



City of Hamilton

GENERAL ISSUES COMMITTEE REVISED

Meeting #: 18-015
Date: July 9, 2018
Time: 9:30 a.m.
Location: Council Chambers, Hamilton City Hall
71 Main Street West

Stephanie Paparella, Legislative Coordinator (905) 546-2424 ext. 3993

	Pages
1. APPROVAL OF AGENDA	
(Added Items, if applicable, will be noted with *)	
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Due to bulk, the appendices to Report CM18016 are available on-line only.

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9. MOTIONS

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10. NOTICES OF MOTION**11. GENERAL INFORMATION / OTHER BUSINESS****12. PRIVATE AND CONFIDENTIAL**

- 12.1 Closed Session Minutes - June 20, 2018

Pursuant to Section 8.1, Sub-section (f) of the City's Procedural By-law 14-300, and Section 239(2), Sub-sections (f) and (k) of the *Ontario Municipal Act*, 2001, as amended, as the subject matter pertains to the receiving of 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.

- 12.2 Acquisition of 194 First Road West for Extension of Lormont Boulevard, Hamilton (PED18163) (Ward 9)

Pursuant to Section 8.1, Sub-section (c) of the City's Procedural By-law 14-300, and Section 239(2), Sub-section (c) 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 purposes.

- 12.3 Lease Negotiations - Phase 1, Jackson Square Ground Lease (PED18126/LS18036) (Ward 2)

Pursuant to Section 8.1, Sub-sections (e) and (f) of the City's Procedural By-law 14-300, 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 City; the receiving of 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.

12.4 Expropriation of 55 Queenston Road (City Motor Hotel) - Proposed Partial Settlement (LS12009(d)) (Ward 4)

Pursuant to Section 8.1, Sub-sections (e) and (f) of the City's Procedural By-law 14-300, and Section 239(2), Sub-sections (e) and (f) 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 City; and, the receiving of advice that is subject to solicitor-client privilege, including communications necessary for that purpose.

12.5 Property Acquisition to Support the Transit Maintenance and Storage Facility

12.5.a Property Acquisition to Support the Transit Maintenance and Storage Facility (PW18045(a)) (Ward 3)

Pursuant to Section 8.1, Sub-section (c) of the City's Procedural By-law 14-300, and Section 239(2), Sub-section (c) 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 purposes.

12.5.b Property Acquisition to Support the Transit Maintenance and Storage Facility (PED18115/PW18045) (Ward 3) (Referred back to GIC by Council at its meeting of June 13, 2018)

Pursuant to Section 8.1, Sub-section (c) of the City's Procedural By-law 14-300, and Section 239(2), Sub-section (c) 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 purposes.

12.6 Hamilton Tiger-Cats Soccer at Tim Hortons Field (PW18066) (City Wide)

Pursuant to Section 8.1, Sub-sections (a) and (f) of the City's Procedural By-law 14-300, and Section 239(2), Sub-sections (a), (f) and (i) of the *Ontario Municipal Act*, 2001, as amended, as the subject matter pertains to the security of the property of the City; the receiving of advice that is subject to solicitor-client privilege, including communications necessary for that purpose; and, a trade secret or scientific, technical, commercial, financial or labour relations information, supplied in confidence to the municipality or local board, which, if disclosed, could reasonably be expected to prejudice significantly the competitive position or interfere significantly with the contractual or other negotiations of a person, group of persons, or organization.

*12.7 Parking System Upgrade (PED17224(a)/LS17037(a)) (City Wide)

Pursuant to Section 8.1, Sub-sections (e) and (f) of the City's Procedural By-law 14-300, and Section 239(2), Sub-sections (e) and (f) 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 City; and, the receiving of advice that is subject to solicitor-client privilege, including communications necessary for that purpose.

*12.8 Waste Management System Development - Materials Recycling Facility Operations Contract (PW16059(d)) (City Wide)

Pursuant to Section 8.1, Sub-sections (e) and (f) of the City's Procedural By-law 14-300, and Section 239(2), Sub-sections (e), (f), (i) 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 City; the receiving of advice that is subject to solicitor-client privilege, including communications necessary for that purpose; a trade secret or scientific, technical, commercial, financial or labour relations information, supplied in confidence to the municipality or local board, which, if disclosed, could reasonably be expected to prejudice significantly the competitive position or interfere significantly with the contractual or other negotiations of a person, group of persons, or organization; 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.

*12.9 Ward 7 Vacant Seat (LS18043/HUR18014) (Ward 7)

Pursuant to Section 8.1, Sub-sections (b), (e) and (f) of the City's Procedural By-law 14-300, and Section 239(2), Sub-sections (b), (e) and (f) of the *Ontario Municipal Act*, 2001, as amended, as the subject matter pertains to personal matters about an identifiable individual, including City Employees; litigation or potential litigation, including matters before administrative tribunals, affecting the City; and, the receiving of advice that is subject to solicitor-client privilege, including communications necessary for that purpose.

*12.10 Service Contract (no copy)

Pursuant to Section 8.1, Sub-section (b) of the City's Procedural By-law 14-300, and Section 239(2), Sub-section (b) of the *Ontario Municipal Act*, 2001, as amended, as the subject matter pertains to personal matters about an identifiable individual, including City Employees.

13. ADJOURNMENT



GENERAL ISSUES COMMITTEE MINUTES 18-014

9:30 a.m.

Wednesday, June 20, 2018

Council Chambers

Hamilton City Hall

71 Main Street West

Present: Mayor F. Eisenberger, Deputy Mayor B. Johnson (Chair)
Councillors T. Whitehead, T. Jackson, C. Collins, S. Merulla,
M. Green, J. Farr, A. Johnson, D. Conley, M. Pearson,
L. Ferguson, A. VanderBeek, J. Partridge

**Absent with
Regrets:** Councillors R. Pasuta, D. Skelly – Personal

THE FOLLOWING ITEMS WERE REFERRED TO COUNCIL FOR CONSIDERATION:

1. **Capital Projects Work-in-Progress Review Sub-Committee Report 18-004, May 28, 2018 (Item 5.1)**

(Pearson/A. Johnson)
Capital Projects Status Report (Excluding Public Works), as of December 31, 2017 (FC517077(b)) (City Wide) (Item 8.1)

That the Capital Projects Status Report (Excluding Public Works), as of December 31, 2017, attached as Appendix "A" to Report FCS17077(b), be received.

CARRIED

2. **Small Business Enterprise Centre – 2017 Activity Report (PED18140) (City Wide) (Item 5.2)**

(Partridge/VanderBeek)
That Report PED18140, respecting the Small Business Enterprise Centre – 2017 Activity Report, be received.

CARRIED

3. Special Events Advisory Team (SEAT) Customer Service Improvement Review Update (PED17112(a)) (City Wide) (5.3)

(Ferguson/Eisenberger)

That Report PED17112(a), respecting the Special Events Advisory Team (SEAT) Customer Service Improvement Review Update, be received.

CARRIED

4. Status of the Hamilton Downtown, Barton/Kenilworth Multi-Residential Property Investment Program and Other Urban Renewal Initiatives (PED18102) (City Wide) (Item 5.4)

(Green/Merulla)

That Report PED18102, respecting the Status of the Hamilton Downtown, Barton/Kenilworth Multi-Residential Property Investment Program and Other Urban Renewal Initiatives, be received.

CARRIED

5. Establishment of a Community Benefits Protocol Advisory Committee (Item 6.4)

(Green/Eisenberger)

WHEREAS, the Hamilton Community Benefits Network has organized a coalition of community groups, organized labour, and building trades to build a frame work on infrastructure, based on the following priorities:

- (i) Provide equitable economic opportunities that promote economic inclusion through apprenticeships;
- (ii) Contribute to the integration of skilled, marginalized population into professional, administrative and technical jobs;
- (iii) Support social enterprises and other related vehicles to economic inclusion through commitments to social procurement; and,
- (iv) Contribute to neighbourhood and environment improvement through building new infrastructure;

THEREFORE, BE IT RESOLVED:

- (a) That a Community Benefits Protocol Advisory Committee be established to be comprised of two members of Council and two members of the Hamilton Community Benefits Network;

- (b) That the appropriate staff be directed to attend meetings of the Community Benefits Protocol Advisory Committee, as required;
- (c) That staff be directed to draft a Terms of Reference for the Community Benefits Protocol Advisory Committee and report back to the General Issues Committee;
- (d) That staff be directed to draft a Protocol for a clear policy for implementing community benefits agreements, and report to the Community Benefits Protocol Advisory Committee; and,
- (e) That Councillors M. Green and J. Farr be appointed to the Community Benefits Protocol Advisory Committee, for the balance of the 2014 to 2018 term of Council.

CARRIED

6. Innovation Factory Request for Funding Renewal Option – 2018 (PED18132) (City Wide) (Item 7.1)

(Jackson/Pearson)

- (a) That the request by the Innovation Factory to exercise their renewal option of the City's 2018 Annual Community Partnership contribution of \$50,000, per previous General Issues Committee (GIC) Report PED16123, be approved;
- (b) That this \$50,000 annual contribution for the Innovation Factory be funded from the Economic Development Investment Reserve Account No. 112221; and,
- (c) That City staff, together with the Innovation Factory, report back to the General Issues Committee with an annual review of the Municipal Funding Program, prior to the approval of a renewal option for 2019 and subject to satisfactory Key Performance Indicator results of the previous year.

CARRIED

7. Hamilton Immigration Partnership Council – Annual Report (PED18138/HSC18035) (City Wide) (Item 7.3)

(Merulla/Partridge)

That Report PED18138/HSC18035, respecting the Hamilton Immigration Partnership Council – Annual Report, be received.

CARRIED

8. 18-28 King Street East, Extension of Conditional Approval, Hamilton Heritage Property Grant Program and GORE Building Improvement Grant Program (PED16253(b)) (Ward 2) (Item 8.1)**(Farr/Pearson)**

- (a) That the deadline for the submission of a separate, completed Hamilton Heritage Property Grant Program (HHPGP) Application for each 18, 20, 22, 24 and 28 King Street East, for the previously approved conditional grant commitment to an upset limit of \$850,000 for the Hughson Business Space Corporation (Linda Barnett, David Blanchard, Ronald Quinn and William Rogan) the registered owners, be extended to no later than July 31, 2019, conditional upon the receipt of a Building Permit Application being submitted to the City for the redevelopment of 18-28 King Street East no later than January 31, 2019;
- (b) That the deadline for the submission of a separate, completed GORE Building Improvement Grant Program (GBIGP) Application for each 18, 20, 22, 24 and 28 King Street East, for the previously approved conditional grant commitment to an upset limit of \$250,000 under the GORE Building Improvement Grant Program (GBIGP) for Hughson Business Space Corporation (Linda Barnett, David Blanchard, Ronald Quinn and William Rogan), the registered owners, be extended to no later than July 31, 2019, conditional upon the receipt of a Building Permit Application being submitted to the City for the redevelopment of 18-28 King Street East no later than January 31, 2019; and,
- (c) That, should the Hughson Business Space Corporation (Linda Barnett, David Blanchard, Ronald Quinn and William Rogan) the registered owners of 18, 20, 22, 24 and 28 King Street East not submit a Building Permit Application for the redevelopment of 18-28 King Street East by January 31, 2019, staff be directed to report back to the General Issues Committee for direction as to whether or not the conditional grant commitments, under the Hamilton Heritage Property Grant Program (HHPGP) and GORE Building Improvement Grant Program (GBIGP), for those properties should continue to be valid.

CARRIED**9. Proposed Sale of Enbridge Pipelines Inc. Line 10 Pipeline to Westover Express Pipeline Limited (wholly owned subsidiary of United Refining Company) (PED18130) (Wards 12 and 14) (Item 8.2)****(Eisenberger/Green)**

- (a) That City staff be authorized and directed to raise potential municipal issues of concern to the City of Hamilton relating to the sale of Enbridge Line 10 Pipeline directly with Enbridge Pipelines Inc. and the proposed purchaser of Line 10, Westover Express Pipeline Limited, and to submit a

Letter of Comment outlining these concerns to the National Energy Board (NEB) if provided the opportunity to do so by NEB;

- (b) That the municipal issues of concerns referred to in recommendation (a) may include:
- (i) That National Energy Board mandate that Westover Express Pipeline Limited to be bound to comply with all regulatory requirements, approvals, agreements, easements and permits set out by National Energy Board and with the City of Hamilton;
 - (ii) That National Energy Board require Westover Express Pipeline Limited to assume, by way of an Agreement, the responsibilities and obligations of Enbridge Pipelines Inc. under an existing Licence Agreement dated May 9, 2017, as amended, and ancillary agreements as they relate to the Line 10 Pipeline crossings of City of Hamilton right-of-ways;
 - (iii) That representatives of Westover Express Pipeline Limited meet with the Hamilton Fire Department, prior to the handover of operations of Line 10 Pipeline to provide for review and input into their emergency response and emergency resource plan for the Westover Site and Line 10 Pipeline; and,
 - (iv) That the onsite emergency response resources currently maintained at the Line 10 Pipeline Westover Site by Enbridge Pipelines Inc. be maintained at the current or enhanced level after handover of operations to Westover Express Pipeline Limited;
- (c) That subject to the approval of the sale of Line 10 by Enbridge Pipelines Inc. to Westover Express Pipeline Limited by the National Energy Board, the General Manager of Public Works be authorized to negotiate and execute, on behalf of the City of Hamilton, a Crossing Licence Agreement for the Line 10 Pipeline and any ancillary documents, which set out the roles, responsibilities and obligations of the parties with respect to the Line 10 Pipeline where it crosses City-owned right-of-ways, in a form satisfactory to the City Solicitor and with content satisfactory to the General Manager of Public Works and General Manager of Planning and Economic Development, as applicable;
- (d) That the matter respecting Proposed Sale of Enbridge Pipelines Inc. Line 10 Pipeline to Westover Express Pipeline Limited, a wholly owned subsidiary of the United Refining Company, be identified as complete and removed from the Planning Committee's Outstanding Business List; and,

- (e) *That staff be directed to include in the Letter of Comment, to the National Energy Board, respecting the Proposed Sale of Enbridge Pipelines Inc. Line 10 Pipeline to Westover Express Pipeline Limited (wholly owned subsidiary of United Refining Company) the City's position respecting the removal of the decommissioned pipeline, and that a copy of that letter be sent to Westover Express Pipeline.*

MOTION, AS AMENDED, CARRIED

10. Waterdown Rotary Memorial Park Skating Loop Public Art Project (PED18127) (Ward 15) (Item 8.3)

(Partridge/Whitehead)

That staff be directed to undertake the planning, selection and implementation of a public art work for Waterdown Memorial Park to be funded by transfers of \$20,000 from the Public Art Reserve (108044), \$40,000 from the Waterdown Rotary Memorial Park Skating loop project (PID 7101454202), and \$15,000 from the Waterdown Memorial Hall project (PID 7101741701 Community Halls Retrofits).

