



GENERAL ISSUES COMMITTEE REPORT 21-008

9:30 a.m.

Wednesday, April 7, 2021

Due to COVID-19 and the closure of City Hall, this meeting was held virtually.

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

Absent: Councillor T. Whitehead – Leave of Absence

THE GENERAL ISSUES COMMITTEE PRESENTS REPORT 21-008, AND RESPECTFULLY RECOMMENDS:

1. **Feasibility Report for a Biodiversity Action Plan (PED21065) (City Wide) (Item 8.2)**
 - (a) That staff from the Planning and Economic Development Department and Public Works Department, be directed to partner with local conservation community organizations (lead group) to undertake a Biodiversity Action Plan;
 - (b) That the following one-time financial contribution, be approved:
 - (i) \$20,000 from the Planning and Economic Development Department / Planning Division, budget (2021 Data Management for Natural Areas account (812020-54378)), and;
 - (ii) \$20,000 from the Public Works Department / Hamilton Water Division account 510360-55916;
 - (c) That, prior to allocating the funds to the lead environmental organization, staff be authorized and directed to prepare an agreement between the City and the lead environmental organization, that will be responsible for hiring the Biodiversity Action Plan Coordinator to provide for the

clarification of roles and responsibilities and the regular accounting for municipal funds;

- (d) That staff be directed to report back to the General Issues Committee to present the draft Agreement between the City and the lead environmental organization respecting the Biodiversity Action Plan;
- (e) That the City provide in-kind resources in the form of staff time, previously collected data, mapping, graphic design, online public engagement tools, and printing to the partner environmental organizations to assist with the Biodiversity Action Plan;
- (f) That Planning Division staff be authorized and directed to provide any required letters of support for provincial or federal funding grant applications submitted by one or more of the partner environmental organizations to participate in the development of the Biodiversity Action Plan;
- (g) That staff be directed to report back to the General Issues Committee in six months to provide an update regarding the progress of the Biodiversity Action Plan; and,
- (h) That the matter respecting the Feasibility of Developing a Hamilton Biodiversity Action Plan, be considered complete and removed from the General Issues Committee's Outstanding Business List.

2. Evaluation of Hamilton Becoming a Charter City (Item 9.1)

That the matter respecting Hamilton becoming a Charter City be referred to the Governance Review Sub-Committee for evaluation and discussion.

3. *Building Transit Faster Act, 2020 (LS21013/PED21091) (City Wide) (Item 10.2)*

- (a) That the City's response to the *Building Transit Faster Act*, be delayed until such time as the City has heard from the delegation by Metrolinx and the Ministry of Transportation with respect to the *Building Transit Faster Act*; and,
- (b) That the Province be requested to extend the April 23, 2021 deadline for comments respecting the *Building Transit Faster Act* to provide the requested delegation of Metrolinx and the Ministry of Transportation time to attend an upcoming General Issues Committee meeting.

4. Water Well Testing of Properties Surrounding the Waterdown Gardens Property (Item 11.1)

WHEREAS, it has been reported that Waterdown Garden Supplies Ltd.'s property, located at 1771 Highway 5 West in the city of Hamilton, has received a significant amount of soil and fill material from various and unknown sources;

WHEREAS, property owners surrounding the Waterdown Gardens property have expressed concerns about the potential adverse effects this soil may have on their individual water wells; and,

WHEREAS, the City seeks to assist the surrounding property owners in determining whether their water wells have been adversely effected by the presence of this imported soil and fill at Waterdown Gardens;

THEREFORE, BE IT RESOLVED;

- (a) That staff be directed to retain the services of a consulting engineering firm to undertake the design and implementation of a sampling and testing program to determine if any contaminants are present in the water wells of properties surrounding the Waterdown Gardens property, located at 1771 Highway 5 West in the city of Hamilton, to be funded from the Tax Stabilization Reserve at a cost not exceed \$100,000; and,
- (b) That staff be directed to report back to the General Issues Committee with the results of this sampling and testing program, of the properties surrounding the Waterdown Gardens property, located at 1771 Highway 5 West in the city of Hamilton, and to advise of any appropriate actions that may result.

