



GENERAL ISSUES COMMITTEE REPORT 17-005

9:30 a.m.

Wednesday, March 1, 2017

Council Chambers

Hamilton City Hall

71 Main Street West

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

Absent

with Regrets: Councillor R. Pasuta – Sick Leave

THE GENERAL ISSUES COMMITTEE PRESENTS REPORT 17-005 AND RESPECTFULLY RECOMMENDS:

**1. Discussion regarding Hamilton PRIDE Week (PED17035) (City Wide)
(Outstanding Business List) (Item 5.2)**

That Report PED17035, respecting the Discussion regarding Hamilton PRIDE Week,
be received.

**2. Locke Street Business Improvement Area Proposed Operating Budget and
Schedule of Payment for 2017 (PED16055(a)) (Ward 1) (Item 8.1)**

- (a) That the 2017 Operating Budget for the Locke Street Business Improvement Area, attached as Appendix "A" to Report 16-005, be approved in the amount of \$93,500;
- (b) That the levy portion of the Operating Budget for the Locke Street Business Improvement Area in the amount of \$30,000 be approved;
- (c) That the General Manager of Finance and Corporate Services be hereby authorized and directed to prepare the requisite By-law pursuant to Section 208, of the *Municipal Act, 2001*, to levy the 2017 Budget as referenced in Recommendation (b) of Report PED16055(a); and,

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- (d) That the following schedule of payments for 2017, be approved:

March	\$15,000
June	\$15,000

3. Codes of Conduct and Training for Council Appointed Bodies (LS17008 / CL17002) (Outstanding Business List Item) (Item 8.2)

- (a) That the Administrative Tribunal Code of Conduct (attached as Appendix “A” to Report LS17008/CL17002) be forwarded to the Committee of Adjustment, Election Compliance Audit Committee, Licensing Tribunal and Property Standards Committee for consideration and approval at their next regularly scheduled meeting;
- (b) That the Advisory Committee / Task Force Code of Conduct (attached as Appendix “B” to Report 16-005, be approved; and,
- (c) That the Legal Services Division and the City Clerk’s Division provide training for the members of the City’s Administrative Tribunals and Advisory Committees/Task Forces once per Council term with respect to the carrying out of their responsibilities as members of these bodies.

4. City Operated Events and Options for Alternate Service Delivery Model (PED16089(a)) (City Wide) (Item 8.3)

- (a) That staff be directed to issue a Request for Information (RFI) through Centralized Procurement for Winterfest and Canada Day to determine if there is sufficient vendor interest to justify proceeding with a competitive procurement process and report back to the General Issues Committee by Q3 2017;
- (b) That staff be directed to enter into discussions with the Downtown Business Improvement Area (BIA) to gauge interest in operating the Holiday Tree Lighting, in conjunction with the Public Works Department, CHML, and with Hamilton Food Share, to operate the Canadian Pacific (CP) Holiday Train event and report back to the General Issues Committee by Q3 2017; and,
- (c) That staff be directed to determine appropriate operation models for one-time or other types of events that may be directed by Council from time to time and report back to the General Issues Committee on implementation recommendations such as outsourcing, in-house production, FTE impact and budget, as applicable.

5. Canada 150 Community Infrastructure Program Intake Two Approved Project Financing (FCS15049(b)) (City Wide) (Item 8.4)

- (a) That the Canada 150 Intake Two Project Financing Strategy, as detailed in Appendix “C” to Report 17-005, be approved;
- (b) That the municipal share of Glanbrook Arena, be funded by the Facilities Capital block allocation in 2018 in the amount of \$400,000; and,
- (c) That the municipal share of Auchmar Garden Walls be funded by the Tourism and Culture Capital block allocation in 2018 in the amount of \$544,000.

6. Capital Projects Work-in-Progress Sub-Committee Report 17-002, February 2, 2017 (Item 8.5)

(a) Public Works - Capital Projects Status Report as of September 30, 2016 (FCS16073(a)) (City Wide) (Item 8.1) (Attached hereto as Appendix “A”)

- (i) That the Capital Projects Status Report Public Works Tax Supported Projects, as of September 30, 2016, attached as Appendix “A” to Report FCS16073(a), be received; and,
- (ii) That the Capital Project Status Report Public Works Rate Supported Projects, as of September 30, 2016, attached as Appendix “B” to Report FCS16073(a), be received.

