

CITY OF HAMILTON

MOTION

Council: February 23, 2022

MOVED BY COUNCILLOR J. FARR.....

SECONDED BY COUNCILLOR

Amendment to Item 37 of the General Issues Committee Report 20-023, respecting Report PED20209 - Acquisition of 154-156 Cannon Street East (Ward 2), which was approved by Council on December 16, 2020

- (a) That sub-section (j) to Item 37 of the General Issues Committee Report 20-023, respecting Report PED20209 - Acquisition of 154-156 Cannon Street East, which was approved by Council on December 16, 2020, **be amended**, by adding the words ***“and its Appendices “A” and “B”***, to read as follows:
 - (j) That Report PED20209, respecting the Acquisition of 154-156 Cannon Street East, ***and its Appendices “A” and “B”***, remain confidential and not be released as a public document, until final completion of the real estate transactions.
- (b) That Item 37 of the General Issues Committee Report 20-023, respecting Report PED20209 - Acquisition of 154-156 Cannon Street East, which was approved by Council on December 16, 2020, **be amended**, by adding a new sub-section (k), to read as follows:
 - (k) ***That Appendices “C” and “D” to Report PED20209 - Acquisition of 154-156 Cannon Street East”, remain confidential and not be released as public documents.***

Main Motion, As Amended, reads as follows:

37. Acquisition of 154-156 Cannon Street East (PED20209) (Ward 2) (Item 13.5)

- (a) That an Option to Purchase, scheduled to close on April 21, 2021, for the acquisition of land described as 154-156 Cannon Street East, Hamilton, as shown in Appendix “A” attached to Report PED20209, based substantially on the Terms and Conditions, attached as Appendix “B” to Report PED20209, and such other terms and conditions deemed appropriate by the General Manager of the Planning and Economic Development Department, be approved;

- (b) That all costs related to the acquisition of 154-156 Cannon Street East be charged to reserve 104090 – Parkland Dedication, as outlined in Appendix “B” attached to Report PED20209;
- (c) That the sum of \$113,075 be funded from reserve 104090 – Parkland Dedication and be credited to Dept. ID No. 812036 (Real Estate – Admin Recovery) for recovery of expenses including real estate and legal administration fees and costs associated with the acquisition and leasing of 154-156 Cannon Street East;
- (d) That a lease to the current operating company, Car Star, scheduled to commence on April 21, 2021, for a portion of the property (buildings and a portion of the parking area), as shown in Appendix “A” attached to Report PED20209, based substantially on the Terms and Conditions attached as Appendix “C” to Report PED20209, and such other terms and conditions deemed appropriate by the General Manager of the Planning and Economic Development Department, be approved;
- (e) That a lease to the current sub-tenant, City Max Motors, scheduled to commence on April 21, 2021, for a portion of the property (remainder of the parking area), as shown in Appendix “A” attached to Report PED20209, based substantially on the Terms and Conditions attached as Appendix “D” to Report PED20209, and such other terms and conditions deemed appropriate by the General Manager of the Planning and Economic Development Department, be approved;
- (f) That all net proceeds related to the leases outlined in Appendices “C” and “D” attached to Report PED20209 be credited to reserve 104090 – Parkland Dedication;
- (g) The General Manager of Planning and Economic Development Department, or designate, acting on behalf of the City as lessor, be authorized to provide any consents, approvals, and notices related to the subject Lease Agreement herein outlined;
- (h) That the City Solicitor be authorized and directed to complete the acquisition and lease transactions related to 154-156 Cannon Street East on behalf of the City, including completing and/or amending the leases, 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;
- (i) That the Mayor and Clerk be authorized and directed to execute the necessary documents required to complete the acquisition and lease transactions related to 154-156 Cannon Street East, Hamilton, as shown in Appendix “A” attached to Report PED20209, in a form satisfactory to the City Solicitor; and,
- (j) That Report PED20209, respecting the Acquisition of 154-156 Cannon Street East, **and its Appendices “A” and “B”**, remain confidential and not be released as a public document, until final completion of the real estate transactions.

(k) That Appendices "C" and "D" to Report PED20209 - Acquisition of 154-156 Cannon Street East", remain confidential and not be released as public documents.