



GENERAL ISSUES COMMITTEE REPORT 20-001

9:30 a.m.

Wednesday, January 15, 2020

Council Chambers

Hamilton City Hall

71 Main Street West

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

THE GENERAL ISSUES COMMITTEE PRESENTS REPORT 20-001, AND RESPECTFULLY RECOMMENDS:

**1. Transit Area Rating Review Sub-Committee Clerk's Report 19-001,
December 11, 2020 (Item 7.1)**

That the Transit Area Rating Review Sub-Committee Clerk's Report 19-001,
December 11, 2020, be received.

**2. Assessment of the Business Retention and Expansion Plan (FCS20002)
(City Wide) (Item 7.2)**

That Report FCS20002, respecting the Assessment of the Business Retention
and Expansion Plan, be received.

**3. Ottawa Street Business Improvement Area Proposed Budget and Schedule
of Payment for 2020 (PED20002) (Wards 3 and 4) (Item 10.1)**

(a) That the 2020 Operating Budget for the Ottawa Street Business
Improvement Area, attached as Appendix "A" to Report 20-001, in the
amount of \$133 K, be approved;

(b) That the levy portion of the Operating Budget for the Ottawa Street
Business Improvement Area in the amount of \$133 K, be approved;

- (c) That the General Manager of Finance and Corporate Services be hereby authorized and directed to prepare the requisite By-law, pursuant to Section 208, the *Municipal Act, 2001*, to levy the 2020 Operating Budget for the Ottawa Street Business Improvement Area; and,
- (d) That the following schedule of payments for the 2020 Operating Budget for the Ottawa Street Business Improvement Area, be approved:

January	\$66,500
June	\$66,500

4. Westdale Village Business Improvement Area Proposed Budget and Schedule of Payment for 2020 (PED20003) (Ward 1) (Item 10.2)

- (a) That the 2020 Operating Budget for the Westdale Village Business Improvement Area, attached as Appendix “B” to Report 20-001, in the amount of \$125 K, be approved;
- (b) That the levy portion of the Operating Budget for the Westdale Village Business Improvement Area in the amount of \$125 K, be approved;
- (c) That the General Manager of Finance and Corporate Services be hereby authorized and directed to prepare the requisite By-law, pursuant to Section 208, *Ontario Municipal Act, 2001*, as amended, to levy the 2020 Operating Budget for the Westdale Village Business Improvement Area; and,
- (d) That the following schedule of payments for the 2020 Operating Budget for the Westdale Village Business Improvement Area, be approved:

January	\$62,500
June	\$62,500

5. Waterdown Business Improvement Area (BIA) Proposed Budget & Schedule of Payment for 2020 (PED20004) (Ward 15) (Item 10.3)

- (a) That the 2020 Operating Budget for the Waterdown Business Improvement Area, attached as Appendix “C” to Report 20-001, in the amount of \$335,015, be approved;
- (b) That the levy portion of the Operating Budget for the Waterdown Business Improvement Area in the amount of \$250,000, be approved;

- (c) That the General Manager of Finance and Corporate Services be hereby authorized and directed to prepare the requisite By-law, pursuant to Section 208, *Ontario Municipal Act*, 2001, as amended, to levy the 2020 Operating Budget for the Waterdown Business Improvement Area; and,
- (d) That the following schedule of payments for the 2020 Operating Budget for the Waterdown Business Improvement Area, be approved:

January	\$125,000
June	\$125,000

6. Stoney Creek Business Improvement Area Proposed Budget and Schedule of Payment for 2020 (PED20005) (Ward 5) (Item 10.4)

- (a) That the 2020 Operating Budget for the Stoney Creek Business Improvement Area, attached as Appendix “D” to Report 20-001, in the amount of \$62,788, be approved;
- (b) That the levy portion of the Operating Budget for the Stoney Creek Business Improvement Area in the amount of \$49 K, be approved;
- (c) That the General Manager of Finance and Corporate Services be hereby authorized and directed to prepare the requisite By-law, pursuant to Section 208, *Ontario Municipal Act*, 2001, as amended, to levy the 2020 Operating Budget for the Stoney Creek Business Improvement Area;
- (d) That the following schedule of payments for the 2020 Operating Budget for the Stoney Creek Business Improvement Area, be approved:

January	\$24,500
June	\$24,500

7. Review of Problems Associated with Increased Visitors to Waterfalls (PED18011(a)) (Ward 13) (Item 10.5)

That the multi-disciplinary working group, approved by City Council on March 27, 2019 to investigate the negative impacts to the Greensville and Dundas neighbourhoods associated with the increase in visitors to Webster and Tews Falls and Dundas Peak, continue to meet and report back to the Planning Committee in 2020 following the completion of a comprehensive traffic management plan for this area.

