



GENERAL ISSUES COMMITTEE REPORT 15-016

9:30 a.m.

Wednesday, September 2, 2015

Council Chambers

Hamilton City Hall

71 Main Street West

Present: Mayor F. Eisenberger, Deputy J. Partridge (Chair)
Councillors J. Farr, A. Johnson, M. Green, S. Merulla, C. Collins,
T. Jackson, S. Duvall, T. Whitehead, D. Conley, M. Pearson,
L. Ferguson, R. Pasuta

**Absent
with Regrets:** Councillor A. VanderBeek – Personal
Councillor B. Johnson – Other City Business

THE GENERAL ISSUES COMMITTEE PRESENTS REPORT 15-016 AND RESPECTFULLY RECOMMENDS:

**1. First Periodic Report as Integrity Commissioner to the City of Hamilton
(ICI15001) (City Wide) (Item 5.1)**

That Report ICI15001, respecting the First Periodic Report as Integrity Commissioner to the City of Hamilton, be received.

**2. Electronic Recording of Closed Session Meetings (LS15025) (City Wide)
(Item 5.2)**

That Report LS15025, respecting Electronic Recording of Closed Session Meetings, be received.

**3. City Enrichment Fund – Implementation Phase 3 (FCS14024(d)) (City Wide)
(Item 5.3)**

That the revised Guidelines and application forms for the amended and expanded City Enrichment Fund program area, Arts Program and Communities,

Culture and Heritage, as outlined in the attached Appendix "A" to Report 15-016, be approved.

4. Amended Hamilton LEEDing the Way, LEED Grant Program Application (LGP-12-01) – Maple Leaf Foods Inc., 440 Glover Road, Hamilton, ON (PED12038(b)) (Ward 11) (Item 8.1)

- (a) That Hamilton LEEDing the Way, LEED Grant Program Application LGP-12-01, as amended, submitted by Maple Leaf Foods Inc., for the property at 440 Glover Road, Hamilton, for a LEED Grant not to exceed \$4,118,250 payable to Maple Leaf Foods Inc. over a maximum of five (5) years, be authorized and approved, in accordance with the terms and conditions of the LEED Grant Program Agreement; and,
- (b) That the Mayor and Clerk be authorized and directed to execute, on behalf of the City, the amended LEED Grant Agreement with Maple Leaf Foods Inc., referred to in subsection (i) with respect to the development of 440 Glover Road, and all necessary associated documents, all in a form satisfactory to the City Solicitor.

5. Business Improvement Area Advisory Committee Report 15-008, August 11, 2015 (Item 8.2)

(i) Locke Street BIA (Item 9.1(a))

That the expenditure request from the Locke Street BIA in the amount of \$4,811.00 from the Commercial Improvement Program for beautification purposes, including flower baskets and Christmas decorations, be approved.

(ii) Barton Village BIA (Added Item 9.2)

- (a) That the expenditure request from the Barton Village BIA in the amount of \$6,602.91 from the Commercial Improvement Program for beautification purposes and office equipment, be approved; and,
- (b) That the expenditure request from the Barton Village BIA in the amount of \$9,784.06 from the Parking Revenue Sharing Program for promotion, beautification and events occurring in 2015, be approved.

6. School Board Properties Sub-Committee Report 15-001, August 7, 2015 (Item 8.3)

(a) Selection of Chair and Vice Chair (Item A)

- (i) That Councillor C. Collins be appointed as Chair of the School Board Properties Sub-Committee for the 2014-2018 term of Council.
- (ii) That Councillor J. Partridge be appointed as Vice Chair of the School Board Properties Sub-Committee for the 2014-2018 term of Council.

(b) Hamilton-Wentworth District School Board (HWDSB) Property at 6025 White Church Road (Bell Stone School), Glancaster (PED15124) (Ward 11) (Item 8.1)

- (i) That the Real Estate Section of the Economic Development Division of the Planning and Economic Development Department 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 6025 White Church Road, as shown on Appendix "A" attached to Report PED15124; and,
- (ii) That the Real Estate Section of the Economic Development Division of the Planning and Economic Development Department be authorized and directed to advise the Hamilton-Wentworth District School Board (HWDSB) of the City of Hamilton's site development requirements as identified in Appendix "B" attached to Report PED15124.

(c) Hamilton-Wentworth District School Board (HWDSB) Property at 20 Reid Avenue North (Roxborough Park School), Hamilton (PED15126) (Ward 4) (Item 8.3)

- (i) That the Real Estate Section of the Economic Development Division of the Planning and Economic Development Department 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 20 Reid Avenue North, as shown on Appendix "A" attached to Report PED15126; and,
- (ii) That the Real Estate Section of the Economic Development Division of the Planning and Economic Development Department be authorized and 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 PED15126.

