



GENERAL ISSUES COMMITTEE REPORT 24-007

9:30 a.m.

April 17, 2024

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

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

THE GENERAL ISSUES COMMITTEE PRESENTS REPORT 24-007 AND RESPECTFULLY RECOMMENDS:

1. **Light Rail Transit Operations Models (PED23166(b)) (City Wide) (Item 8.1)**
 - (a) That the City endorse Operations Model 2 (Municipality performs passenger interface activities) to be selected as the City's preferred LRT operations model;
 - (b) That within the first 5 years, staff begin the process of preparing the City to transition to Operations Model 4, where the Municipality assumes all aspects of operational activities from the third party, at the 10-year mark; and,
 - (c) That staff seek approval from Council, at the appropriate time, to enter negotiations with Metrolinx and the Province of Ontario, to transition fully the operations of the LRT to the City of Hamilton.

2. **Business Improvement Area Sub-Committee Report 24-003 - April 9, 2024 (Item 9.1)**

That the Business Improvement Area Sub-Committee Report 24-003 - April 9, 2024, be received.

3. Environmental Remediation and Site Enhancement Redevelopment Grant Application ERG-23-06, 71 Rebecca Street, Hamilton (PED24073) (Ward 2) (Item 10.1)

- (a) That Environmental Remediation and Site Enhancement Redevelopment Grant Application ERG-23-06, submitted by HiRose (Rebecca) Inc. (Melrose Investments Inc./Rosehaven Homes), owner of the property 71 Rebecca Street, Hamilton be approved for an Environmental Remediation and Site Enhancement Redevelopment Grant not to exceed \$5,160,501 for estimated eligible remediation costs to be provided over a maximum of ten years, in accordance with the terms and conditions of the Environmental Remediation and Site Enhancement Redevelopment Agreement;
- (b) That the General Manager of the Planning and Economic Development Department be authorized and directed to execute the Environmental Remediation and Site Enhancement Redevelopment Agreement together with any ancillary documentation required, to give effect to the Environmental Remediation and Site Enhancement Redevelopment Grant for HiRose (Rebecca) Inc. (Melrose Investments Inc./Rosehaven Homes) owner of the property 71 Rebecca Street, Hamilton in a form satisfactory to the City Solicitor;
- (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 Redevelopment Grant, as approved by City Council, are maintained and that any applicable Grant Amending Agreements are undertaken in a form satisfactory to the City Solicitor.

4. Revenue Sources to Fund Council Priorities and Ongoing Operating and Capital Works (FCS24022) (City Wide) (Outstanding Business List Item) (Item 10.2)

That Report FCS24022, Revenue Sources to Fund Council Priorities and Ongoing Operating and Capital Works, be received.

5. City of Hamilton advocacy at the Great Lakes St. Lawrence Cities Initiative Annual General Meeting taking place in Montreal, Quebec in May 2024 (Item 11.1)

WHEREAS the Great Lakes and St. Lawrence Cities Initiative is a binational coalition of over 240 U.S. and Canadian mayors, Councillors and local officials working to advance the protection and restoration of the Great Lakes and St. Lawrence River Basin.

WHEREAS the Cities Initiative and local officials integrate environmental, economic and social agendas and sustain a resource that represents approximately 20 percent of the world's surface freshwater supply, provides drinking water for 40 million people, and is the foundation upon which a strong regional economy is based.

WHEREAS the City of Hamilton has a robust government relations strategy and as part of that process, advocacy and alignment with other municipalities at the federal level is integral to sustainability, economic prosperity and success;

WHEREAS participation on behalf of the City of Hamilton supports the Term of Council Priorities

THEREFORE, BE IT RESOLVED:

- (a) That Councillor A. Wilson be selected as the City of Hamilton's representative at the Great Lakes St. Lawrence Cities Initiative Annual General Meeting taking place in Montreal, Quebec from May 15 – 17, 2024; and,
- (b) That Council assumes all costs associated with attendance for Councillor A. Wilson for the Great Lakes St. Lawrence Cities Initiative Annual General Meeting taking place in Montreal, Quebec from May 15 – 17, 2024 from the General Legislative Budget (300100).

6. Revitalizing Hamilton Tax Increment Grant Application Criteria Exception for the Property Municipally Known as 75 James Street South, Hamilton (Item 11.3)

WHEREAS the Revitalizing Hamilton Tax Increment Grant Program (the Program) is intended to incentivize property owners within strategic commercial districts to develop, redevelop or otherwise improve properties and/or buildings in a manner that will support the broader revitalization of the commercial district as well as generate new municipal property tax revenue through increased property assessments;

WHEREAS Applicants must meet Council approved Program eligibility and grant criteria;

WHEREAS Program applications are subject to a comprehensive review by the City of Hamilton's Economic Development Division and approval of all Program applications are at the absolute discretion of City Council and subject to the availability of funds.

