



GENERAL ISSUES COMMITTEE REPORT 24-004

9:30 a.m.

February 21, 2024

Council Chambers, City Hall, 2nd Floor
71 Main Street West, Hamilton, Ontario

Present: Mayor A. Horwath
Deputy Mayor T. McMeekin (Chair)
Councillors J. Beattie, C. Cassar, B. Clark, J.P. Danko, M. Francis,
T. Hwang, T. Jackson, C. Kroetsch, N. Nann, E. Pauls, M. Spadafora,
M. Tadeson, A. Wilson and M. Wilson

THE GENERAL ISSUES COMMITTEE PRESENTS REPORT 24-004 AND RESPECTFULLY RECOMMENDS:

1. Mayor's Task Force on Transparency, Access and Accountability Report 24-001 - January 17, 2024 (Item 9.1)

That the Mayor's Task Force on Transparency, Access and Accountability Report 24-001 - January 17, 2024, be received.

2. Encampment Response Update – January 2024 (HSC23066(d)) (City Wide) (Item 9.2)

That Report HSC23066(d), respecting Encampment Response Update – January 2024, be received.

3. Winter Response Strategy Update (HSC23012(b)) (City Wide) (Item 9.3)

That Report HSC23012(b), respecting Winter Response Strategy Update, be received.

4. Business Improvement Area Sub-Committee Report 24-002 - February 13, 2024 (Item 9.4)

That the Business Improvement Area Sub-Committee Report 24-002 - February 13, 2024, be received.

5. **Housing Sustainability and Investment Roadmap Work Program: City Property Review and Property Disposition Strategies (PED23099(a) / HSC23028(a)) (City Wide) (Item 10.1)**

That the following Motion, be REFERRED to the Hamilton-Wentworth District School Board Liaison Committee for consideration:

WHEREAS, Dominic Agostino Riverdale Recreation Centre has demonstrated its commitment to supporting families in Hamilton through partnerships with Licensed Child Care Services with full funding agreements with the City, catering to the developmental and learning needs of 49 children aged 0 to 4 years, that contributes significantly to the community's access to high-quality, affordable child care;

WHEREAS, Dominic Agostino Riverdale Recreation Centre has effectively collaborated with an EarlyON Child and Family Centre Operator, who has a funding agreement with the City, to successfully provide access to 10,848 free, high-quality visits for Hamilton parents and caregivers with children aged prenatal to 6 years old in 2023. This collaboration plays a vital role with enhancing children's learning and development, providing support to parents and caregivers, and connecting thousands of families annually to crucial community services;

WHEREAS, Mayor Horwath on April 12, 2023, through a unanimous motion of City Council, formally issued three separate declarations of emergency, in the areas of homelessness, mental health and opioid overdoses/poisoning;

WHEREAS, Hamilton has over 1600 unhoused individuals across the homelessness system and close to 50,000 at risk of homelessness – including seniors;

WHEREAS, the Access to Housing waitlist as of December 31, 2022, was at 6,110, 15% of which are seniors;

WHEREAS, the expansion of the Dominic Agostino Riverdale Recreation Centre and Community Hub is scheduled as part of the City's 10-year capital budget plan;

WHEREAS, the construction of new affordable housing units on publicly owned land saves substantial resources for affordable housing providers;

WHEREAS, the construction of affordable housing units above a recreation facility provides tremendous health benefits to those residing in such a building; and,

WHEREAS, the construction of new affordable housing units above a City of Hamilton recreation centre is a compact form of sustainable development;

THEREFORE, BE IT RESOLVED:

- (a) That City of Hamilton Recreation and Facilities staff be directed to reconvene meetings with the Hamilton is Home Coalition, Childcare staff and Housing Services staff, Hamilton Wentworth District School Board Chair and Hamilton Wentworth District School Board Ward 5 Trustee to discuss the challenges faced regarding the proposed construction of new affordable housing units for seniors, as part of the Dominic Agostino Riverdale Recreation Centre and Community Hub expansion project; and
- (b) That an information report identifying the opportunities, alternatives, dependencies and proposed next steps required to construct a Community Hub with a social housing component at the Dominic Agostino Riverdale Recreation Centre site be brought to the General Issues Committee by Q3 of 2024.