(d) Hamilton-Wentworth Catholic District School Board (HWCDSB) Property Located at 166 Bay Street North, Hamilton (PED15128) (Ward 2) (Item 8.4)

- (i) That the Real Estate Section of the Economic Development Division of the Planning and Economic Development Department be authorized and directed to advise the Hamilton-Wentworth Catholic District School Board that the City of Hamilton has no interest in acquiring its property located at 166 Bay Street North, as shown on Appendix “A” attached to Report PED15128; and,
- (ii) That the Real Estate Section of the Economic Development Division of the Planning and Economic Development Department be authorized and directed to advise the Hamilton-Wentworth Catholic District School Board (HWCDSB) of the City of Hamilton’s site development requirements as identified in Appendix “B” attached to Report PED15128.

(e) Hamilton-Wentworth District School Board (HWDSB) Land – 31 Parkside Avenue (Parkside Secondary School), Dundas (PED15123) (Ward 13) (Item 12.2)

- (i) That staff be directed to proceed with recommendations (a), (b) and (d), as outlined in Private & Confidential Report PED15123 – Hamilton-Wentworth District School Board Land – 31 Parkside Avenue, Dundas;
- (ii) That all costs, in the estimated amount of \$52,000, related to the due diligence and feasibility investigation, respecting Report PED15123 – Hamilton-Wentworth District School Board Land – 31 Parkside Avenue, Dundas, be authorized and funded from Capital Account No. 2111556401; and,
- (iii) That Report PED15123, respecting the Hamilton-Wentworth District School Board Land – 31 Parkside Avenue, Dundas not be released as a public document.

(f) Pre-Acquisition Review of Hamilton-Wentworth District School Board (HWDSB) Surplus Land - Eastmount Park Elementary School, 155 East 26th Street, Hamilton (PED15127) (Ward 7) (Item 12.3)

- (i) That staff be directed to proceed with recommendations (a), (b) and (d), as outlined in Private & Confidential Report PED15127 – Pre-Acquisition Review of Hamilton-Wentworth District School Board (HWDSB) Surplus Land – Eastmount Park Elementary School, 155 East 26th Street, Hamilton;
- (ii) That all costs, in the estimated amount of \$54,000, related to the due diligence and feasibility investigation, respecting Report PED15127 – Pre-Acquisition Review of Hamilton-Wentworth District School Board (HWDSB) Surplus Land – Eastmount Park Elementary School, 155 East 26th Street, Hamilton, be authorized and funded from Account 2111556401; and,
- (iii) That Report PED15127, respecting the Hamilton-Wentworth District School Board Land – 31 Parkside Avenue, Dundas remain confidential and not be released as a public document.

7. Proposed Naming the MacNab Transit Terminal after the late Frank Arthur Cooke (Item 9.1)

That the matter of naming the MacNab Transit Terminal after the late Frank Arthur Cooke, be referred to the Facility Naming Sub-Committee.

8. Land Exchange and Tree Removal for East Mountain Trail Loop (PW15063) (Wards 5, 6 and 9) (Item 12.2)

- (a) That 26 of the existing living trees, as stated in Report PW15063 be approved for removal to facilitate the development of Phase 2a of the East Mountain Trail Loop (Appendix D of Report PW15063 - Entire East Mountain Trail Loop);
- (b) That the \$42,030 requirement for tree compensation be paid to Forestry and Horticulture of Public Works according to By-Law 06-151, from 4401056060 account;
- (c) That tree removals as illustrated in Appendix “C” attached to Report PW15063 be approved;
- (d) That recommendation (d), as shown in Private & Confidential Report PW15063, be approved; and,

- (e) That Report PW15063, respecting the Land Exchange and Tree Removal for East Mountain Trail Loop and its appendices, with the exception of Appendix "C", remain confidential and not be released as a public document until final completion of the real estate transaction.