CARRIED

11. Downtown Public Art (PED18061) (Wards 2 and 3) (Item 8.4)

(Farr/A. Johnson)

That a Downtown Public Art Capital Project 7101858812 be established, and funded in the amount of \$936,350 from the Downtown Public Arts Reserve (108049), for the planning, administration and implementation of public art projects in the Downtown Hamilton Community Improvement Project Area, as listed in Appendix "A" to Report 18-014.

CARRIED

12. Hamilton-Wentworth District School Board Liaison Sub-Committee Report 18-002, May 23, 2018 (Item 8.5)

(Merulla/Jackson)

Dominic Agostino Riverdale Community Hub Proposal (HSC18029) (Ward 5) (Item 12.2)

- (a) That the Dominic Agostino Riverdale Community Hub Proposal, attached as Appendix "B" to Report 18-014, be approved; and,
- (b) That the contents of Report HSC18029, respecting the Dominic Agostino Riverdale Community Hub Proposal and Appendices remain confidential.

CARRIED

13. Municipal Green House Gas (GHG) Challenge Fund Round Two (PW17079(a)/FCS17082(a)) (City Wide) (Item 8.6)

(Merulla/A. Johnson)

- (a) That the Hamilton Takes Charge Electric Bus Pilot Project for the requested funding amount of \$2,000,000 be approved for consideration under the Municipal Greenhouse Gas (GHG) Challenge Fund Round Two;
- (b) That the Mayor and Clerk be authorized to execute all necessary documentation, including Grant Contracts and Funding Agreements for funding under the Municipal Green House Gas (GHG) Challenge Fund Round Two, in a form satisfactory to the City Solicitor; and,
- (c) That copies of Report PW17079(a)/FCS17082(a), respecting the Municipal Green House Gas (GHG) Challenge Fund Round Two, be forwarded to local Members of Provincial Parliament.

CARRIED

14. Steel Committee Report 18-001, June 18, 2018 (Item 8.7)

(Whitehead/Merulla)

(a) Selection of Vice Chair (Item 1.1)

That Councillor M. Green be appointed as the Vice Chair of the Steel Committee for the remainder of the 2014-2018 Term of Council.

(b) Support for the Canadian Steel Industry (Item 8.1)

WHEREAS, the loss or reduction of workers' pensions directly impact the fixed incomes of our residents;

WHEREAS, retired workers on a fixed income were severely impacted by bankruptcies at U.S. Steel/Stelco under the *Companies' Creditors Arrangement Act* (CCAA) as well as at Hamilton Specialty Bar;

WHEREAS, current workers' pensions are being listed as corporate debt rather than the workers being listed as primary creditors; and,

WHEREAS, Hamilton Mountain MP, Scott Duvall, is currently fighting for pension reform;

THEREFORE, BE IT RESOLVED:

- (i) That the Mayor, on behalf of Council and our retired workers, correspond with Hamilton-area MPs, MPPS, the Prime Minister and the Premier to request a full revision of bankruptcy laws to prioritize and protect pensions;
- (ii) That the letter express Council's support for reforming the *Companies' Creditors Arrangement Act* (CCAA) so that workers and their pensions are protected; and,
- (iii) That the letter encourage the Federal and Provincial governments to be supportive of workers, should there be further job losses.

(c) Reforming the Canadian International Trade Tribunal (Item 8.1)

That the Mayor correspond with Hamilton-area MPs, MPPS, the Prime Minister and the Premier to express Council's support for the idea of reforming the Canadian International Trade Tribunal to ensure that the industry and the community are appropriately protected from further harm.

(d) Endorsement of the Canadian Government's Position against the Steel Tariffs (Item 8.1)

WHEREAS, the Prime Minister has stated publicly that the Federal government will be working with steel and aluminum producers to make sure Canadian jobs are protected; and,

WHEREAS, the Prime Minister has said, on the record, the he wants "Canadian workers and communities to continue to do ok despite these unnecessary and punitive actions.";

THEREFORE, BE IT RESOLVED:

That the Mayor correspond with the Prime Minister to confirm Council's support of, and endorsement for, his strategy of supporting Canadian jobs and his government's stand on opposition to the steel tariffs.

(e) Information Report Request on Matters relating to the Steel Industry (Item 8.1)

- (i) That staff be directed to report back to the Steel Committee with information outlining what the impacts of the tariffs on steel, imposed by the Trump Administration, will be and how it will affect

Hamilton with the report to include, but not be limited to, the following information:

- (1) The impact on secondary businesses in Hamilton that provide goods and services that support steel producers;
 - (2) The property tax implications that would result should steel production move out of Hamilton; and,
 - (3) The impact that the tariffs may have on the City's rate budget and other City services such as water rates; and,
- (ii) That staff consult Arcelor Mittal Dofasco, U.S. Steel Canada and union stakeholders in researching this report.

CARRIED

15. Stelco Inc. and Receiver Lands (Item 9.1)

(Merulla/Farr)

WHEREAS, the court appointed Receiver for U.S. Steel Canada Inc. recently sold much of the land occupied by U.S Steel Canada to Stelco;

WHEREAS, the City has an interest in maximizing the potential for job creation and tax assessment from these lands while protecting the interests of pensioners;

WHEREAS, the City has previously completed work to identify the significant job creation potential for the lands, should they be wisely and appropriately utilized;

WHEREAS, the Receiver has not sold three parcels of land to Stelco and has indicated these parcels will soon be available for sale on the open market;

WHEREAS, the City of Hamilton submitted an offer in February to the Receiver for a parcel of approximately 2 acres in the Barton/Tiffany area that is integral to the City's plans for that area; and,

WHEREAS, there has been no response to the City's offer;

THEREFORE, BE IT RESOLVED:

- (a) That staff be directed to identify strategic lands, within the lands sold to Stelco Inc. by the Receiver as well as lands retained by the Receiver, that may contribute to the City's economic development objectives;
- (b) That staff be directed to inquire, of Stelco Inc. and the Receiver, their willingness and interest in selling strategic lands to the City; and,

- (c) That staff be directed to report back to the General Issues Committee for further direction, should there be an opportunity to acquire strategic employment lands.

CARRIED

16. Outdoor Furniture at City Hall (Item 9.2)

(Green/Farr)

WHEREAS, a community place can strengthen the positive connection between people and the places they share;

WHEREAS, the Hamilton City Hall Forecourt has a strong connection and history as an important social, cultural and community place;

WHEREAS, the Hamilton City Hall Forecourt has become an engaging and interactive civic commons for passive and interactive programming including the popular Hamilton sign;

WHEREAS, activities such as Music Mondays have provided comfortable outdoor non-permanent seating for attendees to the concerts; and,

WHEREAS, the outdoor non-permanent seating is owned by the City and stored at City Hall;

THEREFORE, BE IT RESOLVED:

- (a) That City Hall Facilities staff be directed to provide this non-permanent, outdoor furniture on the Hamilton City Hall Forecourt for citizens to use at any time during operating hours every Monday to Friday, June to September; and,
- (b) That staff be directed to include a placemaking-based analysis and recommendations for the Hamilton City Hall Forecourt as part of the upcoming Animation Strategy.

CARRIED

17. Disposition of City Owned Lands–Car Park Lot 76–75 Catharine Street South, Hamilton (PED17227(a)) (Ward 2) (Item 12.3)

(Conely/Pearson)

- (a) That an Offer to Purchase for the sale of the property attached as Appendix “A” to Report PED17227(a), which is scheduled to close on or before November 4, 2018, be approved, in accordance with the terms and conditions attached as Appendix “B” to Report PED17227(a);
- (b) That \$51,941.09 from the sale proceeds be credited to Account No. 45408-812036 (Property Sales and Purchases) for recovery of expenses

including Real Estate, Appraisal, Property Management and Legal administration fees;

- (c) That the balance of the net proceeds from the sale of the property at 75 Catharine Street South (Car Park Lot 76) be credited to Parking Capital Reserve Account No. 108021;
- (d) That the City Solicitor be authorized and directed to complete this transaction 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 as the City Solicitor considers reasonable;
- (e) That the Mayor and City Clerk be authorized to execute any necessary ancillary documents, respecting the Offer to Purchase and Sale of 75 Catharine Street South, attached as Appendix "A" to Report PED17227(a), in a form satisfactory to the City Solicitor;
- (f) That Appendix "B" attached to Report PED17227(a), respecting the Property Disposition of 75 Catharine Street South, remain confidential until completion of the real estate transaction.

CARRIED

18. John/Rebecca Park Property Acquisitions (PED18134) (Ward 2) (Item 12.4)

(Farr/Merulla)

That Report PED18134, respecting the John/Rebecca Park Property Acquisitions, remain confidential.

CARRIED

19. Litigation Instructions, Offer to Settle Legal Costs for the Hamilton and the Christian Heritage Party of Canada Matter (LS18038) (City Wide) (Item 12.6)

(Pearson/Conley)

- (a) That the direction provided to staff in Closed Session, respecting Report LS18038, Litigation Instructions, Offer to Settle Legal Costs for the Hamilton and the Christian Heritage Party of Canada Matter, be approved; and,
- (b) That Report LS18038, Litigation Instructions, Offer to Settle Legal Costs for the Hamilton and the Christian Heritage Party of Canada Matter, remain confidential.

CARRIED

FOR INFORMATION:

(a) CHANGES TO THE AGENDA (Item 1)

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

1. DELEGATION REQUESTS (Item 4)

- 4.2 Don McLean and David Bennett, Hamilton 350 Committee, respecting Item 8.2 – Report PED18130 - Proposed Sale of Enbridge Pipelines Inc. Line 10 Pipeline to Westover Express Pipeline Limited (wholly owned subsidiary of United Refining Company) (Wards 12 and 14) (For today's meeting.)
- 4.3 John-Paul Danko, Proposal for Ward 7 Upcoming Vacant Council Seat (For a future meeting.)
- 4.4 David VanderWindt, Indwell Community Homes, respecting Item 7.4 – Report PED18137 - City Wide Transportation Master Plan Review and Update (For today's meeting.)
- 4.5 Elise Desjardins, Cycle Hamilton, respecting Item 7.4 – Report PED18137 - City Wide Transportation Master Plan Review and Update (For today's meeting.)

(Green/Merulla)

That Jeff Neven, of the Crown Point Hub, be added to today's agenda as Item 4.6 – a Request to Speak to Item 7.4 – Report PED18137 – City Wide Transportation Master Plan Review and Update.

CARRIED

2. PUBLIC HEARINGS/DELEGATIONS (Item 6)

- 6.3 David Carter, Innovation Factory, to provide an update respecting the Innovation Factory Request for Funding Renewal Option – Annual Review

David Carter will not be heard as a delegation, but will be presenting on behalf of City staff under Item 7.1 – Report PED18132 - Innovation Factory Request for Funding Renewal Option – 2018

- 6.4 Anthony Marco, Hamilton Community Benefits Network, respecting the HCBN's Mission and Vision

3. DISCUSSION ITEMS (Item 8)

8.4 Downtown Public Art (PED18061) (Wards 2 and 3)

There is a REVISED Appendix "A" to Report PED18061.

8.6 Municipal Green House Gas (GHG) Challenge Fund Round Two (PW17079(a)/FCS17082(a)) (City Wide)

8.7 Steel Committee Report 18-001, June 18, 2018

4. MOTIONS (Item 9)

9.1 Stelco Inc. and Receiver Lands

5. NOTICES OF MOTION (Item 10)

10.1 Outdoor Furniture at City Hall

6. PRIVATE & CONFIDENTIAL (Item 12)

12.3 Disposition of City Owned Lands–Car Park Lot 76–75 Catharine Street South, Hamilton (PED17227(a)) (Ward 2)

NOTE: Report PED17227 is a public document, with the exception of Appendix "B" to that report.

12.6 Litigation Instructions, Offer to Settle Costs for the City of Hamilton and the Christian Heritage Party of Canada Matter (LS18038) (City Wide)

Pursuant to Section 8.1, Sub-section (f) of the City's Procedural By-law 14-300, and Section 239(2), Sub-sections (f) and (k) of the *Ontario Municipal Act*, 2001, as amended, as the subject matter pertains to the receiving of 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.

(Pearson/Farr)

That the agenda for the June 20, 2018 General Issues Committee meeting be approved, as amended.

CARRIED

(b) DECLARATIONS OF INTEREST (Item 2)

Councillor D. Conley declared an interest to Item 8.2 – Report PED18130 - Proposed Sale of Enbridge Pipelines Inc. Line 10 Pipeline to Westover Express Pipeline Limited (wholly owned subsidiary of United Refining Company) (Wards 12 and 14), as his daughter works for Enbridge Pipelines Inc.

(c) APPROVAL OF MINUTES OF THE PREVIOUS MEETING (Item 3)

(i) June 6, 2018 (Item 3.1)

(Conley/Ferguson)

That the Minutes of the June 6, 2018 meeting of the General Issues Committee be approved, as presented.

CARRIED

(d) DELEGATION REQUESTS (Item 4)

(i) Rose Hopkins, Hamilton Fringe Festival, to Promote the Hamilton Fringe Festival (For the July 9, 2018 GIC) (Item 4.1)

(Green/VanderBeek)

That the delegation request submitted by Rose Hopkins, Hamilton Fringe Festival, to promote the Hamilton Fringe Festival, be approved to attend before the General Issues Committee on July 9, 2018.

CARRIED

(ii) Don McLean and David Bennett, Hamilton 350 Committee, respecting Item 8.2 – Report PED18130 - Proposed Sale of Enbridge Pipelines Inc. Line 10 Pipeline to Westover Express Pipeline Limited (wholly owned subsidiary of United Refining Company) (Wards 12 and 14) (For today's agenda) (Item 4.2)

(Green/VanderBeek)

That the delegation requested submitted by Don McLean and David Bennett, Hamilton 350 Committee, respecting Item 8.2 – Report PED18130 - Proposed Sale of Enbridge Pipelines Inc. Line 10 Pipeline to Westover Express Pipeline Limited (wholly owned subsidiary of United Refining Company), be approved to appear before the General Issues Committee on June 20, 2018.