6. Cleanliness & Security in the Downtown Core Task Force Report 24-001 - February 1, 2024 (Item 10.3)

(a) APPOINTMENT OF CHAIR AND VICE-CHAIR (Item 1)

- (i) That Councillor C. Kroetsch be appointed as Chair of the Cleanliness and Security of the Downtown Core Task Force Sub Committee for the remainder of the 2022-2026 term.
- (ii) That Susie Braithwaite be appointed as Vice Chair of the Cleanliness and Security of the Downtown Core Task Force Sub Committee for the remainder of the 2022-2026 term.

7. 2024 Temporary Outdoor Patio Program Fees (Item 11.1)

WHEREAS, the City of Hamilton first launched the temporary On-Street Patio Pilot Program in 2016, which became the permanent Temporary Outdoor Patio Program in 2022;

WHEREAS, the Temporary Outdoor Patio Program provides an opportunity for restaurants and cafes to open temporary outdoor patios in on-street parking spaces, off-street parking lots, sidewalks, alleyways and boulevards;

WHEREAS, the Temporary Outdoor Patio Program provides an important opportunity for local restaurants and cafes to increase their capacity through outdoor dining, and also helps to animate local commercial areas;

WHEREAS, during COVID, the City waived all applicable City fees for the Temporary Outdoor Patio Program in order to support economic recovery;

WHEREAS, in 2023 business owners once again became responsible for some costs of the program, but Council approved the continued waiving of the safety device installation costs and the program application fees;

WHEREAS, a number of municipalities are continuing to offer reduced fees and costs for their temporary patio programs in 2024;

WHEREAS, the applicable fees in 2024 for the program are as follows:

City Fee	2024 Cost	Details
Temporary Outdoor Patio Application Fee	\$676.11	Applicable only to applications for patios on municipal property, including On-Street Patio applications
Temporary On-Street Patio Occupation of Parking Space Fee	\$913.27/ parking space	Applicable only to on-street structures (patios or pedestrian bypass structures)
Temporary Lane Closure Fee	\$59.20	Applicable to patios occupying an alleyway.

WHEREAS, in addition to the City fees, business owners are also responsible for all costs associated with installing safety devices, installing the patios themselves, and any applicable provincial fees for liquor licenses;

WHEREAS, local restaurants and cafes continue to be impacted by reduced business as a result of hybrid working and reduced foot traffic in some of our commercial areas;

THEREFORE BE IT RESOLVED:

- (a) That for the 2024 season, the application fee for the Temporary Outdoor Patio Program of \$676.11 be waived and the costs recovered through the Economic Development Initiatives Capital Project (3621708900);
- (b) That for the 2025 season, the application fee for the Temporary Outdoor Patio Program be reduced by 50% and the costs recovered through the Economic Development Initiatives Capital Project (3621708900); and,
- (c) That local businesses be responsible for covering all other costs associated with the Temporary Outdoor Patio Program.

- (d) That the Mayor and City Clerk be authorized and directed to approve and execute all required agreements and ancillary documents, with such terms and conditions in a form satisfactory to the City Solicitor.
- (e) That staff be directed to assess the safety barriers required of small businesses who have participated in the patio program and report back to the General Issues Committee with possibilities to help offset some of the cost of these barriers.

8. Supplementary Funding for the Project Team of the All Our Relations Public Art Piece - REVISED (Ward 2) (Item 11.2)

WHEREAS, the All Our Relations Public Art (West Harbour Project ID# 4411806104) piece was completed on September 30th, 2023 at the new West Harbour James Street Plaza;

WHEREAS, the awarded Project Team was responsible for the original project budget of \$420,000 and the project schedule for the intended unveiling date. The Project Team was awarded the contract per a public call for artists, as stipulated in the Public Art Masterplan of 2016 and according to the Procurement Policy Schedule B Clause 6b);

WHEREAS, the Project was awarded in 2019 and encountered significant price escalations as a result of Covid, as outlined below:

- The increase in the cost of basic construction materials, specifically steel and glass, as well as labour
- The preferred glass materials supplier ceased operations during the pandemic. The cost of glass materials increased significantly with the transition to other suppliers
- The Project Team desired to use local artisans for glass bead production, rather than to source international labour for cheaper production

WHEREAS, The Project Team maintained the original submitted design rather than adjust scope to minimize budget overrun for the following reasons;

- To maintain the integrity of the design, given its likely future significance to the Urban Indigenous Community as a place for annual Truth and Reconciliation ceremonies
- The symbolism of the piece being one of the few major public art works by an Indigenous Artist in Hamilton, in a part of the City with significant Indigenous heritage; the waterfront
- The public were shown the design as part of the Call for Artists process, therefore the team's desire was to deliver the project in the form that it had been originally presented to the public

WHEREAS, the members of the project team forewent payment, or subsidized the project to bring it to fruition in the form it was originally presented to the selection panel and public.

