

INFORMATION REPORT

TO:	Chair and Members Planning Committee
COMMITTEE DATE:	September 18, 2018
SUBJECT/REPORT NO:	Macassa Bay Year-Round Liveaboard Association 2018/2019 Transition Plan (PED18222) (Ward 2) (Outstanding Business List Item)
WARD(S) AFFECTED:	Ward 2
PREPARED BY:	Chris Phillips 905-546-2424 Ext. 5304
SUBMITTED BY:	Jason Thorne General Manager Planning and Economic Development Department
SIGNATURE:	

Council Direction:

On July 13, 2018, Council approved Planning Committee Report 18-011 including the following direction:

- (a) Planning staff was directed to meet with the delegation from the Macassa Bay Year-Round Liveaboard Association and their representatives to discuss an accommodation plan for the 2018/2019 winter season within the parameters of the existing zoning and other City by-laws;
- (b) Staff is to report back at the August 14, 2018 meeting with an outline of the existing rules regarding the proposal for live-aboard boat residency; and
- (c) Staff is to provide an update to the Planning Committee in September 2018 regarding the result of the negotiations with the representatives of the Macassa Bay Year-Round Liveaboard Association.

On August 14, 2018, Planning Committee received Report LS18048 respecting item (b). This Report is with regards to items (a) and (c).

Information:

Based on Council direction, City staff has been involved in a consistent dialogue with the members representing the Macassa Bay Year-Round Liveaboard Association (Association). The following is a status update of the City's efforts with respect to Council direction as well as the transition of the former MacDonald Marine facility:

- MacDonald Marine's Lease was not renewed or extended and, therefore, was complete as of May 31, 2018;
- On June 1, 2018, a "Permission to Enter" Agreement was entered into with McDonald Marine for the sole purpose of winding down the business, removing boats, equipment and site improvement, as per the terms of the original lease. The Agreement explicitly stated that this was a "non-operational" period that expired on August 31, 2018;
- Similarly, "Mooring Agreements" were drafted by the City of Hamilton and presented to individual boat owners with a term beginning on June 1, 2018, which allowed existing boaters to continue utilizing the facilities. To be clear, the City of Hamilton has full control over the property and management of the facility and MacDonald Marine's permissions ceased as of August 31, 2018;
- City staff has given representatives of the Association an assurance that a plan can and will be implemented to accommodate their members during the 2018/2019 winter season, consistent with past practices;
- Through on-going dialogue with the Association, City staff is in the process of finalizing the specifics of the plan. Logistically, this plan will also implement any health, safety and maintenance measures deemed necessary. Staff will report back for information purposes as the details become apparent;
- Staff has communicated to Association representatives that the out-of-season boat mooring (winter season) will no longer be accommodated beyond the 2018/2019 winter season. This is consistent with Report LS18048 received by Council on August 17, 2018. Staff has also informed the representatives of the Association that their members will be required to find alternative and permanent accommodation for their boats elsewhere, as of May 31, 2019. Staff also advised Association members that the City will continue to work with members individually or as a group, in order to assist in this transition. Staff will report back for information purposes as the need arises; and
- Representatives of the Association continue to request that the City create a committee to develop a "Year Round Liveaboard Residency Policy" that would

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develop and propose a system whereby Liveaboards could purchase permits authorizing year-round residency on their boats. City staff understands the Association will bring this request back to Committee in the future.