



GENERAL ISSUES COMMITTEE MINUTES 17-014

9:30 a.m.

June 21, 2017

Council Chambers

Hamilton City Hall

71 Main Street West

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

**Absent
with Regrets:** Councillors R. Pasuta – Sick Leave
Councillor T. Whitehead – Personal

THE FOLLOWING ITEMS WERE REFERRED TO COUNCIL FOR CONSIDERATION:

- 1. Downtown Hamilton Business Improvement Area Revised Board of Management (PED16059(b)) (Ward 2) (Item 5.1)**

(Pearson/Ferguson)

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

- (i) Constantine Mundo

CARRIED

- 2. Alectra Utilities' Disconnection Policy (FCS17061) (City Wide) (Outstanding Business List) (Item 5.3)**

(Pearson/Ferguson)

That Report FCS17061, respecting Alectra Utilities' Disconnection Policy, be received.

CARRIED

3. Development Charges Reserves Status Report, as of December 31, 2016 (FCS17058) (City Wide) (Item 5.4)

(Pearson/Ferguson)

- (a) That Report FCS17058, respecting the Development Charges Reserves Status Report, as of December 31, 2016, be received; and,
- (b) That Report FCS17058, respecting the Development Charges Reserves Status Report, as of December 31, 2016 be forwarded, if requested, to the Ministry of Municipal Affairs and Housing.

CARRIED

4. Innovation Factory Request for Funding Renewal Option - 2017 (PED17105) (City Wide) (Item 7.1)

(A. Johnson/Green)

- (a) That the request by the Innovation Factory to exercise their renewal option of the City's 2017 annual community partnership contribution of \$50,000, to be funded from the Economic Development Investment Reserve Account No. 112221, be approved; and,
- (b) That City staff, together with the Innovation Factory, be directed to report back to the General Issues Committee with an annual review of the Municipal funding program, prior to the approval of a renewal option for 2018 and subject to satisfactory Key Performance Indicator results of the previous year.

CARRIED

5. Hamilton Tax Increment Grant Program – 33 King Street West, Dundas (PED17100) (Ward 13) (Item 8.1)

(Ferguson/B. Johnson)

- (a) That a Hamilton Tax Increment Grant Program application submitted by 2096053 Ontario Inc. (Art Solomon, Erwin Gerl), for the property at 33 King Street West, Dundas, estimated at \$83,827.99 over a maximum of a five-year period, and based upon the incremental tax increase attributable to the redevelopment of 33 King Street West, Dundas, 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 PED17100, 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 PED17100, 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 Commercial Corridor Building Improvement Grant Program, Business Improvement Area Commercial Property Improvement Grant Program – 423-429 Barton Street East, Hamilton (PED17097) (Ward 3) (Item 8.2)

(Merulla/Green)

- (a) That staff be authorized and directed to advance the \$50,000 grant approved under the Barton / Kenilworth Commercial Corridor Building Improvement Grant for the Society of St. Vincent de Paul, Hamilton West Particular Council, for improvements completed at 423-429 Barton Street East, Hamilton, in accordance with the terms and conditions of the Barton / Kenilworth Commercial Building Improvement Grant Program notwithstanding the \$3,969.29 in outstanding taxes on the property; and,
- (b) That the General Manager of the Planning and Economic Development Department be authorized to approve the pending application to be submitted under the Business Improvement Area Commercial Property Improvement Grant Program submitted by the Society of St. Vincent de Paul, Hamilton West Particular Council for proposed façade improvements to 423-429 Barton Street East, in accordance with the terms and conditions of the Business Improvement Area Commercial Property Improvement Grant Program notwithstanding the \$3,969.29 in outstanding taxes on the property.

CARRIED

7. Results of the Beach Crawl Request for Information (RFI) (PED17047(a)) (City Wide) (Item 8.3)

(Merulla/Green)

That staff be directed to create an awareness campaign using existing City marketing channels, such as a dedicated page on Tourism Hamilton's website, to highlight and promote the six Hamilton beaches that are open for public swimming.

