



GENERAL ISSUES COMMITTEE REPORT 22-009

9:30 a.m.

Wednesday, May 4, 2022

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

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

Absent: Councillor J. Farr, B. Johnson, T. Whitehead – Personal

THE GENERAL ISSUES COMMITTEE PRESENTS REPORT 22-009, AND RESPECTFULLY RECOMMENDS:

**1. Court Security and Prisoner Transportation Program Agreement for 2022
(FCS22030) (City Wide) (Item 7.1)**

That Report FCS22030, respecting the Court Security and Prisoner Transportation Program Agreement for 2022, be received.

**2. Clerk's Report 22-001 for the Cleanliness and Security in the Downtown
Core Task Force, April 11, 2022 (Item 7.2)**

That the Clerk's Report 22-001 for the Cleanliness and Security in the Downtown Core Task Force, April 11, 2022, be received.

**3. Business Improvement Area Advisory Committee Minutes, 22-003, March
22, 2022 (Item 7.3)**

That the Business Improvement Area Advisory Committee Minutes, 22-003, March 22, 2022, be received.

4. 2022 Tax Policies and Area Rating (FCS22031) (City Wide) (Item 10.1)

(a) That the following optional property classes be continued for the 2022 taxation year:

- (i) Parking Lot and Vacant Land;
- (ii) Large Industrial;

(b) That, based on the 2022 final approved Tax Operating Budget, the following final tax ratios be established for the 2022 taxation year:

(i)	Residential	1.0000
(ii)	Multi-Residential	2.3594
(iii)	New Multi-Residential	1.0000
(iv)	Commercial	1.9800
(v)	Parking Lot and Vacant Land	1.9800
(vi)	Industrial	3.1985
(vii)	Large Industrial	3.7506
(viii)	Pipeline	1.7947
(ix)	Farm	0.1767
(x)	Managed Forest	0.2500
(xi)	Landfills	2.9696

(c) That the following tax reductions be established for the 2022 taxation year:

(i)	Farmland awaiting development (1st Subclass)	25%
(ii)	Farmland awaiting development (2nd Subclass)	0%
(iii)	Excess land Subclass (Residual Commercial)	0%
(iv)	Excess land Subclass (Residual Industrial)	0%
(v)	Vacant land Subclass (Residual Industrial)	0%
(vi)	Excess land Subclass (Large Industrial)	0%

(d) That the Deferral of Tax Increases for Seniors and Low Income Persons with Disabilities Program (Deferral of Tax Increases Program) be continued for the 2022 taxation year;

(e) That the Full Tax Deferral Program for Seniors and Low Income Persons with Disabilities Program (Full Tax Deferral Program) be continued for the 2022 taxation year;

- (f) That the Seniors' (65+) Tax Rebate Program be continued for the 2022 taxation year;
- (g) That the 40% Tax Rebate for eligible charities and similar organizations be continued for the 2022 taxation year;
- (h) That the 2022 Area Rated Levies, as identified in Appendix "A" attached to Report FCS22031, be approved; and,
- (i) That the City Solicitor be authorized and directed to prepare all necessary by-laws, for Council approval, for the purposes of establishing the tax policies and tax rates for the 2022 taxation year.

**5. Environmental Remediation and Site Enhancement (ERASE)
Redevelopment Grant Application, 870 Queenston Road, Stoney Creek
ERG-21-04 (PED22077) (Ward 5) (Item 10.2)**