THEREFORE, BE IT RESOLVED:

- (a) That Council approve funding in the amount of \$100,000 to be allocated from the Ward 2 Area Capital Re-investment Reserve 108052 to the capital project West Harbour Project ID #4411806104 (All Our Relations) for the All Our Relations public art project;
- (b) That project lead, artist Angela DeMontigny be paid \$100,000 from the capital project West Harbour Project ID #4411806104 (All Our Relations) for the All Our Relations public art project, retain \$25,000 to cover forgone profit and expenses, and equally partition the remaining funds as follows amongst the three other project team members, as follows:
 - (i) \$25,000 to Cobalt Connects, project manager, to cover expenses and forgone profit from managing and fabricating the All Our Relations public art project;
 - (ii) \$25,000 to Paull Rodrigues, glass artist, to cover expenses and forgone profit from producing all glass elements for the All Our Relations public art project; and,
 - (iii) \$25,000 to Lafontaine Iron Werks, steel fabricator and installer, to cover expenses and forgone profit from the fabrication and installation of the All Our Relations public art project;
- (c) That there will be no budget impacts to the project due to the contribution from the Ward 2 Area Capital Re-investment Reserve 108052; and,
- (d) That the Mayor and City Clerk be authorized and directed to approve and execute all required agreements and ancillary documents, with such terms and conditions in a form satisfactory to the City Solicitor.

9. Acquisition of Land in the City of Hamilton (PED24006) (Ward 10) (Item 14.2)

- (a) That the directions provided to staff in Closed Session, respecting Report PED24006, be approved, and remain confidential;
- (b) That the Real Estate Admin Fee of \$148,045 be funded from Project ID Account No. 59806 – 4402356501 and be credited to Dept. ID Account No. 59806 - 812036 (Real Estate – Admin Recovery);
- (c) That the City Solicitor be authorized and directed to complete the Acquisition of Land in the City of Hamilton, 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;

- (d) That the Clerk and Mayor be authorized and directed to execute all necessary documents for the Acquisition of Land in the City of Hamilton, in a form satisfactory to the City Solicitor; and,
- (e) That the complete Report PED24006, respecting the Acquisition of Land in the City of Hamilton, located in Ward 10, be received and remain confidential until completion of the real estate transaction.

10. Canadian Union of Public Employees Local 5167 (Macassa/Wentworth Lodges), Ratification of Collective Agreement (HUR24004) (City Wide) (Added Item 14.3)

- (a) That the tentative agreement reached on January 24, 2024 between the City of Hamilton and Canadian Union of Public Employees Local 5167 (Macassa/Wentworth Lodges) representing approximately 718 employees in the Long-Term Care homes, be ratified by Council.
- (b) That Report HUR24004 respecting City of Hamilton and Canadian Union of Public Employees Local 5167 (Macassa/Wentworth Lodges) Ratification of Collective Agreement, be received for information and remain confidential.

11. Confidential Legal Update regarding proceedings under the *Endangered Species Act* (LS24008) (City Wide) (Added Item 14.4)

- (a) That the direction provided to staff in Closed Session respecting Report LS24008, Confidential Legal Update regarding proceedings under the *Endangered Species Act*, be approved and remain confidential; and,
- (b) That Report LS24008, respecting Confidential Legal Update regarding proceedings under the *Endangered Species Act*, be received and remain confidential.