WHEREAS above grade improvements/developments commenced prior to submitting an application are ineligible under this Program.

WHEREAS the development at 75 James Street South, Hamilton received final Site Plan Approval making the development otherwise eligible under the Program; and,

WHEREAS Fengate Hamilton Lands GP Inc., the registered owner of 75 James Street South, proceeded with above grade development prior to formally submitting an application for the Program and would like to apply for the Program subsequent to the above-grade construction commencing on-site;

THEREFORE, BE IT RESOLVED:

- (a) That, on a one-time basis, staff be directed to accept the Program application submitted by Fengate Hamilton Lands GP Inc., the registered owner of 75 James Street South; and,
- (b) That staff be directed to review, process and bring a report back to the General Issues Committee for consideration with a recommendation on the application submitted by Fengate Hamilton Lands GP Inc., respecting 75 James Street South, in accordance with all other applicable Council approved Program terms.

7. Verbal Update on a Cyber Security Incident (No copy) (Item 14.3)

That the Verbal Update on a Cyber Security Incident, be received and remain confidential.

8. Legal Update Regarding Judicial Review Application - Urban Boundary Expansion (LS16029(j)) (City Wide) (Item 14.4)

That Report LS16029(j), respecting a Legal Update Regarding Judicial Review Application - Urban Boundary Expansion, be received and remain confidential.

9. Overtime Policy Amendments During the Cyber Security Incident (HUR24009) (City Wide) (Item 14.5)

- (a) That the directions provided to staff in Closed Session respecting Report HUR24009, Overtime Policy Amendments During the Cyber Security Incident, be approved and remain confidential; and,
- (b) That Report HUR24009, Overtime Policy Amendments During the Cyber Security Incident, 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 Steve Levene, Chief Operation Officer - Rapid Transit, Metrolinx, respecting Clarity on Decision Behind Operator Role(s) for the Hamilton Light Rail Transit program.

Recommendation: Be received and referred to consideration of Item 8.1.

- 5.2 Correspondence respecting Item 8.1, Report PED23166(b), Light Rail Transit Operations Models, from the following individuals:

- (a) Robyn Deshaies
- (b) Mary Love
- (c) Mary Henderson
- (d) Caitlin Craven, Executive Director, Hamilton Centre for Civic Inclusion
- (e) Shania Ramharrack-Maharaj, Stop Sprawl Students
- (f) Tara Bursey, Executive Director, Workers Arts and Heritage Centre
- (g) Medora Uppal, CEO, YWCA Hamilton
- (h) Hamilton-Brantford Building & Construction Trades Council
- (i) Canadian Union of Postal Workers (CUPW) Local 548
- (j) Hamilton & District Labour Council

Recommendation: Be received and referred to consideration of Item 8.1.

6. DELEGATION REQUESTS

- 6.1 Delegation Requests, respecting Light Rail Transit, for today's meeting, from the following individuals:

- (g) James Kemp (Virtually)
- (h) Michael Marson (In-Person)
- (i) Ian Borsuk, Environment Hamilton (Virtually)
- (j) Tracey Langille, CUPW Local 548 (In-Person)
- (k) T.H. Ponders (In-Person)
- (l) Don McLean, Hamilton 350 Committee (Virtually)
- (m) Declan Withers (In-Person)
- (n) Clint Crabtree, ATU Local 279 (Virtually)

- (o) Evan Ubene (In-Person)
- (p) Christine McNabb, Council of Canadians - Hamilton Chapter (Virtually)
- (q) Shelagh Pizey-Allen, TTCriders (Virtually)

6.2 Delegation Request from Jeffrey McCabe, All Hands on Deck, respecting homeless and addiction issues (For a future meeting)

8. STAFF PRESENTATIONS

8.2 Goods Movement Strategy (PED24049) (City Wide) – WITHDRAWN

11. MOTIONS

11.2 Request for Funding Agreement to the Provincial Government – WITHDRAWN

11.3 Revitalizing Hamilton Tax Increment Grant Application Criteria Exception for the Property Municipally Known as 75 James Street South, Hamilton - REVISED

CHANGE TO THE ORDER OF AGENDA ITEMS:

Item 14.5 - Overtime Policy Amendments During the Cyber Security Incident (HUR24009) (City Wide) to be considered immediately follow Item 14.3 - Verbal Update on a Cyber Security Incident (No copy)

The agenda for the April 17, 2024 General Issues Committee meeting, was approved, as amended.

