GENERAL ISSUES COMMITTEE
REPORT 13-020
9:30 a.m.
Wednesday, October 2, 2013
Council Chambers
Hamilton City Hall
71 Main Street West

Present: Deputy Mayor R. Powers (Chair)
Mayor R. Bratina
Councillors B. Clark, C. Collins, S. Duvall, J. Farr,
L. Ferguson, B. Johnson, B. McHattie, T. Jackson,
S. Merulla, B. Morelli, J. Partridge, R. Pasuta, T. Whitehead

Absent with Regrets: Councillor M. Pearson – Vacation

THE GENERAL ISSUES COMMITTEE PRESENTS REPORT 13-020 AND RESPECTFULLY RECOMMENDS:

1. Concession Street Business Improvement Area (B.I.A.) Revised Board of Management (PED10250(d)) (Wards 6 and 7) (Item 5.3)
   That Phil Bradshaw be appointed to the Concession Street Business Improvement Area (BIA) Board of Management.

2. Downtown Hamilton Business Improvement Area (B.I.A.) Revised Board of Management (PED10252(c)) (Ward 2) (Item 5.4)
   That James Lefebvre be appointed to the Downtown Hamilton Business Improvement Area’s (BIA) Board of Management.

3. International Village Business Improvement Area (B.I.A.) Revised Board of Management (PED10254(e)) (Wards 2 and 3) (Item 5.5)
   That David Watkins be appointed to the International Village Business Improvement Area’s (BIA) Board of Management.

Council – October 9, 2013
4. **Declaration of Surplus Property and Sale of Land – **36 Sinclair Court, Hamilton, described as Part 1, Plan 62R-19626 (PED13161) (Ward 5) (Item 5.6)

(a) That the land municipally known as 36 Sinclair Court, described as Part 1, Plan 62R-19626, in the City of Hamilton, being part of PIN 17105-0382 (LT) and part of Roll No. 251805036209180, shown on Appendix “A” attached to Report PED13161 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. 04-299;

(b) That an Offer to Purchase executed on August 24, 2013, by John and Maryanne van der Zalm scheduled to close on December 17, 2013, be approved and completed, for the consideration of $22,500, exclusive of HST, subject to the condition in Recommendation (f);

(c) That any applicable HST be collected by the City and credited to Account No. 22828-009000 (HST Payable);

(d) That the amount of $3,584 from the sale proceeds be credited to Account No. 45408-3560150200 for expense recovery including Real Estate administration fees in the amount $1,000, appraisal fee of $1,864 and legal expenses of $720;

(e) That the deposit cheque in the amount of $2,250, being the required 10% of the purchase price, be held by the General Manager of Finance and Corporate Services, pending acceptance of this transaction;

(f) That the net sale proceeds, minus Real Estate and Legal Services fees, be credited to Account No. 47702-4060087001 (Expressway – land purchases);

(g) That the following condition(s) be included in the Offer to Purchase:

   *The Purchaser acknowledges and agrees that the lands being sold pursuant to this Offer shall be registered in the same name and title as the land holdings described as Parts 3 and 4, Plan 62R-4591 Miscellaneous Lot OM1431, shown as 1/4 Acre, as in Instrument No. WE596714, being all of PIN 17105-0381 (LT), municipally known as 38 Sinclair Court, Hamilton;*

(h) That the City Clerk be authorized and directed to execute and issue a Certificate of Compliance for this transaction in the form prescribed pursuant to Section 268 of the **Municipal Act**, incorporating the following, if required:
(i) That the subject lands be declared surplus by inclusion in this Report to Council;

(ii) An internal appraisal of the fair market value of the real property intended to be sold was completed on February 21, 2013; and,

(iii) That in accordance with Section 6 (d) the property is exempt from the approved methods of giving Notice to the Public in the Real Property Sales Procedural By-law No. 04-299.