7. Street Hockey (LS17006) (City Wide) (Item 8.6)

That the By-law, attached as Appendix “A” to Report LS178006, being a by-law to permit Street Hockey, as amended, be passed.

8. Statue of Leonardo Sciascia (Item 9.1)

WHEREAS, 2017 is Canada’s 150th and the 30th anniversary of the twinning of the City of Hamilton and Racalmuto, Sicily;

WHEREAS, the immigrants of Sicily have made a significant contribution to the growth and success of Hamilton;

WHEREAS, a committee has been formed by local citizens to create a permanent tribute and commemoration of the very close connection between the citizens of Racalmuto and Hamilton in the year of Canada’s 150th;

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WHEREAS, Leonardo Sciascia, a preeminent and award winning writer in the fields of fiction, poetry, political commentary, and other areas was a famous son of Racalmuto to which a bronze statue in his honour was erected on the Via Garibaldi, the main street of his hometown, Racalmuto;

WHEREAS, the committee has selected to commission a duplicate statute of Leonardo Sciascia as their project and has secured permission to erect the statute on the grounds of LIUNA Station in the Immigration Square Parkette; and,

WHEREAS, the committee is fundraising the \$50,000 required to commission the statue and is seeking a contribution from the City of Hamilton;

THEREFORE BE IT RESOLVED:

That the City of Hamilton's contribution toward the commissioning of a statue of Leonardo Sciascia, writer in the fields of fiction, poetry, political commentary and a famous son of Racalmuto, Sicily, in the amount of \$15,000, to be funded from the Ward 2 Area Rating account, be approved.

9. Loewith Family Farm Operating as Joe Loewith and Sons Ltd, located at 49 Inksetter Road – Waiver of Zoning Fees (Item 9.2)

WHEREAS, the Loewith family farm operating as Joe Loewith and Sons Ltd. are leaders in agricultural community producing 18,000 Litres of milk per day on their 650 acre farm;

WHEREAS, the Committee of Adjustment approved a severance of a surplus farm dwelling from the farm due to a farm consolidation with the larger Loewith farm;

WHEREAS, staff have required, as a condition of approval of the severance, a rezoning of the retained agricultural parcel rather than a restrictive covenant in order to preclude a new dwelling on the retained lands; and,

WHEREAS, the Committee of Adjustment amended Planning staff's recommendation for the required rezoning to also include the option of a restrictive covenant (as per the option permitted by the Rural Hamilton Official Plan), which has resulted in confusion as to the ability of Joe Loewith and Sons Ltd. to satisfy the Condition of Approval of the Severance;

THEREFORE BE IT RESOLVED:

That staff be directed to waive the application fee of \$5,565 for the rezoning of 49 Inksetter Road, known as the Loewith Family Farm Operating as Joe Loewith and Sons Ltd.

FOR THE INFORMATION OF COUNCIL:

(a) CHANGES TO THE AGENDA (Item 1)

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

1. ADDED DELEGATION REQUESTS (Item 4)

- 4.2 Ute Schmid Jones, Hamilton 350, Hamilton Blue Dot, Hamilton Council of Canadians, Hamilton Central Federal and Provincial Green Party Member, respecting Enbridge Line 10 (For March 22, 2017)
- 4.3 Ken Hall and Herb Shields, Enbridge Pipelines Inc., respecting the Enbridge Line 10 Westover Segment Replacement Project (For March 22, 2017)
- 4.4 Jaydene Lavallie, respecting Enbridge Line 10 (For March 22, 2017)
- 4.5 Dr. Ruth Pickering, respecting Enbridge Line 10 (For March 22, 2017)
- 4.6 Eduardo D. Navarro, The Fly the Flag Citizens' Committee of Hamilton Wentworth, respecting the 25th Anniversary of the National Effort to Promote Canadian Unity (For March 22, 2017)
- 4.7 Trish Mills, respecting Enbridge Line 10 (For March 22, 2017) (no copy)

2. ADDED NOTICES OF MOTION

- 10.1 Loewith Family Farm Operating as Joe Loewith and Sons Ltd, located at 49 Inksetter Road – Waiver of Zoning Fees

3. ADDED PRIVATE & CONFIDENTIAL

(i) Personnel Matter (Item 12.2)

Pursuant to Section 8.1, Sub-section (b) of the City's Procedural By-law 14-300, 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 City employees.