(b) DECLARATIONS OF INTEREST (Item 3)

Deputy Mayor M. Wilson relinquished the Chair to Councillor C. Kroetsch to declare a disqualifying interest.

Deputy Mayor M. Wilson declared a disqualifying interest to Item 7.1 - Matt Johnston, Urban Solutions Planning & Land Development Consultants Inc., respecting Hamilton Tax Increment Grant Program in relation to 75 James Street South, Hamilton (In-Person) (Approved December 6, 2023) and Item 11.3 - Revitalizing Hamilton Tax Increment Grant Application Criteria Exception for the Property Municipally Known as 75 James Street South, Hamilton, as her husband has a business relationship with Fengate Hamilton Lands GP Inc.

Deputy Mayor M. Wilson assumed the Chair.

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

The following minutes of the General Issues Committee meetings, was approved, as presented:

- (i) March 27, 2024 – Special (Item 4.1)**
- (ii) April 3, 2024 (Item 4.2)**

(d) COMMUNICATIONS (Item 5)

Communications Items 5.1 and 5.2, were approved, as follows:

- (i) Correspondence from Steve Levene, Chief Operation Officer - Rapid Transit, Metrolinx, respecting Clarity on Decision Behind Operator Role(s) for the Hamilton Light Rail Transit program (Added Item 5.1)**

Recommendation: Be received and referred to consideration of Item 8.1.

- (ii) Correspondence respecting Item 8.1, Report PED23166(b), Light Rail Transit Operations Models, from the following individuals (Added Item 5.2):**

- (1) Robyn Deshaies (Added Item 5.2(a))
- (2) Mary Love (Added Item 5.2(b))
- (3) Mary Henderson (Added Item 5.2(c))
- (4) Caitlin Craven, Executive Director, Hamilton Centre for Civic Inclusion (Added Item 5.2(d))
- (5) Shania Ramharrack-Maharaj, Stop Sprawl Students (Added Item 5.2(e))
- (6) Tara Bursey, Executive Director, Workers Arts and Heritage Centre (Added Item 5.2(f))
- (7) Medora Uppal, CEO, YWCA Hamilton (Added Item 5.2(g))
- (8) Hamilton-Brantford Building & Construction Trades Council (Added Item 5.2(h))
- (9) Canadian Union of Postal Workers (CUPW) Local 548 (Added Item 5.2(i))
- (10) Hamilton & District Labour Council (Added Item 5.2(j))

Recommendation: Be received and referred to consideration of Item 8.1.

(e) DELEGATION REQUESTS (Item 6)

The following Delegation Requests, were approved, as follows:

- (i) Delegation Requests, respecting Light Rail Transit, for today's meeting, from the following individuals (Item 6.1):**

- (1) Brian Connolly, ATU Canada (Virtually) (Item 6.1(a))
Council – April 24, 2024

- (2) Eric Tuck, ATU Local 107 (In-Person) (Item 6.1(b))
- (3) Karl Andrus, Hamilton Community Benefits Network (In-Person) (Item 6.1(c))
- (4) Mason Fitzpatrick, CUPE Local 3906 (In-Person) (Item 6.1(d))
- (5) Anthony Marco, Hamilton & District Labour Council (In-Person) (Item 6.1(e))
- (6) Stephen McBride (In-Person) (Item 6.1(f))
- (7) James Kemp (Virtually) (Added Item 6.1(g))
- (8) Michael Marson (In-Person) (Added Item 6.1(h))
- (9) Ian Borsuk, Environment Hamilton (Virtually) (Added Item 6.1(i))
- (10) Tracey Langille, CUPW Local 548 (In-Person) (Added Item 6.1(j))
- (11) T.H. Ponders (In-Person) (Added Item 6.1(k))
- (12) Don McLean, Hamilton 350 Committee (Virtually) (Added Item 6.1(l))
- (13) Declan Withers (In-Person) (Added Item 6.1(m))
- (14) Clint Crabtree, ATU Local 279 (Virtually) (Added Item 6.1(n))
- (15) Evan Ubene (In-Person) (Added Item 6.1(o))
- (16) Christine McNabb, Council of Canadians - Hamilton Chapter (Virtually) (Added Item 6.1(p))
- (17) Shelagh Pizey-Allen, TTCriders (Virtually) (Added Item 6.1(q))

- (ii) **Delegation Request from Jeffrey McCabe, All Hands on Deck, respecting homeless and addiction issues (For a future meeting) (Added Item 6.2)**

(f) DELEGATIONS (Item 7)

Due to a declared conflict Deputy Mayor M. Wilson relinquished the Chair to Councillor C. Kroetsch.