CARRIED

- (iii) **John-Paul Danko, Proposal for Ward 7 Upcoming Vacant Council Seat (For a Future GIC) (Item 4.3)**

(Green/VanderBeek)

That the delegation request submitted by John-Paul Danko, Proposal for Ward 7 Upcoming Vacant Council Seat, be approved to appear before the General Issues Committee at a future meeting.

CARRIED

- (iv) **David VanderWindt, Indwell Community Homes, respecting Item 7.4 – Report PED18137 - City Wide Transportation Master Plan Review and Update (Item 4.4)**

(Green/VanderBeek)

That the delegation request submitted by David VanderWindt, Indwell Community Homes, respecting Item 7.4 – Report PED18137 - City Wide Transportation Master Plan Review and Update, be approved to appear before the General Issues Committee on June 20, 2018.

CARRIED

- (v) **Elise Desjardins, Cycle Hamilton, respecting Item 7.4 – Report PED18137 - City Wide Transportation Master Plan Review and Update (Item 4.5)**

(Green/VanderBeek)

The delegation request submitted by Elise Desjardins, Cycle Hamilton, respecting Item 7.4 – Report PED18137 - City Wide Transportation Master Plan Review and Update, be approved to appear before the General Issues Committee on June 20, 2018.

CARRIED

- (vi) **Jeff Neven, on behalf of the Crown Point Community, respecting Item 7.4 – Report PED18137 - City Wide Transportation Master Plan Review and Update (Item 4.6)**

(Green/VanderBeek)

The delegation request submitted by Jeff Neven, on behalf of the Crown Point Community, respecting Item 7.4 – Report PED18137 - City Wide Transportation Master Plan Review and Update, be approved to appear before the General Issues Committee on June 20, 2018.

CARRIED

(e) PUBLIC HEARINGS / DELEGATIONS (Item 6)

- (i) Ian Hamilton, President & CEO, Hamilton Port Authority (HPA) respecting the HPA's Land Use Strategy, 2017 Annual Report and the Disposition of Stelco Lands (Item 6.1)**

Ian Hamilton, President & CEO, Hamilton Port Authority, addressed Committee respecting the Hamilton Port Authority's Land Use Strategy, 2017 Annual Report and the Disposition of Stelco Lands.

(Merulla/Ferguson)

That Ian Hamilton, President & CEO, Hamilton Port Authority, be permitted additional time, beyond the permitted 5 minutes, to continue with his presentation.

CARRIED**(Farr/Conley)**

That the presentation provided by Ian Hamilton, Hamilton Port Authority (HPA) respecting the HPA's Land Use Strategy, 2017 Annual Report and the Disposition of Stelco Lands, be received.

CARRIED

A copy of the presentation is available on the City's website at www.hamilton.ca or through the Office of the City Clerk.

- (ii) Todd White, Board Chair, and Stacey Zucker, Associate Director, Hamilton Wentworth District School Board – Facilities Master Plan and Budget Plan (Item 6.2)**

Todd White, Board Chair, and Stacey Zucker, Associate Director, Hamilton Wentworth District School Board, addressed Committee respecting the Board's Facilities Master Plan and Budget Plan.

(Jackson/Green)

That the presentation provided by the Hamilton Wentworth District School Board, respecting the Board's Facilities Master Plan and Budget Plan, be received.

CARRIED

A copy of the presentation is available on the City's website at www.hamilton.ca or through the Office of the City Clerk.

- (iii) **David Carter, Innovation Factory, respecting Item 7.1 – Report PED18132, Innovation Factory Request for Funding Renewal Option – 2018 (Item 6.3)**

As noted in the Changes to the Agenda, David Carter, Innovation Factory, will not be speaking as a delegate, but will presenting on behalf of the City staff under Item 7.1 – Report PED18132, Innovation Factory Request for Funding Renewal Option – 2018.

- (iv) **Anthony Marco, Hamilton Community Benefits Network (HCBN), respecting the HCBN's Mission and Vision (Item 6.4)**

Anthony Marco, Hamilton Community Benefits Network, and Mark Ellerker, Hamilton-Brantford Building and Construction Trade Council, addressed Committee respecting the HCBN's Mission and Vision.

(Jackson/Partridge)

That Anthony Marco, Hamilton Community Benefits Network, and Mark Ellerker, Hamilton-Brantford Building and Construction Trade Council, be permitted additional time to provide their presentation.

CARRIED

(Partridge/Green)

The presentation provided by Anthony Marco, Hamilton Community Benefits Network, and Mark Ellerker, Hamilton-Brantford Building and Construction Trade Council, respecting the HCBN's Mission and Vision, be received.

CARRIED

A copy of the presentation is available on the City's website at www.hamilton.ca or through the Office of the City Clerk.

Establishment of a Community Benefits Protocol Advisory Committee

(Pearson/Partridge)

That the Motion, respecting the establishment of a Community Benefits Protocol Advisory Committee, be amended by adding a new sub-section (e) to read as follows:

- (e) ***That Councillors M. Green and J. Farr be appointed to the Community Benefits Protocol Advisory Committee, for the balance of the 2014 to 2018 term of Council.***

AMENDMENT CARRIED

For disposition of the above matter, please see Item 5.

- (v) **David Bennett, Hamilton 350 Committee, respecting Item 8.2 – Report PED18130 - Proposed Sale of Enbridge Pipelines Inc. Line 10 Pipeline to Westover Express Pipeline Limited (wholly owned subsidiary of United Refining Company) (Wards 12 and 14) (Item 6.5)**

David Bennett, Hamilton 350 Committee, addressed Committee respecting Item 8.2 – Report PED18130 - Proposed Sale of Enbridge Pipelines Inc. Line 10 Pipeline to Westover Express Pipeline Limited (wholly owned subsidiary of United Refining Company).

(Pearson/Green)

That the verbal presentation provided by David Bennett, Hamilton 350 Committee, respecting Item 8.2 – Report PED18130 - Proposed Sale of Enbridge Pipelines Inc. Line 10 Pipeline to Westover Express Pipeline Limited (wholly owned subsidiary of United Refining Company), be received.

CARRIED

A copy of Mr. Bennett's speaking notes are available on the City's website at www.hamilton.ca or through the Office of the City Clerk.

For disposition of this matter, please refer to Item 9.

- (vi) **David VanderWindt, Indwell Community Homes, respecting Item 7.4 – Report PED18137 - City Wide Transportation Master Plan Review and Update (Item 6.6)**

David VanderWindt, Indwell Community Homes, addressed Committee respecting Item 7.4 – Report PED18137 - City Wide Transportation Master Plan Review and Update.

(Collins/Whitehead)

That the verbal presentation provided by David VanderWindt, Indwell Community Homes, respecting Item 7.4 – Report PED18137 - City Wide Transportation Master Plan Review and Update, be received.

CARRIED

For disposition of this matter, please refer to Item (g)(iv).

- (vii) **Elise Desjardins, Cycle Hamilton, respecting Item 7.4 – Report PED18137 - City Wide Transportation Master Plan Review and Update (Item 6.7)**

Elise Desjardins, Cycle Hamilton, addressed Committee respecting Item 7.4 – Report PED18137 - City Wide Transportation Master Plan Review and Update.

(Green/Farr)

That the verbal presentation provided by Elise Desjardins, Cycle Hamilton, respecting Item 7.4 – Report PED18137 - City Wide Transportation Master Plan Review and Update, be received.

For disposition of this matter, please refer to Item (g)(iv).

- (viii) **Jeff Neven, on behalf of the Crown Point Community, respecting Item 7.4 – Report PED18137 - City Wide Transportation Master Plan Review and Update (Item 6.8)**

Jeff Neven, on behalf of the Crown Point Community, addressed Committee respecting Item 7.4 – Report PED18137 - City Wide Transportation Master Plan Review and Update.

(Conley/Jackson)

That the presentation provided by Jeff Neven, on behalf of the Crown Point Community, respecting Item 7.4 – Report PED18137 - City Wide Transportation Master Plan Review and Update, be received.

CARRIED

(Merulla/Green)

That the presentation, from Jeff Neven, on behalf of the Crown Point Community, addressed Committee respecting Item 7.4 – Report PED18137 - City Wide Transportation Master Plan Review and Update, be referred to staff for a report back to the General Issues Committee.

A copy of the presentation is available on the City's website at www.hamilton.ca or through the Office of the City Clerk.

For disposition of this matter, please refer to Item (g)(iv).

(f) DISCUSSION ITEMS (Item 8)

- (i) Proposed Sale of Enbridge Pipelines Inc. Line 10 Pipeline to Westover Express Pipeline Limited (wholly owned subsidiary of United Refining Company) (PED18130) (Wards 12 and 14) (Item 8.2)**

(Green/Eisenberger)

That a new sub-section (e) be added to Report PED18130, respecting the Proposed Sale of Enbridge Pipelines Inc. Line 10 Pipeline to Westover Express Pipeline Limited (wholly owned subsidiary of United Refining Company), to read as follows:

- (e) That staff be directed to include in the Letter of Comment, to the NEB, respecting the Proposed Sale of Enbridge Pipelines Inc. Line 10 Pipeline to Westover Express Pipeline Limited (wholly owned subsidiary of United Refining Company) the City's position respecting the removal of the decommissioned pipeline, and that a copy of that letter be sent to Westover Express Pipeline.

For disposition of this matter, please refer to Item 9.

(g) STAFF PRESENTATIONS (Item 7)

- (i) Innovation Factory Request for Funding Renewal Option – 2018 (PED18132) (City Wide) (Item 7.1)**

David Carter, Executive Director, Innovation Factory, addressed Committee respecting Report PED18132, Innovation Factory Request for Funding Renewal Option Annual Review.

(A. Johnson/Conley)

That the presentation respecting Report PED18132, Innovation Factory Request for Funding Renewal Option – Annual Review, be received.

CARRIED

A copy of the presentation is available on the City's website at www.hamilton.ca or through the Office of the City Clerk.

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

**(ii) Our Citizen Survey: 2018 Summary of Results (CM18016) (City Wide)
(Item 7.2)**

(Jackson/Whitehead)

That Report CM18016, respecting the Our Citizen Survey: 2018 Summary of Results, be TABLED to the August 13, 2018 General Issues Committee meeting.

CARRIED

**(iii) Hamilton Immigration Partnership Council – Annual Report
(PED18138/HSC18035) (City Wide) (Item 7.3)**

Committee determined that the presentation respecting PED18138/HSC18035, Hamilton Immigration Partnership Council – Annual Report, was not required.

For disposition of the above matter, please refer to Item 7.

**(iv) City Wide Transportation Master Plan Review and Update
(PED18137) (City Wide) (Item 7.4)**

Brian Hollingsworth, Director of Transportation Planning & Parking, addressed Committee respecting Report PED18137, City Wide Transportation Master Plan Review and Update.

(Parson/Partridge)

That the presentation, respecting Report PED18137, City Wide Transportation Master Plan Review and Update, be received.

CARRIED

A copy of the presentation is available on the City's website at www.hamilton.ca or through the Office of the City Clerk.

(Whitehead/Conley)

That Report PED18137, respecting the City Wide Transportation Master Plan Review and Update, be referred to a Special General Issues Committee meeting for consideration.

The above Motion was DEFEATED on the following Standing Recorded Vote:

Yeas: T. Whitehead, D. Conley
Total: 2
Nays: T. Jackson, C. Collins, S. Merulla, M. Green, J. Farr, A. Johnson, M. Pearson, J. Partridge, B. Johnson,
Total: 9

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Absent: F. Eisenberger, D. Skelly, R. Pasuta, L. Ferguson, A. VanderBeek
Total: 5

(Merulla/Jackson)

That Report PED18137, respecting the City Wide Transportation Master Plan Review and Update, be TABLED until such time as staff reports back to the General Issues Committee with a supplementary report that provides detailed listings outlining the following, with cost, regarding the projects outlined in the Transportation Master Plan:

- (i) Which projects are covered under the 10 Capital Strategy;
- (ii) Which projects are covered under Provincial Transportation Infrastructure Funding (PTIF);
- (iii) Which projects are dependent on funding from other levels of government; and,
- (iv) Which projects do not have a funding source.

CARRIED

Councillors J. Farr and A. Johnson wished to be recorded as OPPOSED to the TABLING Motion above.

(v) City Manager's 2017 Performance Review (Items 7.5(a) and (b))

(Jackson/Merulla)

That the City Manager's 2017 Performance Review be TABLED to the August 13, 2018 General Issues Committee meeting.

CARRIED

(h) NOTICES OF MOTION (Item 10)

Councillor M. Green introduced a Notice of Motion respecting Outdoor Furniture at City Hall.

(i) Outdoor Furniture at City Hall (Item 10.1)

(Green/Farr)

That the Rules of Order be waived to allow for the introduction of a Motion respecting outdoor furniture at City Hall.

CARRIED

(i) GENERAL INFORMATION / OTHER BUSINESS (Item 11)

(i) Amendments to the Outstanding Business List (Item 11.1)

(Partridge/Pearson)

That the following amendments to the General Issues Committee's Outstanding Business List, be approved:

(a) Items to be removed:

- (i) Open Government: Access to Information for City of Hamilton Funded Boards and Agencies (Addressed as Item 5.3 on the June 6, 2018 GIC Agenda – Report FCS18050)
- (ii) Affordable Housing Demonstration Project (Addressed as Item 8.1 on the June 6, 2018 GIC Agenda – Report PED16236)
- (iii) Inventory of Brownfield Lands (for possible legal cannabis operations lands) (Addressed as Item 8.2 on the June 6, 2018 GIC Agenda – Report PED18113)
- (iv) Special Events Advisory Team “SEAT Light” Model (Addressed as Item 5.3 on the June 20, 2018 GIC – Report PED17112(a))
- (v) Impacts of the Change to the 2007 Transportation Master Plan (Addressed as Item 7.4 on the June 20, 2018 GIC Agenda – Report PED18137)
- (vi) Proposed Sale of Enbridge Pipelines Inc. Line 10 Pipeline to Westover Express Pipeline Limited (Addressed as Item 8.2 on the June 20, 2018 GIC Agenda – Report PED18130)

CARRIED

(j) PRIVATE & CONFIDENTIAL (Item 12)

(i) Closed Session Minutes – May 16, 2018 (Item 12.1)

(Jackson/Green)

- (a) That the Closed Session Minutes of the May 16, 2018 General Issues Committee meeting, be approved; and,
- (b) That the Closed Session Minutes of the May 16, 2018 General Issues Committee meeting remain confidential.