- (a) That Environmental Remediation and Site Enhancement (ERASE) Redevelopment Grant Application ERG-21-04, submitted by Queenston Road Holdings Inc. (New Horizon Development Group), owner of the property at 870 Queenston Road, Stoney Creek, for an ERASE Redevelopment Grant not to exceed \$3,841,980, toward estimated eligible remediation costs provided over a maximum of ten years, be authorized and approved in accordance with the terms and conditions of the ERASE Redevelopment Agreement;
- (b) That the General Manager of Planning and Economic Development Department be authorized and directed to execute the Environmental Remediation and Site Enhancement (ERASE) Redevelopment Agreement together with any ancillary documentation required, to give effect to the ERASE Redevelopment Grant for Queenston Road Holdings Inc. (New Horizon Development Group), owner of the property at 870 Queenston Road, Stoney Creek, in a form satisfactory to the City Solicitor; and,
- (c) That the General Manager of the Planning and Economic Development Department be authorized and directed to administer the Grant and Grant Agreement including, but not limited to: deciding on actions to take in respect of events of default and executing any Grant Amending Agreements, together with any ancillary amending documentation, if required, provided that the terms and conditions of the Environmental Remediation and Site Enhancement (ERASE) Redevelopment Grant, as approved by City Council, are maintained.

**6. Open Streets Temporary Linear Urban Park (PED22075) (City Wide)
(Item 10.3)**

- (a) That staff be directed to develop a “Gage to Gore” Open Streets Temporary Linear Urban Park Program along King Street East that can be implemented as a single day trial or trials in 2022 on Sundays, with replication on subsequent weekends throughout 2023 and 2024;
- (b) That staff be directed to engage key stakeholders including Hamilton Police Services (HPS), adjacent Business Improvement Areas (BIAs), and local community groups to help operationalize the temporary linear park concept and to maximize its value from a community, business and tourism perspective;
- (c) That staff be authorized to allocate \$60 K from the Economic Development Initiatives Capital Account (3621708900) to fund the temporary street closure and programming of the temporary urban park major event nodes;
- (d) That staff be directed to formalize a partnership with a local not-for-profit or community partner, to establish a civic incubator that would undertake the coordination of an Open Streets Program and related programming to a maximum upset limit of \$25 K from the Sustainable Mobility Project ID of 4032155820 and connect this Program to other available grant programs in the City to help scale up worthwhile community activations;
- (e) That staff collect and utilize data from the 2022 open streets event to develop a comprehensive plan for a succession of open streets events in future years and that the funding requirements for these subsequent events be considered as part of the 2023 Budget Process;
- (f) That the matter respecting Options on How the City May Pedestrianize a Street or Collection of Streets be identified as complete and removed from the General Issues Committee Outstanding Business List; and,
- (g) That, prior to the implementation of any Open Streets Temporary Linear Urban Park, staff be directed to provide an opportunity for direct resident engagement to include, but not be limited to, the use of Engage Hamilton to invite residents along the King Street stretch to comment on this matter.

7. GRIDS 2 and Municipal Comprehensive Review – Follow-up Regarding Deferred Employment Land Conversion Requests (PED17010(r)) (City Wide) (Item 10.4(a))

- (a) That the Municipal Comprehensive Review (MCR) Official Plan Amendment (UHOP Conformity Amendment), which is being brought forward to the Planning Committee on May 17, 2022, include the following amendment to implement the recommendations of the City’s Employment Land Review:
 - (i) Revisions to the existing Area Specific Policy – A in the West Hamilton Innovation District Secondary Plan for McMaster Innovation Park, as outlined in Appendix “A” to Report 22-009; and,
 - (b) That the matter regarding the employment land conversion request for the lands located at 1400 South Service Road be deferred until a later phase of the City’s current Municipal Comprehensive Review, based in the review and assessment of land use options for the south-east quadrant of the Queen Elizabeth Way (QEW) and Fifty Road area.

8. Facility Naming Sub-Committee Report 22-001, April 25, 2022 (Item 10.5)

(a) Renaming of the MacNab Transit Terminal to The Frank A. Cooke Transit Terminal (PW22022) (City Wide) (Item 10.1)

That the MacNab Transit Terminal, located at 1 MacNab Street South, Hamilton, be renamed The Frank A. Cooke Transit Terminal, in accordance with the City of Hamilton Municipal Property and Naming Policy.