5. Sale of Land to Teresa Lynn Laan, In Trust – 4 Fifth Avenue (Hamilton Beach Community) (PED13163) (Ward 5) (Item 5.7)

(a) That the Real Estate Section of the Economic Development Division of the Planning and Economic Development Department be authorized and directed to convey Parts 2 and 4, Plan 62R-16372, municipally known as 4 Fifth Avenue as shown on Appendix “A” to Report PED13163, to Teresa Lynn Laan, in Trust for the tendered amount of $276,000, exclusive of HST;

(b) That the required deposit of $27,600, being 10% of the purchase price, be held by the General Manager of Finance and Corporate Services pending acceptance of the transaction;

(c) That any applicable HST be collected by the City and credited to Account No. 22828-009000 (HST Payable);

(d) That any outstanding local improvement charges be credited to Revenue Account No. 45527-516115;

(e) That the sum of $12,972 from the proceeds of the sale be credited to Account No. 45408-3560150200 (Property Purchases and Sales), being the costs incurred for Real Estate and Legal Services administrative fees;

(f) That the net sale proceeds, minus Real Estate and Legal Services fees, be credited to Account No. 47702-3561250201, (Beach Boulevard Maintenance and Sales) and then transferred to Beach Park Development Reserve Account No. 108037.
6. **Establishment of Labyrinth Peace Gardens in the City of Hamilton**

That the appropriate staff meet with representatives from the Culture of Peace Hamilton in an effort to work toward a goal of formalizing a method for a peace garden or labyrinth installation in the City of Hamilton, incorporating the three elements in peace gardens, and additional parks in the City, and report back to the Public Works Committee.

7. **Neighbourhood Action Strategy (NAS) – Annual Update (CM11007(c)) (City Wide) (Item 7.1)**

That Report CM11007(c) respecting “Neighbourhood Action Strategy (NAS) – Annual Update” be received.


(a) **New Official Plan – Impact on B.I.A.’s in terms of zoning status, etc.**

That Planning staff be invited to attend a future meeting of the Business Improvement Area Advisory Committee to speak to changes in the Official Plan, implications on the B.I.A.’s and implementation.

(b) **Street Maintenance**

That the appropriate staff be invited to a future meeting of the Advisory Committee to respond to questions respecting street maintenance and responsibilities.


(a) **Applications to the Hamilton Future Fund Opening 2013**

(i) That the Hamilton Naturalist Club – Land’s Inlet Nature Project request for a grant in the amount of $24,110 be approved from Hamilton Future Fund Account;

(ii) That the Bay Area Restoration Council – Hamilton Harbour Interactive Explorer Map Project request for a grant in the amount of $40,000 be approved from Hamilton Future Fund Account B;
(iii) That the Village Theatre Waterdown Inc. – Technical Equipment Renewal Project request for a grant in the amount of $41,574 be approved from Hamilton Future Fund Account B;

(iv) That the Glanbrook Home Support Programme Inc – Medical Equipment Loan Program application to the Hamilton Future Fund be denied;

(v) That the Mustard Seed Co-operative Grocery Inc. be approved for a grant of $25,000 from the Hamilton Future Fund Account B;

(vi) That the Hamilton Centre for Civic Inclusion - Hamilton Youth Inclusion Program application to the Hamilton Future Fund be denied;

(vii) That the Hamilton Waterfront Trust – Addition to Pier 8, 57 Discovery Drive to the Hamilton Future Fund be denied;

(viii) That the Good Shepherd Centre Hamilton – Venture Centre, application to the Future Fund be denied;

(ix) That the Hamilton Executive Directors’ Aboriginal Coalition be requested to provide written information to the Future Fund Board of Governors respecting:

(aa) An engineering certificate/details respecting the structural integrity of the building on 10-16 Kenilworth Avenue North;

(bb) A precise budget outline of where the Future Fund monies would be spent.

(x) That the St. Joseph’s Villa – New Resident Home Area project be approved for a grant of $400,000 from the Future Fund Account B;

(xi) That the Salvation Army Lawson Ministries Hamilton – Renovation of 33 King Street East project be approved for a grant of up to $200,000 from Hamilton Future Fund Account B on the following conditions:

(aa) That the monies be dedicated towards accessibility upgrades;

(bb) That the Salvation Army provide financial details on the accessibility upgrades to the Hamilton Future Fund Board of Governors.
(xii) That the Hamilton Toy Museum application to the Hamilton Future Fund be denied;

(xiii) That the Waterdown Memorial Hall - Renovation request for a grant in the amount of $600,000 be approved from Hamilton Future Fund Account B.