- (i) **Matt Johnston, Urban Solutions Planning & Land Development Consultants Inc., respecting Hamilton Tax Increment Grant Program in relation to 75 James Street South, Hamilton (In-Person) (Approved December 6, 2023) (Item 7.1)**

Matt Johnston, Urban Solutions Planning & Land Development Consultants Inc., addressed the Committee respecting Hamilton Tax Increment Grant Program in relation to 75 James Street South, Hamilton.

The Delegation from Matt Johnston, Urban Solutions Planning & Land Development Consultants Inc., respecting Hamilton Tax Increment Grant Program in relation to 75 James Street South, Hamilton, was received.

Deputy Mayor M. Wilson assumed the Chair.

(ii) Delegations respecting Light Rail Transit (Item 7.2)

(1) The follow delegates addressed the Committee respecting Light Rail Transit:

- (a) Stewart Klazinga, ACORN Hamilton (Virtually) (Item 7.2(a))
- (b) Ritch Whyman (Virtually) (Item 7.2(b))
- (c) Brian Connolly, ATU Canada (In-Person) (Added Item 7.2(c))
- (d) Eric Tuck, ATU Local 107 (In-Person) (Added Item 7.2(d))
- (e) Karl Andrus, Hamilton Community Benefits Network (In-Person) (Added Item 7.2(e))
- (f) Mason Fitzpatrick, CUPE Local 3906 (In-Person) (Added Item 7.2(f))
- (g) Anthony Marco, Hamilton & District Labour Council (In-Person) (Added Item 7.2(g))
- (h) Stephen McBride (In-Person) (Added Item 7.2(h))
- (i) James Kemp (Virtually) (Added Item 7.2(i))
- (j) Ian Borsuk, Environment Hamilton (Virtually) (Added Item 7.2(k))
- (k) Tracey Langille, CUPW Local 548 (In-Person) (Added Item 7.2(l))
- (l) T.H. Ponders (In-Person) (Added Item 7.2(m))
- (m) Declan Withers (In-Person) (Added Item 7.2(o))
- (n) Clint Crabtree, ATU Local 279 (Virtually) (Added Item 7.2(p))
- (o) Evan Ubene (In-Person) (Added Item 7.2(q))
- (p) Christine McNabb, Council of Canadians - Hamilton Chapter (Virtually) (Added Item 7.2(r))
- (q) Don McLean, Hamilton 350 Committee (Virtually) (Added Item 7.2(n))
- (r) Shelagh Pizey-Allen, TTCriders (Virtually) (Added Item 7.2(s))
- (s) Michael Marson (In-Person) (Added Item 7.2(j))

(2) The following delegations respecting Light Rail Transit, were received:

- (a) Stewart Klazinga, ACORN Hamilton (Virtually) (Item 7.2(a))
- (b) Ritch Whyman (Virtually) (Item 7.2(b))
- (c) Brian Connolly, ATU Canada (In-Person) (Added Item 7.2(c))
- (d) Eric Tuck, ATU Local 107 (In-Person) (Added Item 7.2(d))
- (e) Karl Andrus, Hamilton Community Benefits Network (In-Person) (Added Item 7.2(e))
- (f) Mason Fitzpatrick, CUPE Local 3906 (In-Person) (Added Item 7.2(f))
- (g) Anthony Marco, Hamilton & District Labour Council (In-Person) (Added Item 7.2(g))
- (h) Stephen McBride (In-Person) (Added Item 7.2(h))
- (i) James Kemp (Virtually) (Added Item 7.2(i))
- (j) Ian Borsuk, Environment Hamilton (Virtually) (Added Item 7.2(k))
- (k) Tracey Langille, CUPW Local 548 (In-Person) (Added Item 7.2(l))
- (l) T.H. Ponders (In-Person) (Added Item 7.2(m))

- (m) Declan Withers (In-Person) (Added Item 7.2(o))
- (n) Clint Crabtree, ATU Local 279 (Virtually) (Added Item 7.2(p))
- (o) Evan Ubene (In-Person) (Added Item 7.2(q))
- (p) Christine McNabb, Council of Canadians - Hamilton Chapter (Virtually) (Added Item 7.2(r))
- (q) Don McLean, Hamilton 350 Committee (Virtually) (Added Item 7.2(n))
- (r) Shelagh Pizey-Allen, TTCriders (Virtually) (Added Item 7.2(s))
- (s) Michael Marson (In-Person) (Added Item 7.2(j))

(3) Recess

The General Issues Committee recessed for 50 minutes until 1:45 p.m.