CARRIED

(ii) Closed Session Minutes – June 6, 2018 (Item 12.2)

(Jackson/Green)

- (a) That the Closed Session Minutes of the June 6, 2018 General Issues Committee meeting, be approved; and,
- (b) That the Closed Session Minutes of the June 6, 2018 General Issues Committee meeting remain confidential.

CARRIED

(iii) City Manager’s 2017 Performance Review (Item 12.5)

(Jackson/Merulla)

That the Private & Confidential portion of City Manager’s 2017 Performance Review, be TABLED to the August 13, 2018 General Issues Committee meeting.

CARRIED

(Farr/Jackson)

That Committee move into Closed Session respecting Item 12.6, pursuant to Section 8.1, Sub-section (f) of the City's Procedural By-law 14-300; and, Section 239(2), Sub-sections (f) and (k) of the *Ontario Municipal Act*, 2001, as amended, as the subject matter pertains to the receiving of 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.

CARRIED

(iv) Litigation Instructions, Offer to Settle Legal Costs for the City of Hamilton and the Christian Heritage Party of Canada Matter (LS18038) (City Wide) (Item 12.6)

(A. Johnson/Green)

That Report LS18038, respecting the Litigation Instructions, Offer to Settle Legal Costs for the City of Hamilton and the Christian Heritage Party of Canada Matter, be received.

The above Motion was DEFEATED on the following Standing Recorded Vote:

Yeas:	A. Johnson, M. Green, J. Farr
Total:	3
Nays:	D. Conley, M. Pearson, A. VanderBeek, J. Partridge, B. Johnson,
	T. Jackson
Total:	6

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Absent: F. Eisenberger, T. Whitehead, D. Skelly, C. Collins, S. Merulla,
R. Pasuta, L. Ferguson,
Total: 7

The MAIN Motion CARRIED on the following Standing Recorded Vote:

Yeas: D. Conley, M. Pearson, A. VanderBeek, J. Partridge, B.
Johnson,
T. Jackson
Total: 6
Nays: A. Johnson, M. Green, J. Farr
Total: 3
Absent: F. Eisenberger, T. Whitehead, D. Skelly, C. Collins, S. Merulla,
R. Pasuta, L. Ferguson,
Total: 7

For disposition of this matter, please refer to Item 19.

(k) ADJOURNMENT (Item 13)

(Farr/Pearson)

That there being no further business, the General Issues Committee be adjourned at 4:44 p.m.

Respectfully submitted,

B. Johnson, Deputy Mayor
Chair, General Issues Committee

Stephanie Paparella
Legislative Coordinator
Office of the City Clerk

4.1

Form: Request to Speak to Committee of Council

Submitted on Thursday, July 5, 2018 - 11:41 am

==Committee Requested==

Committee: General Issues Committee

==Requestor Information==

Name of Individual: Larry Di Ianni

Name of Organization: Global Spectrum

Contact Number:

Email Address:

Mailing Address:

21 King St. West, Box 6
Hamilton, Ontario
L8P 4W7

Reason(s) for delegation request: To speak to Item 8.2 on your agenda re: Downtown Entertainment Assets Operating Agreements

Will you be requesting funds from the City? No

Will you be submitting a formal presentation? No

4.2

Form: Request to Speak to Committee of Council

Submitted on Friday, July 6, 2018 - 10:40 am

==Committee Requested==

Committee: General Issues Committee

==Requestor Information==

Name of Individual: PJ Mercanti, Scott Warren, Joe Mercanti, Tom Paquette and Jasper Kujavsky

Name of Organization: The Carmen's Group

Contact Number: 905-387-9491

Email Address: pjmercanti@carmensgroup.com

Mailing Address:

300- 77 James Street North
Hamilton, Ontario
L8R 2K3

Reason(s) for delegation request: To speak to the management and operation of Hamilton's downtown entertainment venues.

Will you be requesting funds from the City? No

Will you be submitting a formal presentation? No

Form: Request to Speak to Committee of Council

Submitted on Friday, July 6, 2018 - 3:25 pm

==Committee Requested==

Committee: General Issues Committee

==Requestor Information==

Name of Individual: Riley O'Connor

Name of Organization: Live Nation Entertainment

Contact Number: 905-577-3520

Email Address: rileyo'connor@livenation.com

Mailing Address: 21 King St. West, Fifth Floor, Hamilton, On.

Reason(s) for delegation request: To discuss report item
7.3 Downtown Entertainment Assets Operating Agreements

Will you be requesting funds from the City? No

Will you be submitting a formal presentation? Yes



Hamilton

BUSINESS IMPROVEMENT AREA ADVISORY COMMITTEE MINUTES 18-005

**8:00 a.m.
Tuesday, May 8, 2018
Room 264
Hamilton City Hall
71 Main Street West**

- Present:** Lisa Anderson – Dundas BIA (Acting Vice-Chair)
Lia Hess – King West BIA
Cristina Geissler – Concession Street BIA
Rachel Braithwaite – Barton Village BIA
Susie Braithwaite – International Village BIA
Kerry Jarvi – Downtown Hamilton BIA
Maggie Burns – Ottawa Street BIA
Susan Pennie – Waterdown BIA
Jennifer Mattern – Ancaster BIA
Tracy MacKinnon - Westdale Village BIA and Stoney Creek BIA
Tony Greco – Locke Street BIA
- Absent:** Bender Chug – Main West Esplanade BIA
Councillor Matthew Green (Chair) – Personal
-

FOR INFORMATION:

(a) CHANGES TO THE AGENDA (Item 1)

The Committee Clerk advised that there were no changes to the agenda.

(Geissler/R. Braithwaite)

That the agenda for the May 8, 2018 Business Improvement Area Advisory Committee meeting be approved, as presented.

CARRIED

(b) DECLARATIONS OF INTEREST (Item 2)

There were no declarations of interest.

(c) APPROVAL OF MINUTES OF PREVIOUS MEETING (Item 3)

(i) April 10, 2018 (Item 3.1)

(Pennie/R. Braithwaite)

That the April 10, 2018 Minutes of the Business Improvement Area Advisory Committee be approved, as presented.

CARRIED

(d) DISCUSSION ITEMS (Item 8)

(i) Police Constable Raymond Wong, Hamilton Police Service, discussion respecting reporting crime in Business Improvement Areas (No copy) (Item 8.1)

Police Constable Raymond Wong from Hamilton Police Service answered questions from Committee on reporting crime in the Business Improvement Areas.

(R. Braithwaite/Greco)

That the information from Police Constable Raymond Wong, Hamilton Police Service, respecting reporting crime in the Business Improvement Areas Improvement Areas, be received.

CARRIED

(ii) Kimberley Adrovez, Special Events Advisory Team, discussion respecting Special Events in Business Improvement Areas (No copy) (Item 8.2)

Kimberley Adrovez from the Special Events Advisory Team answered questions from Committee respecting Special Events in Business Improvement Areas.

(R. Braithwaite/Mattern)

That the information from Kimberley Adrovez, Special Events Advisory Team, respecting Special Events in Business Improvement Areas, be received.

CARRIED

(iii) Kerry Davren, Manager of Parking Operations and Initiatives, discussion respecting Parking and Light Rail Transit (No copy) (Item 8.3)

Kerry Davren, Manager of Parking Operations and Initiatives, answered questions from Committee respecting Parking and the Light Rail Transit.

(S. Braithwaite/Mattern)

That the information presented by Kerry Davren, Manager of Parking Operations and Initiatives, respecting Parking and the Light Rail Transit, be received.

CARRIED

(e) GENERAL INFORMATION/OTHER BUSINESS (Item 11)

(i) Update from Carlo Gorni, BIA Coordinator (Item 11.1)

Carlo Gorni advised the Committee that the second Business Improvement Area Levy cheques will be sent out in June 2018.

(Mattern/Greco)

That the update from Carlo Gorni, BIA Coordinator, be received.

CARRIED

(ii) Statements by Members (Item 11.2)

BIA Members used this opportunity to discuss matters of general interest.

(Mattern/Pennie)

That the updates from Committee Members, be received.

CARRIED

(f) ADJOURNMENT (Item 13)

(Grecco/Burns)

That there being no further business, the Business Improvement Area Advisory Committee be adjourned at 9:17 a.m.

CARRIED

Respectfully submitted,

Lisa Anderson, Acting Vice-Chair
Business Improvement Area
Advisory Committee

Angela McRae
Legislative Coordinator
Office of the City Clerk



Hamilton

INFORMATION REPORT

TO:	Mayor and Members General Issues Committee
COMMITTEE DATE:	July 9, 2018
SUBJECT/REPORT NO:	Cannabis Legislation and Human Resources Implications (HUR18011) (City Wide)
WARD(S) AFFECTED:	City Wide
PREPARED BY:	Aine Leadbetter 905-564-2424 Ext.905 – 546-2424 Ext. 6667 David Lindeman 905-546-2424 Ext.5657
SUBMITTED BY:	Lora Fontana Executive Director Human Resources and Organizational Development
SIGNATURE:	

Information:

Between July 1 and October 17, 2018, new federal and provincial legislation regulating medicinal marijuana and recreational cannabis will come into force. Federally, the new law will allow individuals to legally buy, possess or use cannabis. In Ontario, legislation including the *Cannabis Act, 2017*, the *Smoke-Free Ontario Act, 2017* and amendments to the *Highway Traffic Act* have been enacted to regulate medicinal marijuana and recreational cannabis within the province. These acts will have implications for municipalities in a few key areas such as land use management, business regulation, public consumption and enforcement practices. The introduction of this regulatory framework will also have implications for the City as an employer primarily in workplace safety. To address these upcoming workplace changes, Human Resources is taking a comprehensive approach to ensure that the City meets and is compliant with our legislative requirements.

As an employer, the City of Hamilton is obligated to provide a safe, healthy and productive workplace where employees and the community are protected from the adverse effects of inappropriate use of substances. The City has long established policies and procedures to ensure that employees perform their work duties safely, competently and efficiently, without any limitation arising from substance use or the after-effects of substance use that risks their health or safety or that of any other person. Medicinal marijuana or the legalization of recreational cannabis does not alter the requirement of the City to ensure safety at workplace or the requirement for employees to be fit for work, and the basic

OUR Vision: To be the best place to raise a child and age successfully.

OUR Mission: To provide high quality cost conscious public services that contribute to a healthy, safe and prosperous community, in a sustainable manner.

OUR Culture: Collective Ownership, Steadfast Integrity, Courageous Change, Sensational Service, Engaged Empowered Employees.

**SUBJECT: Cannabis Legislation and Human Resources Implications
(HUR18011) (City Wide)****Page 2 of 3**

principles around impairment will continue to apply. The legislative changes in addition to the increased prominence of the issue has required action on behalf of the City to ensure safety within our workplaces.

Smoke-Free Ontario Act, 2017

On July 1, 2018, the enactment of the *Smoke-Free Ontario Act 2017* will limit the use of electronic cigarettes (vaping) the same way smoking tobacco is now controlled in the workplace. The changes will also apply to using medical marijuana by smoking or vaping in the workplace. Under the changes to this Act, smoking or holding a lighted tobacco or medical cannabis, or using an electronic cigarette (including to inhale medical cannabis) will be limited to designated smoking areas only.

Human Resources has amended the City's Smoke Free Workplace Policy to include electronic cigarettes and medicinal marijuana within the scope of prohibited tobacco products within the workplace. Under this policy, smoking or the use of an electronic cigarette is prohibited during the performance of job duties.

Under the *Smoke-Free Ontario Act*, the smoking of tobacco or medical cannabis, the use of electronic cigarettes and the consumption of prescribed products and substances is prohibited in many places, including enclosed workplaces. As such, signage will be posted at the entrances to all enclosed City workspaces, including vehicles. Similar signs will be posted in city parks and recreational facilities where the public is banned from smoking and vaping

Highway Traffic Act Amendment

Amendments to Ontario's *Highway Traffic Act* come into effect on July 1st, 2018 and include a new zero tolerance law for alcohol and cannabis while driving specific vehicles in Ontario. Drivers of vehicles requiring an A to F class licence, vehicles requiring a Commercial Vehicle Operator's Registration (CVOR) and road building machines will be covered by the law. Under these amendments, drivers in the above categories will be prohibited from having any presence of alcohol, cannabis or other drug detectable by an oral fluid screening device in their blood when behind the wheel of these types of vehicles.

Under the City's Substance Use Policy, employees are required to be fit for work and to not be impaired while at work or while conducting City business whether at a City workplace or elsewhere. The requirements and consequences are more stringent for positions that are deemed to be safety-sensitive in nature, where the employee has a key and direct role in an operation where impaired performance could result in a significant error, incident or accident affecting the health or safety of employees, the public, property, finances or the environment. The amendments to the *Highway Traffic Act* will not alter the

OUR Vision: To be the best place to raise a child and age successfully.

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**SUBJECT: Cannabis Legislation and Human Resources Implications
(HUR18011) (City Wide)****Page 3 of 3**

City's strong stance on impairment in the workplace, however, the zero tolerance law has required the City to amend the Substance Use for Safety Sensitive Positions Policy to broaden the scope of safety sensitive positions to include the categories of drivers identified in the legislation.

Legalization of Recreational Cannabis

Recreational cannabis becomes legal on October 17, 2018, however, under the Ontario *Cannabis Act*, the non-medical consumption of cannabis will be prohibited in public places, workplaces, vehicles or boats, or any other place prescribed by the regulations. The City's policies and procedures currently ban the use of substances in City workplaces and while conducting City business. No further policy changes are required as a result of the legalization of cannabis. Human Resources has recomunicated expectations to all City staff and has ensured that management is supported to identify and address substance use issues in the workplace. Employees are expected to report fit for duty. Supervisors are given information on the signs and symptoms of impairment and will follow up directly with employees where impairment is suspected. The supervisor will take steps appropriate in the circumstances.

If it is identified that an employee has a substance use condition that is affecting the ability to work safely or fulfil the duties of the job, the City provides access to assessment, treatment and rehabilitation, and will accommodate the employee to the point of undue hardship.

Corporate Response

Human Resources has developed a communications plan to advise employees and management of the legislative changes and to ensure that there is awareness of City policies, procedures and expectations of all employees. Communications have been sent to Supervisors and Above through a memo that will be cascaded to the front line. In addition, Human Resources has provided an update on the City's intranet page and has included an article in the next City newsletter to advise staff.