8. Municipal Accommodation Tax (PED20009) (City Wide) (Item 10.6)

That staff be directed to develop the structure and implementation plan for a Municipal Accommodation Tax Program in Hamilton at 4% including the required business case study, and creation of a Municipal Services Corporation (MSC), which will operate as the City of Hamilton's eligible tourism entity to receive funds from the Municipal Accommodation Tax (MAT) as required by Provincial regulation, enacting by-law and any necessary agreements, and report back to the General Issues Committee.

9. Commonwealth Games 2030 (PED19108(c)) (City Wide) (Item 10.7)

That staff be directed to review and analyze the Hamilton100's Hosting Proposal (Part 2) with a report back to General Issues Committee on February 19, 2020 to receive Council direction, prior to the Commonwealth Games submission deadline of March 9, 2020.

10. Business Improvement Area Advisory Committee Report 19-012, December 10, 2019 (Item 10.8)

(a) Main Street West Business Improvement Area Expenditure Request (Item 11.1)

- (i) That the expenditure request from the Main Street West Business Improvement Area, in the amount of \$1,089.71 for the supply and installation of Christmas Decorations, to be funded from the Community Improvement Plan (CIP) Contribution Program (BIA Payments Account 815010-56905), be approved; and,
- (ii) That the expenditure request from the Main Street West Business Improvement Area, in the amount of \$900 for the balance of the costs to supply and install Christmas Decorations, to be funded from the Shared Parking Revenue Program (Parking Revenue Account 815010-45559), be approved.

(b) Locke Street Business Improvement Area Expenditure Request (Added Item 12.2)

That the expenditure request from the Locke Street Business Improvement Area, in the amount of \$11,774.03 for events and promotions around the Christmas activities and Locke Street reopening activities, to be funded from the Shared Parking Revenue Program (Parking Revenue Account 815010-45559), be approved.

**11. School Board Properties Sub-Committee Report 19-003, December 17, 2019
(Item 10.9)**

(a) Hamilton-Wentworth District School Board Property at 1284 Main Street East, Hamilton (PED19162) (Ward 4) (Item 10.1)

- (i) That the Real Estate Section of the Planning and Economic Development Department be authorized and directed to advise the Hamilton-Wentworth District School Board (HWDSB) that the City of Hamilton does not have an interest in acquiring its property located at 1284 Main Street East, Hamilton, as shown on Appendix “A” attached to Report PED19162; and,
- (ii) That the Real Estate Section of the Economic Development Division of the Planning and Economic Development Department be directed to advise the Hamilton-Wentworth District School Board (HWDSB) of the City of Hamilton’s site development requirements, as identified in Appendix “B” attached to Report PED19162.

(b) Hamilton-Wentworth District School Board Property at 1020 Upper Paradise Road, Hamilton (Falkirk West Vacant Site) (PED19235) (Ward 14) (Item 10.2)

- (i) That the Real Estate Section of the Planning and Economic Development Department be authorized and directed to advise the Hamilton-Wentworth District School Board (HWDSB) that the City of Hamilton does not have an interest in acquiring its property located at 1020 Upper Paradise Road, Hamilton (Falkirk West Vacant Site), as shown on Appendix “A” attached to Report PED19235; and,
- (ii) That the Real Estate Section of the Economic Development Division of the Planning and Economic Development Department be directed to advise the Hamilton-Wentworth District School Board (HWDSB) of the City of Hamilton’s site development requirements, as identified in Appendix “B” attached to Report PED19235.

(c) Hamilton-Wentworth District School Board Property at 65 Frances Avenue, Stoney Creek (PED19239) (Ward 10) (Item 10.3)

- (i) That the Real Estate Section of the Planning and Economic Development Department be authorized and directed to advise the Hamilton-Wentworth District School Board (HWDSB) that the City of Hamilton does not have an interest in acquiring its property

located at 65 Frances Avenue, Stoney Creek, as shown on Appendix "A" attached to Report PED19239; and,

- (ii) That the Real Estate Section of the Economic Development Division of the Planning and Economic Development Department be directed to advise the Hamilton-Wentworth District School Board (HWDSB) of the City of Hamilton's site development requirements, as identified in Appendix "B" attached to Report PED19239.