10. **On-Line Survey Audit of Queen Street South and Caroline Street (Item 9.1)**

(a) That funds in the amount of $8,500 be approved from the Ward 2 Area Rating Special Capital Reinvestment Reserve Account No. 108052 to fund the report on Queen Street South and Cannon Street conducted by the Centre of Community Study in Wards 1, 2 and 3;

(b) That the results be presented to the General Issues Committee upon completion of the report.

11. **Fairness to Hamilton Campaign Sub-Committee – Establishment of Council Priorities (Item 9.2)**

Whereas, Mayor R. Bratina, Councillor S. Merulla and the City Manager met with area M.P.s and M.P.P.s in early 2013 to discuss Council’s Strategic Priorities; and,

Whereas, Council approved direction for a Government Relations Strategy in February 2013, and have expressed interest in playing a role in conjunction with the Mayor and City Manager; and,

Whereas, Council has expressed its priorities through its current Strategic Plan; and.

Whereas, the Government of Ontario expressed its priorities in a May 2013 Throne Speech; and,

Whereas, the Government of Canada will be expressing its priorities in an October 16, 2013 Throne Speech; and,

Whereas, there is one year left in this Council’s mandate, creating a sense of urgency.

Therefore Be It Resolved:
(a) That a special meeting of the Fairness to Hamilton Committee be called as soon as possible to prepare recommendations on Council priorities in order to engage the Provincial and Federal Governments, and to begin organizing a Hamilton Day at Queen's Park in November 2013, or at the earliest possible time, and a plan to join the FCM advocacy days in Ottawa at the end of November 2013;

(b) That a special General Issues Committee meeting be established to review and finalize the Fairness to Hamilton Committee recommendations, keeping in mind the need to act in November 2013;

(c) That in order to engage all of Council, that each Councillor be requested to express their interest and expertise in one or more Council priorities to the Mayor and City Manager by October 25, 2013.

12. Impacts of Provincial Downloading (New Business)

That City Council explore the feasibility of making a formal presentation to the appropriate Standing Committee at Queen’s Park when the Province is considering any Bill which will correlate to any impacts of downloading to the City of Hamilton.

13. Removal of Correctional Staff from Federal Halfway House in Downtown Hamilton (Item 10.1)

(a) That representatives from Public Safety Canada be invited to a meeting of the General Issues Committee at the earliest possible date to present their reasoning behind the removal of correctional staff from the Federal Halfway house in Downtown Hamilton, and to answer questions as to how they will be addressing the issue of public safety in the absence of qualified correctional officers;

(b) That a request be made to the Hamilton Police Services Board to provide a report to the General Issues Committee outlining their concerns relative to safety and security related to the location of the Halfway house on York Blvd.

14. Items to be Transferred (Item 11.1(b))

15. Hamilton-Wentworth Catholic District School Board; Surplus School Site, Bishop Ryan Secondary School, 50 Albright Road, Hamilton (PED13162) (Ward 5) (Item 12.3)

(a) That Real Estate staff be authorized and directed to submit a bona fide offer to the Hamilton-Wentworth Catholic District School Board for the purchase of an area of approximately 3 acres of land at the Bishop Ryan Secondary School site, municipally known as 50 Albright Road, Hamilton, in accordance with the conditions as outlined in Report PED13162;

(b) That the financial details remain confidential until completion of the transaction.

FOR THE INFORMATION OF COUNCIL:

(a) CHANGES TO THE AGENDA (Item 1)

The Committee Clerk advised of the following changes:

ADDED DELEGATION REQUEST

4.3 Request from Kerry Corrigan, Studio Babette Puppet Theatre, to present to the October 16, 2013 General Issues Committee meeting to speak in support of the Cultural Plan

4.4 Request from Tim Potocic, Sonic Unyon, to present to the October 16, 2013 General Issues Committee meeting to speak in support of the Cultural Plan

4.5 Request from Stephanie Vegh, Hamilton Arts Council, to speak to the importance of adopting a Cultural Plan for the City and its impact on the arts