As well, Human Resources has taken a leadership role to ensure that the City is compliant with all legislative changes resulting from the *Smoke-Free Ontario Act*, the *Cannabis Act*, and the amendments to the *Highway Traffic Act*. Human Resources has structured a working group with representation from each of the impacted sections, and will be monitoring requirements and providing Senior Leadership Team with regular updates on progress made.

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INFORMATION REPORT

TO:	Mayor and Members General Issues Committee
DATE:	July 9, 2018
SUBJECT/REPORT NO:	Cannabis Dispensaries (PED18141) (City Wide)
WARD(S) AFFECTED:	City Wide
PREPARED BY:	Joe Gravina (905) 546-2424 Ext. 1284
SUBMITTED BY:	Steve Robichaud Director, Planning and Chief Planner Planning and Economic Development Department
SIGNATURE:	

Introduction:

The purpose of this Information Report is to provide the latest information regarding the Province's approach to dispensing recreational cannabis and medical cannabis, the process for citing provincial recreational cannabis dispensaries, proposed cannabis dispensary formats and current City of Hamilton enforcement actions on local recreational cannabis dispensaries.

The Province's Approach to Dispensing Recreational Cannabis

The Province of Ontario has set out guidelines for the dispensing of recreational cannabis, overseen by the Ontario Cannabis Retail Corporation (OCRC), a subsidiary of the LCBO. The retail outlets will be labeled as Ontario Cannabis Stores (OCS) and will sell only cannabis. Approximately 150 OCS stores will be opened by 2020, including 80 by July 1, 2019 servicing all regions of the province, including province wide online distribution.

Process for Siting OCS Stores

On February 28, 2018, an Information Update was forwarded to City Council to provide the latest communication regarding the locality of provincially owned and operated Recreational Cannabis Store in the City of Hamilton. In addition, the update provided siting criteria derived from a staff meeting held on November 22, 2018 with Senior Staff of the Planning and Economic Development Department, Public Health and Legal Services. A list of basic location considerations for siting provincial recreational cannabis stores was provided to the Province on December 18, 2017 (see Appendix "A" to Report PED18141). It is important to note that these considerations are non-binding. The only requirements the City can place on the site selection process is the

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SUBJECT: Cannabis Dispensaries (PED18141) (City Wide) - Page 2 of 5

satisfaction of the City's Official Plan and Zoning By-law, which would generally permit this use in any commercial area of the City.

A declaration from Canadian School Boards Regarding Impact of Cannabis Legalisation on Schools was distributed at the January 29, 2018 meeting of the Hamilton-Wentworth Catholic District School Board Liaison Committee, which was forwarded and received by the General Issues Committee at their February 21, 2018 meeting (see Appendix "B" to Report PED18141).

Updated Information for Siting and OCS Stores

On September 8, 2017 the Province of Ontario announced a framework to ensure a safe and sensible transition for the federal legalization of recreational cannabis. The Province has set out guidelines for the siting of OCS stores.

Specifically that:

- store locations adhere to municipal zoning by-laws;
- minimize proximity to primary and secondary schools;
- consider where illegal storefronts are currently operating;
- input received from municipal officials is used to inform the identification of OCS store locations; and,
- OCS sites are responsible partners in the communities in which they will operate.

Preliminary retail store designs are being developed that consider input received from municipalities, proposed federal regulatory requirements, and best practices from other jurisdictions that have legal cannabis retail stores.

The Province has announced that Shopify will supply the technology to power screens throughout the OCS stores to give consumers product and health information, following federal guidelines, to help inform their shopping decisions. In addition to the retail store network, the OCS will also provide an ecommerce option to provide Ontarians age 19 and over with a safe and secure way to legally purchase cannabis for home delivery.

Proposed OCS Store Formats

On November 3, 2017, the Province announced that 14 municipalities have been identified for stand-alone cannabis stores by July, 2018, including the City of Hamilton. The latest update from the Province on April 11, 2018 indicates that four initial cannabis store locations have been identified, specifically in Guelph, Kingston, Toronto and Thunder Bay to open in July of this year. The website where comments and questions can be provided is ocscannabisupdates.com (formerly lcbocannabisupdates.com). As of June 19, 2018, no sites within the City of Hamilton have been formally identified for stores to open in July, 2018.

The Province has also provided an update on their OCS Store Updates Website (ocscannabisupdates.com) regarding the proposed OCS store format. The Province has

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SUBJECT: Cannabis Dispensaries (PED18141) (City Wide) - Page 3 of 5

advised that retail store designs are being developed that consider input received from municipalities, proposed federal regulatory requirements, and best practices from other jurisdictions that have legal cannabis retail stores.

The following is a summary of an OCS store format and related federal requirements:

OCS stores will:

- have trained and knowledgeable staff to ensure products are sold in a safe and socially-responsible manner;
- follow strict requirements for age verification;
- restrict access for minors (no one under the age of 19 will be permitted entry to the main retail store);
- provide consumers with the information they need;
- operate with the same care and expertise as the LCBO;
- carry out responsible retailing practices and promote moderate consumption;
- be designed with a lobby area, before individuals can enter the main retail store;
- not display any product in the lobby;
- include information about available products including accessories;
- focus on responsible use and product education;
- not advertise any products;
- not permit products to be visible to youth;
- require a behind-the-counter type of retail similar to sale of tobacco;
- assist sales via counter service, and there will be no self-service;
- employ staff that have completed mandatory training to obtain knowledge of the individual products and public health information about how to use cannabis responsibly; and,
- have product types and formats that meet the federal government's requirements, including forthcoming federal regulations on packaging and labelling information.

The Province's Approach to Dispensing Medical Cannabis

Medical cannabis can only be purchased directly from a federally licensed producer online or over the phone and delivered by secure mail. This federal program would continue under the new model. Online sales will allow for secure and safe delivery across the province. Products would be stored, packed and distributed in a safe and controlled manner.

Current delivery safeguards in place for online alcohol sales would apply, including:

- ID checks;
- signatures upon delivery; and,
- no packages left unattended at the door.

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SUBJECT: Cannabis Dispensaries (PED18141) (City Wide) - Page 4 of 5

The Province has advised that they intend to consult closely with municipalities, Indigenous communities and stakeholders to determine additional details about the retail and distribution system, which will ensure a safe and sensible approach to this new marketplace. This approach will support Ontario's priorities of protecting youth and vulnerable populations, focusing on public health and safety, promoting prevention and harm reduction, and eliminating the illegal market.

Update on Enforcement Actions

The Province has advised that illicit cannabis dispensaries, including those representing themselves as legal retailers of medical cannabis, are now and will continue to be, illegal under the new rules.

At its meeting of October 26, 2017, City Council approved the following resolution:

That the appropriate City of Hamilton staff, currently assembling/discussing and potentially building policy around marijuana that may inform Council in the future, be requested to meet with owners and operators of the marijuana dispensaries to share information and discuss roles, functions and issues and solutions respecting the current and future climate in the marijuana industry.

A meeting was held on February 13, 2018 with lead representatives of this group, including a physician and several of the regionally established dispensaries to discuss the potential future of marijuana dispensaries in the City. Some of the main points from the meeting were:

- Create a legal way for dispensaries to operate within the City;
- Limit the number of dispensaries operating within the City;
- Establish regulations and licences for dispensaries to be set by the City; and,
- Create a defined business model for dispensaries to follow.

The overall request was for the Municipality to follow the British Columbia model and create a licensing regime that would establish the dispensaries as a legal entity. The group was informed that this was outside of the Municipalities authority and would be dependent upon the Federal and Provincial direction and delegation.

In the meantime, Licensing and By-law Services continues to enforce the current Municipal By-laws. Although there has been significant work in this area, 47 dispensaries continue to remain open. The following is reflective of the work being completed by Licensing and By-law Services.

80 Dispensaries have been identified as operating within the City of Hamilton:

- 47 are currently operating;
- 33 locations have been closed;
- 43 Zoning Charges have been issued;

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SUBJECT: Cannabis Dispensaries (PED18141) (City Wide) - Page 5 of 5

- 29 Business Licensing Charges have been issued;
- 10 Sign By-law Charges have been issued; and,
- 47 Fees for Services for Re-Inspection have been completed.

There are currently 21 locations under investigation. These are very fluid investigations as many locations closed after receiving a zoning notification, only to re-open in another location within a few days.

Attach. (2)

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Cannabis Store Location Considerations:

Minimum Separation Distance Considerations:

- 300m from Elementary and Secondary Schools
- 300m from Day Nurseries
- 300m from Parks or Open Space Areas
- 300m from Alcohol and Detox Centres

Building Considerations (based on what we understand to be the Province’s needs):

- Existing Building
- Stand-alone
- One storey
- Store Front
- Approximately 2500 sq. ft. (232.26m²)

Location/Site Considerations:

- Should be centrally located to capture a wide catchment area
- Pads in Larger Shopping Malls

Rationale: These sites are appropriate for stand alone, single storey buildings that are located amongst other commercial uses and provide ample parking.

- Existing bank buildings (secure / ample parking)
- Other developed sites should have ample parking as the parking requirement for retail is too low
- Should be on a transit route, excluding LRT corridor
- Should not be located in areas with a high degree of walk-by traffic related to other adjacent commercial uses

- Should not be located on “Pedestrian Prominent Streets”
Rationale: A single-storey building is contrary to the planning objective of development along pedestrian prominent streets in the form of mixed use, multi-storey buildings set close to the street with high a high degree of walk by traffic.

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DECLARATION

FROM CANADIAN SCHOOL BOARDS

REGARDING IMPACT OF CANNABIS LEGALIZATION ON SCHOOLS

The legalization of cannabis and the potential adverse impacts represent a challenge for all stakeholders connected to public education. The use of cannabis can have considerable influence on school life and has been linked to elevated rates of social, emotional and intellectual difficulty, as well as of non-completion of studies. These realities are well known to those who work in the field of education in Canada.

AS PARTNERS IN EDUCATION:

- We provide youth with the opportunity to mature and develop in a safe, healthy learning environment, enabling them to achieve education success;
- We educate young people and adults to be informed, conscientious and autonomous citizens who will assume their position as active members in the development of Canadian Society;
- We promote the importance wellbeing and leading healthy lifestyles through nutrition, physical activity and the prevention of substance abuse.

WE DECLARE THAT IT IS ESSENTIAL:

- That education partners be consulted by the Federal, Provincial and Territorial Governments on the establishment of the framework for cannabis legalization;
- That education partners be active partners at any provincial discussions about legislation, local policies and procedures;
- That education partners be consulted by the Federal, Provincial, and Territorial Governments on strategies for harm reduction, mitigation and other interventions;
- That monies generated by the sales of cannabis are allocated to the prevention of cannabis abuse and toward promoting a healthy lifestyle;

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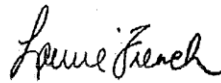
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- That cannabis use prevention and reduction, as well as the promotion of healthy lifestyles remain Crown priorities and are integrated into Federal, Provincial and Territorial regulations pertaining to legalization of cannabis;
- That any advertising related to cannabis or use of cannabis, be prohibited;
- That the use of cannabis be prohibited in public areas;
- That the sale and distribution of cannabis be prohibited near schools and other educational facilities.



Mary Martin, President

Laurie French, President



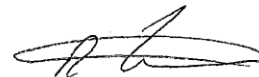

Alain Fortier, President




Shawn Davidson, President



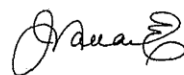

Pat Daly, President

Robert Fowler, President




Ken Cameron, President

Jennifer Maccarone, President




Goronwy Price, President



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Hamilton

**ADVISORY COMMITTEE FOR PERSONS WITH DISABILITIES
REPORT 18-006**

4:00 p.m.

Tuesday, June 12, 2018

**Rooms 192 and 193, City Hall
71 Main Street West**

Present: A. Mallet (Chair)
P. Cameron, J. Cardno, P. Lynes, T. Manzuk, T. Murphy, A.
Nicolls, K. Nolan, T. Nolan, B. Semkow and M. Sinclair

**Absent
with regrets:** Councillor S. Merulla – City Business, T. Wallis

Also Present: Staff Sergeant J. Savoie

**THE FOLLOWING ITEMS WERE REFERRED TO THE GENERAL ISSUES
COMMITTEE FOR CONSIDERATION:**

- 1. Guide to Finding Housing in Hamilton for People with Disabilities (Item 8.1)**

That the Guide to Finding Housing in Hamilton for People with Disabilities, attached hereto as Appendix “A” to Report 18-006, be approved.

FOR INFORMATION:**(a) CHANGES TO THE AGENDA (Item 1)**

The Clerk advised the Committee of the following changes:

- 8.1 Guide to Finding Housing in Hamilton for People with Disabilities
- 10.1 Notice of Motion respecting Automated Pre-Boarding Announcements on HSR Vehicles
- 11.4 ACPD Dietary Requirement for Catering Provided at Meetings
- 11.5 Update on the ACPD Presenters List
- 11.6 ACPD Meetings in October and November 2018

The agenda for the June 12, 2018 meeting of Advisory Committee for Persons with Disabilities was approved, as amended.

(b) DECLARATIONS OF INTEREST (Item 2)

There were no declarations of interest.

(c) APPROVAL OF MINUTES (Item 3)**(i) May 8, 2018 (Item 3.1)**

The minutes of the May 8, 2018 meeting of the Advisory Committee for Persons with Disabilities were approved, as presented.

(d) CONSENT ITEMS (Item 5)**(i) Built Environment Working Group Meeting Notes – April 3, 2018 (Item 5.1)**

The Built Environment Working Group Meeting Notes of April 3, 2018 were received.

(ii) Housing Issues Working Group Update (Item 5.2)

For disposition of this matter, refer to Item 1.

(iii) Outreach Working Group Update (Item 5.3)

T. Manzuk provided an update on the Roundtable Discussion that the Outreach Working Group held on May 28, 2018. Approximately 25 representatives from 10 accessibility groups attended.

The Outreach Working Group Update, was received.

(iv) Transportation Working Group Update – April 24, 2018 (Item 5.4)

The Transportation Working Group Notes of April 24, 2018, were received.

(v) Wheelchair and Scooter Safety Working Group Update (Item 5.5)

A. Mallet advised the Committee that the Wheelchair and Scooter Safety Working Group is planning a roundtable discussion event for September 18, 2018. A draft of an invitation letter will be coming to the next meeting.

The update respecting the Wheelchair and Scooter Safety Working Group, was received.