FOR THE INFORMATION OF COUNCIL:

(a) CHANGES TO THE AGENDA (Item 1)

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

- (i) Added as Item 4.5 – Delegation Request submitted by Agnes Richard, respecting Enbridge Lines 10 and 11, to come forward at the same meeting as Enbridge is to provide their presentation regarding Line 10 (Fall 2015).
- (ii) Added as Item 4.6 – John Hawker and Robin McKee, of the Sir John A. Macdonald Society, respecting the upcoming Commemoration of the November 1893 Unveiling of Canada's First Statue of Sir John A. Macdonald's 200th Birthday
- (iii) Added as Item 10.1 – Notice of Motion respecting a Hamilton Walk of Fame
- (iv) Added as Item 10.2 – Notice of Motion respecting the City of Hamilton's 2016 Budget Process
- (v) Added as Item 12.3 – *Occupational Health & Safety Act* Matter (no copy)

Pursuant to Section 8.1, Sub-section (e) of the City's Procedural By-law 14-300, and Section 239(2), Sub-sections (e) of the *Municipal Act*, 2001, as amended, as the subject matter pertains to litigation or potential litigation, including matters before administrative tribunals, affecting the City.

The agenda for the September 2, 2015 General Issues Committee meeting was approved, as amended.

(b) DECLARATIONS OF INTEREST (Item 2)

Councillor L. Ferguson declared an interest to Item 4.1, respecting the delegation request submitted by Chris Schafer, Uber Canada, to provide a presentation respecting Uber, as he has family members involved in the Taxi industry.

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

(i) August 10, 2015 (Item 3.1)

The Minutes of the August 10, 2015 meeting of the General Issues Committee were approved, as presented.

(d) DELEGATION REQUESTS (Item 4)

4.1 Chris Schafer, Uber Canada, to provide a presentation respecting Uber

The delegation request, submitted by Chris Schafer, Uber Canada, respecting a presentation about Uber Canada, was approved for a future meeting of the General Issues Committee.

4.2 Jeff Wolfenden, President and Founder, Hamilton Young Stroke Survivors, respecting Disability Identification

The delegation request submitted by Jeff Wolfenden, President and Founder, Hamilton Young Stroke Survivors, respecting Disability Identification, was approved for a future meeting of the General Issues Committee.

4.3 Dave Barnett, of the Abuse Prevention and Awareness Campaign, respecting methods required in order to make Hamilton a world class tourist destination.

The delegation request submitted by Dave Barnett, of the Abuse Prevention and Awareness Campaign, respecting methods required in order to make Hamilton a world class tourist destination, was approved for a future meeting of the General Issues Committee.

4.4 Jen Baker, Hamilton Naturalists' Club, respecting the importance of pollinators to the city of Hamilton and what needs to be done to support pollinators and help increase garden yields.

The delegation request submitted by Jen Baker, Hamilton Naturalists' Club, respecting the importance of pollinators to the city of Hamilton and what needs to be done to support pollinators and help increase garden yields, was approved for a future meeting of the General Issues Committee.

4.5 Agnes Richard, respecting Enbridge Lines 10 and 11, to come forward at the same meeting as Enbridge is to provide their presentation regarding Line 10 (Fall 2015).

The delegation request submitted by Agnes Richard, respecting Enbridge Lines 10 and 11, to come forward at the same meeting as Enbridge is to provide their presentation regarding Line 10, was approved for a future meeting of the General Issues Committee.

4.6 John Hawker and Robin McKee, of the Sir John A. Macdonald Society, respecting the upcoming Commemoration of the November 1893 Unveiling of Canada's First Statue of Sir John A. Macdonald's 200th Birthday

The delegation request submitted by John Hawker and Robin McKee, of the Sir John A. Macdonald Society, respecting the upcoming Commemoration of the November 1893 Unveiling of Canada's First Statue of Sir John A. Macdonald's 200th Birthday, was approved for the September 16, 2015 General Issues Committee.

(e) GENERAL INFORMATION / OTHER BUSINESS (Item 11)

(i) New Schools and Catchment Areas (Item 11.1)

Councillor Whitehead raised concerns respecting the lack of coordination between the School Boards and the City of Hamilton respecting school sites and catchment areas, and asked that a more coordinated effort be considered.

(ii) U.S. Steel and the Prime Minister's Visit (Item 11.2)

Both Councillors Whitehead and Duvall expressed serious concerns with the lack of protection from the Federal Government with respect to allowing U. S. Steel (and other foreign companies) to buy local companies and transfer the business out of Canada. Specifically, how U. S. Steel will be moving the output of the Z and galvanizing lines to the U.S.

Councillors Whitehead, Duvall and Green also advised that they were very disappointed with the Prime Minister's visit to Burlington, where he noted the Innovation Park in Burlington, but failed to mention Hamilton's great innovations that were visible from just across the harbour.