The agenda for the March 1, 2017 General Issues Committee meeting was approved, as amended.

(b) DECLARATIONS OF INTEREST (Item 2)

Councillor Conley declared an interest to Items 4.2 to 4.5 and 4.7, respecting the Enbridge Line 10 Westover Segment Replacement Project, as his daughter works for Enbridge Pipelines Inc.

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

(i) February 15, 2017 (Item 3.1)

The Minutes of the February 15 2017 General Issues Committee were approved, as presented.

(d) DELEGATION REQUESTS (Item 4)

(i) Bruce Barbour, Flamboro Downs, to provide an Update respecting the Flamboro Downs and the Impact on the Community (For March 22nd GIC) (Item 4.1)

The delegation request submitted by Bruce Barbour, Flamboro Downs, to provide an Update respecting the Flamboro Downs and the Impact on the Community, was approved to appear before the General Issues Committee on March 22, 2017.

(ii) Ute Schmid Jones, Hamilton 350, Hamilton Blue Dot, Hamilton Council of Canadians, Hamilton Central Federal and Provincial Green Party Member, respecting Enbridge Line 10 (For March 22, 2017) (Item 4.2)

The delegation request submitted by Ute Schmid Jones, Hamilton 350, Hamilton Blue Dot, Hamilton Council of Canadians, Hamilton Central Federal and Provincial Green Party Member, respecting Enbridge Line 10, was approved to appear before the General Issues Committee on March 22, 2017.

(iii) Ken Hall and Herb Shields, Enbridge Pipelines Inc., respecting the Enbridge Line 10 Westover Segment Replacement Project (For March 22, 2017) (Item 4.3)

The delegation request submitted by Ken Hall and Herb Shields, Enbridge Pipelines Inc., respecting the Enbridge Line 10 Westover Segment Replacement Project, was approved to appear before the General Issues Committee on March 22, 2017.

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(iv) Jaydene Lavallie, respecting Enbridge Line 10 (For March 22, 2017) (Item 4.4)

The delegation request submitted by Jaydene Lavallie, respecting Enbridge Line 10, was approved to appear before the General Issues Committee on March 22, 2017.

(v) Dr. Ruth Pickering, respecting Enbridge Line 10 (For March 22, 2017) (Item 4.5)

The delegation request submitted by Dr. Ruth Pickering, respecting Enbridge Line 10, was approved to appear before the General Issues Committee on March 22, 2017.

(vi) Eduardo D. Navarro, The Fly the Flag Citizens' Committee of Hamilton Wentworth, respecting the 25th Anniversary of the National Effort to Promote Canadian Unity (For March 22, 2017) (Item 4.6)

The delegation request submitted by Eduardo D. Navarro, The Fly the Flag Citizens' Committee of Hamilton Wentworth, respecting the 25th Anniversary of the National Effort to Promote Canadian Unity, was approved to appear before the General Issues Committee on March 22, 2017.

(vii) Trish Mills, respecting Enbridge Line 10 (For March 22, 2017) (no copy) (Item 4.7)

The delegation request submitted by Trish Mills, respecting Enbridge Line 10, was approved to appear before the General Issues Committee on March 22, 2017.

(e) CONSENT ITEMS (Item 5)

(i) Minutes of Various Advisory & Sub-Committee meetings (Item 5.1):

The following Advisory Committee meeting minutes, as shown below, were received:

(a) Arts Advisory Committee, October 25, 2016; and,

(b) Business Improvement Area Advisory Committee, January 17, 2017.

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(f) STAFF PRESENTATIONS (Item 7)

(i) Corporate Security Office (CM17002) (City Wide) (Item 7.1)

Rom D'Angelo, Director of Energy, Fleet and Facilities, addressed Committee and provided a PowerPoint presentation respecting Report CM17002, Corporate Security Office.

The presentation, respecting Report CM17002, Corporate Security Office, was received.

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

Report CM17002, respecting a Corporate Security Office was referred to the City Manager to identify an alternative funding source outside of the Capital budget for the requested FTE, should this matter move forward, and report back to the General Issues Committee.

(g) DISCUSSION ITEMS (Item 8)

(i) Street Hockey (LS17006) (City Wide) (Item 8.6)

The By-law, attached as Appendix "A" to Report LS178006, being a by-law to permit Street Hockey, be amended by adding a clause that would direct staff to refer residents with disputes, respecting the playing of street hockey on City side streets, to the City's internal mediation process.

