



GENERAL ISSUES COMMITTEE REPORT 17-011

9:30 a.m.

Wednesday, May 17, 2017

Council Chambers

Hamilton City Hall

71 Main Street West

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

Absent

with Regrets: Councillor T. Jackson, L. Ferguson – Personal
Councillor C. Collins – Other City Business
Councillor R. Pasuta – Sick Leave

THE GENERAL ISSUES COMMITTEE PRESENTS REPORT 17-011 AND RESPECTFULLY RECOMMENDS:

1. Address Information Management System Update (FCS17055) (City Wide) (Item 5.1)

That Report FCS17055, respecting the Address Information Management System Update, be received.

2. Cleanliness & Security in the Downtown Core Task Force Report 17-002, March 9, 2017 (Item 8.1)

Task Force Membership (Added Item 11.1)

That the Terms of Reference of the Cleanliness and Security in the Downtown Core Task Force, attached hereto as Appendix A, be amended by deleting “King Street West BIA” and “Main Street West Esplanade BIA” under the “Composition” section to read as follows:

Composition:

~~**King Street West BIA**~~

~~**Main Street West Esplanade BIA**~~

Downtown BIA

International Village BIA

James Street South Business District

James Street North Business Merchants

Ward 2 Councillor

One Additional Councillor

Three Community Representatives

3. West Harbour Development Sub-Committee Report 17-001, April 3, 2017 (Item 8.2)

(a) West Harbour Community Partnership – West Harbour City Building Action Campaign (PED17077) (City Wide) (Item 7.1)

That Report PED17077, respecting the West Harbour Community Partnership – West Harbour City Building Action Campaign, be received.

(b) West Harbour Community Partnership – West Harbour Investment Guide (PED17078) (City Wide) (Item 7.2)

That Report PED17078, respecting the West Harbour Community Partnership – West Harbour Investment Guide, be received.

(c) Pier 8 Promenade Park Limited Design Competition (PED17081) (City Wide) (Item 7.3)

That Report PED17081, respecting Pier 8 Promenade Park Limited Design Competition, be received.

(d) Extension of Administrative Secretary Position (Temporary Full-Time) – Waterfront Development (PW17007) (City Wide) (Item 8.1)

- (a) That an extension to the temporary full-time Administrative Secretary – Waterfront Development position, to end on or before March 31, 2020, be approved; and,

- (b) That the annual employee related costs of approximately \$70,000 associated with the temporary full-time Administrative Secretary – Waterfront Development position, to be funded from the approved West Harbour capital program, be approved.

4. Business Improvement Area Advisory Committee Report 17-003, April 11, 2017 (Item 8.3)

City of Hamilton Information Sharing with BIAs (Added Item 10.2)

- (a) That the Film Office ensure that the policy of sharing information with BIAs about upcoming movie/television shoots within BIA boundaries is communicated at least two weeks in advance of the filming; and,
- (b) That any other events/activities, including but not limited to, food trucks and building permits that have been issued and that will have a significant impact on the BIA is communicated in a timely manner.

5. Declaration of Surplus and Sale of 1530 Sherman Avenue (PED17088) (Ward 7) (Item 8.4)

- (a) That an Offer to Purchase (for the sale of City-owned property) executed by Sonoma Homes Limited property known as 1530 Upper Sherman Avenue, as shown and described in Appendix “A” attached to Report PED17088, based substantially on the Major Terms and Conditions outlined in Appendix “B” attached to Report PED17088, and such other terms and conditions deemed appropriate by the General Manager of Planning and Economic Development, be approved and completed;
- (b) That the lands identified and documented in Appendix “A” to Report PED17088 be declared surplus to the needs of the City for the purpose of sale;
- (c) That the proceeds of the sale be credited to Account No. 47702-3560150200 (Property Sales and Purchases), and that the sum of \$16,000 from the proceeds of the sale be credited to Account No. 45408-3560150200 (Property Purchases and Sales), for recovery of expenses incurred for Real Estate and Legal administrative services;
- (d) That the City Solicitor be authorized and directed to complete this transaction 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 she considers reasonable;

- (e) That the Mayor and Clerk be authorized and directed to execute any necessary documents, respecting the declaration of Surplus and Sale of 1530 Sherman Avenue, in a form satisfactory to the City Solicitor; and,
- (f) That Appendix "B" to Report PED17088 remain confidential and not be released as a public document until after the final completion of the real estate transaction.