FOR INFORMATION:

(a) APPROVAL OF AGENDA (Item 2)

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

6. DELEGATION REQUESTS

6.3 Delegation Requests respecting Item 10.1 - sub-sections (d) and (e) to Report PED23099(a) / HSC23028(a), Housing Sustainability and Investment Roadmap Work Program: City Property Review and Property Disposition Strategies, (For today's meeting) from the following individuals:

- (b) Shailfali Ranjan (In-Person)
- (c) Tracy MacKinnon, Stoney Creek BIA (In-Person)

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- (d) Brenda Wilson, Stoney Creek Chamber of Commerce (In-Person)
- (e) Mary Terziev-Clifford (Virtually, Pre-Recorded Video)

6.4 James Kemp, respecting accessibility issues in regards to Item 11.1, the motion about 2024 Temporary Outdoor Patio Program Fees (Virtually) (For today's meeting)

11. MOTIONS

11.2 Supplementary Funding for the Project Team of the All Our Relations Public Art Piece (Ward 2) - REVISED

14. PRIVATE AND CONFIDENTIAL

14.3 Canadian Union of Public Employees Local 5167 (Macassa/Wentworth Lodges), Ratification of Collective Agreement (HUR24004) (City Wide)

14.4 Confidential Legal Update regarding proceedings under the *Endangered Species Act* (LS24008) (City Wide)

The agenda for the February 21, 2024 General Issues Committee meeting, was approved, as amended.

(b) DECLARATIONS OF INTEREST (Item 3)

Councillor J.P. Danko declared a Non-Disqualifying interest respecting the referral of the motion regarding the Housing Sustainability and Investment Roadmap Work Program: City Property Review and Property Disposition Strategies (PED23099(a) / HSC23028(a)) (City Wide) (Item 10.1) to the Hamilton-Wentworth District School Board Liaison Committee, as his wife is Chair of the Hamilton-Wentworth District School Board.

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

(i) February 7, 2024 (Item 4.1)

The minutes of the February 7, 2024 General Issues Committee meeting were approved, as presented.

(d) COMMUNICATIONS (Item 5)

(i) Communications Items respecting Item 10.1 - sub-sections (d) and (e) to Report PED23099(a) / HSC23028(a), Housing Sustainability and Investment Roadmap Work Program: City Property Review and Property Disposition Strategies, were received and referred to the consideration of Item 10.1, as follows:

- (1) John Vanderbaaren (Item 5.1(a))
- (2) Steve Collura (Item 5.1(b))
- (3) Stoney Creek Chamber of Commerce (Item 5.1(c))
- (4) Petition to Oppose the Removal of Important and Well Utilized Community Parking in Stoney Creek (Item 5.2)

(e) DELEGATION REQUESTS (Item 6)

(i) The Delegation Requests, were approved as follows:

- (1) Edward Reece and Geoff Ondercin-Bourne, Council of Canadians Hamilton/Burlington Chapter, respecting solar generated power in Hamilton (In-Person) (For a future meeting) (Item 6.1)
- (2) Ritch Whyman, respecting concerns with the City pursuing an agenda that is designed to create precarious and low wage jobs on LRT (In-Person) (For a future meeting) (Item 6.2)
- (3) Delegation Requests respecting Item 10.1 - sub-sections (d) and (e) to Report PED23099(a) / HSC23028(a), Housing Sustainability and Investment Roadmap Work Program: City Property Review and Property Disposition Strategies (For today's meeting) from the following individuals:
 - (a) Michael Cusano, James Lee Suites, Board Vice President (In-Person) (Item 6.3(a))
 - (b) Shailfali Ranjan (In-Person) (Added Item 6.3(b))
 - (c) Tracy MacKinnon, Stoney Creek BIA (In-Person) (Added Item 6.3(c))
 - (d) Brenda Wilson, Stoney Creek Chamber of Commerce (In-Person) (Added Item 6.3(d))
 - (e) Mary Terziev-Clifford (Virtually, Pre-Recorded Video) (Added Item 6.3(e))
- (4) James Kemp, respecting accessibility issues in regards to Item 11.1, the motion about 2024 Temporary Outdoor Patio Program Fees (Virtually) (For today's meeting) (Added Item 6.4)

(f) DELEGATIONS (Item 7)

(i) Delegations respecting Item 10.1 - sub-sections (d) and (e) to Report PED23099(a) / HSC23028(a), Housing Sustainability and Investment Roadmap Work Program: City Property Review and Property Disposition Strategies (Added Item 7.1)

- (1) The following delegates addressed the Committee respecting Item 10.1 - sub-sections (d) and (e) to Report PED23099(a) /