9. Advisory Committee for Persons with Disabilities Report 22-004, April 12, 2022 (Item 10.6)

(a) Resignation of Paula Kilburn from Working Groups of the Advisory Committee for Persons with Disabilities (Item 11.1)

That the resignation of Paula Kilburn from the Housing Issues Working Group and Accessible Opens Spaces and Parklands Working Group, of the Advisory Committee for Persons with Disabilities, be received.

(b) Correspondence to Police Services Board respecting a Summary of Presentation from City of Hamilton Chief of Police Bergen to the Advisory Committee for Persons with Disabilities, March 8, 2022 (Item 12.2)

That the correspondence to the Police Services Board respecting a summary of the presentation from City of Hamilton Chief of Police Bergen to the Advisory Committee for Persons with Disabilities, March 8, 2022, attached as Appendix “A”, be forwarded to the City of Hamilton Police Services Board.

10. Establishment of the 2022-2026 Election Compliance Audit Committee (FCS22037) (City Wide) (Item 10.7)

- (a) That the Terms of Reference for the 2022-2026 Election Compliance Audit Committee, attached as Appendix “B” to Report 22-009, be approved;
- (b) That the authority to appoint the Members of the Election Compliance Audit Committee be delegated to the City Clerk, City Auditor and General Manager of Corporate Services, or their designates;
- (c) That the Compensation Framework for the 2022-2026 Election Compliance Audit Committee be in the amount of \$250 per member per committee meeting and/or training session, without an annual retainer, inclusive of all parking and mileage fees, to be funded through the Election Reserve Account 112206;
- (d) That, subject to the approval of recommendation (b) to Report FCS22037, the selection of the Members of the Election Compliance Audit Committee be exempt from the City of Hamilton Policy respecting the Appointment of Citizens to the City’s Agencies, Boards, Commissions Advisory (Volunteer) Committees and Sub-Committees Policy; and,
- (e) That, subject to the approval of recommendation (b) to Report FCS22037, the Election Compliance Audit Committee - Selection Committee, be disbanded.

11. Climate Change Action – Bay Area Climate Change Council Options for Travel Recommendations (Item 11.1)

WHEREAS, the City of Hamilton recognizes that Climate Change is an emergency and a threat to municipalities across the world and urgent climate action is needed;

WHEREAS, Hamilton City Council declared a climate emergency on March 27, 2019, and directed staff to form a Corporate Climate Change Task Force;

WHEREAS, over 12% of Hamilton emissions come from the transportation sector and low carbon forms of transportation facilitate our collective efforts to decarbonize; and,

WHEREAS, transportation connectivity and the safety of residents are priorities for the City of Hamilton, as reflected in the Ten-Year Local Transit Strategy, Vision Zero, and the Cycling Master Plan;

THEREFORE, BE IT RESOLVED:

That the General Manager of the Planning and Economic Development Department be directed to work with staff to review how each recommendation in the Bay Area Climate Change Council's Options for Travel report could be actioned, and report back to the General Issues Committee by September 21, 2022.

12. Update on Recent Ontario Land Tribunal Decisions (LS22014/PED22119) (City Wide) (Item 14.2)

That Report LS22014/PED22119, respecting the Update on Recent Ontario Land Tribunal Decisions, 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 from Frances Grabowski, Vice-President, Development & Design, McMaster Innovation Park, respecting Item 10.4 - GRIDS 2 and Municipal Comprehensive Review – Deferred Employment Land Conversion Requests

Recommendation: Be received and referred to the consideration of Item 10.4.

6. DELEGATION REQUESTS

- 6.1. Dave Aston, MHBC Planning, respecting Item 10.4 - Sub-sections of Report PED17070(p) - GRIDS 2 and Municipal Comprehensive Review – Deferred Employment Land Conversion Requests, as it relates to 1400 South Service Road.