(iii) Canada Post – City of London (Item 11.3)

Councillor Whitehead advised Committee of his meeting with the City of London regarding the Canada Post Super Mailbox issue. It was noted that the City of London (and many others) are experiencing similar issues such as, but not limited to, the locations, safety, lack of proper consultation, etc.

(f) MOTIONS (Item 9)

Mayor Eisenberger introduced the following Motion:

(i) Proposed Naming the MacNab Transit Terminal after the late Frank Arthur Cooke (Item 9.1)

WHEREAS, the late Frank Arthur Cooke joined the Hamilton Street Railway in 1946, after proudly serving in the Royal Canadian Artillery, to serve the citizens of Hamilton for four decades with the Hamilton Street Railway (HSR), retiring as President and General Manager; and,

WHEREAS, Frank Cooke also served as past President of the Canadian Urban Transit Association and was an active member of the Chamber of Commerce Transportation Committee;

THEREFORE BE IT RESOLVED:

That staff be directed to review the matter of naming the MacNab Transit Terminal after the late Frank Arthur Cooke and report to the Facility Naming Sub-Committee.

(g) NOTICES OF MOTION (Item 10)

Councillor J. Partridge introduced the following Notice of Motion:

(i) Hamilton Walk of Fame (Item 10.1)

That staff be directed to review the options of having a Walk of Fame for the Entertainment Industry in the City of Hamilton including, but not limited to:

- type of composition (such as a structure, or sidewalk, or Parkette, etc.);
- categories;
- identify partners;
- celebrations and ceremonies;
- fundraising opportunities;

- proposed budget (capital and operation);
- administration;

and report back to the General Issues Committee.

The Rules of Order were waived to allow for the introduction of a motion respecting a Hamilton Walk of Fame.

The resolution, as approved is shown below:

That staff be directed to review the options of having a Walk of Fame for the Entertainment Industry in the City of Hamilton including, but not limited to:

- type of composition (such as a structure, or sidewalk, or Parkette, etc.);
- categories;
- identify partners;
- celebrations and ceremonies;
- fundraising opportunities;
- proposed budget (capital and operation);
- administration;

and report back to the General Issues Committee.

Councillor A. Johnson introduced the following Notice of Motion:

(ii) City of Hamilton's 2016 Budget Process (Item 10.2)

WHEREAS, the City of Hamilton Budget consists of three budgets including the tax supported operating budget, tax supported capital budget and rate supported operating and capital budget; and,

WHEREAS, the City's proposed 2016 budget schedule includes approval by Council of the 2016 tax supported capital budget in December 2015, approval of the 2016 rate supported capital and operating budget in December 2015 and approval of the 2016 tax supported operating budget in March 2016; and,

WHEREAS, the 2016 City of Hamilton tax supported operating budget sets the priorities for 2016; and,

WHEREAS, municipal budget best practices include the approval of the budget prior to the start of the budget year;

THEREFORE BE IT RESOLVED:

That the City of Hamilton's 2016 Accelerated Budget Schedule (shown as Option 2 – attached hereto) include Council approval of:

- (i) the 2016 tax supported capital budget in December 2015;
- (ii) the 2016 rate supported capital and operating budget in December 2015; and,
- (iii) the 2016 tax supported operating budget in February 2016.

(h) PRIVATE & CONFIDENTIAL (Item 12)

(i) Closed Session Minutes – August 10, 2015 (Item 12.1)

As the General Issues Committee determined that no discussion, respecting the Closed Session Minutes of August 10, 2015, meeting of the General Issues Committee was required, the Minutes were approved in Open Session, as shown below:

- (a) The Closed Session Minutes of the August 10, 2015, meeting of the General Issues Committee were approved, as presented.
- (b) The Closed Session Minutes of the August 10, 2015 meeting of the General Issues Committee will remain confidential and restricted from public disclosure.

Committee moved into Closed Session, respecting Item 12.3, an *Occupational Health & Safety Act* Matter, pursuant to Section 8.1, Sub-section (e) of the City's Procedural By-law 14-300, and Section 239(2), Sub-section (e) of the *Ontario Municipal Act*, 2001, as amended, as the subject matter to pertains to litigation or potential litigation, including matters before administrative tribunals, affecting the City.

(ii) Occupational Health & Safety Act Matter (no copy) (Item 12.3)

The information, respecting the *Occupational Health & Safety Act* Matter, was received.

(i) ADJOURNMENT (Item 13)

There being no further business, the General Issues Committee adjourned at 10:36 a.m.

Respectfully submitted,

J. Partridge, Deputy Mayor
Chair, General Issues Committee

Stephanie Paparella
Legislative Coordinator
Office of the City Clerk