



**GENERAL ISSUES COMMITTEE
REPORT 17-018**

9:30 a.m.

Wednesday, September 6, 2017

Council Chambers

Hamilton City Hall

71 Main Street West

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

Absent
with Regrets: Mayor F. Eisenberger – Other City Business
Councillor T. Jackson – Personal

**THE GENERAL ISSUES COMMITTEE PRESENTS REPORT 17-018 AND
RESPECTFULLY RECOMMENDS:**

**1. Concession Street Business Improvement Area (BIA) Revised Board of
Management (PED14242(c)) (Wards 6 and 7) (Item 5.2)**

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

- (i) Jamie McHardy

**2. Cleanliness & Security in the Downtown Core – Clerk’s Report 17-004, August
10, 2017 (Item 5.3)**

That the Cleanliness & Security in the Downtown Core – Clerk’s Report 17-004, August 10, 2017, be received.

3. Assessment Act Amendments Providing a Property Tax Exemption to Non-Profit Long-Term Care Homes – Update (FCS16076(a)) (City Wide) (Item 8.1)

- (a) That given the significant impact the change in taxation status for Non-Profit Long-term Care (LTC) facilities has on the City of Hamilton, the Province be requested to identify a plan to continue with the Transitional Mitigation Payment for a multi-year period;
- (b) That the Mayor correspond with the Honourable Charles Sousa, Minister of Finance, to request an extension of the Transitional Mitigation Payment through the reassessment period of 2017 to 2020;
- (c) That the unbudgeted transitional funds provided for 2017, in the amount of \$972,307, be allocated to reducing the impact of 2017 assessment appeals; and,
- (d) That a copy of the approved resolution, respecting the *Assessment Act* Amendments Providing a Property Tax Exemption to Non-Profit Long-Term Care Homes – Update, be sent to the Association of Municipalities, the Big City Mayor’s Caucus and all Ontario municipalities.

4. Development Incentive Programs Offered by the City of Hamilton (PED17137) (City Wide) (Outstanding Business List Item) (Item 8.3)

That Report PED17137, respecting the Development Incentive Programs Offered by the City of Hamilton, be received.

5. Business Improvement Area Advisory Committee Report 17-007, August 8, 2017 (Item 8.4)

(a) Ancaster BIA Expenditure request for Flowers and Banners (Item 9.1)

That the expenditure request from the Ancaster BIA, in the amount of \$11,428.13, to be spent on flowers and banners and to be funded as follows, be approved:

- (i) \$5,302.87 from the Parking Revenue Sharing Fund Program; and,
- (ii) \$6,125.26 from the Contribution to BIA Operating Budget Program.

(b) Locke Street BIA Expenditure requests for Christmas Decorations and Flowers (Item 9.2)

That the following expenditure requests from the Locke Street BIA, in the amount of \$10,478.57, to be funded from the Shared Parking Revenue Program, be approved:

- (i) \$6,000 towards Christmas decoration costs; and,
- (ii) \$4,478.57 towards the purchase and maintenance of hanging flower baskets.

6. Proposed Lease of Hamilton Conservation Authority Lands at Felker's Falls (Item 9.1)

WHEREAS, Felker's Falls is an open space area owned by the Hamilton Conservation Authority (HCA);

WHEREAS, Felker's Falls open space generally functions as parkland for City of Hamilton residents;

WHEREAS, the local community has expressed an interest in the provision of greater park amenities at Felker's Falls;

WHEREAS, at its meeting of December 1, 2016, the HCA approved a motion (attached hereto as Appendix "A") for the HCA to enter into a lease agreement with the City of Hamilton for a 4.5 acre portion of Felker's Falls Conservation Area for parks purposes for a 20-year term at nominal value, and that the HCA would be supportive of the City constructing and maintaining park amenities on the subject lands; and,

WHEREAS, at its meeting of May 24, 2017, Council approved the provision of \$95,000 to the Parks and Cemeteries Section of the Environmental Services Division (Public Works Department) to provide support for the installation of a play structure at Felker's Falls park, and that \$16,300, for the maintenance of the play structure and park, be included in the Public Works Department's 2018 annual operating budget submission for consideration;

THEREFORE BE IT RESOLVED:

That staff, of the Real Estate Section of the Planning & Economic Development Department, be authorized and directed to negotiate and enter into a 20-year, nominal value (\$2/year) Lease Agreement for lands identified in Appendix "B" to the Motion with the Hamilton Conservation Authority, for the purposes of constructing, operating and maintaining a neighbourhood park and amenities on the subject lands

of the Hamilton Conservation Authority at Felker's Falls, on such other terms and conditions deemed appropriate to the General Manager, of the Planning and Economic Development Department, in a form satisfactory to the City Solicitor.

