risk Management Services Budget. The total 2020 insurance premium expense was \$8,281,904 (net of taxes). The 2021 renewal represents an increase of \$1,866,647 (22.5%) in insurance premiums based on actuals.

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The 2021 Insurance Premium budget is \$8,063,430 (net of taxes). The resultant shortfall of \$2,085,121 (net of taxes) is recommended to be funded through the 2021 Operating Budget Surplus or Tax Stabilization Reserve (110046)

The City was not offered the option to remain at its current \$1,500,000 deductible on the first layer of liability coverage. The lowest deductible option offered was \$2,500,000.

The deductible/premium options presented to the City for the first layer of liability coverage of \$5,000,000 are as follows:

<b>Deductible</b>	<b>Premium</b>
\$2,500,000	\$3,640,000
\$3,500,000	\$2,790,523
\$5,000,000	\$1,930,000

A review of the liability claims experience of the past 10 years, with all amounts converted into present day values, showed the \$5,000,000 deductible to be the most favourable option in terms of basic Total Cost of Risk in the event future claims follow a similar pattern.

The following table illustrates a Cost of Risk (premium + claims expense) comparison of deductible options offered by Marsh using the City's claims experience over the last 10 years. Dollar figures have all been adjusted to present day values. The lowest cost of risk for each year is highlighted in yellow.

<b>Total Cost of Risk (TCR) Deductible Comparison</b>			
<b>Deductible</b>	<b>\$2,500,000</b>	<b>\$3,500,000</b>	<b>\$5,000,000</b>
<b>Premium</b>	<b>\$3,640,000</b>	<b>\$2,790,000</b>	<b>\$1,930,000</b>
<b>2011 TCR</b>	\$6,130,000	\$5,280,000	<b>\$4,420,000</b>
<b>2012 TCR</b>	\$4,097,000	\$3,247,000	<b>\$2,387,000</b>
<b>2013 TCR</b>	<b>\$8,213,000</b>	\$8,483,000	\$10,423,000
<b>2014 TCR</b>	<b>\$12,977,000</b>	\$13,888,000	\$13,920,000
<b>2015 TCR</b>	\$4,552,000	\$3,702,000	<b>\$2,842,000</b>
<b>2016 TCR</b>	\$4,983,000	\$4,133,000	<b>\$3,273,000</b>
<b>2017 TCR</b>	\$6,085,000	\$5,235,000	<b>\$4,375,000</b>
<b>2018 TCR</b>	\$6,515,000	\$6,715,000	<b>\$6,319,000</b>
<b>2019 TCR</b>	\$5,358,000	\$4,508,000	<b>\$3,648,000</b>
<b>2020 TCR</b>	\$0	\$0	\$0

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With the exception of the two outlier claims years of 2013 and 2014, the costs avoided in applying a \$5,000,000 deductible are steady and material. Compared against a \$2,500,000 deductible, the costs avoided averaged a steady \$1,700,000 annually. Compared against a \$3,500,000 deductible, the costs avoided averaged a steady \$800,000 annually. The costs avoided figures more than adequately cover the costs associated with the incremental staffing recommendations.

In addition to the premium costs, the higher deductibles will tend to result in larger in-house claims expenses as the City will be responsible for claims and defence costs up to the amount of the recommended deductibles. Control and mitigation of in-house claims costs will continue to come through the diligent claims and litigation handling efforts of Legal and Risk Management Services staff. Mitigation of future claims and insurance costs will be pursued through an enhanced approach to Enterprise Risk Management, discussed below, and aided by assistance offered through the broker and insurer to municipal clients. Impacts on the budget for claims expense will depend on the number and value of claims going forward.

**Staffing:** An effective response to larger and higher volume of claims will require additional staff to meet litigation needs and requirements, mitigate claims expenses and develop additional in-house legal expertise to limit external legal counsel costs to the greatest extent possible. In addition, effective staff response will support a migration to an Enterprise Risk Management approach and improve the City's risk profile for future insurance procurements.