MOTIONS

9.2 Fairness to Hamilton Campaign Sub-Committee – Establishment of Council Priorities

The following information was distributed for information and discussion purposes only:

(i) Item 7 of Emergency and Community Services Committee Report 13-002, approved by Council on February 13, 2013 respecting “Government Relations Strategy”

Council – October 9, 2013
(ii) Report CM13003 presented to the Fairness to Hamilton Campaign Sub-Committee on January 21, 2013


ADDED NOTICE OF MOTION

10.1 Removal of Correctional Staff from Federal Halfway House in Downtown Hamilton

ADDED PRIVATE & CONFIDENTIAL

12.4 Update respecting the Conduct of a City Employee

Pursuant to Sub-section 8.1(b) of the City's Procedural By-law and Section 239.2 of the Ontario Municipal Act, 2001, as amended, as the subject matter pertains to personal matters about an identifiable individual, including municipal or local board employees.

The agenda for the October 2, 2013 meeting of the General Issues Committee was approved as amended.

(b) DECLARATIONS OF INTEREST (Item 2)

None

(c) APPROVAL OF PREVIOUS MINUTES (Item 3.1)

The Minutes of the General Issues Committee Meeting held on September 18, 2013 were approved as presented.

(d) DELEGATION REQUESTS

(i) Delegation Request from Ian Troop, CEO, Toronto 2015 Pan/Parapan American Games, to attend December 4, 2013 meeting of the General Issues Committee to provide a progress update (Item 4.1)

The delegation request from Ian Troop, CEO, Toronto 2015 Pan/Parapan American Games, to attend the December 4, 2013 meeting of the General Issues Committee to provide a progress update, was approved.

(ii) Delegation Request from Tim Potocic, Supercrawl Promotions, to provide a summary of the 2013 Supercrawl event as per Council direction (Item 4.2)

The delegation request from Tim Potocic, Supercrawl Promotions, to provide a summary of the 2013 Supercrawl event as per Council direction, was approved.
(iii) Requests to Present at the October 16, 2013 General Issues Committee Meeting respecting the Cultural Plan

The following delegation requests were approved to attend the October 16, 2013 meeting of the General Issues Committee to speak to the Cultural Plan:

(aa) Kerry Corrigan, Studio Babette Puppet Theatre, (Item 4.3)

(bb) Tom Potocic, Sonic Unyon (Item 4.4)

(cc) Stephanie Vegh, Hamilton Arts Council (Item 4.5)

(e) CONSENT ITEMS

(i) Minutes of the August 20, 2013 meeting of the Business Improvement Area Advisory Committee (Item 5.1)

The August 20, 2013 Minutes of the Business Improvement Area Advisory Committee meeting were received.

(ii) Minutes of the May 28, 2013 meeting of the Hamilton Future Fund Board of Governors (Item 5.2)

The May 28, 2013 Minutes of the Hamilton Future Fund Board of Governors meeting were received.

(f) PUBLIC HEARINGS/DELEGATIONS

(i) Request from Martyn Kendrick, Culture of Peace, UN Affiliate/UNESCO, to request/suggest that Hamilton build on its reputation as a City exploring sustainability and healthy communities by supporting the establishment of Labyrinth Peace Gardens in Neighbourhoods across the region (Item 6.1)

Dick Preston, retired McMaster Professor and member of Culture of Peace Hamilton, expressed appreciation for the help and generosity of the City of Hamilton in setting up the Peace Garden at the corner of Hunter and Bay Streets.

Martyn Kendrick spoke to the current efforts and labyrinth designs, and requested that the spiral design and labyrinths, special flowers and native botanicals, local art and peace poles be accepted as a design in public parks, and noted that labyrinths will become a symbol of peace.

A copy of Mr. Kendrick’s remarks was submitted to the Clerk for the public record and can be viewed on the City of Hamilton website.
The presentation from Dick Preston and Martyn Kendrick respecting the establishment of Labyrinth Peace Gardens in the City was received.