10. DISCUSSION ITEMS

- 10.4(a) GRIDS 2 and Municipal Comprehensive Review – Follow-up Regarding Deferred Employment Land Conversion Requests (PED17010(r)) (City Wide)
- 10.6. Advisory Committee for Persons with Disabilities Report 22-006, April 12, 2022
- 10.7. Establishment of the 2022-2026 Election Compliance Audit Committee (FCS22037) (City Wide)

12. NOTICES OF MOTION

- 12.1. Depaving Initiatives on Barton Street in Ward 3
- 12.2. Potential Costs Associated with the Termination of Non-Vaccinated City Employees

The agenda for the May 4, 2022 General Issues Committee meeting was approved, as amended.

(b) DECLARATIONS OF INTEREST (Item 3)

Councillor M. Wilson declared a Non-Disqualifying interest to Item 10.5, respecting Facility Naming Sub-Committee Report 22-001, regarding the Renaming of the MacNab Transit Terminal to The Frank A. Cooke Transit Terminal, as the Terminal is being named after her spouse's grandfather.

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

(i) April 20, 2022 (Item 4.1)

The Minutes of the April 20, 2022 General Issues Committee meeting were approved, as presented.

(d) COMMUNICATION ITEMS (Item 5)

(i) Correspondence from Frances Grabowski, Vice-President, Development & Design, McMaster Innovation Park, respecting Item 10.4 - GRIDS 2 and Municipal Comprehensive Review – Deferred Employment Land Conversion Requests (Item 5.1)

The correspondence from Frances Grabowski, Vice-President, Development & Design, McMaster Innovation Park, respecting Item 10.4 - GRIDS 2 and Municipal Comprehensive Review – Deferred Employment Land Conversion Requests, was received and referred to the consideration of Item 10.4.

For disposition of this matter, please refer to Item 7.

(e) DELEGATION REQUESTS (Item 6)

(i) Dave Aston, MHBC Planning, respecting Item 10.4 - Sub-sections of Report PED17070(p) - GRIDS 2 and Municipal Comprehensive Review – Deferred Employment Land Conversion Requests, as it relates to 1400 South Service Road (Item 6.1)

The delegation request, submitted by Dave Aston, MHBC Planning, respecting Item 10.4 - Sub-sections of Report PED17070(p) - GRIDS 2 and Municipal Comprehensive Review – Deferred Employment Land Conversion Requests, as it relates to 1400 South Service Road, was approved for the May 4, 2022 General Issues Committee meeting.

For disposition of this matter, please refer to Item 7.

(f) STAFF PRESENTATIONS (Item 8)

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

Jason Thorne, General Manager of the Planning & Economic Development Department and Director of the Emergency Operations

Centre; and, Michelle Baird, Director, Public Health Services - EWCDC, provided the verbal update respecting COVID-19.

The verbal update respecting COVID-19 was received.

(g) DELEGATIONS (Item 9)

(i) Bianca Caramento, Bay Area Climate Change Council, to present the BACCC's Options for Travel: Giving Residents a Real Choice Report (Item 9.1)

Bianca Caramento, Bay Area Climate Change Council (BACCC), addressed Committee and presented the BACCC's Options for Travel: Giving Residents a Real Choice Report.

The presentation provided by Bianca Caramento, Bay Area Climate Change Council, respecting the BACCC's Options for Travel: Giving Residents a Real Choice Report, was received.

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

(ii) Dave Aston, MHBC Planning, respecting Item 10.4 - Sub-sections of Report PED17070(p) - GRIDS 2 and Municipal Comprehensive Review – Deferred Employment Land Conversion Requests, as it relates to 1400 South Service Road (Item 9.2)

Dave Aston, MHBC Planning, addressed Committee respecting Item 10.4 - Sub-sections of Report PED17070(p) - GRIDS 2 and Municipal Comprehensive Review – Deferred Employment Land Conversion Requests, as it relates to 1400 South Service Road.

The presentation provided by Dave Aston, MHBC Planning, respecting Item 10.4 - Sub-sections of Report PED17070(p) - GRIDS 2 and Municipal Comprehensive Review – Deferred Employment Land Conversion Requests, as it relates to 1400 South Service Road, was received.

For disposition of this matter, please refer to Item 7.