The increased liability deductible on top of last year's increase means the City will continue to handle higher volumes and larger claims in-house, with resulting increases in workload and greater need for a more effective litigation response. The pandemic has slowed litigation, but the effect is temporary as timelines have re-started and courts move to re-open. Additional Legal and Risk Management staff will be needed for effective litigation response and the greater volume of work in larger claims; to respond to early and more extensive document collection, case analysis and the preparation needed from initial steps through to mediations or trials. Substantial claims often require teams of staff to effectively respond, so the addition of staff will support larger teams need for sizable litigation claims. Last year's report (LS20010) recommended a phased approach, adding four permanent FTE in 2021, and a future assessment of costs and needs. The substantial deductible increase under this report is the basis to add further staff, with the recommendation for five permanent FTE, comprised of two

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litigation lawyers, a litigation clerk, a legal assistant, and a Risk Management Assistant to support claims handling. See Legal Implications for more detail.

Total annual cost of the five recommended FTE is \$645,000. In addition to the compensation costs are associated one-time costs for equipment and furniture of \$29,000. The staffing will begin in 2022 and will be allocated to Departments and agencies through claims costs. Permanent FTE are recommended because experience with contract staff has shown that it is difficult to attract and retain knowledgeable staff needed for the high level of service provided to the City.

**Legal:** Litigation involves timely and extensive fact and document collection, case assessments, compliance with multiple, and often strict, deadlines in the Rules of Civil Procedure, or as imposed by Courts for overall effectiveness. The City is most often a defendant, which requires significant preparation to effectively respond to claims supported by plaintiff's counsel, which includes case preparations, discovery obligations, and trial readiness. Legal disadvantages will occur through insufficient resourcing levels, adding delays, legal risks and exposure to the City for added claim costs, and/or increased external counsel expense. The development of in-house expertise with direct knowledge of City operations is recommended as the most effective approach to ensure quality assurance and cost minimization.

## **HISTORICAL BACKGROUND**

The City has acquired its parcel of insurance coverages through Marsh Canada Limited (formerly JLT) since 2011. Previously, dating back to amalgamation, insurance was acquired through the Frank Cowan Company. The move to JLT was the result of a full market review in which JLT was the successful bidder, at approximately \$800,000 lower than the next lowest bidder. In April 2019, Marsh & McLennan Companies, Inc. purchased JLT.

Arthur J. Gallagher Canada Limited (formerly Pearson Dunn Insurance Inc.) is currently the City's broker of record. Each year the broker searches the market with available insurers and oversees the placement of the City's insurance program as part of their contract duties. Marsh Canada Ltd. (formerly Jardine Lloyd Thompson Inc.) is a Managing General Agent who specializes in insuring municipal entities. A Managing General Agent is a party who is authorized by various insurers to act as an intermediary to accept placements from insurance brokers such as Gallagher.

Appendix B to Report LS21027 shows the last 5 years of coverages and related premiums acquired by the City through Marsh and confirms the market hardening as it



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impacts on municipal premiums. Similar premium increases and limited availability of insurers are issues which have been faced by all municipalities over the last few years.

**POLICY IMPLICATIONS AND LEGISLATED REQUIREMENTS**

N/A

**RELEVANT CONSULTATION**

Negotiation and discussions with insurers were conducted in association with the City's Broker of Record and insurer.

Comparator municipalities and other types of public sector entities were consulted.

Finance & Administration was consulted regarding funding sources.

**ANALYSIS AND RATIONALE FOR RECOMMENDATION**

The premium increases for 2021 reflect the hard market trend that commenced in the latter part of 2018 and which has continued to worsen. Staff made inquiries through its broker, and directly with other municipalities, and determined substantial increases were occurring in the insurance market for several reasons, and in particular with municipal and public entity coverages. Direct comparisons with other municipalities are difficult due to differences in services and claims experiences and varying renewal dates when increases have been applied in other municipalities.

Liability coverage increases within the City's program can be attributed mainly to:

- (a) The continued hardening of the global insurance market, primarily due to the combination of weather related catastrophic losses pairing with lower returns in the investment market.
- (b) The present insurer's assessments of the City's claims history and exposures, which meant no other insurers were willing to quote for the City's 2021 coverage.
- (c) Potential insurers' awareness of a number of high profile claims, or potential claims, including concerns with the Red Hill Valley Parkway.
- (d) The principle of joint and several liability (1% rule) continuing to exert immense pressure on claims reserving and handling.

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A hard insurance market is characterized by a high demand for insurance coverage and a reduced supply. Insurers impose strict underwriting standards and issue a limited number of policies. Premiums are high and insurers are disinclined to negotiate terms.