7. Potential Acquisition of Former Hamilton Psychiatric Hospital Lands (PED16254(b)) (Ward 8) (Item 12.2)

- (a) That the direction provided to staff in Closed Session, respecting Report PED16254(b) - the Potential Acquisition of Former Hamilton Psychiatric Hospital Lands, be approved; and,
- (b) That Report PED16254(b), respecting the Potential Acquisition of Former Hamilton Psychiatric Hospital Lands, and its Appendices, remain confidential.

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

- (a) That the direction provided to staff in Closed Session, respecting Report LS17015(b), respecting the Appeals of Ward Boundary By-law 17-030 to the Ontario Municipal Board Update, be approved; and,
- (b) That Report LS17015(b), respecting the Appeals of Ward Boundary By-law 17-030 to the Ontario Municipal Board Update, and its appendices, remain confidential.

FOR THE INFORMATION OF COUNCIL:

(a) CHANGES TO THE AGENDA (Item 1)

There were no changes to the agenda.

The agenda for the September 6, 2017 Special General Issues Committee meeting was approved, as presented.

(b) DECLARATIONS OF INTEREST (Item 2)

There were no declarations of interest.

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

(i) August 9, 2017 – Special (LRT) (Item 3.1)

The Minutes of the August 9, 2017 Special meeting of the General Issues Committee were approved, as presented.

(ii) August 14, 2017 (Item 3.2)

The Minutes of the August 14, 2017 meeting of the General Issues Committee were approved, as presented.

(d) CONSENT ITEMS (Item 5)

(i) Minutes of Various Advisory Committees (Item 5.1)

The following Advisory Committee meeting Minutes were received:

- (a) Mayor's Blue Ribbon Task Force Minutes, January 16, 2017; and,
- (b) Hamilton-Wentworth Catholic District School Board Liaison Committee Minutes, June 7, 2016.

(e) DISCUSSION ITEMS (Item 8)

(i) *Assessment Act* Amendments Providing a Property Tax Exemption to Non-Profit Long-Term Care Homes – Update (FCS16076(a)) (City Wide) (Item 8.1)

- (a) That sub-section (b) to Report FCS16076(b) – *Assessment Act* Amendments Providing a Property Tax Exemption to Non-Profit Long-Term Care Homes – Update, be amended by adding the words “through the reassessment period of 2017 to 2020” after the words “Transitional Mitigation Payment”, to read as follows:
 - (b) That the Mayor correspond with the Honourable Charles Sousa, Minister of Finance, to request an extension of the Transitional Mitigation Payment through the reassessment period of 2017 to 2020;
- (b) That Report FCS16076(b) – *Assessment Act* Amendments Providing a Property Tax Exemption to Non-Profit Long-Term Care Homes –

Update, be further amended by adding a new sub-section (d), to read as follows:

- (d) That a copy of the approved resolution, respecting the Assessment Act Amendments Providing a Property Tax Exemption to Non-Profit Long-Term Care Homes – Update, be sent to the Association of Municipalities, the Big City Mayor’s Caucus and all Ontario municipalities.

For disposition of this matter, please refer to Item 3.

(ii) 2030 Commonwealth Games 100th Anniversary (PED17133) (City Wide) (Item 8.2)

Report PED17133, respecting the 2030 Commonwealth Games 100th Anniversary, was DEFEATED on the following Standing Recorded Vote:

Yeas: Conley, Pearson, Ferguson, Whitehead, Skelly, Farr
Total: 6
Nays: B. Johnson, VanderBeek, Partridge, Collins, Merulla, Green, A. Johnson
Total: 7
Absent: Eisenberger, Jackson, Pasuta
Total: 3

(f) PUBLIC HEARINGS / DELEGATIONS (Item 6)

(i) Anne Pearson and Gail Rappolt, Gandhi Peace Festival and United Nations Association in Canada Hamilton Branch, respecting the Ghandi Peace Festival and to Introduce a Book about Hamilton’s Peace History (Item 6.1)

Anne Pearson and Gail Rappolt, Gandhi Peace Festival and United Nations Association in Canada Hamilton Branch, addressed Committee respecting the Ghandi Peace Festival and to introduce a book about Hamilton’s Peace History.