(e) MOTIONS (Item 9)**(i) Automated Pre-Boarding Announcements on HSR Vehicles (Added Item 9.1)**

WHEREAS, Section 51 of the Accessibility for Ontarian with Disabilities Act (AODA) Integrated Standards requires automated pre-boarding announcements on conventional transportation service providers to be operational;

WHEREAS, the members of the Advisory Committee for Persons with Disabilities have found that these announcements are either not operational or intermittent; and

WHEREAS, the HSR is required to have pre-boarding announcements operational by January 1, 2017

THEREFORE BE IT RESOLVED:

Staff were directed to take steps to ensure that system is fully operational on all HSR vehicles as is required by AODA regulations.

(f) NOTICE OF MOTION (Item 10)

T. Nolan introduced a Notice of Motion respecting Automated Pre-Boarding Announcements on HSR Vehicles.

The Rules of Order were waived to allow for the introduction of a Motion respecting Automated Pre-Boarding Announcements on HSR Vehicles.

For further disposition, refer to Item (e)(i).

(g) GENERAL INFORMATION/OTHER BUSINESS (Item 11)

(i) Accessibility Complaints to the City of Hamilton Update (Item 11.1)

No update.

(ii) Accessibility for Ontarians with Disabilities Act (AODA) Update (Item 11.2)

No update.

(iii) Outstanding Business List as of May 31, 2018 (Item 11.3)

The Outstanding Business List as of May 31, 2018, was received.

(iv) ACPD Dietary Requirements for Catering Provided at Meetings (Added Item 11.4)

Jessica Bowen addressed the Committee respecting ACPD members' Dietary Requirements for Catering Provided at Meetings. Several e-mails have been sent out to committee members, asking for specific requirements. Two members of the committee have responded. If anyone else has a concern, they are asked to contact Jessica Bowen.

The information respecting ACPD Dietary Requirements for Catering Provided at Meetings, was received.

(v) Update on the ACPD Presenters List (Added Item 11.5)

The ACPD Presenters List was updated to include the following:

- a representative of Community Living Hamilton
- a representative of Community Para-Med
- a representative of LHIN Home and Community Care (formerly Community Care Access Centre Hamilton)
- Sarah Jama, Hamilton Centre for Civic Inclusion

(vi) ACPD Meetings in October and November 2018 (Added Item 11.6)

The Clerk advised the Committee that due to the Municipal Election being held in October 2018, there will not be a meeting of the Advisory Committee for Persons with Disabilities in the months of October and November 2018.

The information regarding ACPD Meetings in October and November 2018, was received.

(h) ADJOURNMENT (Item 13)

There being no further business, the Advisory Committee for Persons with Disabilities adjourned at 6:05 p.m.

Respectfully submitted,

A. Mallet, Chair
Advisory Committee for Persons
with Disabilities

Loren Kolar
Legislative Coordinator
Office of the City Clerk



A Guide to Finding Housing in Hamilton for People with Disabilities

Prepared by the City of Hamilton's Advisory Committee for Persons with Disabilities
(ACPD)

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SECTION 1: Introduction

Finding housing can be difficult for people with disabilities. This guide includes resources, information and tools which will make it easier for you.

In June 2017, the Hamilton Spectator had [a story](#) about a woman who ran into problems finding a suitable home in Hamilton.¹ Amanda had some limitations, including the use of mobility devices. Her circumstances made finding a home for her and her son more difficult. The story also highlighted that while Hamilton has made considerable progress in supporting the housing needs of people with disabilities This guidebook's goal is to help people with visible or invisible disabilities navigate the housing system with less difficulty.

Canadian law does not formally recognize the right to adequate housing. However, Canada is part of several international human rights treaties that recognize the right to adequate housing such as [Article 25 \(1\)](#) of the United Nations Universal Declaration of Human Rights.

Looking at housing needs in a comprehensive manner is important for maintaining a person's independence and quality of life, especially when they have a disability. This guide is informed by Hamilton's [Housing and Homelessness Action Plan](#), which is a 10-year, person-centred plan to make sure that everyone in Hamilton has a home. It builds on the progress of the Action Plan by continuing to fill the gaps in access to housing and related services for persons with disabilities. Some of these gaps include:

- Lack of supports for people navigating and understanding the housing system
- Limited housing resources including available accessible housing and supports

¹The long wait for affordable, accessible housing in Hamilton <https://www.thespec.com/news-story/7357112-the-long-wait-for-affordable-accessible-housing-in-hamilton/>

- Matching people with disabilities with the appropriate units and supports they need
- Income barriers
- Lack of advocacy for people with disabilities
- Accessible housing for marginalized populations who face discrimination

Please Note/Disclaimer:

This guidebook includes general information and was prepared with the best information available. For more information, contact the organizations listed in [Section 2](#) of this guide. We intend to update this guidebook regularly.

Availability:

You can get a copy of this guidebook at the Community Information Services / Information Hamilton at Hamilton Public Library and you can access it online at <https://www.hamilton.ca/social-services/housing>

SECTION 2: General Information

The following organizations provide general information about housing and housing services, broker services or provide housing services directly to people with disabilities.

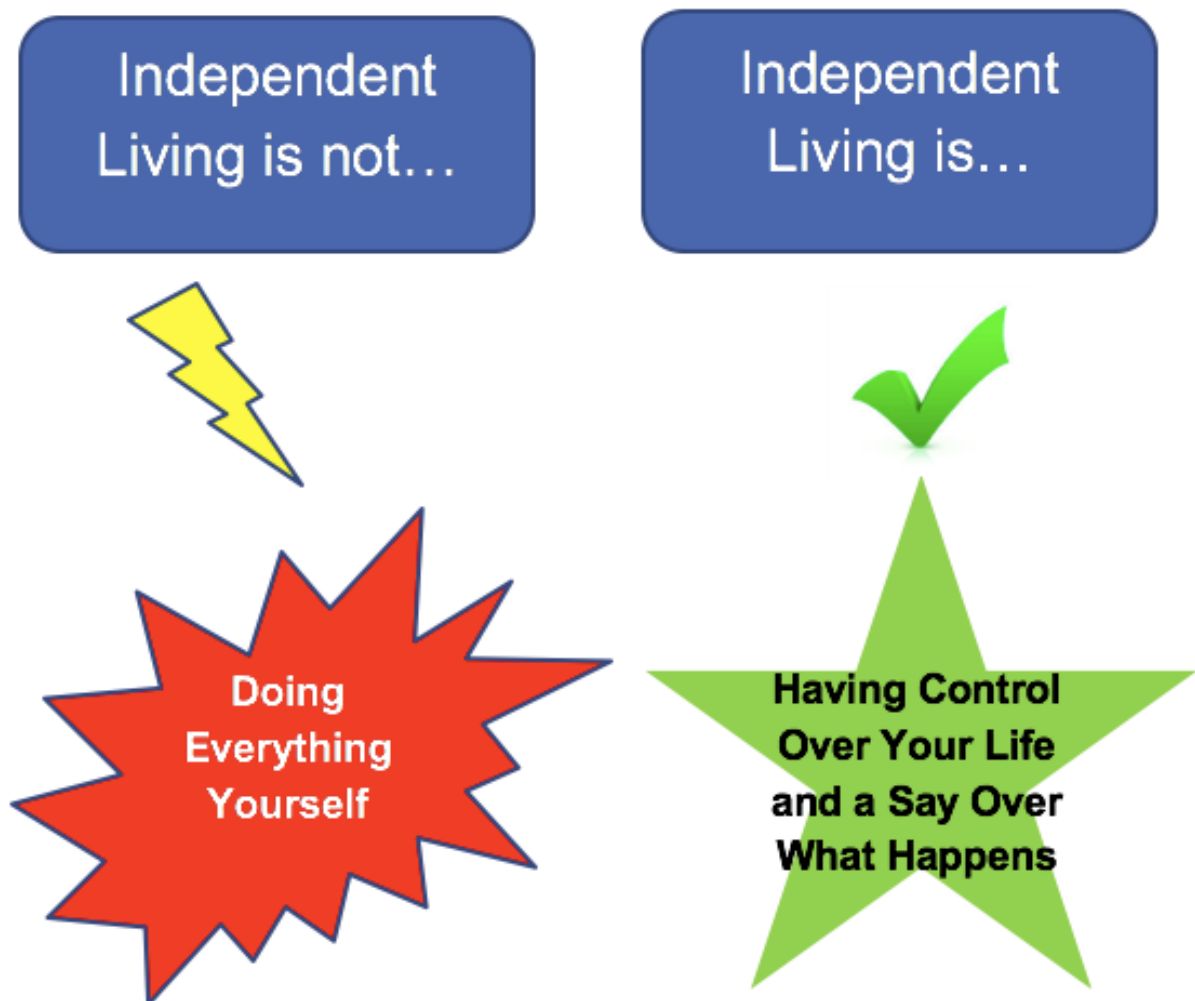
Organization	Address / Contact Information	Type of Information
City of Hamilton Housing Services Division	350 King Street East, Unit 110 Hamilton, ON L8N 3Y3 General Inquiries Ph: 905-546-3901 Email: housing@hamilton.ca Access to Housing Waitlist Ph: 905-546-2424 x3708 ath@hamilton.ca	<ul style="list-style-type: none"> • Homelessness & housing first • Home renovations & emergency repairs • Affordable housing • Housing supports • Social housing
Local Health Integrated Network (LHIN)	270 Main Street East, Units 1-6 Grimsby, ON L3M 1P8 Ph: 905-945-4930 Email: hamiltonniagara_haldimandbrant@lhins.on.ca For questions about patient care call: 1-800-810-0000	<ul style="list-style-type: none"> • Health supports for Housing • Home and community care • Patient care
Disability Information Service Program	Hamilton Central Library 55 York Blvd, Hamilton ON L8R 3K1 Ph: 905 546-3200 x3205	<ul style="list-style-type: none"> • Help & advice • Link to community Services and benefits • Assessments

<u>Hamilton Housing Help Centre</u>	119 Main Street East Hamilton, ON L8N 3Z3 Ph: 905-526-8100 Email: <u>info@housinghelpcentre.ca</u>	<ul style="list-style-type: none"> • Housing search • Link to community services • Housing stability benefit
<u>Canada Mortgage & Housing Corporation (CMHC)</u>	Phone: 1-800-668-2642 Email: <u>contactcentre@cmhc.ca</u>  <u>@CMHC_ca</u>	<ul style="list-style-type: none"> • Housing data and statistics • Housing development programs
<u>Hamilton Community Legal Clinic</u>	100 Main St E. Suite 203 Hamilton, ON L8N 3W4 Ph: 905-527-4572  <u>@HamiltonJustice</u>	<ul style="list-style-type: none"> • Legal advice • Tenant's rights • Help with evictions
<u>Realtors Association of Hamilton and Burlington</u>	505 York Blvd Hamilton, ON L8R 3K4 Ph: 905-529-8101 Email: <u>info@rahb.ca</u>  <u>@RAHBNews</u>	<ul style="list-style-type: none"> • Property search • Buying & selling • Housing market news, data and statistics
Government of Ontario	<ul style="list-style-type: none"> • <u>Ontario Healthy Home Renovations Tax Credit</u> Ph: 1-866-668-8297 • <u>Ontario Disability Support Program</u> Ministry of Community and Social Services 119 King St. West, 3rd Floor Hamilton ON L8P 4Y7 Ph: 905-521-7280 • <u>Other Grant Programs</u> 	

SECTION 3: Personal Responsibilities

Everyone wants to stay independent. However, to address housing needs you need to know and understand your limitations. You must know where in the City you want to live. This is called “due diligence”. Before deciding, you should get as much information as you can and explore all available housing options.

Discuss the housing options with your spouse, children and other family member or close friends. Talk to your family doctor, who can help with applications that refer to limitations and specific needs.



SECTION 4: Types of Housing

This section describes two types of housing options; homeownership and rental housing. There is financial help and housing supports available for people with disabilities with low incomes. For more information about these subsidies and supports please call the City of Hamilton's [Housing Services Division](#) at 905-546-3901 or e-mail them at housing@hamilton.ca

4.1 Types of Ownership Housing



DETACHED SINGLE-FAMILY HOMES

Home ownership can be an asset for people with disabilities. However, it can also become a concern.

If you own your own home, you may have to downsize or move into a more accommodating living situation due to changing needs. Paying for costs of maintenance, utilities and taxes can become a constraint when the changing needs of a disability or condition force you to spend more of your income on health care than what you have budgeted for in the past.

As homeowner with a disability, you might be able to customize your home to make it more accessible. One benefit of owning your own home is that the you can often change it easier than you could if you rented. This is especially the case of major home modifications.

To find homes for sale in Hamilton contact a local real estate office. You can also contact [Realtors Association of Hamilton and Burlington](#) by calling 905-529-8101 as well as looking at listings online.

The following housing options may be useful for people with disabilities:

4.1.1 - Garden Suite

A garden suite (commonly known as a granny flat) is a pre-made residential structure set up as one unit (up to 20 years) in the yard of a home owned by a family member. It allows an individual with a disability to live independently and remain close to their family. Garden suites are allowed in Hamilton but planning approvals are necessary. In some cases, servicing a new garden suite with water and sewer services can be expensive.

Call the Canada Mortgage and Housing Corporation (CMHC) at [1-800-668-2642](tel:1-800-668-2642) and/or the City of Hamilton Planning Department at [905-546-2720](tel:905-546-2720) for more information.

4.1.2 - Home Sharing

Home sharing is when several a number of unrelated people live together in a single dwelling. Owners with an extra bedroom can rent it to a tenant who will typically provide other services like chores and general maintenance in addition to money as a form of compensation. Home sharing works as a traditional financial arrangement and it can also give companionship and a sense of security for both the tenant and owner. For people with disabilities, this living arrangement can save the cost of paying for specialized services.

Home share organizations are popular in Canada and around the world. However, there are not many home share organizations in Hamilton. McMaster University School of Graduate Studies small Home Sharing program called [MacSymbiosis²](#) . This program connects graduate students with seniors in the McMaster and Westdale community. This housing relationship is good for both students and seniors.

For more information call [647-648-4421](tel:647-648-4421) or contact the program by Email symbiosiscohousing@gmail.com.

² McMaster Student-Senior Co-housing Program
https://gs.mcmaster.ca/sites/default/files/images/gs_symbiosis_brochure_8.5x11_v1.11.pdf

4.1.3 - Co-housing

Co-housing is when a group of people plan and develop their housing community. It can be a new building or an existing building(s) that has had changes made to it. Residents own their unit, but often share spaces like dining, laundry and recreational facilities. They can also share support services.



In a co-housing community, people with disabilities keep independent spaces. They can choose to live with friends and share interests and workloads.

