Committee of the Whole
REPORT 06-020

5:00 p.m.
September 27, 2006
Council Chambers
Hamilton City Hall
71 Main Street West, Hamilton

Present: Mayor L. DiIanni
Councillors D. Braden, B. Bratina, P. Bruckler,
C. Collins, T. Jackson, B. Kelly, M. McCarthy, B. McHattie
B. Morelli, S. Merulla, D. Mitchell, M. Pearson, T. Whitehead

Absent with regrets: Councillor M. Ferguson – Illness

Also Present: G. Peace, City Manager
J. Rinaldo, General Manager, Finance and Corporate Services
C. Graham, General Manager, Human Resources
L. Coveyduck, General Manager, Planning and Economic Development
J. Kay, General Manager/Chief HES
Dr. E. Richardson, MOH
K. Christenson, City Clerk
M. Gallagher, Coordinator

Mayor DiIanni called the meeting to order.

COMMITTEE OF THE WHOLE PRESENTS REPORT 06-020 AND RESPECTFULLY RECOMMENDS:

1. Item 1 Subsection (a) (v) of Committee of the Whole Report 06-013 respecting Heritage Permit Application (HP2006-017) Under Part IV of the Ontario Heritage Act to Demolish a Designated Property at 28-44 James street North (Lister Block) Hamilton

That Subsection (a) (v) of Committee of the Whole Report 06-013 respecting Heritage Permit Application (HP2006-017) Under Part IV of the Ontario Heritage Act to Demolish a Designated Property at 28-44 James street North (Lister Block) Hamilton be amended by extending the date to no earlier than the day after City Council makes a final decision in relation to a new Heritage Permit application for the subject property.
2. Negotiations respecting Lease of 28-50 James Street North (Lister Building)

(a) That the Province of Ontario be advised that the City of Hamilton will agree to continue to negotiate a lease on behalf of the Hamilton Public Health Unit with LIUNA Local 137 Lister Limited Partnership for the property known as 28-50 James Street North (Lister Building) subject to:

(i) The Province of Ontario agreeing to fund 75% of the increased operating costs of this lease starting in 2008 without impacting the funding for Public Health Programs.

(ii) The Province of Ontario agreeing to fund 75% of the one-time capital costs for relocation and all necessary tenant improvements.

(iii) The Province of Ontario agreeing to fund 100% of cost undertaking the Peer Review of project costs and providing a heritage consultant to ensure that the standards and scope of work for the rehabilitation of the Lister Building which were proposed to the City and the Lister Working Group are met.

(b) That prior to the execution of the final Lease Agreement, LIUNA Local 137 Lister Limited Partnership be requested to present to City Council their proposal for Phase 2 of this development.

(c) That this resolution be forward to the Premier of Ontario, the Minister of Culture and the Minister of Health

(d) That the final Lease Agreement be submitted for approval to both the Board of Health and City Council prior to execution.

(e) That subsection (e) of Item 1 of Committee of the Whole Report 06-013 be amended by deleting the signed lease agreement date of September 15, 2006 and inserting in lieu thereof the date January 31, 2007.

(f) That staff investigate and report back to Council on the future accommodation options for the space requirements (approximately 24,000 square feet) for the Community Services Department, such investigation to include priority consideration for this accommodation as part of an adaptive re-use of prominent or architecturally significant building on City-owned brownfield properties in the core area as well as exploring St. Mark’s Church.

(g) That the Landlord be requested to investigate with Hamilton Utilities Corporation the feasibility of connecting to the Hamilton Community Energy Plant.
FOR THE INFORMATION OF COUNCIL:

(a) **CHANGES TO THE AGENDA**
The agenda was approved as circulated.

(b) **DECLARATIONS OF INTEREST**
None

(c) **ADOPTION OF MINUTES**
3.1 September 22, 2006
That the minutes were adopted as presented.

(d) **PRESENTATIONS**

(I) Presentation by Provincial Development Facilitator Allan Wells (Item 4.1a)

Mr. Wells, Provincial Development Facilitator and Chair of the Lister Block Working Group, introduced the members of the Working Group as well as the property owners.

Mr. Wells extended his appreciation to staff and council for their cooperation during the process.

Mr. Wells explained his role as mediator and the reporting process to the Minister of Culture and key issues to be addressed during the presentations.

The Report of the Provincial Facilitator was received.

(II) Report of the Lister Block Working Group (Item 4.1b)

Messrs. Julian Smith and Clinton Brown on behalf of the Lister Block Working Group presented an overview of the report and highlighted the following:

Mr. Smith addressed the following:

Approach based on conservation principles
Assessment of the building
Categories of Intervention – preservation, rehabilitation, restoration
Lister Block – heritage attributes

Mr. Brown provided an overview of the Lister Block Heritage Summary and recommendations which were circulated to council.
Kathy Drewitt, a member of the Working Group provided thanks to members of the working group and to council.

Ms. Drewitt reported that the BIA Board of Management wish to see the project move forward to help revitalize the downtown and encourage investment, and to maintain some of the retail aspects. Ms. Drewitt further reported that the BIA is pleased with outcome of the negotiations and work of the working group to rehabilitate the building.

The report of the working group was received.

(III) Presentation by the City of Hamilton – Joe Rinaldo, General Manager, Finance and Corporate Services (Item 4.2)

Mr. Rinaldo provided an overview of the original Lister Redevelopment proposal vs. the revised proposal presented to council.

The presentation was received.

(e) Heritage Permit Application (HP2006-17)

It was noted during the meeting that any new Heritage Application will substantially be in accordance with the proposal for alteration and rehabilitation of the Lister Block as presented to the Committee of the Whole and be the condition of City consent to the new Heritage Permit application that consent to application HP2006-17 would be rescinded and any permit issued as a result revoked.

The meeting adjourned at p.m.

Respectfully submitted

Mayor L. DiIanni

M. Gallagher
Co-ordinator, Council/COW
September 27, 2006