(d) Proposed City-Initiated Rezoning of the Land Located at 65 Frances Avenue, Stoney Creek (Added Item 11.1)

- (i) That the land located at 65 Frances Avenue, Stoney Creek, be referred to the Planning Committee for consideration on a proposed City-initiated rezoning of the land to open space; and,
- (ii) That staff be directed to communicate to the Hamilton-Wentworth District School Board that the Hamilton Conservation Authority be pursued as a potential purchaser of the property located at 65 Frances Avenue, Stoney Creek.

12. West Harbour Development Sub-Committee Report 19-004, December 18, 2019 (Item 10.10)

(a) Piers 6-8 Interim Parking (PW17076(a)) (Item 7.1)

That Report PW17076(a), respecting Piers 6-8 Interim Parking, be received.

(b) Piers 6 and 7 Land Disposition Plan (PED19191(b)) (Ward 2) (Item 10.1)

- (i) That Area 1 comprised of approximately 1,066.00 square meters; Area 2 comprised of approximately 1,483.38 square meters; Area 3 comprised of approximately 1,221.29 square meters; and, Area 4 comprised of approximately 1,342.50 square meters be individually severed from the portion of the lands commonly known as Piers 5, 6 & 7 comprising part of the West Harbour and more specifically all part of PIN 175790165 (LT), as depicted in Appendix "A" attached to Report PED19191(b), (final property limits to be determined by survey) and declared surplus to the requirements of the City of Hamilton, in accordance with the "Procedural By-law for the Sale of Land", being By-law No. 04-299;

- (ii) That staff from the Real Estate Section of the Economic Development Division of the Planning and Economic Development Department be authorized and directed to sell the lands known as Areas 1 to 4 of Pier 6 and 7, in accordance with the “Procedural By-law for the Sale of Land”, being By-Law 04-299, and include the proposed terms and conditions of a structured transactional offering as outlined in Report PED19191(b);
- (iii) That the General Manager, Planning and Economic Development Department, or designate, be authorized and directed to negotiate and enter into the relevant real estate agreements (e.g. Agreement of Purchase and Sale), on terms and conditions consistent with those outlined in Report PED19191(b), including the imposition of covenants and contractual performance obligations, and such other terms and conditions deemed appropriate by the General Manager, Planning and Economic Development;
- (iv) That the net proceeds of the sale of each of the lands known as Area 1 to 4 of Pier 6 and 7 be deposited in capital project 4411606002 entitled “West Harbour Real Estate Disposition” and that all associated legal costs, appraisal fees, real estate and legal fees, environmental and geotechnical studies (if required), survey and property maintenance costs related to each of the subject properties be sourced from this account;
- (v) That the City Solicitor be authorized to complete the transactions for the disposition of the lands known as Area 1 to 4 of Pier 6 and 7 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; and,
- (vi) That Mayor and Clerk be authorized and directed to execute any resultant necessary documents associated to the disposition of the lands known as Area 1 to 4 of Pier 6 and 7 as contemplated in this Report PED19191(b), in a form satisfactory to the City Solicitor.

13. Advisory Committee for Persons with Disabilities Report 19-011, December 10, 2019 (Item 10.11)

(a) Advisory Committee for Persons with Disabilities Working Group Review (Item 10.1)

- (i) That a Built Environment Working Group of the Advisory Committee for Persons with Disabilities be established for the remainder of the

2018 – 2022 Term of Council and be comprised of the following Members:

- (1) Shahan Aaron
- (2) Patty Cameron
- (3) Jayne Cardno
- (4) Michele Dent
- (5) Anthony Frisina
- (6) James Kemp
- (7) Paula Kilburn
- (8) Aznive Mallet
- (9) Tom Manzuk
- (10) Tim Nolan

(ii) That a Housing Issues Working Group of the Advisory Committee for Persons with Disabilities be established for the remainder of the 2018 – 2022 Term of Council and be comprised of the following Members:

- (1) Jayne Cardno
- (2) Michele Dent
- (3) Lance Dingman
- (4) Anthony Frisina
- (5) James Kemp
- (6) Paula Kilburn
- (7) Tom Manzuk

(iii) That a Transportation Working Group of the Advisory Committee for Persons with Disabilities be established for the remainder of the 2018 – 2022 Term of Council and be comprised of the following Members:

- (1) Shahan Aaron
- (2) Anthony Frisina
- (3) James Kemp
- (4) Paula Kilburn
- (5) Aznive Mallett
- (6) Tom Manzuk
- (7) Mark McNeil
- (8) Tim Murphy
- (9) Kim Nolan
- (10) Tim Nolan

- (b) That Mary Sinclair and Robert Semkow be invited to attend meetings of the Built Environment Working Group, Housing Issues Working Group, and Transportation Working Group of the Advisory Committee for Persons with Disabilities on an ongoing basis to provide subject-matter expertise, as required.