CARRIED

**8. Public Transit Infrastructure Fund (PTIF) Minor Amendments (PW17051)
(City Wide) (Item 8.4)**

(Eisenberger/Farr)

- (a) That staff be authorized and directed to submit project amendments to Infrastructure Canada and the Ministry of Transportation requesting approval for a revised substantial completion date from March 31, 2018 to March 31, 2019 for PTIF projects HAM-001, HAM-005, HAM-006 as reflected in Appendix "A" attached to Report PW17051;
- (b) That the Director of Transit be authorized to submit future project amendments that may be required to Infrastructure Canada and the Province of Ontario provided that no amendment shall result in the City's maximum funding share being exceeded; and,
- (c) That, pursuant to the City's Procurement Policy By-law (Policy #11 - Non-competitive Procurements), a single source procurement for the PTIF-funded project HAM-010, Heating, Ventilation and Air Conditioning (HVAC) upgrades at Mountain Transit Centre, 2200 Upper James Street, Hamilton, to be awarded to the mechanical contractor currently onsite, Superior Boiler Works & Welding Ltd. as a contract extension to C13-34-16.

CARRIED

9. Affordable Housing Site Selection Sub-Committee Report 17-001, April 27, 2017 (Item 8.5)

(Farr/Green)

Appointment of Chair and Vice Chair (Item A)

- (a) That Councillor C. Collins be appointed as Chair of the Affordable Housing Site Selection Sub-Committee for the remainder of the 2014-2018 Term of Council; and,
- (b) That Councillor D. Conley be appointed as Vice Chair of the Affordable Housing Site Selection Sub-Committee for the remainder of the 2014-2018 Term of Council.

CARRIED

10. Open for Business Sub-Committee Report 17-002, May 25, 2017 (Item 8.6)

(Pearson/Conley)

(a) Continuous Improvement Team Case Study 14(a) – Liquor License Review (Item 5.1)

That the Memorandum respecting Continuous Improvement Team Case Study 14(a) – Liquor License Review, be received.

(b) Continuous Improvement Team Case Study 15 – Conditional Building Permit Policy for Record of Site Condition (Item 5.2)

That the Memorandum respecting Continuous Improvement Team Case Study 15 – Conditional Building Permit Policy for Record of Site Condition, be received.

(c) Continuous Improvement Team Case Study 16 – Building Permit Final Inspection Letters (Item 5.3)

That the Memorandum respecting Continuous Improvement Team Case Study 16 – Building Permit Final Inspection Letters, be received.

(d) Continuous Improvement Team Case Study 17 – Minor Site Plan Approval for Temporary Sales Pavilions and Trailers (Item 5.4)

That the Memorandum respecting Continuous Improvement Team Case Study 17 – Minor Site Plan Approval for Temporary Sales Pavilions and Trailers, be received.

(e) Continuous Improvement Team Case Study 18 – Sign Variance Submission Requirements and Processing Information (Item 5.5)

That the Memorandum respecting Continuous Improvement Team Case Study 18 – Sign Variance Submission Requirements and Processing Information, be received.

(f) Municipal Comprehensive Review and Employment Lands Conversion (PED17101) (Item 7.1)

That Report PED17101 respecting a Municipal Comprehensive Review and Employment Lands Conversion, be received.

(g) Open for Business Accomplishments (PED17093) and Year-End Round-up (Item 7.2)

That Report PED17093 respecting Open for Business Accomplishments and Year-End Round-Up, be received.

CARRIED

11. Conservation Authorities Act Review (LS15027(b)) (City Wide) (Item 8.7)

(Conley/A. Johnson)

That the Mayor forward a submission to the Minister of Natural Resources and Forestry, consistent with the contents of Appendix "A" attached to Report LS15027(b), in a form acceptable to the City Solicitor, regarding the proposed amendments to the *Conservation Authorities Act*, as part of Bill 139, the *Building Better Communities and Conserving Watersheds Act*, 2017.