Email the Canadian Co-housing Network at info-east@cohousing.ca or for more information visit www.cohousing.ca.

4.1.4 - Purchased Condominiums

Condominiums (“condos”) are dwellings (houses, townhouses and apartments) purchased privately from developers or prior owners.



TOWNHOUSE

An owner is an individual deed holder of a unit. The owner is responsible for maintaining and paying that property. They are also a shareholder of common property elements like; passageways, gardens and roadways. These common elements are maintained through regular

financial contributions made by the condo owners; these are typically called ‘condo fees’. The condo owner handles their share of the condominium and is responsible for selling it when they move. Condos are governed by the *Condominium Act, 1998*. The Canada Mortgage and Housing Corporation has a free [condo buyer’s guide](#). This guide can help people learn more about condo buying and living.



MID-RISE

4.1.5 - Life Lease Housing

Life lease housing is usually owned and managed by a non-profit organization. Residents pay to live in a unit by purchasing a lease for an upfront payment and a monthly maintenance fee. Unlike renting, the lease is set for several years, or for life. When the resident moves out, the lease is sold at fair market value, less a fee. Most life lease communities maintain a waiting list of potential future buyers. Applications are managed by the life lease building or corporation.

For more information on life leasing visit the [Ministry of Housing's website](#).

4.1.6 – Renovating Your Home

If you have a disability, home renovations can help with your independence both now and in the future. There are many arrangements and adaptations that can reduce barriers and improve accessibility. The best changes depend on your personal circumstances.

Some common options include:

- Adding grab bars in the bathroom
- Changing the bath tub to a barrier-free shower
- Adding hand railings or a stair lift to staircases
- Changing the heights of kitchen cupboards and/or counter heights
- Moving a bedroom to the main floor
- Putting in fire alarms that light up for people who are deaf or hard of hearing

The City of Hamilton has developed guidelines for barrier free design. For more information call [905-546-2424](tel:905-546-2424) x8080 or download the PDF document at the following link: [cityofhamilton-barrier-free-design-guidelines.pdf](#)

4.1.7 – Property Tax Assistance

Paying property taxes can become challenging for people with disabilities since expenses often tend to increase with changes to physical conditions. The City of Hamilton has tax assistance programs available for residential tax payers with disabilities.

Deferral of Tax Increase Program - This program allows eligible low-income seniors (65+) to defer property tax increases. You must be receiving the Ontario Disability Support Program (ODSP), have a disability and paid under the Guaranteed Income Supplement (GIS) or the CPP disability benefit.

Full Deferral of Taxes Program - In 2018, the City of Hamilton started a new 3-year pilot program that allows a homeowner with a disability to defer the full amount of property taxes (subject to interest) until the property is sold. Your household must have a combined income of less than \$33,840 to qualify.

For more eligibility criteria for both programs including getting application forms call [905-546-2489](tel:905-546-2489) or visit www.hamilton.ca/tax

4.2 Types of Rental Housing

Rental housing is a common living arrangement where a tenant pays rent to a landlord to live part of a larger facility.



Rental accommodations can be single detached homes, townhouses, or apartment buildings. These may be owned privately (for profit) or by non-profit organizations. Some condominium owners also rent out their units.

Costs for a rental unit will vary. Refer to the [Glossary](#) for more information about market rents and rent-geared-to income.

4.2.1 Apartments

Apartments are typically forms of independent living. Apartments can be; studios, garden suites, secondary suites, two-storey flats, maisonettes or lofts. Townhomes, row houses, and semi-detached and single detached homes are also available for rent.

Tenants and landlords have legal rights and responsibilities, most are outlined in the *Residential Tenancies Act (RTA)*. However, some regulations exist in other legislation. Some examples are the *Municipal Act*, the *Housing Services Act*, the *Planning Act* and local by-laws.

4.2.2 Group Homes

A group home is a residence licensed and funded by the government for three to 10 persons, not including staff. Residents of a group home are supervised living under supervision in a single housekeeping unit. Due to different reasons including; emotional, mental, social or physical condition or legal status, living in a group home is best for their well-being.

4.2.3 Residential Care Facilities

Residential Care Facilities (RCFs) are homes where a number of people live together and are provided care. They often provide housing for older adults and/or people living with disabilities. An RCF is type of supported housing.

Some residential complexes have residents who receive 24-hour a day care. RCFs include geriatric care homes, psychiatric care homes, and homes for residents with developmental disabilities. Most are privately owned and licensed by the City of Hamilton. This means they need to follow certain health, fire and living standards. Some RCF units are subsidized for people who have a low income.

4.2.4 Long Term Care Facilities

Long term care facilities, sometimes called nursing homes, are institutional buildings for people who can no longer live independently. They need 24-hour a day personal and nursing care, sometimes within a secure setting. They include many services and supports for people with disabilities, older adults and family caregivers. Residents receive personal care and health services, as they have limitations that prevent them from taking part independently in everyday activities.

4.2.5 Retirement Homes (Assistive Living Facility)



Retirement homes (assistive living facility) provide a fee-based specialty accommodation and communal programs for seniors who may need help with daily living activities.

Retirement homes are usually privately owned. They must have at least 2 of 13 care services as set out by the *Retirement Homes Act* (RHA, 2010). This housing option may cost too much for people on a fixed income.

4.2.6 Assisted Living Services (Rental or Ownership)

Assisted living services provide personal and home support services. This allows people to live in their home as their needs change. This includes help with personal care (bathing, mouth and skin care), personal support (dressing and help with taking medicine), homemaking services (light housekeeping and laundry), and home maintenance. Services are accessed through regional “hubs” provided through the Local Health Integration Networks (LHINs). Many private assisted living service providers/services are also available on a fee-for-service basis.

SECTION 5: Conditions and Special Needs

This section includes information on common conditions and how those conditions can shape and affect the housing needs of people with disabilities. This section also offers resources to help people with these conditions access housing and housing supports in their community.

5.1 Circulatory Conditions

The circulatory system describes the heart and blood vessels. Some circulatory diseases include; high blood pressure, coronary artery disease, and hypotension (low blood pressure). On-going circulatory conditions can often result in strokes or heart disease. Results of a stroke may include; weakness or paralysis and vision problems including depth-perception. Other issues include; cognitive problems like reading difficulties, speaking, comprehension and short-term memory loss.

If you have circulatory condition you often need regular medication for your health. Housing with proper storage for medication is needed. Those with circulatory conditions may also need special diets. In these cases, appropriate or specialized appliances and customized kitchen space may be needed. Circulatory conditions often need special accommodations in the home such as assistive devices and help with care. In some cases, barrier-free housing that is fully wheelchair accessible might be needed. Housing with proper storage areas and turning radius is needed for those with assistive devices.

March of Dimes is one of many community-based rehabilitation organizations for people with circulatory conditions or physical disabilities due to circulatory conditions.

For more information on March of Dimes and other organizations contact:

[March of Dimes Canada](#)

20 Emerald Street North, Unit 309
Hamilton, ON L8L 8A4
Ph: 905-527-6653
 @modcanada

[Heart and Stroke Foundation](#)

1439 Upper Ottawa St., Unit 7
Hamilton ON L8W 3J6
Ph: 905-574-4105

[The Hamilton-Wentworth Stroke Recovery Association](#)

70 King Street East, B
Stoney Creek, ON L8G 1K2
Ph: 905-662-7819
Email: strokerecovery@gmail.com

[AbleLiving Services](#)

565 Sanatorium Road,
Hamilton, ON L9C 7N4
Ph: 289-309-8477
Email: info@ableliving.org

5.2 Cognitive Disabilities/Mental Health Conditions

There is a wide range of mental health conditions and cognitive disabilities. Some are acquired at birth and some acquired later in life like a brain injury. Many people with less severe conditions only need limited supports. Help with daily living activities such as bathing, eating, dressing, cleaning, using the toilet, and/or other personal care are common. Individuals with more serious cognitive disabilities often need special care, including 24-hour supervision. Specialized supports are often needed for those who have communication disorders and have trouble controlling difficult behaviour.

In some cases, people with severe cognitive disabilities, may need residential care as living independently is not possible or practical. In addition, many experience gradual declines in ability over time. Living in a residential care facility allows more 'on-site' services to be added over time to meet the person's needs.

Safety can be a major concern for those with cognitive disorders who live independently and/or with limited supports and supervision; for example, those with Autism Spectrum Disorder (ASD), dementia or brain injuries may have trouble understanding their environment and other people. Safety is a major issue as they may wander off. Proper locks are required to secure the residence and any medication. Other safety measures to consider within the home are; a secure stove to prevent fires and a water heater temperature governor to avoid burns from hot water. Bathroom grab bars and grips and non-skid rugs are also helpful household features.


For more information on residential care facilities in Hamilton please call the [Housing Services Division](#) at 905-546-3901.

For information on supports for cognitive disabilities contact the following organizations:

[Autism Hamilton](#)

533 Main Street East
Hamilton, ON L8M 1H9
Ph: 905 528 8476
Email: lb@autismontario.com

[Alzheimer Society Hamilton and Halton](#)

206-1685 Main St. W.
Hamilton L8S 1G5
Ph: 905-529-7030
 @DementiaAlzh

[Brain Injury Services of Hamilton \(BISH\)](#)

225 King William Street, Suite 508

Hamilton, Ontario L8R 1B1

Ph: 905-523-8852

Email: info.news@braininjuryservices.com

5.3 Developmental Disabilities

There are a range of developmental disabilities which can include; Down Syndrome, Cerebral Palsy and autism. Communication disorders can like language/speech disorders, learning disorders and motor disorders fall into this category for the purpose of this guidebook. Some conditions are more visible such as cerebral palsy and some are less visible such as dyslexia.

These conditions can appear at birth or childhood and in some cases can become more severe over time into adulthood. Because of visible spastic-like movements or unclear means of communication, individuals may be misunderstood or be regarded as not being smart. This is not the case, as in most circumstances people suffering from these types of conditions are quite intelligent.

It is important for people with developmental disabilities to be matched with the type of housing and supports they need. Contacting Development Services Ontario (DSO) is the first step in this process. DSO will assess the condition and housing needs to determine eligibility for programming.

[Development Services Ontario](#)

140 King Street E. Suite 4


Hamilton, Ontario L8N 1B2

Ph: 905-522-3304 x214 | Email: info@dsohnr.ca

The DSO will make recommendations to find an environment that will maximize safety, independence and enable people to have a satisfying quality of life. There are several local programs and housing providers that provide specialized services for people with developmental disabilities.

Some of these organizations include:

[Choices](#)

59 Kirby Avenue
Dundas, ON L9H 6P3
Ph: 905-628-6147 x221
 @ChoicesDundas

[Christian Horizons](#)

4278 King Street E.
Kitchener ON, N2P 2G5
Ph: 519-650-3241
Email: info@christian-horizons.org

[Community Living Hamilton](#)

191 York Blvd
Hamilton, ON L8R 1Y6
Ph: 905-528-0281
Email: info@clham.com

[Indwell](#)

1430 Main St E
Hamilton, ON L8K 1C3
Ph: 1-866-529-0454
 @IndwellCA

[L'Arche](#)

664 Main Street E.
Hamilton, ON L8M 1K2
Ph: 905-312-0612
Email: office@larchehamilton.org

Housing needs for people with developmental disabilities often grow over time. A common challenge is that as the primary caregivers (typically parents) get older, they may no longer be able to care for the person with the developmental disability. Moving from home with a parent providing primary care to supportive housing is a challenge for people with developmental disabilities.

5.4 Mobility and Physical Disabilities (Neuro-Muscular Conditions)

People with neuro-muscular disabilities each have different limitations. If you use mobility device or have cerebral palsy your disability is visible. However, those with early onset multiple sclerosis or neuroglia or epilepsy may not have any visible signs of disability.

Physical limitations often need modifications so tailoring (finding and adapting) the right kind of housing and supports to your needs is important. Speak with your family doctor as they are aware of how a condition will change over time. Your doctor can also refer an occupational therapist to do a home assessment who will recommend specific modifications.

Stairs are the most common barrier for those with mobility restrictions. There are also many other common household design features that are challenging for people with neuro-muscular conditions or physical disabilities. For example, the height of light switches, the location and height of buttons or knobs on kitchen appliances or the shape of taps. Carpeting can be a barrier for people using mobility devices, especially manual wheelchairs. Bathing can be problematic but common mobility aids like bathtub assist bars, bath chairs and 'roll-in' showers can help.

People who have epilepsy or a non-epileptic seizure disorder need to be aware of electronics that can trigger a seizure. This can include flashing lights on smoke detectors and appliances. Depending on how severe a seizure disorder is, there may be greater need to modify homes to prevent serious injury.

There are several support groups for particular conditions. The Community Care Access Centre [1-800-810-0000](tel:1-800-810-0000) is usually contacted first. Their Care Coordinators will set up an assessment first and then coordinate ongoing care.

Quite often, major home modifications can be expensive. If you own your home and have a low income, you can apply for financial help through the Ontario Renovates Program. Please contact the City of Hamilton's [Housing Services Division](#) by phone at [905-546-3901](tel:905-546-3901).

For more information on specific conditions:

[Arthritis Society](#)

460 Brant St. Suite 11
Burlington On L7R 4B6
Ph: 905-632-9390
Email: info@on.arthritis.ca

[Epilepsy Hamilton, Halton, Peel](#)

2160 Dunwin Drive
Mississauga ON L5L 5M8
Ph: 1-855-734-2111
Email: info@epilepsysco.org

[Ontario Federation for Cerebral Palsy](#)

1100 Main Street West, Suite 301
Hamilton, ON L85 1B3
Ph: 905-522-2928

For more information on housing services for physical conditions:

[Brain Injury Services of Hamilton](#)

225 King William Street, Suite 508
Hamilton, Ontario L8R 1B1
Ph: 905-523-8852
Email: info.news@braininjuryservices.com

[March of Dimes Canada](#)

20 Emerald Street North, Unit 309

Hamilton, ON L8L 8A4

Ph: 905-527-6653

 @modcanada

[THRIVE Participation House](#)

2080 Trinity Church Road

Mount Hope, On L0R 1C0

Ph: 905-692-4465

Email: info@ableliving.org

5.5 Respiratory Conditions

Asthma is a common respiratory condition; however, there are more serious respiratory conditions like emphysema, chronic obstructive pulmonary disease (COPD) and lung cancer. In some cases, medical equipment helps with breathing or medications are used to control symptoms. Examples include; inhalators, portable oxygen and continuous positive air pressure (CPAP) machines. Respiratory conditions even when treated can still affect your quality of life.

