

GENERAL ISSUES COMMITTEE MINUTES 17-010

9:30 a.m. May 3, 2017 Council Chambers Hamilton City Hall 71 Main Street West

Present: Mayor F. Eisenberger, Deputy Mayor T. Whitehead (Chair),

Councillors D. Skelly, T. Jackson, C. Collins, S. Merulla, M. Green, A. Johnson, D. Conley, M. Pearson, L. Ferguson, A. VanderBeek,

J. Partridge

Absent

with Regrets: Councillors J. Farr, B. Johnson – Personal

Councillor R. Pasuta - Sick Leave

THE FOLLOWING ITEMS WERE REFERRED TO COUNCIL FOR CONSIDERATION:

1. Development Charges Annual Indexing - Effective July 6, 2017 (FSC17047) (City Wide) (Item 5.1)

(Conley/VanderBeek)

That Report FCS17047, respecting the Development Charges Annual Indexing - Effective July 6, 2017, be received.

CARRIED

2. 2017 Tax Policies and Area Rating (FCS17045) (City Wide) (Item 5.2)

(Green/Jackson)

- (a) That the following optional property classes be continued for the 2017 taxation year:
 - New Multi-Residential;
 - Parking Lot and Vacant Land; and,
 - · Large Industrial.

(b) That the following transition ratios be adopted for the 2017 taxation year:

•	Residential	1.0000
•	Multi-Residential	2.7400
•	New Multi-Residential	1.0000
•	Commercial (Residual)	2.0087
•	Parking Lot and Vacant Land	2.0087
•	Industrial (Residual)	3.4684
•	Large Industrial	4.0671
•	Pipeline	1.7947
•	Farm	0.1767
•	Managed Forest	0.2500
•	Landfills	2.9696

(c) That, based on the 2017 final approved Tax Operating Budget, the following final tax ratios be established for the 2017 taxation year:

•	Residential	1.0000
•	Multi-Residential	2.6913
•	New Multi-Residential	1.0000
•	Commercial (Residual)	1.9800
•	Parking Lot and Vacant Land	1.9800
•	Industrial (Residual)	3.4414
•	Large Industrial	4.0355
•	Pipeline	1.7947
•	Farm	0.1767
•	Managed Forest	0.2500
•	Landfills	2.9696

(d) That the following tax reductions be established for the 2017 taxation year:

•	Excess Land Subclass (Residual Commercial)	30%
•	Excess land Subclass (Residual Industrial)	30%
•	Vacant land Subclass (Residual Industrial)	30%
	Excess land Subclass (Large Industrial)	30%
•	Farmland awaiting development (1st Subclass)	25%
•	Farmland awaiting development (2 nd Subclass)	0%

(e) That the existing Property Tax Relief Deferral Program for low-income seniors and disabled persons be continued for the 2017 taxation year;

- (f) That the existing 40% Tax Rebate for eligible charities and similar organizations be continued for the 2017 taxation year;
- (g) That the existing 30% Vacancy Rebate for eligible commercial and industrial properties be continued for the 2017 taxation year;
- (h) That the existing 100% Tax Rebate for veterans' clubhouses and legion halls be continued for the 2017 taxation year;
- (i) That the existing Seniors' (65+) Tax Rebate Program be continued, with the following criteria updated for the 2017 taxation year:
 - 1. Income threshold (150% of GIS couple) increased to \$34,800 (\$34,300 in 2016);
 - 2. Assessment cap (120% of city-wide average) increased to \$409,200 (\$382,000 in 2016);
 - 3. Rebate increased by the Consumer Price Index (CPI) to \$186 (\$183 in 2016);
- (j) That the Seniors' (65+) Tax Rebate Program criteria be reviewed for the 2018 taxation year;
- (k) That, for the 2017 taxation year, the tax capping percentage for any assessment related tax increases in the Commercial, Industrial and Multi-Residential property classes be set at the maximum allowable of 10% of previous year's Current Value Assessment (CVA) level taxes;
- (I) That, for the 2017 taxation year, any capped property in the Commercial, Industrial and Multi-Residential property classes that is within \$500 of its Current Value Assessment (CVA) taxes in 2017, be moved directly to its full Current Value Assessment (CVA) taxes;
- (m) That, for the 2017 taxation year, the minimum percentage of Current Value Assessment (CVA) taxes for properties eligible for the new construction / new to class treatment be set at 100% of Current Value Assessment (CVA) taxes;
- (n) That for the 2017 taxation year, any property in the Commercial, Industrial and Multi-Residential property class, which paid full Current Value Assessment (CVA) taxes in 2016, no longer be eligible for capping protection in 2017 and future years;