14. LRT/Provincial Taskforce Update (PED20033) (City Wide) (Item 10.12)

That Report PED20033, respecting an LRT/Provincial Taskforce Update, be received.

15. Feasibility of Locating a New Arena on the Hamilton Mountain (PED20008) (City Wide) (Item 10.13)

That staff be directed to take no further action on the unsolicited proposal attached as confidential Appendix “A” to Report PED20008.

16. GRIDS 2 Transportation and Infrastructure Assessment (Item 11.2)

WHEREAS, the City is undertaking an update to GRIDS, known as GRIDS 2, which is a long-term growth strategy to allocate forecasted population and employment growth from 2031 to 2041;

WHEREAS, approaches and options for the allocation of growth will have impacts on infrastructure needs, and further, that needs may vary by growth option;

WHEREAS, infrastructure needs associated with growth may include new transportation corridors, road capacity enhancements, urbanization of rural cross-sections within or adjacent to growth areas, higher-order transit improvements, and new multi-modal infrastructure, in addition to municipal service upgrades;

WHEREAS, historically, infrastructure for new growth areas has typically been delivered concurrently with development by the private sector and financed through development agreements, or subsequent to development by the City using Development Charge revenues;

WHEREAS, the practice of relying on the private sector to front-end and construct growth-related infrastructure can be advantageous, some potential shortcomings include the potential for delayed delivery of complete networks (e.g. piecemeal corridor construction) and the potential for under-estimation of

multi-modal needs and opportunities (e.g. sidewalks, transit upgrades, cycling infrastructure), which are indirectly triggered by development;

WHEREAS, an alternative model whereby major infrastructure is delivered in advance of development may help address problems created by piece-meal infrastructure development;

WHEREAS, alternative approaches to front-ending infrastructure may have an influence on the evaluation of growth options being considered as part of GRIDS 2;

THEREFORE, BE IT RESOLVED:

- (a) That staff be directed to undertake a transportation infrastructure needs assessment for growth areas, as part of the analysis being undertaken as part of GRIDS 2, at an estimated cost of \$150,000, to be funded from Reserve 110324 DC Admin Studies – Hard – Residential (\$94,500) and Reserve 110325 DC Admin Studies – Hard – Non-Residential (\$55,500), with that analysis to:
 - (i) focus on areas of significant change to include, but not be limited to, Upper Stoney Creek;
 - (ii) include the implications of a model whereby major transportation infrastructure is front-ended to occur in advance of major development activity; and,
 - (iii) The evaluation of growth options under GRIDS 2 include criteria that reflects the implications of a front-ended infrastructure model.

17. GRIDS 2 Transportation and Infrastructure Assessment – Hamilton-Halton Home Builders’ Association (Item 11.3)

That staff be directed to consult with the Hamilton-Halton Home Builders’ Association with respect to the GRIDS 2 Transportation and Infrastructure Assessment.

18. Amalgamated Transit Union Local 107 - Ratification of the Collective Agreement (HUR20001) (City Wide) (Item 14.1)

- (a) That the tentative agreement reached on December 18, 2019 between the City of Hamilton and the Amalgamated Transit Union, Local 107 (ATU) representing 804 employees, be ratified by Council; and,

- (b) That Report HUR20001 respecting the Amalgamated Transit Union, Local 107, Ratification of Collective Agreement remain confidential.

19. Proposed Acquisition of Land - Lloyd Street, Hamilton (PED20017) (Ward 3) (Item 14.2)

That Report PED20017, respecting the Proposed Acquisition of Land - Lloyd Street, Hamilton remain confidential until completion of the real estate transaction, with the exception of Appendices "B" and "C" of Report PED20017, which will remain confidential and not be released as public documents.