CARRIED

12. Lease Amending Agreement – Lister Block, 28 James Street North, Unit #106, Hamilton (PW13026(b)/PED17106) (Ward 2) (Item 8.8)

(Eisenberger/Farr)

- (a) That a lease amendment (the "Lease Amending Agreement") with WC Franchising Inc. and WC Hamilton Inc. (the "Lessees") operating as Wendel Clark's Classic Grill and Bar, which revises the Lease dated the 1st day of April, 2015 pertaining to the Premises located at Unit #106, Lister Block, 28 James Street North, Hamilton, ON as shown in Appendix "A" to Report (PW13026(b)/PED17106), substantially in accordance with the terms and conditions contained in Confidential Appendix "B" to Report (PW13026(b)/PED17106), and such other terms and conditions deemed appropriate by the General Manager, Planning and Economic Development Department, be approved;
- (b) That the General Manager, Planning and Economic Development Department or designate, acting on behalf of the City as landlord, be authorized to provide any consents, approvals and notices related to the existing Lease and Lease Amending Agreement outlined in Report (PW13026(b)/PED17106);
- (c) That any future Percentage Rent revenue pertaining to the Leased Premises received by the City be credited to Account No.46010-791550, being the same account that the current rental revenues are being deposited, and the Real Estate and Legal fees of \$1,500.00 to be funded from Account No. 54935-791550;
- (d) The replacement of the former franchisee, Muscat-Taylor Financial Holdings Inc. (the "Original Franchisee") on the Lease by WC Hamilton Inc., which company, together with WC Franchising Inc., shall jointly and severally assume all obligations of the Lessees under the Lease, be approved;
- (e) That Appendix "B" to Report (PW13026(b)/PED17106) remain confidential and not be released as a public document; and,

- (f) That the General Manager, Planning and Economic Development Department, be authorized and directed to negotiate, complete and execute all necessary agreements and documents on behalf of the City and in a form satisfactory to the City Solicitor.

CARRIED

13. Property Acquisition for a Transit Maintenance and Storage Facility (PED17111) (Ward 3) (Item 8.9)

(Green/Eisenberger)

- (a) That an Option to Purchase, executed by 1521020 Ontario Inc. (Duke Electric) on May 7, 2017, and scheduled to close on or before August 31, 2017, to purchase the land described as Part of Lot 10, Concession 1, Formerly Barton Township, designated as Part 1, Plan 62R-12886 being all of Pin #17193-0018, known municipally as 2 Hillyard Street, Hamilton, as shown on Appendix "A" attached to Report PED17111, based substantially on the Major Terms and Conditions outlined in Confidential Appendix "B" attached to Report PED17111, and such other terms and conditions deemed appropriate by the General Manager of Planning and Economic Development, be approved and completed;
- (b) That the sum of \$46,000 be funded from Reserve number 110023 and credited to Account 45408-3560150200 (Property Purchases and Sales) for recovery of Real Estate administrative and legal expenses;
- (c) That the non-refundable deposit of \$2, be paid to the registered owner of 2 Hillyard Street, Hamilton, pursuant to the Option to Purchase agreement by the General Manager of Finance and Corporate Services within seven days of Council approval of the Option to Purchase agreement;
- (d) That the City Solicitor be authorized and directed to complete the transaction, respecting the property acquisition of 2 Hillyard Street, for a Transit Maintenance and Storage Facility 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 City Clerk be authorized and directed to execute all necessary documents, respecting the property acquisition of 2 Hillyard Street, in a form satisfactory to the City Solicitor; and,
- (f) That Appendix "B" to Report PED17111, respecting the Property Acquisition for a Transit Maintenance and Storage Facility a 2 Hillyard Street, remain confidential until completion of the real estate transaction.

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. ADDED DELEGATION REQUESTS (Item 4)

- 4.1 Robert Burgiss, respecting the Hamilton Police Service Budget (For July 10, 2017 GIC)
- 4.2 Anthony Marco, Hamilton and District Labour Council, respecting Bill 148 – Fair Workplaces, Better Jobs Act, 2017 (For July 10, 2017 GIC)

2. DELEGATIONS (Item 6)

- 6.2 Ian Hamilton, Hamilton Port Authority, respecting an update on Hamilton Port Authority Activities and Plans – this delegation has been moved to the July 10, 2017 GIC.