5. Donation of Land to the City of Hamilton, Located in Ward 5 (PED21050) (Ward 5) (Item 14.3)

(Pearson/Wilson)

- (a) That the direction provided to staff in Closed Session, respecting Report PED21050 - Donation of Land to the City of Hamilton, Located in Ward 5, be approved;
- (b) That the Public Works Department, Environmental Services Division operating budget be increased by \$9 K per annum in Parks Dept. ID No. 444017 and Dept. ID No. 444204 for maintenance costs associated with inspections, forest management and/or illegal dumping at the lands respecting the Donation of Land to the City of Hamilton, located in Ward 5;

- (c) That the sum of \$1,500 be funded from Capital Project Account No. 3561850200 and credited to Dept. ID Account No. 59806-812036 (Property Purchases and Sales) for recovery of real estate and legal expenses, be approved;
- (d) That the City Solicitor be authorized and directed to take all necessary steps, and execute all necessary documents to accept the donation and complete the transaction, respecting the Donation of Land to the City of Hamilton, located in Ward 5, 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 deemed reasonable;
- (e) That the Mayor and City Clerk be authorized and directed to execute all necessary documents, respecting the Donation of Land to the City of Hamilton, located in Ward 5, in a form satisfactory to the City Solicitor;
- (f) That Report PED21050, respecting the Donation of Land to the City of Hamilton, located in Ward 5, remain confidential until completion of the real estate transaction.

6. Public Works Department Divisional Realignment (PW21017) (City Wide) (Item 14.4)

- (a) That the direction provided to staff in Closed Session, respecting Report PW21017 – Public Works Department Divisional Realignment, be approved; and,
- (b) That Report PW21017, respecting Public Works Department Divisional Realignment, remain confidential until approved by Council.

7. Update on Contract Discussions for Major Event in 2021 (PED18234((b)) (City Wide) (Item 14.5)

- (a) That the direction provided to staff in Closed Session, respecting Report PED18234(b) - Update on Contract Discussions for Major Event in 2021, be approved; and,
- (b) That Report PED18234(b), respecting an Update on Contract Discussions for Major Event in 2021, remain confidential.

FOR INFORMATION:

(a) APPROVAL OF AGENDA (Item 2)

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

6. DELEGATION REQUESTS

- 6.1 Beatrice Ekoko, Environment Hamilton, respecting Item 8.2 - Feasibility Report for a Biodiversity Action Plan (PED20165) (Video Submission)

14. PRIVATE & CONFIDENTIAL

- 14.5. Update on Contract Discussions for Major Event in 2021 (PED18234((b)) (City Wide)

Pursuant to Section 9.1, Sub-section (k) of the City's Procedural By-law 21-021 and Section 239(2), Sub-section (k) of the *Ontario Municipal Act, 2001*, as amended, as the subject matter pertains to 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.

The agenda for the April 7, 2021 General Issues Committee meeting was approved, as amended.

(b) DECLARATIONS OF INTEREST (Item 3)

There were no declarations of interest.

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

- (i) March 17, 2021; March 24, 2021; and, March 29, 2021 (Items 4.1, 4.2 and 4.3)**

The Minutes of the March 17, 2021; March 24, 2021; and, March 29, 2021 General Issues Committee meetings were approved, as presented.

(d) COMMUNICATIONS (Item 5)

(i) Correspondence respecting Item 8.2 - Feasibility Report for a Biodiversity Action Plan (PED20165) (City Wide) (Item 5.1)

Communication Items 5.1(a) and 5.1(b), regarding Report PED20165, respecting the Feasibility Report for a Biodiversity Action Plan, as listed below, were received and referred to consideration of Item 8.2:

- (i) Susan Wortman (Item 5.1.a.)
- (ii) Susan MacMillan, Flamborough Horticultural Society (Item 5.1.b.)

(e) PUBLIC HEARINGS / DELEGATION REQUESTS (Item 6)

(i) Beatrice Ekoko, Environment Hamilton, respecting Item 8.2 - Feasibility Report for a Biodiversity Action Plan (PED20165) (Video Submission) (Item 6.1)

The delegation request, submitted by Beatrice Ekoko, Environment Hamilton, respecting Item 8.2 - Feasibility Report for a Biodiversity Action Plan (PED20165) (Video Submission), was approved for the April 7, 2021 General Issues Committee meeting.

(f) CONSENT ITEMS (Item 7)

(i) Arts Advisory Commission Minutes, January 26, 2021 (Item 7.1)

The Arts Advisory Commission Minutes, January 26, 2021, were received.

(ii) Business Improvement Area (BIA) Advisory Committee Minutes, February 9, 2021 (Item 7.2)

The Business Improvement Area (BIA) Advisory Committee Minutes, February 9, 2021, were received.

(g) STAFF PRESENTATIONS (Item 8)

(i) COVID-19 Verbal Update (Item 8.1)

Paul Johnson, General Manager of the Healthy & Safe Communities Department; and, Dr. Elizabeth Richardson, Medical Officer of Health, provided the update regarding COVID-19.