- (o) That, for the 2017 taxation year, all properties eligible for a tax reduction under the existing capping program receive the full decrease, funded from the approved capping program operating budget;
- (p) That, subject to approval by the Ministry of Finance, vacant lands that are currently subject to capping protection be excluded from the phase-out eligibility criteria where all properties must be within 50% of CVA level taxes;
- (q) That, subject to approval by the Ministry of Finance, capping protection will be limited only to reassessment related changes prior to 2017;
- (r) That, for the 2017 taxation year, the Area Rated Levies be approved as identified in Appendix "A" to Report FCS17045 "2017 Tax Policies & Area Rating" attached hereto; and,
- (s) That the City Solicitor and Corporate Counsel be authorized and directed to prepare all necessary by-laws, for Council approval, for the purposes of establishing the tax policies and tax rates for the 2017 taxation year.

CARRIED

3. Expression of Interest for Lands Located at 191 York Blvd. (CM17011) (Ward 2) (Item 5.3)

(Conley/VanderBeek)

That Report CM17011, respecting the Expression of Interest for Lands Located at 191 York Blvd., be received.

CARRIED

4. 2016 Annual Report on the 2016-2020 Economic Development Action Plan Progress (PED17041) (City Wide) (Item 5.4)

(Conley/VanderBeek)

That Report PED17041, respecting the 2016 Annual Report on the 2016-2020 Economic Development Action Plan Progress, be received.

CARRIED

5. Hamilton Tax Increment Grant Program - 20-22 George Street / 17 Caroline Street South, Hamilton (PED17070) (Ward 2) (Item 8.2)

(Green/Collins)

(a) That a Hamilton Tax Increment Grant Program application submitted by Hamilton George and Caroline Inc. (Darko Vranich), for the property at 20-22 George Street / 17 Caroline Street South, Hamilton, estimated at \$1,887,209.77 over a maximum of a five-year period, and based upon the incremental tax increase attributable to the redevelopment of 20-22 George Street / 17 Caroline Street

- South, Hamilton, be authorized and approved in accordance with the terms and conditions of the Hamilton Tax Increment Grant Program;
- (b) That the Mayor and City Clerk be authorized and directed to execute a Grant Agreement together with any ancillary documentation required, to effect recommendation (a) of Report PED17070, in a form satisfactory to the City Solicitor;
- (c) That the Mayor and City Clerk be authorized and directed to execute such assigning agreement as required, to effect recommendation (a) of Report PED17070, in a form satisfactory to the City Solicitor; and,
- (d) 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.

CARRIED

6. Barton / Kenilworth Tax Increment Grant Program - 601 Barton Street East, Hamilton (PED17071) (Ward 3) (Item 8.3)

(Green/Ferguson)

- (a) That a Barton / Kenilworth Tax Increment Grant Program application submitted by Gibson Lofts Ltd. (Harry Stinson), for the property at 601 Barton Street East, Hamilton, for a Barton / Kenilworth Tax Increment Grant Program grant estimated at \$2,306,083.06 over a maximum of a nine-year period, and based upon the incremental tax increase attributable to the redevelopment of 601 Barton Street East, Hamilton, be authorized and approved in accordance with the terms and conditions of the Barton / Kenilworth Tax Increment Grant Program;
- (b) That the Mayor and City Clerk be authorized and directed to execute a Grant Agreement together with any ancillary documentation required, to effect Recommendation (a) of Report PED17071 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 Barton / Kenilworth Tax Increment Grant Program, as approved by City Council, are maintained.

CARRIED

7. City of Hamilton Ward Boundary Review - Additional Funds Report (CL16009(c)) (City Wide) (Item 8.4)

(Pearson/Jackson)

That \$4,270, to be funded from the Tax Stabilization Reserve, to cover additional costs associated with the Ward Boundary Review, be approved.