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HSC23028(a), Housing Sustainability and Investment Roadmap Work Program: City Property Review and Property Disposition Strategies:

- (a) Michael Cusano, James Lee Suites, Board Vice President (In-Person) (Added Item 7.1(a))
- (b) Shailfali Ranjan (In-Person) (Added Item 7.1(b))
- (c) Tracy MacKinnon, Stoney Creek BIA (In-Person) (Added Item 7.1(c))
- (d) Brenda Wilson, Stoney Creek Chamber of Commerce (In-Person) (Added Item 7.1(d))

(2) The following delegate was not present when called upon:

- (a) Mary Terziev-Clifford (Virtually, Pre-Recorded Video) (Added Item 7.1(e))

(3) The following delegations respecting Item 10.1 - sub-sections (d) and (e) to Report PED23099(a) / HSC23028(a), Housing Sustainability and Investment Roadmap Work Program: City Property Review and Property Disposition Strategies, were received:

- (a) Michael Cusano, James Lee Suites, Board Vice President (In-Person) (Added Item 7.1(a))
- (b) Shailfali Ranjan (In-Person) (Added Item 7.1(b))
- (c) Tracy MacKinnon, Stoney Creek BIA (In-Person) (Added Item 7.1(c))
- (d) Brenda Wilson, Stoney Creek Chamber of Commerce (In-Person) (Added Item 7.1(d))

(ii) **James Kemp, respecting accessibility issues in regards to Item 11.1, the motion about 2024 Temporary Outdoor Patio Program Fees (Virtually) (Added Item 7.2)**

James Kemp, addressed the Committee respecting accessibility issues in regards to Item 11.1, the motion about 2024 Temporary Outdoor Patio Program Fees.

The delegation from James Kemp, respecting accessibility issues in regards to Item 11.1, the motion about 2024 Temporary Outdoor Patio Program Fees, was received.

(g) DISCUSSION ITEMS (Item 10)

(i) Housing Sustainability and Investment Roadmap Work Program: City Property Review and Property Disposition Strategies (PED23099(a) / HSC23028(a)) (City Wide) (Item 10.1)

(1) Sub-sections (d) and (e) to Report PED23099(a) / HSC23028(a), Housing Sustainability and Investment Roadmap Work Program: City Property Review and Property Disposition Strategies, we DEFEATED, as follows:

(d) That the property known as 5 Lake Avenue South, Stoney Creek be declared surplus to the requirements of the City of Hamilton, in accordance with the “Procedural By-law for the Sale of Land” being By-law No. 14-204, for the purposes of achieving the city’s affordable housing objectives, and that staff be directed to use an open process to select a non-profit housing provider and negotiate an agreement for the disposition of 5 Lake Avenue South, Stoney Creek for net nominal value consideration, for the purpose of affordable housing, and report back to General Issue Committee for approval;

(e) That staff be directed to use an open process to select a non-profit housing provider and negotiate an agreement for the disposition of 13 Lake Avenue South, Stoney Creek for net nominal value consideration, for the purpose of affordable housing, and report back to General Issue Committee for approval;

(2) Recess

The General Issues Committee recessed for 30 minutes until 1:10 p.m.

(3) The following motion was put on the floor:

WHEREAS, Dominic Agostino Riverdale Recreation Centre has demonstrated its commitment to supporting families in Hamilton through partnerships with Licensed Child Care Services with full funding agreements with the City, catering to the developmental and learning needs of 49 children aged 0 to 4 years, that contributes significantly to the community's access to high-quality, affordable child care;

WHEREAS, Dominic Agostino Riverdale Recreation Centre has effectively collaborated with an EarlyON Child and Family Centre Operator, who has a funding agreement with the City, to successfully

provide access to 10,848 free, high-quality visits for Hamilton parents and caregivers with children aged prenatal to 6 years old in 2023. This collaboration plays a vital role with enhancing children's learning and development, providing support to parents and caregivers, and connecting thousands of families annually to crucial community services;

WHEREAS, Mayor Horwath on April 12, 2023, through a unanimous motion of City Council, formally issued three separate declarations of emergency, in the areas of homelessness, mental health and opioid overdoses/poisoning;