20. Downtown Entertainment Precinct Status Update (PED18168(c)) (City Wide) (Item 14.3)

- (a) That Report PED18168(c), respecting the Downtown Entertainment Precinct Status Update, be received; and,
- (b) That Report PED18168(c), respecting the Downtown Entertainment Precinct Status Update, remain confidential.

FOR INFORMATION:

(a) APPROVAL OF AGENDA (Item 2)

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

5. COMMUNICATIONS

5.1 Correspondence respecting Item 3 of the School Board Properties Sub-Committee Report 19-003, as it relates to Report PED19239 - Hamilton-Wentworth District School Board Property at 65 Frances Avenue, Stoney Creek (Ward 10) (Item 10.9)

- (a) Lakewood Beach Community Council
- (b) Sherry Hayes and Dennis Facia
- (c) D. and P. Stanford
- (d) Alexandra Kamphuis
- (e) Debbie Martin

(f) Linda McEneny

(g) Susan Easson

Recommendation: Be received and referred to consideration of Item 10.9.

- 5.2 Suzanne Mammel, CEO - Hamilton-Halton Home Builders' Association, respecting Item 11.2 - GRIDS 2 Transportation and Infrastructure Assessment

Recommendation: Be received and referred to consideration of Item 11.2.

6. DELEGATION REQUESTS

- 6.2 Dave Steeves, Stelco Fishing Club and Area Angling Clubs, respecting a Request for a Free Public Boat Launch at Fisherman's Pier (For a future GIC)
- 6.3 Don McLean, Hamilton 350 Committee, respecting the City's Climate Emergency (For the February 5, 2020 GIC)
- 6.4 Tom Ker, respecting Item 10.13 - Report PED20008, Feasibility of Locating a New Arena on the Hamilton Mountain (For today's meeting.)
- 6.5 Greg Maychak, Cecelia Carter-Smith and Jasper Kujavsky, Hamilton100 Commonwealth Games Bid Corporation, respecting Item 10.7 - Report PED19108(c) - Commonwealth Games 2030 (For today's meeting.)

12. NOTICES OF MOTION

- 12.1 Protection of Solicitor-Client Privilege by Separating Legal Advice from all Confidential Staff Reports and Recommendations
- 12.2 Leaving Children Unattended in a Vehicle
- 12.3 Feasibility of Developing a Hamilton Biodiversity Action Plan

The agenda for the January 15, 2020 General Issues Committee meeting was approved, as amended.

(b) DECLARATIONS OF INTEREST (Item 3)

Councillor J. P. Danko declared an interest to Item 10.9 - School Board Properties Sub-Committee Report 19-003, December 17, 2019, as his wife is the Vice Chair of the Hamilton-Wentworth District School Board.

Councillor L. Ferguson declared a potential interest to Item 14.2 – Report PED20017 – Proposed Acquisition of Land – Lloyd Street, Hamilton, as a member of his extended family owns one of the companies noted in the report.

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

The following minutes of the General Issues Committee meetings were approved, as presented.

- (i) December 4, 2019 (Item 4.1)
- (ii) December 9, 2020 (Item 4.2)

(d) COMMUNICATIONS (Item 5)

(i) Correspondence respecting Item 3 of the School Board Properties Sub-Committee Report 19-003, as it relates to Report PED19239 - Hamilton-Wentworth District School Board Property at 65 Frances Avenue, Stoney Creek (Ward 10) (Item 10.9) (Item 5.1)

The following items of correspondence were received and referred to consideration of Item 10.9 - the School Board Properties Sub-Committee Report 19-003, as it relates to Report PED19239 - Hamilton-Wentworth District School Board Property at 65 Frances Avenue, Stoney Creek:

- (1) Lakewood Beach Community Council
- (2) Sherry Hayes and Dennis Facia
- (3) D. and P. Stanford
- (4) Alexandra Kamphuis
- (5) Debbie Martin

(6) Linda McEneny

(7) Susan Easson

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

(ii) Suzanne Mammel, CEO - Hamilton-Halton Home Builders' Association, respecting Item 11.2 - GRIDS 2 Transportation and Infrastructure Assessment (Item 5.2)

The correspondence from Suzanne Mammel, CEO - Hamilton-Halton Home Builders' Association, respecting Item 11.2 - GRIDS 2 Transportation and Infrastructure Assessment, was received and referred to consideration of Item 11.2.

For disposition of this matter, please refer to Items 16 and 17.