The presentation provided by Anne Pearson and Gail Rappolt, Gandhi Peace Festival and United Nations Association in Canada Hamilton Branch, respecting the Ghandi Peace Festival and to introduce a book about Hamilton’s Peace History, was received.

Copies of the handouts are available on the City's website at www.hamilton.ca or through the Office of the City Clerk.

(ii) Terry Charters and the Very Reverend Peter Wall, Anglican Diocese of Niagara, respecting the Potential Purchase of the Parking Lot next to the adjoining Church at 252 James Street North, Hamilton (Item 6.2)

Terry Charters and the Very Reverend Peter Wall, Anglican Diocese of Niagara, addressed Committee respecting the potential purchase of the parking lot next to the adjoining church at 252 James Street North, Hamilton

The presentation provided by Terry Charters and the Very Reverend Peter Wall, Anglican Diocese of Niagara, respecting the potential purchase of the parking lot next to the adjoining Church at 252 James Street North, Hamilton, was received.

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

WHEREAS, the future revitalization project at Cathedral Place will generate approximately \$500,000 in annual taxes once complete; where no annual taxes currently exist; and,

WHEREAS, the Cathedral Place Revitalization will sustain the heritage designated Cathedral and maintain it as an important community hub;

THEREFORE BE IT RESOLVED:

Staff was directed to review the request for a reduction in the purchase price of the municipal parking lot adjacent to the adjoining Church at 252 James Street North, Hamilton, and report back to the October 4, 2017 General Issues Committee with options respecting the Diocese's request.

(g) MOTIONS (Item 9)

(i) Opposition to Port Fuels & Materials Services, Inc. – Energy-From-Waste Facility (Item 9.2)

The matter respecting the Opposition to Port Fuels & Materials Services, Inc. – Energy-From-Waste Facility, was lifted from the TABLE.

WHEREAS, the Port Fuels & Materials Services, Inc. – Energy-From-Waste Facility matter has been abandoned;

THEREFORE BE IT RESOLVED:

- (a) As it is no longer required, the Motion respecting the Opposition to Port Fuels & Materials Services, Inc. – Energy-From-Waste Facility was withdrawn; and,
- (b) The Motion respecting the Opposition to Port Fuels & Materials Services, Inc. – Energy-From-Waste Facility was removed from the General Issues Committee’s Outstanding Business List.

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

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

The following amendments to the General Issues Committee’s Outstanding Business List were approved:

- (a) Items to be Removed:
 - (i) Development Incentive Programs Offered by the City of Hamilton (Addressed as Item 8.3 on this agenda – Report PED17137)
- (b) Proposed New Due Dates:
 - (i) Public Works Fleet Delivery Review
Current Due Date: September 6, 2017
Proposed New Due Date: October 18, 2017

(i) PRIVATE & CONFIDENTIAL (Item 12)

(i) Closed Session Minutes – August 14, 2017 (Item 12.1)

- (a) The Closed Session Minutes of the August 14, 2017 General Issues Committee meeting were approved, as presented; and,
- (b) The Closed Session Minutes of the August 14, 2017 General Issues Committee meeting shall remain confidential.

Committee moved into Closed Session, respecting Items 12.2 and 12.3, pursuant to Section 8.1, Sub-sections (c), (e) and (f) of the City’s Procedural By-law 14-300, and Section 239(2), Sub-sections (c), (e) and (f) of the *Ontario Municipal Act*, 2001, as amended, as the subject matters pertain to a proposed or pending acquisition or

disposition of land for City purposes; 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) Potential Acquisition of Former Hamilton Psychiatric Hospital Lands (PED16254(b)) (Ward 8) (Item 12.2)

Staff was provided with direction in Closed Session.

For further disposition of this matter, please refer to Item 8.

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

Staff was provided with direction in Closed Session.

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

Councillor A. Johnson wished to be recorded as OPPOSED to Item 9 above.

(j) ADJOURNMENT (Item 13)

There being no further business, the General Issues Committee adjourned at 2:46 p.m.

Respectfully submitted,

L. Ferguson, Deputy Mayor
Chair, General Issues Committee

Stephanie Paparella
Legislative Coordinator
Office of the City Clerk