(h) **DISCUSSION ITEMS (Item 10)**

(i) **Open Streets Temporary Linear Urban Park (PED22075) (City Wide) (Item 10.3)**

Report PED22075, respecting the Open Streets Temporary Linear Urban Park, **was amended** by adding a new sub-section (g) to read as follows:

- (g) ***That, prior to the implementation of any Open Streets Temporary Linear Urban Park, staff be directed to provide an opportunity for direct resident engagement to include, but not be limited to, the use of Engage Hamilton to invite residents along the King Street stretch to comment on this matter.***

For disposition of this matter, please refer to Item 6.

(ii) **Sub-sections of Report PED17070(p) - GRIDS 2 and Municipal Comprehensive Review – Deferred Employment Land Conversion Requests (Deferred from the April 10, 2022 GIC) (Item 10.4)**

The recommendations that were DEFERRED from the April 20, 2022 General Issues Committee, which read as follows, were replaced by the recommendations provided in the new May 4, 2022 Report - GRIDS 2 and Municipal Comprehensive Review – Follow-up Regarding Deferred Employment Land Conversion Requests (PED17010(r)) (City Wide) (Item 10.4(a)):

That the MCR Official Plan Amendment (UHOP Conformity Amendment) to be brought forward in May 2022 include the following amendments to implement the recommendations of the City's Employment Land Review:

- (a) Addition of a new Site Specific Policy in the Fruitland Winona Secondary Plan for the lands known as 1400 South Service Road, Stoney Creek; and,
- (b) Revisions to the existing Area Specific Policy – A in the West Hamilton Innovation District Secondary Plan for McMaster Innovation Park.

For disposition of this matter, please refer to Item 7.

(iii) **Establishment of the 2022-2026 Election Compliance Audit Committee (FCS22037) (City Wide) (Item 10.7)**

Sub-sections (d) and (e) of Report FCS22037, respecting the Establishment of the 2022-2026 Election Compliance Audit Committee, **were amended** by deleting the words “the Compensation Framework for the 2022-2026 Election Compliance Audit” and replacing them with the words “**Recommendation (b) of Report FCS22037**”, to read as follows:

- (d) That, subject to the approval of **Recommendation (b) of Report FCS22037, the Compensation Framework for the 2022-2026 Election Compliance Audit**, the selection of the Members of the Election Compliance Audit Committee be exempt from the City of Hamilton Policy respecting the Appointment of Citizens to the City’s Agencies, Boards, Commissions Advisory (Volunteer) Committees and Sub-Committees Policy; and,
- (e) That, subject to the approval of **Recommendation (b) of Report FCS22037, the Compensation Framework for the 2022-2026 Election Compliance Audit Committee**, the Election Compliance Audit Committee - Selection Committee, be disbanded.

For disposition of this matter, please refer to Item 10.

The General Issues Committee recessed for one half hour until 12:40 p.m.

(i) **MOTIONS (Item 11)**

(i) **Climate Change Action – Bay Area Climate Change Council Options for Travel Recommendations (Item 11.1)**

The Motion, respecting Climate Change Action – Bay Area Climate Change Council Options for Travel Recommendations, was moved up on the agenda to be considered following Item 9.1, the delegation by Bianca Caramento, Bay Area Climate Change Council, respecting the BACCC's Options for Travel: Giving Residents a Real Choice Report.

(j) NOTICES OF MOTION (Item 12)

Councillor N. Nann introduced the following Notice of Motion:

(i) Depaving Initiatives on Barton Street in Ward 3 (Item 12.1)

WHEREAS, Green Venture is a registered not-for-profit charity focussed on empowering Hamiltonians to implement greener practices in their homes and communities to make our city a climate champion;

WHEREAS, Green Venture has been leading the “Depave Barton” initiative in partnership with the Barton Village BIA for the past three years to depave City boulevards and plant trees, gardens and install seating areas in order to reduce stormwater runoff, mitigate climate change, and beautify the Barton Village area; and,