(e) DELEGATION REQUESTS (Item 6)

The following delegation requests were approved, as follows:

- (i) Paven R. Bratch, MetroPartners Inc., respecting an Opportunity for a Downtown Technology Centre (For a future GIC) (Item 6.1)
- (ii) Dave Steeves, Stelco Fishing Club and Area Angling Clubs, respecting a Request for a Free Public Boat Launch at Fisherman's Pier (For a future GIC) (Item 6.2)
- (iii) Don McLean, Hamilton 350 Committee, respecting the City's Climate Emergency (For the February 5, 2020 GIC) (Item 6.3)
- (iv) Tom Ker, respecting Item 10.13 - Report PED20008, Feasibility of Locating a New Arena on the Hamilton Mountain (For the January 15, 2020 GIC) (Item 6.4)
- (v) Greg Maychak, Cecelia Carter-Smith and Jasper Kujavsky, Hamilton100 Commonwealth Games Bid Corporation, respecting Item 10.7 - Report PED19108(c) - Commonwealth Games 2030 (For the January 15, 2020 GIC) (Item 6.5)

(f) PUBLIC HEARINGS / DELEGATIONS (Item 8)

(i) James Chase, Public Consultation Process respecting the Wentworth Lodge Lands (Item 8.1)

James Chase addressed Committee respecting the public consultation process regarding the Wentworth Lodge lands.

The delegation provided by James Chase, regarding the Public Consultation Process respecting the Wentworth Lodge Lands was received.

(ii) Tom Ker, respecting Item 10.13 - Report PED20008, Feasibility of Locating a New Arena on the Hamilton Mountain (Item 8.2)

Tom Ker addressed Committee respecting Item 10.13 - Report PED20008, Feasibility of Locating a New Arena on the Hamilton Mountain.

The delegation provided by Tom Ker, respecting Item 10.13 - Report PED20008, Feasibility of Locating a New Arena on the Hamilton Mountain, was received.

For disposition of this matter, please refer to Item 15.

(iii) Greg Maychak, Cecelia Carter-Smith and Jasper Kujavsky, Hamilton100 Commonwealth Games Bid Corporation, respecting Item 10.7 - Report PED19108(c) - Commonwealth Games 2030 (Item 8.3)

Greg Maychak, Cecelia Carter-Smith and Jasper Kujavsky, Hamilton100 Commonwealth Games Bid Corporation, addressed Committee respecting Item 10.7 - Report PED19108(c) - Commonwealth Games 2030.

The delegation provided by Greg Maychak, Cecelia Carter-Smith and Jasper Kujavsky, Hamilton100 Commonwealth Games Bid Corporation, respecting Item 10.7 - Report PED19108(c) - Commonwealth Games 2030, was received.

For disposition of the above matter, please refer to Item 9.

(g) DISCUSSION ITEMS (Item 10)

The following MOTION was **DEFEATED**:

(i) Feasibility of Locating a New Arena on the Hamilton Mountain (PED20008) (City Wide) (Item 10.13)

That Report PED20008, respecting the Feasibility of Locating a New Arena on the Hamilton Mountain, be DEFERRED until the February 5, 2020 meeting, pending further information.

For disposition of this matter, please refer to Item 15.

(h) MOTIONS (Item 11)

Councillor J. Farr WITHDREW the following Motion:

(i) Options to Reduce Use of Municipal Law Enforcement Vehicles (Item 11.1)

WHEREAS, City Council has unanimously declared a Climate Crisis;

WHEREAS, vehicles are a major contributor to green-house gas emissions;

WHEREAS, there are approximately 35 cars that make up part of the Municipal Law Enforcement Fleet;

WHEREAS, reducing the use of vehicles, particularly lone occupant vehicles, will likely translate to a reduction in operating costs; and,

WHEREAS, cycling, transit and walking are good for the environment and a healthy model option of transportation for City of Hamilton employees;

THEREFORE, BE IT RESOLVED:

That, in an effort to lead by example as the City of Hamilton during this officially declared Climate Crisis, the appropriate staff be requested to report back to Planning Committee and/or the 2020 Operating Budget Process on considerations respecting reducing the amount of vehicle use by MLE staff during day-to-day operations that may include, but not be limited to, cycling, transit, car share and car-pooling.

