

CITY OF HAMILTON

NOTICE OF MOTION

Council: August 12, 2022

MOVED BY COUNCILLOR R. POWERS.....

Potential Development and Expansion at John C. Munro Hamilton International Airport (CYHM, YHM) (PED22180) (Ward 11) (Item 10.1)

WHEREAS, the motion respecting the Potential Development and Expansion at John C. Munro Hamilton International Airport (CYHM, YHM) (PED22180) (Ward 11) (Item 10.1), approved by the Airport Sub-Committee at their meeting of July 27, 2022, is considered time sensitive;

THEREFORE, BE IT RESOLVED:

Potential Development and Expansion at John C. Munro Hamilton International Airport (CYHM, YHM) (PED22180) (Ward 11) (Item 10.1)

- (a) That staff be directed to author and provide letters of acknowledgment, as may be requested, from the City of Hamilton, as Head Landlord, towards any considered Sublease Agreement to be entered into by Hamilton International Airport Limited (Landlord), as a wholly owned subsidiary of TradePort International Corporation established to enter into such agreements, and a proposed tenant, respecting any contemplated construction and/or expansion to facilities located on John C. Munro Hamilton International Airport lands as leased by the City of Hamilton to TradePort International Corporation, as deemed appropriate and signed by the General Manager of Planning and Economic Development Department or designate;
- (b) That staff be directed to negotiate and enter into any requisite Non-Disturbance Agreement between the City of Hamilton, Hamilton International Airport Limited and any proposed tenant towards facilitating the construction and/or expansion of any new and existing facility located on John C. Munro Hamilton International Airport lands, based substantially on such contemplated Sublease to be entered into between Hamilton International Airport Limited, as a wholly owned subsidiary of TradePort International Corporation established to enter into such agreements, and a potential tenant, and on such terms and conditions deemed appropriate by the General Manager of Planning and Economic Development Department;
- (c) That staff be directed to recover all costs related to any requested Non-Disturbance Agreement, including real estate and legal costs of \$2,500 plus applicable HST from Hamilton International Airport Limited and credited to Dept. ID Account No. 45408-812036 (Real Estate – Admin Recovery);

- (d) That the City Solicitor be authorized and directed to complete any requisite agreements including Non-Disturbance Agreements arising from a provided letter of acknowledgement that may be issued by the City of Hamilton towards any considered Sublease Agreement between Hamilton International Airport Limited and proposed tenant, on behalf of the City of Hamilton in order to facilitate the construction and/or expansion of any new or existing facility located on the John C. Munro International Airport lands, including paying any necessary expenses, amending the dates, due diligence and amending and waiving such other terms and conditions as deemed reasonable; and,
- (e) That the General Manager, Planning and Economic Development be authorized and directed to execute any requisite Non-Disturbance Agreement and all associated and necessary documents respecting a contemplated Sublease between Hamilton International Airport Limited and proposed tenancy, and all such documents to be in a form satisfactory to the City Solicitor.