(g) PRESENTATIONS

(i) Neighbourhood Action Strategy (NAS) – Annual Update (CM11007(c)) (City Wide) (Item 7.1)

Paul Johnson, Director of Neighbourhood Strategies, provided introductory remarks with respect to the work done to date on the Neighbourhood Action Strategy. Mr. Johnson advised that the presentation will be done in three parts:

- Suzanne Brown, Program Manager, Neighbourhood Strategies
- Matt Goodman, Vice President, Grants and Community Initiatives, Hamilton Community Foundation
to provide an update on community development and neighbourhood action plans;

- Dr. Jim Dunn, CIHR-PHAC Chair in Applied Public Health, Department of Health, Aging & Society, McMaster University; Director of the McMaster Institute for Environmental & Health, McMaster University
- Colin McMullen, Manager, Social Development
to provide baseline plans;

- Jim Diers, Community Builder and former Director of Seattle’s Department of Neighbourhoods
to speak about his Hamilton experience, given his extensive knowledge of neighbourhoods.

With the assistance of a PowerPoint presentation, the presenters spoke to the following:

- Annual Update Highlights
- Neighbourhood Action Strategy – Sampling of Partners
- Accomplishments
- Matt Goodman, Hamilton Community Foundation – HCF commitment to the Neighbourhood Action Strategy
- Evaluation Update
- Evaluation Partners
- Hamilton Neighbourhood Study: Highlights from Stipley and Stinson
- About the Survey
- Stipley Highlights
- Stinson Highlights
Guest: Jim Diers, Community Builder and former Director of Seattle’s Department of Neighbourhoods

- Building Government – Community Partnerships
- Comments included:
  - Move beyond siloed thinking to focusing on whole places
  - Little City Halls
  - Move beyond starting with needs to starting with strengths
  - Neighbourhood Matching Fund e.g., playgrounds, parks, environment, food security, renovated facilities, cultural centers, youth development; public art
  - Move beyond top-down to community driven
  - Neighbourhood Planning, International District, Columbia City

A copy of the PowerPoint presentation was submitted to the Clerk for the public record and can be viewed on the City of Hamilton website.

The presentation respecting “Neighbourhood Action Strategy (NAS) – Annual Update” was received.

See Item 7 for the disposition of this item.

(h) MOTIONS

(i) **On-Line Survey Audit of Queen Street South and Caroline Street (Item 9.1)**

Sub-section (a) was amended as follows:

(i) by deleting the words, “an on-line survey audit” and replacing it with the words, “the report”;

(ii) by adding the words, “in Wards 1, 2 and 3” following the word, “Study”.

The following was added as sub-section (b):

(b) That the results be presented to the General Issues Committee upon completion of the report.

The Amendments CARRIED and the Main Motion, as amended, CARRIED.

See Item 10 for the disposition of this item.
(ii) Fairness to Hamilton Campaign Sub-Committee – Establishment of Council Priorities (Item 9.2)

Sub-section (a) was amended by adding the words, “or at the earliest possible time” following the words, “at Queen’s Park in November, 2013”.

The Amendment CARRIED and the Main Motion, as amended, CARRIED.

See Item 11 for the disposition of this item.

(iii) Removal of Correctional Staff from Federal Halfway House in Downtown Hamilton

Whereas Council has, in the past and on various occasions, expressed serious concerns over the issues surrounding the Federal halfway house in downtown Hamilton; and,

Whereas the Federal halfway house has had serious security incidents in the past that may be deemed as a threat to public safety; and,

Whereas this centrally-located facility is known to house dangerous and difficult-to-manage residents; and,

Whereas Council has a strategic plan that includes, "Council will work for and with the community to improve the safety of all residents" and is "the best place to raise a child"; and,

Whereas to date, little action from the Federal Government has commenced as an answer to address these concerns.

Therefore, be it resolved:

(a) That staff from the City Manager’s Office confirm that Public Safety Canada is pulling out all correctional staff from the downtown Federal halfway house;

(b) That if confirmed, representatives from Public Safety Canada be invited to a meeting of the General Issues Committee at the earliest possible date to present their reasoning behind this move and to ensure that they are available to answer questions as to how they will be addressing the issue of public safety in the absence of qualified correctional officers.

Sub-section (b) was amended by deleting the words, “to ensure that they are available”.