(i) **NOTICES OF MOTION (Item 12)**

Councillor B. Clark introduced the following Notice of Motion:

(i) **Protection of Solicitor-Client Privilege by Separating Legal Advice from all Confidential Staff Reports and Recommendations (Item 12.1)**

WHEREAS, the Solicitor-Client privilege is a legal concept that enables the client to entrust with their lawyers confidential and private information and enables their lawyer to provide unfettered and confidential advice to their client;

WHEREAS, the Supreme Court of Canada has called Solicitor-Client Privilege, “a principal of fundamental justice and civil right of supreme importance in Canadian law.” (*Lavallee, Rackel & Heintz v. Canada (Attorney General)*; *White, Ottenheimer & Baker v. Canada (Attorney General)*; *R. v. Fink*, [2002] 3 S.C.R. 209, 2002 SCC 61);

WHEREAS, the Solicitor-client privilege is solely the clients’ and as such only the client can voluntarily waive the privilege;

WHEREAS, it has been past practice of Hamilton’s Senior Leadership Team to provide confidential staff reports that are a hybrid of staff information, recommendations and legal advice;

WHEREAS, concerns have been expressed that any public release of such reports could mean a waiver of Solicitor-Client privilege;

THEREFORE, BE IT RESOLVED:

That the City Manager and City Solicitor be directed to implement a policy, by March 31, 2020, requiring the separation of any legal advice from all confidential staff reports, with any such legal advice to be provided as an appendix to be attached to the corresponding confidential staff report.

The following Notice of Motion will be placed in the February 5, 2020 agenda as a Motion:

(ii) **Leaving Children Unattended in a Vehicle (Item 12.2)**

WHEREAS, the Province of Quebec, under section 380 of the *Highway Safety Code* Chapter C-24. 2, prohibits a person from leaving a child under the age of 7 unattended in a vehicle;

WHEREAS, section 218 of the *Criminal Code* and Section 136 of the *Child, Youth and Family Services Act*, S.O. 2017, c. 14. Sched.1 prohibits abandoning a child, there is no explicit provision in Ontario to prohibit a person from leaving a child unattended in a vehicle;

WHEREAS, the Province of Ontario under the *Highway Traffic Act*, RSO 1990, c. H. 8, does not have adequate language that prohibits a person from leaving a child unattended in a vehicle;

WHEREAS, the Province of Quebec is the only province with an age limit for leaving children unattended in a vehicle; and,

WHEREAS, there have been concerns of the health and safety of children being left unattended in vehicles in the City of Hamilton.

THEREFORE, BE IT RESOLVED:

- (a) That the Mayor correspond with the Premier of Ontario, the Minister of Transportation and local Members of Provincial Parliament to request that the Province consider adopting similar provisions to Quebec, specially that a person is prohibited from leaving a child under the age of 7 unattended in a vehicle; and,
- (b) That a copy of the correspondence be forwarded to other Ontario municipalities and the Association of Municipalities of Ontario requesting their endorsement.

Councillor B. Clark introduced the following Notice of Motion:

(iii) Feasibility of Developing a Hamilton Biodiversity Action Plan (Item 12.3)

WHEREAS, the scientific consensus is that habitat loss and climate change together have triggered mass extinction of life on earth and that 60% of all wildlife worldwide has been lost since 1970;

WHEREAS, increasing and/or enhancing biodiversity within ecosystems benefits all species, including humans, and provides ecological services such as pollination services, climate resiliency and stability, as well as providing beautiful green spaces that support the wellbeing and mental health of individuals and communities;

WHEREAS, enhancing biodiversity is a “nature-based solution” to climate impacts, such as managing flooding by storing water, significantly reducing air pollution by sequestering carbon, filtering out harmful particulates, and

cooling, thereby reducing the harmful effects of heatwaves and increasing the quality and resilience of infrastructure at lower costs and reduced risk;

WHEREAS, cities have a critical role to play in the biodiversity crisis and the climate change crisis and a Biodiversity Action Plan for Hamilton will help the City of Hamilton and conservation partners to protect and restore Hamilton's biodiversity;

WHEREAS, Hamilton is addressing the climate crisis with the Climate Change Task Force and a Biodiversity Action Plan can help to mitigate the climate crisis with nature-based solutions to help address serious issues like storm water management and temperature amelioration and reduction of urban heat island. The Biodiversity Action Plan will complement the Climate Change Task Force workplan;

WHEREAS, the development of the Biodiversity Action Plan will foster environmental awareness and sustainability and increase interactions and engagement among community stewards;

WHEREAS, the Biodiversity Action Plan allows the City of Hamilton to highlight and align initiatives already in place and further engage local communities in an environment of creativity and innovation which will promote a healthier life for our community; and,

WHEREAS, many other municipalities have developed Biodiversity Strategies that can be used as resources for Hamilton (ex. Toronto, Calgary, Edmonton, Vancouver);

THEREFORE, BE IT RESOLVED:

That the appropriate staff be directed to investigate the feasibility and resources required to develop a Biodiversity Action Plan for Hamilton in collaboration with the conservation and report back to the General Issues Committee.