WHEREAS, Hamilton has over 1600 unhoused individuals across the homelessness system and close to 50,000 at risk of homelessness – including seniors;

WHEREAS, the Access to Housing waitlist as of December 31, 2022, was at 6,110, 15% of which are seniors;

WHEREAS, the expansion of the Dominic Agostino Riverdale Recreation Centre and Community Hub is scheduled as part of the City's 10-year capital budget plan;

WHEREAS, the construction of new affordable housing units on publicly owned land saves substantial resources for affordable housing providers;

WHEREAS, the construction of affordable housing units above a recreation facility provides tremendous health benefits to those residing in such a building; and,

WHEREAS, the construction of new affordable housing units above a City of Hamilton recreation centre is a compact form of sustainable development;

THEREFORE, BE IT RESOLVED:

- (c) That City of Hamilton Recreation and Facilities staff be directed to reconvene meetings with ~~CityHousing Hamilton staff~~ **the Hamilton is Home Coalition**, Childcare staff and Housing Services staff, Hamilton Wentworth District School Board Chair and Hamilton Wentworth District School Board Ward 5 Trustee to discuss the challenges faced regarding the proposed construction of new affordable housing units for seniors, as part of the Dominic Agostino Riverdale Recreation Centre and Community Hub expansion project; and

- (d) That an information report identifying the opportunities, alternatives, dependencies and proposed next steps required to construct a Community Hub with a social housing component at the Dominic Agostino Riverdale Recreation Centre site be brought to the General Issues Committee by Q3 of 2024.

For disposition of this matter, refer to Item 5.

(ii) Authority to Enter into Rent Supplement Agreements Under Various Programs (HSC24005) (City Wide) (Item 10.2)

- (1) (a) That the City provide rent supplements and enter into Rent Supplement Agreements under the Ontario Community Housing Assistance Program and Commercial Rent Supplement Program with Housing Providers determined by the General Manager of the Healthy and Safe Communities Department and subject to:
 - (i) The terms and conditions contained in Appendix “A” to Report HSC24005;
 - (ii) Additional terms and conditions as determined by the General Manager of the Healthy and Safe Communities Department and the City Solicitor that do not conflict with those in Appendix “A” to Report HSC24005;
 - (iii) In a form satisfactory to the City Solicitor; and
 - (iv) That the General Manager of Healthy and Safe Communities Department be authorized and directed to execute the agreements and any ancillary documents thereto and enter into and execute any ancillary agreements thereto;
- (b) That the General Manager of Healthy and Safe Communities Department be authorized to amend any Rent Supplement Agreement entered into as a result of the approval of Recommendation (a) of Report HSC24005 so long as the terms and conditions are consistent with said recommendation; and
- (c) That, subject to the availability of funding, the General Manager of Healthy and Safe Communities Department be authorized to extend the term of any Rent Supplement Agreements entered into as a result of the approval of Recommendation (a) of Report HSC24005 on the same terms and conditions and any

additional terms not inconsistent with Appendix “A” of Report HSC24005 for such period of time not exceeding five years and be authorized to make further extensions within the same parameters as the General Manager of Healthy and Safe Communities Department deems appropriate.

- (2) That Report HSC24005, respecting Authority to Enter into Rent Supplement Agreements Under Various Programs, be DEFERRED to the May 15, 2024 General Issues Committee meeting to be considered with the report respecting Contractual obligations and substandard tenant locations” review report.

(h) MOTIONS (Item 11)

Deputy Mayor Ted McMeekin relinquished the Chair to Councillor Spadafora in order to move the following motion:

(i) 2024 Temporary Outdoor Patio Program Fees (Item 11.1)

- (1) WHEREAS, the City of Hamilton first launched the temporary On-Street Patio Pilot Program in 2016, which became the permanent Temporary Outdoor Patio Program in 2022;

WHEREAS, the Temporary Outdoor Patio Program provides an opportunity for restaurants and cafes to open temporary outdoor patios in on-street parking spaces, off-street parking lots, sidewalks, alleyways and boulevards;

WHEREAS, the Temporary Outdoor Patio Program provides an important opportunity for local restaurants and cafes to increase their capacity through outdoor dining, and also helps to animate local commercial areas;

WHEREAS, during COVID, the City waived all applicable City fees for the Temporary Outdoor Patio Program in order to support economic recovery;