That the Motion, as amended, was further amended as follows:

Council – October 9, 2013
(i) by deleting sub-section (a) in its entirety and renumbering the balance of the sections accordingly;

(ii) by deleting the words, "if confirmed," following the word, "That";

(iii) by adding the following as sub-section (b):

(b) That a request be made to the Hamilton Police Services Board to provide a report to the General Issues Committee outlining their concerns relative to safety and security related to the location of the Halfway house on York Blvd.

The Amendments CARRIED and the Main Motion, as amended, CARRIED.

See Item 13 for the disposition of this item.

(i) NOTICES OF MOTION

Councillor J. Farr introduced the following Notice of Motion:

Removal of Correctional Staff from Federal Halfway House in Downtown Hamilton (Item 10.1)

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Whereas this centrally-located facility is known to house dangerous and difficult-to-manage residents; and,

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(b) That if confirmed, representatives from Public Safety Canada be invited to a meeting of the General Issues Committee at the earliest possible date to present their reasoning behind this move and to ensure that they are available to answer questions as to how they will be addressing the issue of public safety in the absence of qualified correctional officers.

The Rules of Order were suspended in order to allow for the introduction of a motion respecting “Removal of Correctional Staff from Federal Halfway House in Downtown Hamilton”.

(j) GENERAL INFORMATION/OTHER BUSINESS (Item 11.1)

(i) Outstanding Business Items List

(aa) Revised Due Dates

The due dates for the following items on the Outstanding Business List were revised as follows:

Item T: Waterfront and Shoreline
Due Date: October 2, 2013
Revised Due Date: November 6, 2013

Item BB: Waterfront Initiatives Financing Strategy
Due Date: October 2, 2013
Revised Due Date: November 20, 2013

Item CC: Memorandum of Understanding with Hamilton Port Authority/Land Lease- Parking
Due Date: October 2, 2013
Revised Due Date: November 20, 2013

Item EE: ACPD Report 13-003 – Transportation Sub-Committee Report
Due Date: October 16, 2013
Revised Due Date: November 6, 2013

(bb) Items to be removed from Outstanding Business List:

With respect to Item UU, Launch of the Renewed Rural Economic Development (RED) Program, Neil Everson advised the Committee that the City of Hamilton does not meet the criteria. For the purposes of the RED Program, “rural” encompasses all of Ontario with the exception of the Greater Toronto Area (GTA), the Cities of Hamilton, Ottawa, Greater Sudbury, Thunder Bay, London and Windsor and the Regions of Niagara and Waterloo.
The following item was deemed complete and removed from the Outstanding Business List:

Item UU: Launch of the Renewed Rural Economic Development (RED) Program

(k) PRIVATE & CONFIDENTIAL

(i) Closed Session Minutes – September 10 and 18, 2013

The Minutes of the Closed Session Meetings of the General Issues Committee held on September 10 and 18, 2013, were approved and will remain confidential and restricted from public disclosure.

The Committee moved into Closed Session at 2:24 p.m. pursuant to Subsections (b) and (c) of the City of Hamilton Procedural By-law and Section 239.2 of the Municipal Act as the subject matters pertained to:

(b) personal matters about an identifiable individual including municipal or local board employees respecting “Update on the Conduct of a City Employee” (Item 12.4);

(c) a proposed or pending acquisition or disposition of land for City purposes respecting “Hamilton-Wentworth Catholic District School Board; Surplus School Site, Bishop Ryan Secondary School, 50 Albright Road, Hamilton (PED13162) (Ward 5)” (Item 12.3).

The Committee reconvened in Open Session at 4:14 p.m.

(ii) Hamilton-Wentworth Catholic District School Board; Surplus School Site – Bishop Ryan Secondary School, 50 Albright Road, Hamilton (PED13162) (Ward 5)

See Item 15 for the disposition of this item.

(iv) Update on the Conduct of a City Employee

No action to be reported.

(l) PROCEEDURAL MATTERS

The Committee recessed for 30 minutes and reconvened at 12:30 p.m.
(m) ADJOURNMENT

There being no further business, the Committee adjourned at 4:16 p.m.

Respectfully submitted

Councillor R. Powers
Deputy Mayor

Carolyn Biggs
Legislative Co-ordinator
Office of the City Clerk