For further disposition of this matter, please refer to Item 7.

The Main Motion, as amended, CARRIED on the following Standing Recorded Vote:

Yeas:	Whitehead, Skelly, Jackson, Collins, Merulla, Green, Farr, A. Johnson, Ferguson, VanderBeek, Partridge
Total:	11
Nays:	Conley, Pearson, B. Johnson
Total:	3
Absent:	Eisenberger, Pasuta
Total:	2

(h) NOTICES OF MOTION (Item 10)

Councillor L. Ferguson introduced the following Notice of Motion:

(i) Loewith Family Farm Operating as Joe Loewith and Sons Ltd, located at 49 Inksetter Road – Waiver of Zoning Fees (Item 10.1)

WHEREAS, the Loewith family farm operating as Joe Loewith and Sons Ltd. are leaders in agricultural community producing 18,000 Litres of milk per day on their 650 acre farm;

WHEREAS, the Committee of Adjustment approved a severance of a surplus farm dwelling from the farm due to a farm consolidation with the larger Loewith farm;

WHEREAS, staff have required, as a condition of approval of the severance, a rezoning of the retained agricultural parcel rather than a restrictive covenant in order to preclude a new dwelling on the retained lands; and,

WHEREAS, the Committee of Adjustment amended Planning staff's recommendation for the required rezoning to also include the option of a restrictive covenant (as per the option permitted by the Rural Hamilton Official Plan), which has resulted in confusion as to the ability of Joe Loewith and Sons Ltd. to satisfy the Condition of Approval of the Severance;

THEREFORE BE IT RESOLVED:

That staff be directed to waive the application fee of \$5,565 for the rezoning of 49 Inksetter Road, known as the Loewith Family Farm Operating as Joe Loewith and Sons Ltd.

The Rules of Order were waived to allow for the introduction of a Motion respecting Loewith Family Farm Operating as Joe Loewith and Sons Ltd, located at 49 Inksetter Road – Waiver of Zoning Fees.

For disposition of this matter, please refer to Item 9.

(i) PRIVATE & CONFIDENTIAL (Item 12)

(i) Closed Session Minutes – February 15, 2017 (Item 12.1)

(a) The Closed Session Minutes of the February 15, 2017 General Issues Committee meeting, were approved, as presented; and,

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- (b) The Closed Session Minutes of the February 15, 2017 General Issues Committee meeting will remain confidential.

Committee moved into Closed Session, respecting Item 12.2, a Personnel Matter, pursuant to Section 8.1, Sub-section (b) of the City's Procedural By-law 14-300, 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 City employees.

(ii) Personnel Matter (Item 12.2)

There was nothing to report in Open Session.

(j) ADJOURNMENT (Item 13)

There being no further business, the General Issues Committee adjourned at 1:28 p.m.

Respectfully submitted,

A. VanderBeek, Deputy Mayor
Chair, General Issues Committee

Stephanie Paparella
Legislative Coordinator
Office of the City Clerk

**LOCKE STREET
BUSINESS IMPROVEMENT AREA
PROPOSED 2017 OPERATING BUDGET**

REVENUE

Business Improvement Area Levy	\$30,000	
Locke Street Festival	\$48,500	
Other Revenue*	<u>\$15,000</u>	
Total Revenue		<u>\$93,500</u>

EXPENSES

Advertising, Marketing and Social Media	\$14,000	
Special Events	\$12,500	
Locke Street Festival	\$48,500	
Street Beautification	\$12,500	
Subtotal		<u>\$87,500</u>

Administration

Auditors	\$1,500	
Office Supplies	\$500	
Insurance	\$2,500	
Contingency	\$1,500	
Subtotal		<u>\$6,000</u>

Total Expenses		<u>\$93,500</u>
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*Other Revenues-Designated Surplus Funds, Recoveries, Grants and Other Miscellaneous Revenues.

HAMILTON ADVISORY COMMITTEE/TASK FORCE CODE OF CONDUCT

Council has adopted this Code of Conduct for the guidance of Appointees to Advisory Committees and Task Forces providing recommendations to Standing Committees and to assist Appointees in performing their duties in a manner which will promote the public’s confidence in these Advisory Committees and Task Forces operating with integrity, transparency and courtesy.

