



GENERAL ISSUES COMMITTEE REPORT 19-015

9:30 a.m.

Wednesday, September 4, 2019

Council Chambers

Hamilton City Hall

71 Main Street West

Present: Mayor F. Eisenberger, Deputy Mayor T. Whitehead (Chair)
Councillors M. Wilson, J. Farr, N. Nann, S. Merulla, C. Collins,
T. Jackson, E. Pauls, J.P. Danko, B. Clark, M. Pearson, B. Johnson,
L. Ferguson, A. VanderBeek

Absent: Councillor J. Partridge – Personal

THE GENERAL ISSUES COMMITTEE PRESENTS REPORT 19-015 AND RESPECTFULLY RECOMMENDS:

1. Relocation of Soletanche Bachy Canada from Pier 10 to Pier 15 (8.1)

That the appropriate City staff be directed to meet with representatives of the Hamilton-Oshawa Port Authority and other relevant parties to investigate any possible options that may assist in the relocation of Soletanche Bachy Canada from Pier 10 to Pier 15.

2. Sports, Entertainment and Convention Venues Review (PED18168(b)) (City Wide) (Item 9.1)

- (a) That the strategy outlined within the City of Hamilton Entertainment Venues Review, attached as Appendix “A” to Report 19-014 and confidential Appendix “B” to Report PED18168(b), be approved;
- (b) That the recommendations outlined in confidential Appendix “C” as amended, to Report PED18168(b) be approved;

- (c) That Appendix “A” to Report 19-014 and confidential Appendix “B” to Report PED18168(b), help to inform any Host City facilities strategy that staff consider when assessing the feasibility and potential benefits of a Hamilton bid for the 2030 Commonwealth Games; and,
- (d) That the entirety of Appendices “B”, “C” as amended, and “E” to Report PED18168(b) remain confidential and not be released as public documents.

3. Business Improvement Area Advisory Committee Report 19-008, August 13, 2019 (Item 10.1)

(a) Appointment of a Voting Member to the Keep Hamilton Clean & Green Advisory Committee (Item 10.3)

That Keri Jarvi, Downtown Hamilton BIA be appointed as a voting member of the Keep Hamilton Clean & Green Advisory Committee for the remainder of the 2018-2022 term.

(b) Waterdown Business Improvement Area Expenditure Request (Item 11.2)

That the expenditure request from the Waterdown Business Improvement Area in the amount of \$5,443.56 for the purchase and planting of 49 hanging baskets to be funded from the Community Improvement Plan (CIP) Contribution Program (BIA Payments Account 815010-56905), be approved.

(c) Coffee with Your Councillor Event (Item 11.1)

WHEREAS, local Councillors benefit from having insight into their local Business Improvement Areas; and,

WHEREAS, Business Improvement Area members and patrons benefit from having the opportunity to meet with their local Councillor;

THEREFORE, BE IT RESOLVED:

That staff be directed to make efforts to organize a one-hour ‘Coffee with your Councillor’ event at a Coffee Shop, with Councillors, in their respective Business Improvement Areas during Small Business Week (October 20 to 26, 2019).

4. Waiver of City Park Permit and Arena Facility Rental Fees for 2020 Winterfest Events (Item 11.1)

WHEREAS, Winterfest is a community-driven event that is facilitated by the City of Hamilton;

WHEREAS, community Winterfest event organizers are mostly volunteers with access to minimal budgets; and,

WHEREAS, the City of Hamilton would like to encourage broad community participation in the 2020 Winterfest events;

THEREFORE, BE IT RESOLVED:

That City park permit and arena facility rental fees for the 2020 Winterfest events, be waived.

5. Mount Hope Gateway Funding and Licence Agreement between the City of Hamilton and the Canadian Warplane Heritage Museum (Ward 11) (Item 11.2)

WHEREAS, the community of Mount Hope and the City of Hamilton have a historic association with aviation that continues today with the success of the Canadian Warplane Heritage Museum and the John C. Munro Hamilton International Airport;

WHEREAS, a landscape and sign gateway feature for Mount Hope is proposed for Upper James Street and Homestead Drive; and,

WHEREAS, the Canadian Warplane Heritage Museum has agreed to supply, install and maintain a historic airplane from their collection at the gateway site to be the central focus of the gateway design;

THEREFORE, BE IT RESOLVED:

- (a) That staff be directed to establish a Mount Hope Gateway Project ID, to be funded up to \$100,000 from the Unallocated Capital Reserve Account No. 108020, in order to fund the final detail design and construction of an enhanced Mount Hope Gateway, including the supporting structure for and the installation and long-term maintenance of an airplane;
- (b) That, in order to consolidate project funding, staff be directed to transfer previously approved funding in the amount of \$182,000 from Annual

Community Downtowns and BIA Project ID 8201703706 to the newly established Mount Hope Gateway Project; and,

- (c) The Mayor and City Clerk be authorized and directed to execute a Licence Agreement and ancillary documents, between the City of Hamilton and the Canadian Warplane Heritage Museum, for the Canadian Warplane Heritage Museum to install and maintain a decommissioned airplane as part of a gateway feature for the community of Mount Hope at the north intersection of Homestead Drive and Upper James Street, with content acceptable to the General Manager of the Planning and Economic Development Department, in a form satisfactory to the City Solicitor.