CARRIED

8. Advisory Committee for Persons with Disabilities Report 17-002 - February 14, 2017 (Item 8.5)

(Green/Jackson)

(a) Review of On-Demand Accessible Taxis (Item 10.1)

WHEREAS, AODA Integrated Accessibility Standards Section 78 (3) states that, as of January 1, 2013, every municipality shall consult with its municipal accessibility advisory committee, and the public and persons with disabilities to determine the proportion of on-demand accessible taxicabs required in the community;

WHEREAS, there were no additional license plates issued for accessible taxis by the City of Hamilton in 2016; and,

WHEREAS, persons with disabilities requiring accessible taxis are frequently denied service;

THEREFORE BE IT RESOLVED:

- (a) The City's Director of Licensing review and address the lack of on-demand accessible taxi cabs in full consultation with members of the Advisory Committee for Persons With Disabilities; and,
- (b) That staff be directed to report back to the Advisory Committee on Persons with Disabilities on steps to be actively taken to ensure full and equitable access to the City's taxi system for all persons with disabilities.

(b) Review of On-Demand Accessible Taxis (Item 10.1)

WHEREAS, the Advisory Committee for Persons with Disabilities extensively discussed the issue of access to on-demand accessible taxis as far back as 2010; and,

WHEREAS, the service level for on-demand accessible taxis has not been attained and there appears to be no plan in place to achieve the stated service

levels as required under Section 78 (3) of the AODA Integrated Accessibility Standards;

THEREFORE BE IT RESOLVED:

That staff be directed to provide an update to the Advisory Committee for Persons with Disabilities to indicate what the plan is to achieve the required level of on-demand accessible taxi service in the City of Hamilton.

CARRIED

9. Ontario Works Employment Services Review (AUD17007) (City Wide) (Item 8.6(a))

(Pearson/Conley)

That Report AUD17007, respecting the Ontario Works Employment Services Review, be received.

CARRIED

10. Ontario Works Employment Services Review (AUD17007(a)) (City Wide) (Item 8.6(b))

(Green/Skelly)

That the 11 recommendations, as outlined in the Ontario Works Employment Services Review Report 2016-09 (attached as Appendix "A" to Report AUD17007(a)), be approved.

CARRIED

11. City of Hamilton Sesquicentennial Celebration Program (Canada's 150th Birthday) (Item 9.3)

WHEREAS, on September 28, 2016, Council approved a City of Hamilton Sesquicentennial Celebration Program (Canada's 150th Birthday) with an overall capital budget of \$406,000 that included special events, a local community celebration funding assistance program (Hamilton Funding Program), administration, and marketing;

WHEREAS, \$100,000 of the City of Hamilton Sesquicentennial Celebration Program budget was allocated to the Hamilton Funding Program with an allowance maximum of \$2,000 per submission;

WHEREAS, the above Hamilton Funding Program was very successful in receiving approximately 114 eligible applications;

WHEREAS, the Hamilton Funding Program is currently short of funds to provide a meaningful allocation to all eligible applicants; and,

WHEREAS, staff is forecasting that overall the City of Hamilton Sesquicentennial Celebration Program will come in under budget by approximately \$106,000;

THEREFORE BE IT RESOLVED:

That \$100,000, of the \$106,000 forecasted savings in the City of Hamilton Sesquicentennial Celebration Program Capital Budget, be approved for distribution to the local, eligible applicants for Hamilton-based Sesquicentennial Celebrations through the Hamilton Funding Program.

CARRIED

12. ONA Lodges Bargaining Ratification (no copy) (Item 12.2)

(Jackson/VanderBeek)

That the four year (2015 to 2018) Collective Agreement between the City of Hamilton and the Ontario Nurses' Association (Lodges), be ratified retroactive to April 1, 2015.