WHEREAS, through Report PW21073 “Investing in City Roads and Sidewalks Infrastructure with Canada Community - Building Funds” Council approved funding in the amount of \$50,000 in the 2022 Capital Budget for “Barton St Boulevards and Depaving” in Ward 3;

THEREFORE, BE IT RESOLVED:

- (a) That the General Manager of Planning and Economic Development be authorized and directed to provide funding up to a maximum of \$50,000 to Green Venture for capital costs associated with depaving initiatives on Barton Street in Ward 3 to be funded from the Council-approved Canada Community-Building Funds Capital Project ID #403211103;
- (b) That the funding for the depaving initiatives on Barton Street in Ward 3 be restricted to capital costs associated with the depaving initiative and be restricted to works undertaken on City-owned lands and boulevards; and,
- (c) That the General Manager of Planning and Economic Development be authorized and directed to execute any necessary agreements for the provision of the funding to Green Venture for the depaving initiatives on Barton Street in Ward 3, in a form satisfactory to the City Solicitor.

Councillor E. Pauls introduced the following Notice of Motion:

(ii) Potential Costs Associated with the Termination of Non-Vaccinated City Employees (Item 12.2)

WHEREAS, the City of Hamilton is proceeding with the Mandatory COVID-19 Vaccination Policy that may result in the termination of approximately 500 employees on or after June 1, 2022; and,

WHEREAS, the City of Hamilton may incur costs associated with enacting this policy including but not limited to: the hiring and training of new employees, all legal costs associated with any grievance hearings, arbitration rulings, reinstatement orders including lost wages and/or any subsequent wrongful dismissal claims;

THEREFORE, BE IT RESOLVED:

That the appropriate staff be directed to report to the May 18, 2022 General Issues Committee with an estimate or range of all potential costs including, but not limited to the hiring and training of new employees, all estimated legal costs associated with any grievance hearings, arbitration rulings, reinstatement orders including lost wages, and/or any subsequent wrongful dismissal claims associated with the potential termination of approximately 500 employees who may be in non-compliance with the City of Hamilton Vaccination Policy.

The following MOTION was DEFEATED:

That the Rules of Order be waived to allow for the introduction of a Motion respecting the Potential Costs Associated with the Termination of Non-Vaccinated City Employees.

(k) GENERAL INFORMATION / OTHER BUSINESS (Item 13)

(i) Amendments to the Outstanding Business List (Item 13.1)

The following amendments to the General Issues Committee's Outstanding Business were approved:

- (1) Items to be removed (Item 13.1.a.)
 - (aa) Requests or Expansion from Waterdown (Item 13.1.aa.) (Addressed on this agenda as Items 10.4 and 10.4(a) - Reports PED17010(p) and PED17010(r)).

- (2) Proposed New Due Dates (Item 13.1.b.) (Item 13.1.b.a.)
 - (aa) Hamilton Tourism Strategy 2021 to 2025
Current Due Date: April 20, 2022
Proposed New Due Date: August 8, 2022

(l) PRIVATE & CONFIDENTIAL (Item 14)

(i) Closed Session Minutes – April 20, 2022 (Item 14.1)

- (a) The Closed Session Minutes of the April 20, 2022 General Issues Committee meeting, were approved; and,
- (b) The Closed Session Minutes of the April 20, 2022 General Issues Committee meeting, shall remain confidential.

Committee moved into Closed Session to discuss Item 14.2, pursuant to Section 9.1, Sub-sections (e), (f) and (k) of the City's Procedural By-law 21-021, as amended, and Section 239(2), Sub-sections (e), (f) and (k) of the *Ontario Municipal Act*, 2001, as amended, as the subject matter pertains to litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board; advice that is subject to solicitor-client privilege, including communications necessary for that purpose; 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.

(m) ADJOURNMENT (Item 14)

There being no further business, the General Issues Committee adjourned at 1:45 p.m.

Respectfully submitted,

Maureen Wilson, Deputy Mayor
Chair, General Issues Committee

Stephanie Paparella
Legislative Coordinator,
Office of the City Clerk