3. PRESENTATIONS (Item 7)

- 7.3 Mid Term Report 2015 & 2016 – a revised copy of the presentation has been provided as well as copies of the Commitment Letters that are part of the Mid Term presentation.

4. DISCUSSION ITEMS (Item 8)

- 8.4 Public Transit Infrastructure Fund (PTIF) Minor Amendments (PW17051) – a REVISED Appendix “A” to Report PW17015, has been provided as the last two rows of the document were missing in the printed agenda.

5. PRIVATE & CONFIDENTIAL (Item 12)

- 12.3 Disposition of City Owned Lands – Waterdown (CM17014) – this Item has been withdrawn from the agenda.

(Farr/A. Johnson)

That the agenda for the June 21, 2017 Special General Issues Committee meeting be approved, as amended. **CARRIED**

(b) DECLARATIONS OF INTEREST (Item 2)

There were no declarations of interest.

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

(i) June 5, 2017 – Special (Item 3.1)

(Partridge/VanderBeek)

That the Minutes of the June 5, 2017 meeting of the Special General Issues Committee be approved, as presented.

CARRIED

(ii) June 7, 2017 (Item 3.2)

(Ferguson/B. Johnson)

That the Minutes of the June 7, 2017 meeting of the General Issues Committee be approved, as presented.

CARRIED

(d) DELEGATION REQUESTS (Item 4)

(i) Robert Burgiss, respecting the Hamilton Police Service Budget (For July 10, 2017 GIC) (Item 4.1)

(B. Johnson/Skelly)

That the delegation request, submitted by Robert Burgiss, respecting the Hamilton Police Service Budget, be approved to appear before the General Issues Committee on July 10, 2017.

CARRIED

(ii) Anthony Marco, Hamilton and District Labour Council, respecting Bill 148 – Fair Workplaces, Better Jobs Act, 2017 (For July 10, 2017 GIC) (Item 4.2)

(Green/Farr)

That the delegation request, submitted by Anthony Marco, Hamilton and District Labour Council, respecting Bill 148 – Fair Workplaces, Better Jobs Act, 2017, be approved to appear before the General Issues Committee on July 10, 2017.

CARRIED

(e) CONSENT ITEMS (Item 5)

(i) Open for Business Sub-Committee Minutes, March 7, 2017 (Item 5.2)

(Pearson/Ferguson)

That the Minutes of the March 7, 2017 meeting of the Open for Business Sub-Committee, be received.

CARRIED

(f) PUBLIC HEARINGS / DELEGATIONS (Item 6)

(i) Hamilton Wentworth District School Board (HWDSB) respecting the Board's Facilities Master Plan and Budget Plan (Item 6.1)

Jeff Beattie, Vice Chair of HWDSB; and, Stacey Zucker, Executive Superintendent of Board Operations & Treasurer, addressed Committee and provided a presentation respecting the Board's Facilities Master Plan and Budget Plan.

(Skelly/A. Johnson)

That the presentation respecting the Hamilton Wentworth District School Board's Facilities Master Plan and Budget Plan, be received.

CARRIED

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

(ii) Ian Hamilton, Hamilton Port Authority, respecting an update on Hamilton Port Authority Activities and Plans (Item 6.2)

As noted in the Changes to the Agenda, this delegation was moved to the July 10, 2017 General Issues Committee agenda.

(g) PRESENTATIONS (Item 7)

(i) Innovation Factory Request for Funding Renewal Option - 2017 (PED17105) (City Wide) (Item 7.1)

Dave Carter, Executive Director of the Innovation Factory, addressed Committee and provided a presentation respecting the Innovation Factory Request for Funding Renewal Option – 2017.

(A. Johnson/Green)

That the presentation, respecting the Innovation Factory Request for Funding Renewal Option – 2017, be received.

CARRIED

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

For disposition of this matter, please refer to Item 4.