The verbal update regarding COVID-19 was received.

The General Issues Committee recessed for one half hour until 12:15 p.m.

(ii) Feasibility Report for a Biodiversity Action Plan (PED21065) (City Wide) (Item 8.2)

The presentation, respecting Report PED21065 - Feasibility Report for a Biodiversity Action Plan, was received.

For disposition of this matter, please see Item 1.

Consideration of Report PED21065 respecting the Feasibility Report for a Biodiversity Action Plan, was DEFERRED until after the delegates, listed as Item 9.1 to 9.4, had been heard.

For disposition of this matter, please see Item 1.

(h) PUBLIC HEARINGS / DELEGATIONS (Item 9)

(i) Douglas Earl, Charter City Toronto, respecting Charter City Toronto's Objective (Item 9.1)

Douglas Earl, Charter City Toronto, provided a presentation respecting Charter City Toronto's Objective.

The presentation provided by Douglas Earl, Charter City Toronto, respecting Charter City Toronto's Objective, was received.

For disposition of this matter, please see Item 2.

(ii) Barry Coombs, of Nature Canada's Bird Friendly City Hamilton-Burlington Team, to Certify Hamilton as a Bird Friendly City and in Support of the City's Biodiversity Action Plan (Item 9.2)

Barry Coombs, of Nature Canada's Bird Friendly City Hamilton-Burlington Team, spoke to Committee to certify Hamilton as a Bird Friendly City and in support of the City's Biodiversity Action Plan.

The presentation provided by Barry Coombs, of Nature Canada's Bird Friendly City Hamilton-Burlington Team, to Certify Hamilton as a Bird Friendly City and in Support of the City's Biodiversity Action Plan, was received.

For disposition of this matter, please see Item 1.

(iii) Jen Baker, Hamilton Naturalists Club, respecting the City's Biodiversity Plan (Item 9.3)

Jen Baker, Hamilton Naturalists Club, provided a PowerPoint presentation respecting the City's Biodiversity Plan.

The presentation provided by Jen Baker, Hamilton Naturalists Club, respecting the City's Biodiversity Plan, was received.

For disposition of this matter, please see Item 1.

(iv) Beatrice Ekoko, Environment Hamilton, respecting Item 8.2 on today's agenda – Report PED21065, Feasibility Report for a Biodiversity Action Plan (Item 9.4)

The video presentation provided by Beatrice Ekoko, Environment Hamilton, respecting Report PED21065, Feasibility Report for a Biodiversity Action Plan, was received.

For disposition of this matter, please see Item 1.

(i) DISCUSSION ITEMS (Item 10)

(i) COVID-19 Virtual Memorial Wall (CM21004) (City Wide) (Item 10.1)

Report CM21004, respecting the COVID-19 Memorial Wall, was referred back to staff to review the proposals and try to ensure that the privacy

issues have been addressed, and report back to the General Issues Committee.

(j) NOTICES OF MOTION (Item 12)

Councillor L. Ferguson introduced a Notice of Motion respecting Water Well Testing of Properties Surrounding the Waterdown Gardens Property.

(i) Water Well Testing of Properties Surrounding the Waterdown Gardens Property (Item 12.1)

The Rules of Order be waived to allow for the introduction of a Motion respecting Water Well Testing of Properties Surrounding the Waterdown Gardens Property.

For disposition of this matter, please see Item 4.

(k) PRIVATE & CONFIDENTIAL (Item 14)

(i) Closed Session Minutes – March 17, 2021 and March 24, 2021 (Items 14.1 and 14.2)

- (a) That the Closed Session Minutes of the March 17, 2021 and March 24, 2021 General Issues Committee meetings, be approved, as presented; and,
- (b) That the Closed Session Minutes of the March 17, 2021 and March 24, 2021 General Issues Committee meetings remain confidential.

Committee moved into Closed Session respecting Items 14.3 to 14.5, pursuant to Section 9.1, Sub-sections (c), (d), (g) and (k) of the City's Procedural By-law 21-021 and Section 239(2), Sub-sections (c), (d), (g) 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; a matter in respect of which a council, board, committee or other body may hold a closed meeting under another Act; 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.

(I) ADJOURNMENT (Item 14)

There being no further business, the General Issues Committee adjourned at 4:49 p.m.

Respectfully submitted,

Esther Pauls, Deputy Mayor
Chair, General Issues Committee

Stephanie Paparella
Legislative Coordinator,
Office of the City Clerk