6. Lease of 1104 Fiddler's Green Road (PED19159) (Ward 12) (Item 14.2)

- (a) That the direction provided to staff in Closed Session, respecting Report PED19159 – Lease of 1104 Fiddler's Green Road, be approved; and,
- (b) That Report PED19159, respecting the Lease of 1104 Fiddler's Green Road, remain confidential until such time as the Lease Agreement has been fully executed.

7. Pier 8 Development Agreement between the City of Hamilton and Waterfront Shores Corporation (PED14002(i)) (Ward 2) (Item 14.3)

- (a) That the direction provided to staff in Closed Session, respecting Report PED14002(i), regarding the Pier 8 Development Agreement between the City of Hamilton and Waterfront Shores Corporation, be approved; and,
- (b) That Report PED14002(i), respecting the Pier 8 Development Agreement between the City of Hamilton and Waterfront Shores Corporation, remain confidential.

8. Litigation Update, Motor Vehicle Accident (LS19032) (City Wide) (Item 14.4)

- (a) That the direction provided to staff in Closed Session, respecting Report LS19032, regarding a Litigation Update, Motor Vehicle Accident, be approved; and,
- (b) That Report LS19032, respecting a Litigation Update, Motor Vehicle Accident, remain confidential.

**9. Potential Regulatory Litigation Update (PW19008(b)/LS19004(b)) (City Wide)
(Item 14.5)**

- (a) That the direction provided to staff in Closed Session, respecting Report PW19008(b)/LS19004(b), regarding the Potential Regulatory Litigation Update, be approved; and,
- (b) That Report PW19008(b)/LS19004(b), respecting Potential Regulatory Litigation Update, remain confidential and not be released as a public document.

**10. Update re: Local Planning Appeal Tribunal appeals of Pier 6, 7 and 8
(LS19033(a)/PED19180(a)) (City Wide) (Item 14.6)**

- (a) That the direction provided to staff in Closed Session, respecting Report LS19033(a)/PED19180(a), be approved; and,
- (b) That Report LS19033(a)/PED19180(a) and its appendices and recommendations remain confidential except as necessary to implement these recommendations at the discretion of the City Solicitor.

FOR INFORMATION:

(a) APPROVAL OF AGENDA (Item 2)

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

1. COMMUNICATIONS (Item 5)

- 5.1 Correspondence from Ruth Cameron respecting the Delegation Requests submitted by from Paul Fromm (Item 6.2); and, Lisa Thompson (Item 6.3)

Recommendation: Be received and referred to the consideration of Items 6.2 and 6.3.

2. PRIVATE & CONFIDENTIAL (Item 14)

- 14.6 Update re: Local Planning Appeal Tribunal appeals of Pier 6, 7 and 8 (LS19033(a)/PED19180(a)) (City Wide)

Pursuant to Section 8.1, Sub-sections (e) and (f) of the City's Procedural By-law 18-270, 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 September 4, 2019 General Issues Committee meeting was approved, as amended.

(b) DECLARATIONS OF INTEREST (Item 2)

Councillor M. Wilson declared an interest to Item 9.1, respecting Report PED18168(b) - Sports, Entertainment and Convention Venues Review, as her spouse's involvement or potential involvement, directly or through firms with which he is associated in negotiations that might arise as a result of the reports implementation.

(c) APPROVAL OF MINUTES OF THE PREVIOUS MEETINGS (Item 4)

(i) August 12, 2019 (Item 4.1)

The Minutes of the August 12, 2019 meeting of the General Issues Committee were approved, as presented.

(d) COMMUNICATIONS (Item 5)

(i) Correspondence from Ruth Cameron respecting the Delegation Requests submitted by Paul Fromm (Item 6.2); and, Lisa Thompson (Item 6.3) (Item 5.1)

The correspondence from Ruth Cameron, respecting the Delegation Requests submitted by Paul Fromm (Item 6.2); and, Lisa Thompson (Item 6.3), was received and referred to the consideration of Items 6.2 and 6.3.

(e) DELEGATION REQUESTS (Item 6)

(i) Dr. James Quinn, respecting the Growing Risks of the Climate Emergency (For a future GIC) (Item 6.1)

The delegation request, submitted by Dr. James Quinn, respecting the Growing Risks of the Climate Emergency, was approved to appear before the General Issues Committee at a future meeting.

(ii) Paul Fromm, Canadian Association for Free Expression, respecting Demonstrations in Public Places (For a future GIC) (Item 6.2)

The delegation request submitted by Paul Fromm, Canadian Association for Free Expression, respecting Demonstrations in Public Places was denied.

(iii) Lisa Thompson, Hamilton Yellow Vest Group, respecting the Hamilton Yellow Vest Group and Clarity of Issues (For a future GIC) (Item 6.3)

The delegation request submitted by Lisa Thompson, Hamilton Yellow Vest Group, respecting the Hamilton Yellow Vest Group and Clarity of Issues was denied.