(ii) City Manager's 2016 Performance Review (Item 7.2)

Chris Murray, City Manager, addressed Committee and provided a presentation respecting the City Manager's 2016 Performance Review.

(A. Johnson/Farr)

That the presentation, respecting the City Manager's 2016 Performance Review, be received.

CARRIED

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

(iii) State of the City Comparative Study – Amalgamation to Now (Item 7.2)

(Merulla/Jackson)

That staff be directed to report to the General Issues Committee respecting the state of the City; assessing indicators of economic, social and financial performance in a comparative study from amalgamation to the current time.

CARRIED

(iv) Mid Term Report 2015 & 2016 (Item 7.3)

Chris Murray, City Manager, addressed Committee and provided a presentation respecting the City's Mid Term Report 2015 & 2016.

CARRIED

(Ferguson/Pearson)

That the presentation respecting the Mid Term Report 2015 & 2016, be received.

CARRIED

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

(h) MOTIONS (Item 9)

(i) Review of the Downtown and Community Renewal Improvement Program (Item 9.1)

(Farr/Green)

That staff be directed to review the Downtown and Community Renewal Improvement Program and report back to the General Issues Committee, prior to the 2019 Operating Budget process.

CARRIED

(ii) Development Incentive Programs Offered by the City of Hamilton (Item 9.2)

(Farr/Green)

That staff be directed to prepare a comprehensive report respecting the development incentive programs offered by the City of Hamilton and report to the General Issues Committee, prior to the 2018 Operating Budget process.

CARRIED

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

(i) Amendments to the Outstanding Business List (Item 11.1)

(Green/Farr)

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

(a) Items to be Removed:

- (i) Water, Wastewater and Stormwater Billing Frequency**
(Addressed on today's agenda as Item 5.3 – Report FCS17061)
- (ii) Innovation Factory Request for Funding Renewal Option - 2016, 2017 and 2018 (PED16123)**
(Addressed as Item 7.1 on today's agenda – Report PED17105)

CARRIED

(ii) Acknowledgement of National Aboriginal Day (Item 11.2)

Councillor Green recognized and acknowledged that the General Issues Committee was meeting on the traditional territories of the Mississauga and Haudenosaunee nations, and within the lands protected by the "Dish With One Spoon" wampum agreement.

Councillor Green also announced that it was National Aboriginal Day and spoke of the Soaring Spirit Festival that had taken place at Gage Park.

(j) PRIVATE & CONFIDENTIAL (Item 12)

(i) Closed Session Minutes – June 5, 2017 (Item 12.1)

(Ferguson/Partridge)

- (a) That the Closed Session Minutes of the June 5, 2017 Special General Issues Committee meeting, be approved as presented; and,
- (b) That the Closed Session Minutes of the June 5, 2017 Special General Issues Committee meeting, remain confidential.

CARRIED

(ii) Closed Session Minutes – June 7, 2017 (Item 12.2)

(Ferguson/Partridge)

- (a) That the Closed Session Minutes of the June 7, 2017 General Issues Committee meeting, be approved as presented; and,
- (b) That the Closed Session Minutes of the June 7, 2017 General Issues Committee meeting, remain confidential.

CARRIED

(iii) Disposition of City Owned Lands – Waterdown (CM17014) (Ward 15) (Item 12.3)

As noted in the Changes to the Agenda, Report CM17014, respecting the Disposition of City Owned Lands - Waterdown, was withdrawn from the agenda.

(B. Johnson/A. Johnson)

That Committee move into Closed Session, respecting Item 12.4, 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.

CARRIED

(iv) City Manager's 2016 Performance Review (Item 12.4)

The Mayor and staff were provided with direction in Closed Session with nothing further to report in Open Session.

(k) ADJOURNMENT (Item 13)

(Ferguson/VanderBeek)

That, there being no further business, the General Issues Committee be adjourned at 2:54 p.m.

CARRIED

Respectfully submitted,

C. Collins, Deputy Mayor
Chair, General Issues Committee

Stephanie Paparella
Legislative Coordinator
Office of the City Clerk