It is recognized that the Code of Conduct cannot anticipate all possible fact situations in which Appointees may be called upon to exercise judgement as to the appropriate standard of conduct. When this occurs, Appointees are to ensure that their decisions maintain the Advisory Committee or Task Force’s integrity, transparency and courtesy.

This Code of Conduct does not apply to Members of Council who are subject to the Council Code of Conduct.

Failure to comply with this Code of Conduct may result in the Advisory Committee or Task Force:

- (1) requesting an apology from the Appointee; and/or
- (2) removing the Appointee from the Advisory Committee or Task Force for a portion or all of their term.

1. GOOD CONDUCT

Appointees shall act with honesty and integrity including:

- acting in a manner that contributes to the public’s confidence in the Advisory Committee or Task Force; and
- not engaging in conduct that may, or may appear to, constitute an abuse of their position as an Appointees.

2. MEETINGS

Appointees shall maintain proper control over meetings demonstrating respect for everyone who is involved in a proceeding.

Appointees are expected to attend all meetings of the Advisory Committee or Task Force. If an Appointee misses more than three meetings during their term, the Chair, after hearing and considering any explanation provided by the Appointee, may remove the Appointee from the Advisory Committee or Task Force for the remainder of their term.

3. COLLEGIALITY

Appointees shall respect and co-operate with other Appointees and the Advisory Committee or Task Force staff.

4. GIFTS OR BENEFITS

Appointees shall not accept a gift or benefit that may appear as being offered because they are a Appointees.

5. CONFIDENTIAL INFORMATION

Appointees shall not disclose to any member of the public any confidential information acquired by virtue of their position.

6. MEDIA COMMUNICATION

Except for the Chair, who may accurately communicate a recommendation or direction,Appointees shall not comment to the media.

Should the media contact an Appointee directly, the Appointee shall refer the media to the Chair or, in the absence of the Chair, to the Vice Chair.

Canada 150 Community Infrastructure Program Intake Two Project Financing Strategy

Project Title	Project Cost	CAN150 Funding	2017 Funding Surplus	2017 Funding Shortfall	Notes
<u>Culture</u>	\$	\$	\$	\$	
Renovation of Ancaster Old Town Hall ¹	174,500	58,616		115,884	WIP transfer from Dundurn Historic Site (115.884K)
Renovation of Dundurn National Historic Site	455,000	151,970	116,970		WIP transfer to Ancaster Old Town Hall
Rehabilitation of Auchmar Estate Garden Walls	817,000	273,000		544,000	Pre Fund From 2018 Block (544k)
<u>Open Space (Public Works)</u>					
Improvement of Gateways to Confederation Beach Park	511,500	170,000	170,000		WIP transfer to Alexander Park
Installation of Perth Park Playground Equipment	145,000	72,500	72,500		WIP transfer to Turner Park and Alexander Park
<u>Facilities (Public Works)</u>					
Rehabilitation of Mountain Arena Elevator	330,000	110,000		220,000	WIP transfer from Ancaster Aquatic (220K)
Improvement of Corman Park Washroom Accesibility ²					Not Proceeding
Addition of Washroom Facility at Turner Park	500,000	166,667		333,333	WIP transfer from Ancaster Aquatic (280K) WIP transfer from Perth Park (53.333K)
Installation of Elevator at Glanbrook Arena	600,000	200,000		400,000	Pre Fund From 2018 Block (400K)
Replacement of Alexander Park Wading Pool ^{3,4}	573,384	189,217		229,167	WIP transfer from Perth Park (19.167K) WIP transfer from Central Library (40K) WIP transfer from Confederation Park (170K)
Renovation of Central Public Library Windows	1,200,000	400,000	40,000		WIP transfer to Alexander Park
CIP150 Total	5,306,384	1,791,970	399,470	1,842,384	
<u>Facilities (Public Works)</u>	Project Cost	ONT150 Funding	2017 Funding Surplus	2017 Funding Shortfall	Notes
Ancaster Aquatic Centre	1,375,000	500,000	500,000		WIP transfer to Turner Park and Mountain Arena
¹ Project had a proposed budget of \$75K in 2018 which can now be used to offset Auchmar Garden Walls to be pre funded from 2018 Block ² Project would not have been completed on time ³ Project amount was submitted to FedDev as \$700K, project cost estimate has since been lowered ⁴ Project had a budget of \$200K in 2018 which can be used to offset Glanbrook Arena to be pre funded from 2018 block					