(f) CONSENT ITEMS (Item 7)

(i) Airport Sub-Committee Minutes 19-001, March 29, 2019 (Item 7.1)

The Airport Sub-Committee Minutes 19-001, March 29, 2019 were received.

(g) PUBLIC HEARINGS / DELEGATIONS

(i) Ian Hamilton, Hamilton-Oshawa Port Authority Update (Item 8.1)

Ian Hamilton, of the Hamilton-Oshawa Port Authority (H-OPA), addressed Committee and provided an update respecting the H-OPA.

The presentation provided by Ian Hamilton of the Hamilton-Oshawa Port Authority (H-OPA), respecting the H-OPA was received.

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 further disposition of this matter, please refer to Item 1.

(ii) Brody Robinmeyer, respecting the Climate Emergency (Item 8.2)

Brody Robinmeyer, addressed Committee respecting the Climate Emergency.

The presentation provided by Brody Robinmeyer, respecting the Climate Emergency was received.

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) STAFF PRESENTATIONS (Item 9)

(ii) Sports, Entertainment and Convention Venues Review (PED18168(b)) (City Wide) (Item 9.1)

Glen Norton, Director of Economic Development, addressed Committee respecting Report PED18168(b), Sports, Entertainment and Convention Venues Review, and introduced Zach Pendley, of Ernst & Young, who continued the presentation.

The presentation provided by Zach Pendley, of Ernst & Young, respecting Report PED18168(b), Sports, Entertainment and Convention Venues Review was received.

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

Consideration of Report PED18168(b), respecting the Sports, Entertainment and Convention Venues Review, was DEFERRED until after the Closed Session portion of the meeting.

Staff were also provided with direction in Closed Session.

For further disposition of this matter, please refer to Item 2.

(i) **DISCUSSION ITEMS (Item 10)**

(i) **Business Improvement Area Advisory Committee Report 19-008. August 13, 2019 (Item 10.1)**

Information Item (e)(i), of the Business Improvement Area Advisory Committee Report 19-008, being a Motion respecting the Coffee with Your Councillor Event, was lifted from the table and added as Item 3 to Report 19-008 for consideration.

Item 3 to the Business Improvement Area Advisory Committee Report 19-008, respecting the Motion regarding the Coffee with Your Councillor Event, was amended by adding the words “***make efforts to***”, to read as follows:

That staff be directed to ***make efforts to*** organize a one-hour “Coffee with your Councillor” event at a coffee shop with Councillors, in their respective Business Improvement Areas, during their small Business Week (October 20 to 26, 2019).

For disposition of this matter, please refer to Item 3(c) above.

(j) **GENERAL INFORMATION / OTHER BUSINESS (Item 13)**

(i) **Amendments to the Outstanding Business List (Item 13.1)**

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

(a) Items to be removed:

- (i) Sports, Entertainment and Convention Venues Review (Addressed as Item 9.1 on this agenda – Report PED18168(b))

(k) **PRIVATE & CONFIDENTIAL (Item 14)**

(i) **Closed Session Minutes – August 12, 2019 (Item 14.1)**

- (a) The Closed Session Minutes of the August 12, 2019 General Issues Committee meeting were approved; and,

- (b) The Closed Session Minutes of the August 12, 2019 General Issues Committee meeting shall remain confidential.

Committee moved into Closed Session respecting Appendices “B”, “C” and “E” to Item 9.1; and, Items 14.2 to 14.6, pursuant to Section 8.1, Sub-sections (c), (e), (f) and (k) of the City's Procedural By-law 18-270; and, Section 239(2), Sub-sections (c), (e), (f) and (k) 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; the receiving of advice that is subject to solicitor-client privilege, including communications necessary for that purpose; and, a position, plan, procedure, criteria or instruction to be applied to any negotiations carried on or to be carried on by or on behalf of the municipality or local board.

(ii) Lease of 1104 Fiddler’s Green Road (PED19159) (Ward 12) (Item 14.2)

Staff were provided with direction in Closed Session.

For further disposition of this matter, please refer to Item 6.

(iii) Pier 8 Development Agreement between the City of Hamilton and Waterfront Shores Corporation (PED14002(i)) (Ward 2) (Item 14.3)

Staff were provided with direction in Closed Session.

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

(iv) Litigation Update, Motor Vehicle Accident (LS19032) (City Wide) (Item 14.4)

Staff were provided with direction in Closed Session.

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

(v) Potential Regulatory Litigation Update (PW19008(b)/LS19004(b)) (City Wide) (Item 14.5)

Staff were provided with direction in Closed Session.

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

(vi) Update re: Local Planning Appeal Tribunal appeals of Pier 6, 7 and 8 (LS19033(a)/PED19180(a)) (City Wide) (Item 14.6)

Staff were provided with direction in Closed Session.

For further disposition of this matter, please refer to Item 10.

(I) ADJOURNMENT (Item 13)

There being no further business, the General Issues Committee adjourned at 7:37 p.m.

Respectfully submitted,

T. Whitehead, Deputy Mayor
Chair, General Issues Committee

Stephanie Paparella
Legislative Coordinator,
Office of the City Clerk