A number of different factors affect insurance pricing, but the following are common contributors to the hardening market:

- (a) Catastrophic losses - Floods, tornadoes, hurricanes, wildfires and other disasters are increasingly common and devastating. Years of costly disasters like these have compounded losses for insurers, driving up the cost of coverage overall.
- (b) Claims costs - The frequency and severity of claim cost increases over time in accordance with population and municipal service growth. One reason for this is that settlement and verdicts for bodily injury claims are steadily rising. This extends litigation and significantly raises the cost to defend a claim. Additionally, advances in health care have made treatment more effective, and people are living longer, fuller lives even after a serious accident. While life expectancy is a positive trend, it has had an impact on compensatory damages and benefits.
- (c) Underwriting standards - Insurers are struggling to overcome underwriting losses, especially given how low interest rates have remained in recent times. This has made carriers more cautious, and many are restricting the classes of businesses and lines of insurance they are willing to underwrite.
- (d) Investment return - Nearly every insurance carrier uses the funds it receives from premiums to invest in other markets. However, reduced interest rates have negatively impacted profitability, and carriers have a reduced their appetite for risk as a result.
- (e) Reinsurance - Reinsurance is coverage for insurance companies, and which is subject to the same difficult market. Carriers often buy reinsurance for risks they can't or don't wish to retain fully. However, reinsurance is becoming more expensive to obtain, which is causing carriers to increase their rates.

In addition to the presence of the hard global market, there are also the factors specific to Ontario municipalities, namely:

- (a) Ontario's system of no fault auto insurance which requires payments to be made regardless of fault. Most HSR passengers are "first party" insured whenever they ride a bus.
- (b) The continued presence of the legal principle of "joint and several" liability, also known as the "1% rule," whereby a plaintiff may recover all the damages from any of the defendants in a claim regardless of their individual share of liability.

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Current legislation directs that a person injured by two or more negligent parties may collect full damages from any one of the negligent parties even if that party was only found 1% responsible for damages. As such, if the City is found by the courts to be even 1% responsible for a claim, it can be made to incur greater costs or even the entire costs of a claim if the other negligent parties are unable to pay their share. The resulting exposure is a factor in court awards and settlement considerations.

Ontario municipalities continue to lobby the provincial government for joint and several liability reform. As recently as 2019 the Ministry of the Attorney General requested input from municipalities on the subject of potential reform. The City provided an extensive submission which contained the following practical suggestions for reasonable reform:

- In recognition of the fact that municipalities are not “deep pocket” defendants, full proportionate liability to replace joint and several liability
- Minimum automobile liability coverage increased to \$2,000,000
- Make jury trials available to municipal defendants
- Implement a cap for economic loss awards
- A compensation fund for accident victims when defendants are unable to fund reasonable compensation to their proportionate level
- In recognition of the fact that the primary cause of 90% of all serious motor vehicle accidents is driver error, an increased commitment to safety initiative such as Vision Zero
- Establish a provincial and municipal working group to consider input from all stakeholders and to put forward recommendations to the Attorney General

To date, over two years since the Attorney General’s request for submissions, there has been no move to reform liability to address municipal concerns and risks.

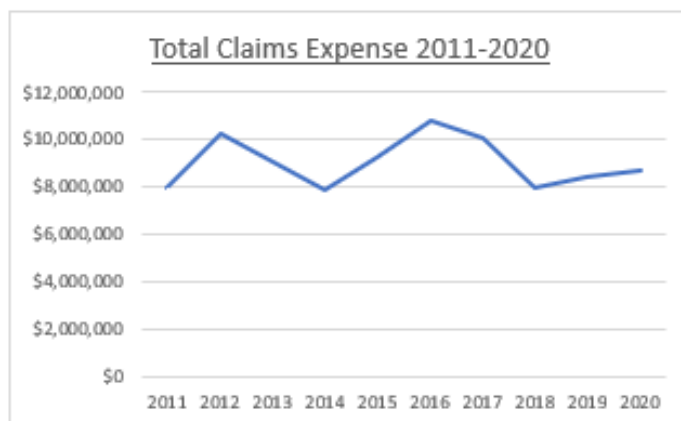
- (c) The high risk associated with being a public body with perceived “deep pockets” in an increasingly litigious society.
- (d) Jurisprudence with expanding grounds for the finding of liability resulting in an ongoing expectation of a higher standard of care.