CARRIED

13. Appeals of Ward Boundary By-law 17-030 to the Ontario Municipal Board (LS17015) (City Wide) (Item 12.3)

(Conley/Ferguson)

- (a) That the City Solicitor be authorized to retain outside counsel and any necessary professionals to provide evidence in defence of Ward Boundary By-law 17-030 at the Ontario Municipal Board hearing to be funded through the Legal Services Legal Fees / Outside Counsel Account No. 52425-356006 (for outside counsel) and the Tax Stabilization Reserve 110046 (for professional witnesses); and,
- (b) That Report LS17015, respecting the Appeals of Ward Boundary By-law 17-030 to the Ontario Municipal Board remain confidential.

CARRIED

FOR THE INFORMATION OF COMMITTEE:

(a) CHANGES TO THE AGENDA (Item 1)

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

1. DISCUSSION ITEMS (Item 8)

8.6(a) Ontario Works Employment Services Review (AUD17007) (City Wide) (Tabled at the March 22, 2017 GIC meeting.)

Note: Although portions of Report AUD17007 were originally confidential, as the affected staff has since been advised of the changes, this report is now public in its entirety.

8.6(b) Ontario Works Employment Services Review (AUD17007(a)) (City Wide)

Note: This item was listed on the agenda as 12.1, but as it does not contain any confidential information, it has been moved to Item 8.6(b) on today's agenda.

2. NOTICES OF MOTION (Item 10)

- 10.1 City of Hamilton Sesquicentennial Celebration Program (Canada's 150th Birthday)
- 10.2 Dundas Real McCoys Senior AAA Hockey Club Ice Fee Waiver

(Green/A. Johnson)

That the agenda for the May 3, 2017 General Issues Committee meeting be approved, as amended.

CARRIED

(b) DECLARATIONS OF INTEREST (Item 2)

Councillor M. Pearson declared a possible interest to Item 5.2 respecting Report FCS17045 – 2017 Tax Policies and Area Rating, as she is the landlord of single family homes.

Councillor M. Green declared a possible interest to Item 5.2 respecting Report FCS17045 – 2017 Tax Policies and Area Rating; as he is the landlord of single family homes, noting multi-residential properties are considered properties of 7 units or more.

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

(i) April 19, 2017 (Item 3.1)

(A. Johnson/VanderBeek)

That the Minutes of the April 19, 2017 General Issues Committee, be approved, as presented.

CARRIED

(d) DISCUSSION ITEMS (Item 8)

(i) Tourism Industry Panel (PED15026(a)) (City Wide) (Item 8.1)

(Merulla/Jackson)

That Report PED15026(a), respecting the Tourism Industry Panel, be TABLED, pending further consultation with members of Council.

CARRIED

Councillors Conley, Pearson, Ferguson and Partridge wished to be recorded as OPPOSED to the TABLING motion above.

(ii) City of Hamilton Ward Boundary Review - Additional Funds Report (CL16009(c)) (City Wide) (Item 8.4)

Councillor Green wished to be recorded as OPPOSED to this matter.

(iii) Ontario Works Employment Services Review (AUD17007) (City Wide) (Item 8.6(a))

(Green/Skelly)

That Report AUD17007, respecting the Ontario Works Employment Services Review, be lifted from the TABLE.

CARRIED

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

(e) MOTIONS (Item 9)

(i) Review of the Provincial Processes, as they relate to Light Rail Transit (Tabled from the April 19, 2017 GIC meeting) (Item 9.1)

(Whitehead/Green)

That the Motion respecting the Review of the Provincial Processes, as they relate to Light Rail Transit, be withdrawn.

CARRIED

(ii) Update respecting Report FCS09031 – Multi-Residential Property Taxation: Staff Response to the Multi-Residential Sub-Committee Recommendations (Item 9.2)

(Green/A. Johnson)

WHEREAS, at its Budget meeting of March 26, 2008 Committee of the Whole Considered the Multi-Residential Property Taxation Sub-Committee Report 08-001, which contained Recommendations (a) through (e);

WHEREAS, at that March 26, 2008 meeting, Committee of the Whole amended the Multi-Residential Property Taxation Sub-Committee Report 08-001, as follows:

"That Item (a) noting the options be forwarded to staff for a report which outlines ramifications; and, that the remaining subsections (b to e) be approved as follows:

(a) That City Council adopt a target of reducing the current Multi-Residential Tax Ratio of 2.74 to the Single Family Residential Tax Ratio of 1.00 over a ten (10) year period (by fiscal year 2017), at an estimated impact of \$43 Million (tax increase of 8.0% on the Residential and Commercial/Industrial property classes); and that this reduction be achieved through utilization of Option 1(a), Option 1(b) or Option 1(c) in a manner to have the largest reduction in the Multi-Residential tax ratio in a fiscal year:

Option on 1(a):

That, in the first year, the Multi-Residential tax ratio be reduced by 20% of the difference between the current tax ratio of 2.74 and 1.00, and that the remaining difference between the Multi-Residential tax ratio and the Residential tax ratio of 1.00 be spread equally over years two through ten.

Year 1 tax ratio reduced by -0.3480 (from 2.74 to 2.3920)

Year 1 = \$8.0 M (11.3%) reduction to the Multi-Residential class

Year 1 = Municipal Residential tax impact of 1.6%

Year 1 = Municipal Commercial / Industrial tax impact of 1.6%

Option 1(b):

That only 50% of the budgetary increase be passed onto the Multi-Residential property class

Subject to finalization of the 2008 budget: Year 1 tax ratio reduced by -0.0600 (from 2.74 to 2.68) Year 1 = \$1.4M (1.9%) reduction to the Multi-Residential class

Year 1 = Municipal Residential tax impact of 0.3%

Year 1 = Municipal Commercial / Industrial tax impact of 0.3%

Option 1(c):

That the impacts of future reassessment be reviewed for opportunities to achieve equalization."

WHEREAS, on April 23, 2008, Council approved Item 9 of the Committee of the Whole Budget Report 08-017, being the balance of the Multi-Residential Property Taxation Sub-Committee Report 08-001, as amended (attached hereto);

WHEREAS, as identified in the Multi-Residential Property Taxation Sub-Committee Report 08-001, this leads to a conclusion that the multi-residential taxpayer has a tax burden grossly in excess of that of the residential tax class; and,

WHEREAS, there has been a significant shift in the rental market over the past 10 years and a general shift in the overall tax burden as outlined in Report FCS17045;

THEREFORE BE IT RESOLVED:

That the General Manager of Finance and Corporate Services be directed to report back to the General Issues Committee with an update regarding Report FCS09031 – Multi-Residential Property Taxation: Staff Response to the Multi-Residential Sub-Committee Recommendations, with that report to include comparisons and impacts to cities who have equalized the rates, projected tax burden implications under an adjusted model in the City of Hamilton as well as any implications caused by recent provincial legislation regarding the same.

CARRIED

Councillors Ferguson and Skelly wished to be recorded as OPPOSED to this matter.

(f) NOTICES OF MOTION (Item 10)

Councillor T. Jackson introduced the following Notice of Motion:

(i) City of Hamilton Sesquicentennial Celebration Program (Canada's 150th Birthday) (Item 10.1)

WHEREAS, on September 28, 2016, Council approved a City of Hamilton Sesquicentennial Celebration Program (Canada's 150th Birthday) with an overall capital budget of \$406,000 that included special events, a local community celebration funding assistance program (Hamilton Funding Program), administration, and marketing;

WHEREAS, \$100,000 of the City of Hamilton Sesquicentennial Celebration Program budget was allocated to the Hamilton Funding Program with an allowance maximum of \$2,000 per submission;

WHEREAS, the above Hamilton Funding Program was very successful in receiving approximately 114 eligible applications;

WHEREAS, the Hamilton Funding Program is currently short of funds to provide a meaningful allocation to all eligible applicants; and,

WHEREAS, staff is forecasting that overall the City of Hamilton Sesquicentennial Celebration Program will come in under budget by approximately \$106,000;

THEREFORE BE IT RESOLVED:

That \$100,000, of the \$106,000 forecasted savings in the City of Hamilton Sesquicentennial Celebration Program Capital Budget, be approved for distribution to the local, eligible applicants for Hamilton-based Sesquicentennial Celebrations through the Hamilton Funding Program.

(Jackson/Skelly)

That the Rules of Order be waived to allow for the introduction of a motion respecting City of Hamilton Sesquicentennial Celebration Program (Canada's 150th Birthday).