WHEREAS, in 2023 business owners once again became responsible for some costs of the program, but Council approved the continued waiving of the safety device installation costs and the program application fees;

WHEREAS, a number of municipalities are continuing to offer reduced fees and costs for their temporary patio programs in 2024;

WHEREAS, the applicable fees in 2024 for the program are as follows:

City Fee	2024 Cost	Details
Temporary Outdoor Patio Application Fee	\$676.11	Applicable only to applications for patios on municipal property, including On-Street Patio applications
Temporary On-Street Patio Occupation of Parking Space Fee structures	\$913.27/ parking space	Applicable only to on-street (patios or pedestrian bypass structures)
Temporary Lane Closure Fee	\$59.20	Applicable to patios occupying an alleyway.

WHEREAS, in addition to the City fees, business owners are also responsible for all costs associated with installing safety devised, installing the patios themselves, and any applicable provincial fees for liquor licenses;

WHEREAS, local restaurants and cafes continue to be impacted by reduced business as a result of hybrid working and reduced foot traffic in some of our commercial areas;

THEREFORE BE IT RESOLVED:

- (a) That for the 2024 season, the application fee for the Temporary Outdoor Patio Program of \$676.11 be waived and the costs recovered through the Economic Development Initiatives Capital Project (3621708900);
- (b) That for the 2025 season, the application fee for the Temporary Outdoor Patio Program be reduced by 50% and the costs recovered through the Economic Development Initiatives Capital Project (3621708900); and,
- (c) That local businesses be responsible for covering all other costs associated with the Temporary Outdoor Patio Program.
- (d) That the Mayor and City Clerk be authorized and directed to approve and execute all required agreements and ancillary documents, with such terms and conditions in a form satisfactory to the City Solicitor.

(2) That the motion respecting, 2024 Temporary Outdoor Patio Program Fees, **be amended**, by adding sub-section (e), as follows:

(e) ***That staff be directed to assess the safety barriers required of small businesses who have participated in the patio program and report back to the General Issues Committee with possibilities to help offset some of the cost of these barriers.***

For disposition of this matter, refer to Item 7.

(i) **NOTICES OF MOTION (Item 12)**

Councillor J.P. Danko introduced the following Notice of Motion:

(i) **Stoney Creek Parking (Added Item 12.1)**

That all City of Hamilton parking facilities in the former Municipality of Stoney Creek, including all City parking lots and all on street parking be upgraded to paid parking at a rate set to full cost recovery, plus an additional profit margin to be reinvested into affordable housing.

(j) **PRIVATE & CONFIDENTIAL (Item 14)**

Committee determined that discussion of Item 14.1 was not required in Closed Session; therefore, the matter was addressed in Open Session, as follows:

(i) **Closed Session Minutes – February 7, 2024**

The Closed Session minutes of the February 7, 2024 General Issues Committee meeting, were approved and remain confidential.

(ii) Committee moved into Closed Session pursuant to Section 9.3, Sub-sections (c), (d), (e), (f), and (k) of the City's Procedural By-law 21-021, as amended, and Section 239(2), Sub-sections (c) (d), (e), (f), and (k) of the *Ontario Municipal Act, 2001*, as amended, as the subject matter pertains to a proposed or pending acquisition or disposition of land for City or a local board purposes; labour relations or employee negotiations; litigation or potential litigation, including matters before administrative tribunals, affecting the City or a 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 City or a local board.

(iii) Acquisition of Land in the City of Hamilton (PED24006) (Ward 10) (Item 14.2)

For disposition of this matter, refer to Item 9.

(iv) Canadian Union of Public Employees Local 5167 (Macassa/Wentworth Lodges), Ratification of Collective Agreement (HUR24004) (City Wide) (Added Item 14.3)

For disposition of this matter, refer to Item 10.

(v) Confidential Legal Update regarding proceedings under the *Endangered Species Act* (LS24008) (City Wide) (Added Item 14.4)

For disposition of this matter, refer to Item 11.

(k) ADJOURNMENT (Item 15)

There being no further business, the General Issues Committee adjourned at 4:06 p.m.

Respectfully submitted,

Deputy Mayor Ted McMeekin
Chair, General Issues Committee

Angela McRae
Legislative Coordinator
Office of the City Clerk