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- (e) Damage awards are getting larger. Court awards for severe bodily injury claims have increased dramatically in the last few years. These awards are primarily driven by the costs of providing future care for catastrophically injured persons. As the severity of awards increases so too does the exposure to municipalities who are, again, perceived to have deep pockets.
- (f) The overall cost of claims has continued to rise at a rate in excess of premium growth. Individual claims are becoming more complex resulting in more time to manage the claim with more detailed investigation, more experts and more legal time involved in the process. Even if the municipality is not liable for damages there are significant costs associated with simply defending claims.
- (g) Municipal liability claims can have a “long tail,” which refers to claims that take a long time to become known and/or to settle. For example, the proximate cause for a claim may be in place years before damage occurs, such as building defects that may come to light many years after construction. Claims from previous years are more difficult to manage as pertinent information is not always readily available. These types of claims will often take a longer time to resolve once in place. While the time limit for starting legal claims was shortened to two years for most claims, an ultimate limitation period of fifteen years provides the “long tail” potential and adds to insurers perception of risk that determines availability of coverage and cost of premiums.

Control of claim costs is ongoing. Legal and Risk Management Services, in conjunction with various client departments, has had a number of successes in controlling loss when a frequency becomes apparent. The reductions in claims expenses for sidewalk trip and falls, sewer back-ups, police pursuits, and waterfall incidents serve as prime examples in this regard. The in-house Claims Expense for 2020 totalled \$8,707,774, which marks the third consecutive year of reduction (6%) against the previous 5 year average. The following chart illustrates Claims Expense totals over the last 10 years:




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Insurance comparisons to other municipalities are difficult. Services vary as do appetites for risk, deductible levels, and limits. Premium increases have been seen by all other municipalities contacted, but year-over-year increases varied including on renewal dates. The City of Hamilton is very clearly a “full service” municipality with police, paramedic, fire, transit, water treatment, public health, and power generation all within the exposure portfolio along with the more basic municipal services.

Virtually all of Ontario’s 440 municipalities will experience premium increases with their 2021 renewals, regardless of claims experience. Insurance industry information indicates an average increase between 20%-30% for Ontario municipalities in 2021, however, there are cases of increases near and above 100%.

**ALTERNATIVES FOR CONSIDERATION**

Similar to the 2020 renewal, viable alternatives for coverage from other providers are not an option for the 2021 renewal. Traditionally and in the last several years, the insurance market available to municipal entities has been limited. Municipal operations pose a unique challenge to insurers who generally prefer to concentrate their expertise on one sector of an industry. A single-tier municipality such as Hamilton has diverse operations (e.g. Emergency Services including EMS, Police Services, and Fire), Public Works (Construction, Roads Maintenance etc., Transit, Parks, Recreation, Water and Wastewater, Public Health, and so on). The underwriting criteria of general insurance markets does not easily accommodate a municipal entity the size and scope of Hamilton with its variety of operations. The availability of markets willing to insure municipalities is further complicated by provincial downloading of services to municipalities, by legislative changes, and by broader court decisions. Even among those insurers who will insure a municipality, market options for the City are further limited as many do not have the capacity to insure large municipalities.

At present the insurance market for Ontario municipalities is essentially limited to four providers – Marsh Canada, BFL Canada, AON Insurance, and Intact Public Entities (formerly Frank Cowan Company). The latter three entities were unwilling to provide competitive bids for the City’s 2021 insurance program.

Every reasonable effort is made to transfer liability exposure where possible, such as requiring appropriate levels of insurance, commensurate with project scope, for contractors working with the City. The City’s approach to risk transfer will be examined further under an Enterprise Risk Management framework.

**ALIGNMENT TO THE 2016 – 2025 STRATEGIC PLAN****Our People and Performance**

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

**APPENDICES AND SCHEDULES ATTACHED**

Appendix "A" - City of Hamilton 2021 Property and Liability Insurance Renewal Coverages and Limits

Appendix "B" - City of Hamilton Insurance Coverages and Premiums 2016-2021

## Appendix "A" to Report LS21027

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**CITY OF HAMILTON  
2021 PROPERTY AND LIABILITY INSURANCE RENEWAL  
COVERAGES AND LIMITS**