(g) PRESENTATIONS (Item 8)

(i) Light Rail Transit Operations Models (PED23166(b)) (City Wide) (Item 8.1)

Steve Robichaud, Acting General Manager of Planning and Economic Development provided background information and introduced Abdul Shaikh, Director of Hamilton LRT Project Office, and Mike Murray, Strategic Advisor on the LRT Project and former CAO of Waterloo Region, who provided the presentation respecting Report PED23166(b), Light Rail Transit Operations Models.

(1) The presentation respecting Report PED23166(b), Light Rail Transit Operations Models, was received.

(2) The Report Recommendations were put on the floor, as follows:

That the City endorse Operations Model 2 (Municipality performs passenger interface activities) to be selected as the City's preferred LRT operations model with the right to opt-in (transition) to Operations Model 4 (Municipality performs all aspects of Operational activities except facility operations) after an initial 10-year term.

(3) That the recommendation in Report PED23166(b), Light Rail Transit Operations Models, ***be amended as follows***, and ***by adding subsections (b) and (c)***:

(a) That the City endorse Operations Model 2 (Municipality performs passenger interface activities) to be selected as the City's preferred LRT operations model ***with the right to opt-in (transition) to Operations Model 4 (Municipality performs all aspects of Operational activities except facility operations) after an initial 10-year term.***

- (b) *That within the first 5 years, staff begin the process of preparing the City to transition to Operations Model 4, where the Municipality assumes all aspects of operational activities from the third party, at the 10-year mark; and,*
- (c) *That staff seek approval from Council, at the appropriate time, to enter negotiations with Metrolinx and the Province of Ontario, to transition fully the operations of the LRT to the City of Hamilton.*

For disposition of this matter, refer to Item 1.

(4) Recess

The General Issues Committee recessed for 15 minutes until 4:45 p.m.

(h) MOTIONS (Item 11)

- (i) The General Issues Committee meeting of April 17, 2024 was extended past the 5:30 pm curfew, up to an additional 1.5 hours.
- (ii) **Revitalizing Hamilton Tax Increment Grant Application Criteria Exception for the Property Municipally Known as 75 James Street South, Hamilton (Item 11.3)**

Due to a declared conflict Deputy Mayor M. Wilson relinquished the Chair to Councillor Kroetsch.

Deputy Mayor M. Wilson assumed the Chair following the conclusion of the vote.

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

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

The amendment to the Outstanding Business List, was approved, as follows:

(a) Item Considered Complete and Needing to be Removed (Item 13.1(a)):

Revenue Sources to fund Council Priorities and Ongoing Operating and Capital Works

Added: August 14, 2023 at GIC - Item 11.2

Completed: April 17, 2024 at GIC - Item 10.3

(j) PRIVATE & CONFIDENTIAL (Item 14)

Committee determined that discussion of Items 14.1 and 14.2 was not required in Closed Session; therefore, the matters were addressed in Open Session, as follows:

The following Closed Session minutes were approved and remain confidential:

(i) Closed Session Minutes – March 27, 2024 - Special (Item 14.1)

(ii) Closed Session Minutes – April 3, 2024 (Item 14.2)

(iii) Shannon Parker and Bryson Tan of Deloitte were permitted to attend the Closed Session portion of the General Issues Committee Meeting.

(iv) Committee moved into Closed Session Pursuant to Section 9.3, Sub-sections (a), (d), (f) and (k) of the City's Procedural By-law 21-021, as amended, and Section 239(2) sub-sections (a), (d), (f) and (k) of the Ontario Municipal Act, 2001, as amended, as the subject matters pertain to the security of the property of the City or a local board; labour relations or employee negotiations; 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.

(v) Verbal Update on a Cyber Security Incident (No copy) (Item 14.3)

For disposition of this matter, refer to Item 7.

(vi) Legal Update Regarding Judicial Review Application - Urban Boundary Expansion (LS16029(j)) (City Wide) (Item 14.4)

For disposition of this matter, refer to Item 8.

(vii) Overtime Policy Amendments During the Cyber Security Incident (HUR24009) (City Wide) (Item 14.5)

For disposition of this matter, refer to Item 9.

(k) ADJOURNMENT (Item 15)

There being no further business, the General Issues Committee adjourned at 6:21 p.m.

Respectfully submitted,

Deputy Mayor Maureen Wilson
Chair, General Issues Committee

Angela McRae
Legislative Coordinator
Office of the City Clerk