6. Cost Recovery Using Funding Methodology for Municipal Infrastructure Extensions Policy - Owner Initiated Sanitary Sewer on Windemere Rd. and Shippee Ave., Stoney Creek (PW17035) (Ward 11) (Item 8.5)

- (a) That, pursuant to the City of Hamilton's "Funding Methodology for Municipal Infrastructure Extensions Policy", a full cost recovery mechanism be implemented in order to recover, for the City of Hamilton ("City"), an estimated cost of \$881,000 for the construction of a municipal sanitary sewer on the following terms and conditions:
 - (i) The cost of the construction of the municipal sanitary sewer is to be collected from the benefitting property owners in, attached as Appendix "B" to Report PW17035, and shall be payable immediately following the completion of construction;
 - (ii) The municipal sanitary sewer will be constructed on Windemere Road, east and west of Shippee Avenue and on Shippee Avenue from Windemere Road to approximately 115 metres southerly;
 - (iii) The cost of the construction of the sanitary sewer will include one (1) sanitary lateral to each benefitting property from the sanitary sewer to the property line. The work also includes the relocation of the existing watermain, the replacement of water services and the reconstruction on lands known as Windemere Road and Shippee Avenue; and,
 - (iv) The benefitting private property owners enter into any required documentation with the City for those property owners to be:
 - (1) entitled to a right-of-way over the designated portion of the City lands at the easterly end of the private road right-of-way lands known as Windemere Road for the purpose of the passage of persons and vehicles, and for stormwater drainage;
 - (2) equally responsible for the maintenance and repair, and associated cost, of the designated portion of the City lands at the

easterly end of the private road right-of-way lands as Windemere Road; and,

- (3) such documentation to have content acceptable to the General Manager of Planning and Economic Development and to be in a form satisfactory to the City Solicitor;
- (b) That the General Manager of Finance and Corporate Services be authorized and directed to prepare the necessary full cost recovery by-law to implement the Funding Methodology for Municipal Infrastructure Extensions Policy, as shown in subsection (a);
- (c) That the General Manager of Planning and Economic Development be authorized and directed to obtain all necessary easements to permit the construction of the municipal sanitary sewer and the existing watermain servicing the benefitting properties described in the attached Appendix “B” to Report PW17035, on the following terms and conditions;
 - (i) each easement shall be no more than the width of the privately owned right-of-way lands, being approximately 6 metres;
 - (ii) each easement shall be obtained by the City at a nominal cost; and,
 - (iii) such other terms and conditions as are satisfactory to the General Manager of Planning and Economic Development and General Manager of Public Works to implement Report PW17035;
- (d) That the City Solicitor be authorized to complete the transaction 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 the City Solicitor considers reasonable; and,
- (e) That the Mayor and City Clerk be authorized and directed to execute all necessary documents, respecting the full Cost Recovery of the owner initiated municipal sanitary sewer on Windemere Road and Shippee Avenue, Stoney Creek in a form satisfactory to the City Solicitor.

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)

- 8.5 Cost Recovery Using Funding Methodology for Municipal Infrastructure Extensions Policy-Owner Initiated Sanitary Sewer on Windemere Rd. and Shippee Ave., Stoney Creek (PW17035) (Ward 11) (a time sensitive matter that was brought forward from the cancelled May 15th Public Works Committee)

Councillor B. Johnson also requested that Item 8.5 be addressed on today's agenda, prior to Item 8.1, as this matter is time sensitive.

2. PRIVATE & CONFIDENTIAL (Item 12)

- 12.2 Update respecting the Stadium Litigation (no copy)

Pursuant to Section 8.1, Sub-sections (e) and (f) of the City's Procedural By-law 14-300, and Section 239(2), Sub-sections (e) and (f) 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 City; and, the receiving of advice that is subject to solicitor-client privilege, including communications necessary for that purpose.

The agenda for the May 17, 2017 General Issues Committee meeting was approved, as amended.

(b) DECLARATIONS OF INTEREST (Item 2)

There were no declarations of interest.

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

(i) May 3, 2017 (Item 3.1)

The Minutes of the May 3, 2017 General Issues Committee were approved, as presented.

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(d) CONSENT ITEMS (Item 5)

(i) Arts Advisory Commission Meeting Minutes, January 31, 2017 (Item 5.2)

The Arts Advisory Commission meeting Minutes of January 31, 2017 were received.

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

(i) Hamilton Urban Fellowship Program (Item 11.1)

Councillor Green inquired as to when the report respecting the Hamilton Urban Fellowship Program would be coming forward to Committee. The City Manager advised that it would be either late in Q2 or early Q3. Councillor Green asked staff to reach out to the Walter G. Booth School of Engineering Practice at McMaster University to discuss the feasibility of including the Engineering Policy program in the Hamilton Urban Fellowship Program.

(f) PRIVATE & CONFIDENTIAL (Item 12)

(i) Closed Session Minutes – May 3, 2017 (Item 12.1)

The Minutes of the May 3, 2017 General Issues Committee were approved, as presented.

Committee moved into Closed Session respecting Item 12.2, pursuant to Section 8.1, Subsections (e) and (f) of the City's Procedural By-law 14-300, and Section 239(2), Subsections (e) and (f) 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 City; and, the receiving of advice that is subject to solicitor-client privilege, including communications necessary for that purpose.

(ii) Update respecting the Stadium Litigation (Item 12.2)

The update provided in Closed Session respecting the Stadium Litigation was received.

Staff was provided with direction in Closed Session.

(g) ADJOURNMENT (Item 13)

There being no further business, the General Issues Committee adjourned at 11:04 a.m.

Respectfully submitted,

Deputy Mayor T. Whitehead
Chair, General Issues Committee

Stephanie Paparella
Legislative Coordinator
Office of the City Clerk