TYPE OF COVERAGE	COVERAGE \$	DEDUCTIBLE \$
Municipal Liability	5,000,000	*5,000,000
Errors & Omissions Liability	Included	
Non-Owned Auto	Included	
Excess Liability	Included	
Municipal Conflict of Interest (Reimbursement of Legal Expenses)	100,000	NIL
Wrongful Dismissal (Reimbursement of Legal Expenses)	\$500,000	\$5,000
Medical Malpractice Liability - Paramedic	5,000,000	250,000
Comprehensive Crime	10,000,000	25,000
Crime Excess	Included	
Property	3.5 Billion Replacement Value	500,000
Boiler	Included	100,000
City Automobile	5,000,000	500,000
Garage Liability Insurance	5,000,000	
WWTP Environmental Impairment Liability	10,000,000	500,000
Terrorism	As per schedule	100,000
Cyber Liability	5,000,000	150,000
HSR Rolling Stock (Transit)	Included in Property	50,000
HSR Auto Fleet	5,000,000	500,000
Excess Umbrella Excess over; Municipal Liability, Incidental Medical Malpractice Liability, Automobile Liability (City and HSR), Garage Liability	40,000,000	NIL

\*Deductible increased from \$1,500,000 to \$5,000,000

CITY OF HAMILTON									
INSURANCE PREMIUM SUMMARY 2016-2021									
POLICY TYPE	INSURER	2016-2017 PREMIUM	2017-2018 PREMIUM	2018-2019 PREMIUM	2019-2020 PREMIUM	2020-2021 PREMIUM	2021-2022 PREMIUM	% Change 2020 to 2021	COMMENT
CYBER	PRO RISK (LLOYDS OF LONDON)	N/A	\$ 85,632	\$ 85,764	\$ 85,750	\$ 92,675	\$ 110,994	20%	
TERRORISM	MILLER (LLOYDS OF LONDON)	\$ 138,000	\$ 138,000	\$ 120,000	\$ 120,000	\$ 120,000	\$ 129,600	8%	
CBNR (CHEMICAL, BIOLOGICAL, NUCLEAR, RADIATION)	MILLER (LLOYDS OF LONDON)	\$ 80,000	\$ 80,000	\$ 80,000	\$ 80,000	\$ 80,000	\$ 80,000	0%	
ENVIRONMENTAL IMPAIRMENT LIABILITY	MARKEL INSURANCE CO.	\$ 38,700	\$ 38,700	\$ 38,700	\$ 38,702	\$ 85,000	\$ 0	0%	paid for 2 years coverage in 2020
PARAMEDICS LIABILITY	BERKELY	N/A	N/A	N/A	\$ 20,950	\$ 26,500	\$ 31,800	20%	
PRIMARY LIABILITY	QBE	\$ 714,000	\$ 714,000	\$ 926,782	\$ 1,900,000	\$ 2,380,311	\$ 2,117,629	-11%	deductible increase to \$5M
EXCESS LIABILITY	VARIOUS LLOYDS	\$ 428,899	\$ 428,899	\$ 428,899	\$ 775,000	\$ 950,000	\$ 1,784,166	88%	
2nd EXCESS LIABILITY					\$ 50,000	\$ 220,000	\$ 237,500	8%	
FLEET	AVIVA	\$ 812,972	\$ 839,368	\$ 848,541	\$ 931,494	\$ 1,118,349	\$ 1,521,050	36%	
TRANSIT	AVIVA	\$ 1,298,232	\$ 1,442,480	\$ 1,392,548	\$ 1,596,184	\$ 2,031,773	\$ 2,122,650	4%	
GARAGE	AVIVA	\$ 5,500	\$ 5,500	\$ 5,500	\$ 5,500	\$ 5,775	\$ 6,355	10%	
PROPERTY	AVIVA	\$ 491,928	\$ 507,142	\$ 766,567	\$ 931,494	\$ 1,106,521	\$ 1,939,557	75%	
CRIME	AVIVA	\$ 20,000	\$ 20,000	\$ 20,000	\$ 20,000	\$ 20,000	\$ 20,000	0%	
EXCESS CRIME	TRISURA	\$ 45,000	\$ 45,000	\$ 45,000	\$ 45,000	\$ 45,000	\$ 47,250	5%	
<b>TOTAL</b>		<b>\$ 4,073,231</b>	<b>\$ 4,344,721</b>	<b>\$ 4,758,301</b>	<b>\$ 6,600,074</b>	<b>\$ 8,281,904</b>	<b>\$ 10,148,551</b>	<b>22.5%</b>	