CARRIED

For disposition of this matter, please refer to Item 11.

Councillor A. VanderBeek introduced the following Notice of Motion:

(ii) Dundas Real McCoys Senior AAA Hockey Club – Ice Fee Waiver (Item 10.2)

WHEREAS, the Dundas Real McCoys Senior AAA Hockey Club has a long standing history in the Town of Dundas;

WHEREAS, the Dundas Real McCoys Senior AAA Hockey Club won the 2014 Allan Cup as the host club at the J.L Grightmire Arena in Dundas;

WHEREAS, the Dundas Real McCoys Senior AAA Hockey Club continue to play their home games at the J.L. Grightmire Arena in Dundas;

WHEREAS, starting in the spring of 2017 the J.L Grightmire Arena will be closed for extensive renovations for a period of 16 months;

WHEREAS, due to the closure of the J.L Grightmire Arena the Dundas Real McCoys will relocated to play their home games at the Harry Howell Twin Pad Arena in Flamborough; and,

WHEREAS, the relocation of the hockey club to the Harry Howell Twin Pad Arena in Flamborough will create a financial hardship for the club due to the loss of advertising and gate revenues;

THEREFORE BE IT RESOLVED:

That staff be directed to waive the ice fees for the Dundas Real McCoys Senior AAA Hockey Club for the 2017 and 2018 hockey season to compensate for the financial loss due to the closure of the J. L. Grightmire Arena.

(VanderBeek/Merulla)

That, in order to allow additional time for the Wards 13 and 15 Councillor to review the matter with staff, the Motion respecting the Dundas Real McCoys Senior AAA Hockey Club – Ice Fee Waiver, be referred to the May 10, 2017 Council for consideration.

CARRIED

(g) PRIVATE & CONFIDENTIAL (Item 12)

(A. Johnson/Pearson)

That Committee move into Closed Session, respecting Items 12.2 and 12.3, pursuant to Section 8.1, Sub-sections (d), (e) and (f) of the City's Procedural By-law 14-300, and Section 239(2), Sub-sections (d), (e) and (f) of the Ontario Municipal Act, 2001, as amended, as the subject matters pertain to labour relations or employee negotiations;

litigation or potential litigation, including matters before administrative tribunals, affecting the City; and, the receiving of advice that is subject to solicitor-client privilege, including communications necessary for that purpose.

CARRIED

(i) ONA Lodges Bargaining Ratification (Item 12.2)

For disposition of this matter, please refer to Item 12.

(ii) Appeals of Ward Boundary By-law 17-030 to the Ontario Municipal Board / Report No. LS 17015 (Item 12.3)

For disposition of this matter, please refer to Item 13.

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

(i) Tragic Fire on Hamilton Mountain (Ward 8) (Item 11.1)

Councillor Whitehead spoke of the tragic loss of a 3 year old little boy during a recent house fire on the mountain. Councillor Whitehead advised that after the Fire Marshall's report has been finalized, he will be working with City staff to review the fire regulations respecting rental properties to ensure that everyone living in a rental property is safe.

Councillor Whitehead also thanked the Fire Fighters for their heroic and stellar actions at the scene that day.

(ii) Additional Bike Lanes (Ward 7) (Item 11.2)

Councillor Skelly asked questions of staff respecting the potential of including additional bike lanes to the PTIF projects. Staff will discuss the matter with Councillor Skelly off-line.

(iii) Shooting in Waterdown (Ward 15) (Item 11.3)

Councillor Partridge noted the shooting that took place in Waterdown on May 2nd on Chesapeake Drive, and wanted to advise the community that on Tuesday, May 30, 2017.

Councillor partridge advised that an emergency community meeting will be at from 6:30 p.m. to 8:00 p.m. with representatives of Hamilton Police Service and

the Hamilton Fire Department to discuss the need for extra police presence in Flamborough and the growing community of Waterdown.

(i) ADJOURNMENT (Item 13)

(Partridge/Ferguson)

That, there being no further business, the General Issues Committee, be adjourned at 1:12 p.m.

CARRIED

Respectfully submitted,

Deputy Mayor T. Whitehead Chair, General Issues Committee

Stephanie Paparella Legislative Coordinator Office of the City Clerk