(i) PRIVATE & CONFIDENTIAL (Item 14)

Committee moved into Closed Session respecting Items 14.1 to 14.4, pursuant to Section 8.1, Sub-sections (c), (d) and (k) of the City's Procedural By-law 18-270; and, Section 239(2), Sub-sections (c), (d), 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 by the municipality or local board; labour relations or employee negotiations; 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. 2001, c. 25, s. 239 (2); 2017, c. 10, Sched. 1, s. 26.

(j) ADJOURNMENT (Item 15)

There being no further business, the General Issues Committee adjourned at 5:03 p.m.

Respectfully submitted,

Deputy Mayor, B. Clark
Chair, General Issues Committee

Stephanie Paparella
Legislative Coordinator,
Office of the City Clerk

**OTTAWA STREET
BUSINESS IMPROVEMENT AREA (BIA)
PROPOSED 2020 OPERATING BUDGET**

Revenue	
BIA Levy	\$133,000
Total Revenues	\$133,000
Expenses	
Insurance	\$3,500
Office Facilities	\$27,500
Contract Employee(s)	\$42,000
Administration	\$4,000
Beautification	\$16,500
Marketing/Advertising	\$23,500
Events/Operational	\$15,000
BIA Contingency	\$0
Office Improvements	\$1,000
Total Expenses	\$133,000

**WESTDALE VILLAGE
BUSINESS IMPROVEMENT AREA (BIA)
PROPOSED 2020 OPERATING BUDGET**

Revenue	
BIA Levy	\$125,000
Total Revenues	\$125,000
Expenses	
Staffing	\$33,000
Special Events	\$34,000
Marketing	\$33,000
Office Expenses	\$1,000
Beautification	\$18,000
Casual Labour	\$2,000
Contingency	\$4,000
Total Expenses	\$125,000

**WATERDOWN VILLAGE
BUSINESS IMPROVEMENT AREA (BIA)
PROPOSED 2020 OPERATING BUDGET**

Revenue	
BIA Levy	\$250,000
Vendor Fees	\$22,000
Grants	\$6,500
Transfer from Surplus	\$46,015
Other (ticket sales, fees, City contributions)	\$500
Marketing Reserve Contribution	\$10,000
Total Revenues	\$335,015
Expenses	
Admin & Operations	\$142,480
Beautification	\$99,035
Farmers' Market	\$28,500
Events & Promotions	\$26,800
Marketing & Advertising	\$30,700
Member Engagement	\$4,000
Non-Refundable 22% of PST	\$3,500
Total Expenses	\$335,015

**STONEY CREEK
BUSINESS IMPROVEMENT AREA (BIA)
PROPOSED 2020 OPERATING BUDGET**

Revenue	
BIA Levy	\$49,000
Opening Bank Balance	\$8,588
HST Refund	\$5,200
Sponsorship/Grants	\$3,000
City Enrichment Fund	\$3,000
Operating Grant	\$7,000
Christmas Grant	\$1,000
Vendor Revenues	\$7,000
Associate Memberships	\$500
Total Revenues	\$84,288
Expenses	
<i>Streetscape</i>	
Banner Installation	\$3,750
Planters	\$1,500
Christmas Wreath Installation	\$4,500
<i>Promotion</i>	
Web Page Hosting	\$500
Santa Claus Parade	\$500
<i>Administration</i>	
Executive Director	\$23,300
Student	\$3,000
Meeting Expenses	\$400
Office Supplies	\$350
Liability Insurance	\$2,000
OBIAA Membership	\$250
Bank Charges	\$60
Audit Fees	\$475
<i>Events</i>	
Strawberry/Folkfest	\$9,000
Pumpkin Fest	\$9,000
Stoney Creek Sparkles	\$3,000
Jazz in the Creek	\$5,000
Market	\$3,000
Kringle in the Creek	\$3,000
<i>Reserve Fund</i>	\$11,703
Total Expenses	\$84,288