Living in the right environment is critical for those with a respiratory condition. Known triggers for respiratory distress include air quality, dust, mold, pollen and temperature. It is important to keep a clean unit and live in a building with good air quality. A smoke-free environment is beneficial.

Call the Hamilton Housing Help Centre at [905-526-8100](tel:905-526-8100) for help with housing searches that suit your needs. When applying for public subsidized housing, the Access to Housing (ATH) application includes the need for oxygen on its list. However, it doesn't ask about smoke-free accommodation, so you must include this under unlisted needs.

Local programs providing specialized services for people with respiratory conditions include:

[Firestone Clinic for Respiratory Health](#)

50 Charlton Ave E,
Hamilton, ON L8N 4A6
Ph: 905-522-1155 x36000

[Lung Association](#)

762 Upper James, Suite 278
Hamilton ON L9C 3A2
Ph: 905-745-7416
Email: schapman@lungontario.ca

5.6 Hearing/Vision Conditions (Sensory)

Vision

There are many levels of blindness and vision loss. Some individual may have improved vision with corrective lenses. Other people may just see some light or shadows or nothing at all. Vision loss can be genetic, caused by a stroke, degenerative diseases, cataracts or glaucoma, just to name a few. People with other disabilities, who also have vision loss have specific housing needs. In these cases, it can be difficult to accommodate an individual's housing needs.


Features such as automatic doors, good lighting, color contrast in walls and floors and no carpets are helpful for those who are blind or have vision loss. Features that someone with vision loss should look include; a clear front lobby/entranceway, audible or tactile markings in elevators to show or say the appropriate floor and tactile or large print numbers on doors.

The [Canadian National Institute for the Blind](#) (CNIB) provides in-home supports. They complete assessments, suggest products to improve independence and perform helpful home modifications. These modifications can include; marking appliances or reorganizing units to make them more accessible.

Social isolation can be a challenge for people with vision loss. Living in a central location near to shops, medical facilities, good transportation and social/recreation activities is preferred and helpful for mobility purposes. The [Canadian Council of the Blind](#) is a social group that meets monthly and is a place to meet people and get involved in social activities. Activities include; blind golf, bowling for the blind and curling for the blind.

Some local specialized services for people with vision loss include:

[Canadian National Institute for the Blind](#) (CNIB)

115 Parkdale Ave S.
Hamilton, ON L8K 6K4
Ph: 905-528-8555
 @CNIB

[Lions Foundation of Canada's Dog's for the Blind](#)

152 Wilson Street
Oakville, ON L6K 0G6
Phone: 905-842-2891
TTY: 905-842-1585
 @LFCDogGuides

[Canadian Council of the Blind](#)

Ph: 1-877-304-0968
Email: ccb@ccbnational.net

Deaf, Deafened and Hard of Hearing

Approximately 23% of adult Canadians report experiencing some hearing loss. This number is projected to significantly increase as the average age of Canadians increase. Hearing loss can be mild to profound or in between. Deaf, deafened and hard of hearing individuals may use hearing aids, cochlear implants or other assistive listening devices.

Deaf

The term ‘deaf’ describes people with a severe to profound hearing loss, with little or no residual hearing. Some deaf people use sign language, such as American Sign Language (ASL) or Langue des signes québécoise (LSQ) to communicate. Others use speech to communicate using their residual hearing and hearing aids, technical devices or cochlear implants, and/or speechreading.

Deafened (or late-deafened)

The terms “deafened or late-deafened” describe individuals who grow up hearing or hard of hearing and, either suddenly or gradually, have a profound loss of hearing. Adults who become late-deafened usually cannot understand speech without visual clues such as captioning, computerized notetaking, lip reading or sign language.

Hard of hearing

Most people who are hard of hearing can understand some sounds with or without hearing aids. They also often supplement their residual hearing with speechreading, hearing aids and technical devices. The term “person with hearing loss” is often used and preferred.

Deaf and hard of hearing people have unique housing needs. They need a quiet and/or well-lit space to properly communicate. End units are preferred in multi-unit buildings as they could be quieter and have less noise and limited hallway traffic.

Some important building design features to look for are:

- Security and fire alarm systems that do not just use sound
- Building layouts that do not block views
- Doorbells that light-up
- High-speed internet access that allows for specialized communications technology

When looking for a home, an interpreter is often might be needed by the potential homeowner or renter to help with deciding whether a unit meets their needs or not. Once living in a unit, it is it is important to set up a way to communicate and build a rapport with your building manager. This will help you resolve any future concerns and allow your manager to better understand and be responsive to your needs.

Deaf-Blindness

Someone who is deafblind is not necessarily totally deaf or totally blind. Many people who are deafblind have some residual sight and/or hearing. The major challenge is not about the amount of sight and hearing; it is about the combined impact of having more than one sensory impairment.

Since being deafblind includes both vision and hearing loss, very specific living accommodations are needed. When looking for housing, a community with nearby shopping, medical centres, transportation and audible traffic signals makes it easier to be a part of the community. Within the home or building there are many things to consider. Do the elevators have Braille and raised numbers? Also, are there audible floor indicators, Braille or raised numbers outside the elevator door on all floors?

Other helpful building design features include flashing and/or vibrating door bells, flashing and/or vibrating fire alarms. Help may be needed from several community organizations that specialize in hearing and vision loss to maximize quality of life.

5.7 Bowel / Bladder Conditions

Gastric or urinary issues are common for people with Crohn's Disease, Irritable Bowel Syndrome (IBS), bladder or bowel cancers, incontinence or those who experience frequent bladder infections. People with these conditions often have special housing needs, particularly bathroom use and availability. Group homes, residential care facilities and home share living arrangements are can be challenging for people with these conditions due to shared bathrooms.

One specialized service and support group for people with gastric issues is:

[Crohn's and Colitis Canada - Hamilton](#)

Ph: 1-800-387-1479

Email: hamilton@crohnsandcolitis.ca

5.8 Emergency Situations

People with disabilities experience emergency situations unique to their conditions. Two key things to consider are prevention and mitigation.

Emergency Prevention

The best way to deal with emergencies is to stop them from happening in the first place. For people living with disabilities, depending on their needs, there are a number of measures that can be put in place to reduce or prevent emergencies

Common emergency prevention tips include:

- For people with mobility restrictions, install non-slip rugs, grab bars in the kitchen/bathroom or where needed. These will prevent slips or falls or other situations.
- For those who are blind or have low vision and/or those with mobility restrictions, good lighting is important.

- For people who need medication, using a medication dispensing system prevents missed or inaccurate dosages
- Have a checklist/schedule for regular maintenance for needed assistive devices, appliances or key items in the home
- Have a home security system
- All multi-residential buildings must have a fire plan. It is a good idea to participate in fire drills and know the fire routes in your building.
- Fire departments recommend that anyone who uses a mobility device not live higher than six floors. This helps emergency personnel easily evacuate the person in an emergency.

Emergency Mitigation

Another key part is to lessen the impact of emergencies when they occur.

Common ways people with disabilities promote harm reduction include:

- Wearing an “Emergency Help” device
- Wearing a [Medic-Alert](#) bracelet
- Having a well-stocked maintenance toolkit for important electronics, appliances or assistive devices that need regular upkeep. This kit could include backup fuses and batteries for hearing aids, for example.
- Pre-programming emergency contacts and medical conditions, in your home and/or cell phones
- Having a list of emergency contacts near the telephone which includes; neighbours, friends, family, medical contacts, pharmacy, elevator repair, assistive device repair etc.
- Keeping a list handy of any medications you take

Specific Emergencies

Sometimes your power can go out and this can be an issue if you rely on electricity for medical equipment. If you have such equipment you should

have a backup generator or have batteries on hand for respirators or other items that need power.

A heavy snowfall can be challenging for people with disabilities. If you have respiratory conditions or physical disabilities you can have issues or be unable to shovel your own snow.

SECTION 6: Decision Making

Finding or changing where you live isn't always easy especially when it is not your most desirable choice. In the case of moving to social or subsidized housing, it often involves a crisis. The first step is coming to terms with the crisis which can range from financial to health and often include both concerns. The crisis is often sudden and/or unplanned. Both the individual and their family and friends may have a difficult time coming to terms with the new reality.

For people with disabilities, housing choices are limited and come with constraints or limitations. This guide attempts to provide people with information to assist them searching for and selecting housing. Several medical conditions and health concerns including; mental health, addictions, chronic conditions and low income makes finding suitable housing difficult. The reality is you many need to make choices or accept trade-offs between meeting needs/wants and staying within your household budget. One example of this choice for people with disabilities is deciding between affording the costs of finding new accommodations or adapting existing living conditions.

Key Factors in Decision Making

Person-Centeredness – focuses on placing the person at the center of all factors considering their needs including their unique economic, cultural and gendered experiences. This approach has demonstrated value and is widely adopted within medical and health care (Mayo Clinic, Ottawa Hospital Research Institute, CIHI, E-health) as well as in [Hamilton's 10-year Housing and Homelessness Action Plan](#).

Balancing Needs and Wants - it can be challenging to determine what is a need versus what is a want. Having limited resources, it is important to carefully analyze your personal circumstances, physical/medical/health

conditions and preferences. Prioritization assists in navigating through crisis situations, preventing on-going stress and concerns around funding suitable housing and supports.

Cost-effectiveness – means maximizing meeting the needs of people with disabilities while minimizing the costs without compromising quality.

A Decision-Making and Housing Example:

Judy, 61, has a chronic respiratory condition. She needs a suitable environment for her breathing. She works at home as a freelance transcriber and earns about \$20.00/hour.

Judy worked with her family to find a home. She took her doctor's advice and selected a recently built smoke-free unit in a duplex. The home was located on the southwest mountain, and area of the City away from the industrial core.

The rent was higher than a similar unit she found in the lower-city but having better air quality Judy determined the higher rents were an acceptable trade-off for the better standard of living as she prioritized her long-term health. As a result of her decision, Judy was not able to immediately afford central air conditioning because of her slightly higher rent. She'll use her window air conditioning unit and save for the system she wants to buy in the future.

SECTION 7: Respite Care

Respite services give primary caregivers a temporary break from providing care to the person they are caring for with a disability. Caregivers, whether family or health care professionals, are sometimes unable (or unwilling) to give full-time or round-the-clock care. Most people living with a disability have a daily routine that they like; however, they may need a temporary change of type of care. In these cases, there are agencies that provide respite care. There are also agencies that provide support to people who live in a private unit. They can come once-a-day to once-a-week or on an 'as-needed' basis to give needed care and services.

Some agencies require a vulnerable or disabled person to be moved to a centralized setting to provide care. This is the case for extended care. Often there are waitlists which means planning in advance for care and supports needed in a timely manner.

Call [LHIN Home and Community Care](#) at 1-800-810-0000 who is the main service agency. There are also [other organizations](#) such as [Community Living](#) 905-528-0281 available as well.

[Von Canada Respite Services](#)

414 Victoria Ave N, Suite M2

Hamilton, ON L8L 5G8

Ph: 905-529-0700 or 905-523-1055

Email: national@von.ca

SECTION 8: Safety Features to Check

There are many features to look for when searching for a home in the context of meeting the needs of people who have a disability. Considering and prioritizing the features that apply your condition will maximize the ability for housing to be tailored to suit your needs.

Accessibility to the Home for Care Providers – It is important to balance between having access for caregivers while preventing against strangers or unwanted solicitors entering a home. Some common safety features include windows in or next to the front door to show who is at the door. Use a key box instead of hiding a key outside for care providers. High-rise and multi-residential buildings may have an intercom system to notify tenants and security cameras to watch who comes in and out of the building. These should be working and accessible so caregivers can access the units inside. For automatic doors that are activated by accessibility buttons, keys or fobs, residents should tell caregivers to not allow piggybacking. Piggybacking is when two people enter through a door where there has only been one security swipe.

Alarms – Some buildings have alarms on each floor while others have them in each unit. It is important to tailor the alarm that meets the needs of the resident. This would include a visual alarm for someone who is deaf or hard of hearing and an audible alarm for some who is blind or has low vision.

Appliances - Countertops, cupboards, taps, sinks, buttons/knobs on stoves and ovens should be located at accessible heights and reaching distances.

Common Spaces – Accessibility should be considered in buildings where there are public offices, public meeting rooms, laundry rooms and washrooms.

Computers/Cell-Phones – Access to technological devices can help with being informed about emergencies. These devices also help with communication with others about personal emergencies. Based on location, cell phone and internet reception can vary in units and buildings. Basement apartments tend to have poor reception. Some buildings provide Wi-Fi in common areas.

Elevators - Should be large enough for an ambulance stretcher or a wheelchair to turn around. The buttons should light up and have a tactile surface, like raised letters or ideally Braille. Elevator systems should have audible cues to help those who have low vision. The number of elevators should also be considered.

Colour Contrast - is necessary for people who are blind or have low vision to recognize corners, pathways, doorways and stairs.

Fire Drills – should be done regularly including an evacuation plan for people with disabilities. Accommodations should be in place for people who are deaf, hard of hearing, blind or have low vision.

Flooring – Hardwood and tile are ideal for people using mobility devices. Even well-laid carpeting can be a problem for people using mobility devices. Scatter rugs can be a tripping hazard, especially for people with vision loss or mobility issues.

Grab Bars and Handrails – should be installed with the proper grip to be effective. Barrier-free guidelines should be referenced and an occupational therapist should help with personal placement. Handrails are necessary for all stairways.

Height of Building – has many safety considerations. Even a few stairs can be impossible for people with mobility issues. Fire departments recommend that anyone who uses a mobility device to live no higher than six floors so emergency personnel can easily evacuate the person in an emergency.

Height of Intercoms – Can often be too high for a person who uses a wheelchair.

Smoking – There are many health and safety issues for people with disabilities related to smoking. It is a particular concern for people with respiratory issues.

Sprinkler Systems – It is a good idea when looking for housing to look at buildings with sprinkler systems. These systems can prevent against risk in the case of a fire. Systems should be in all multi-residential buildings.

Storage Space – The amount of space is different in each housing unit. People with disabilities may have unique storage needs for mobility devices or other items. Sometimes designated space in other areas of the building can be a problem, so in-unit space is needed.

Stairs and Ramps– Should be well-built with wide treads and regular risers. Any carpeting will shorten the tread and may cause slipping or falling. Ideally each step should have a tactile slip edge.

SECTION 9: Frequently Asked Questions (FAQ's)

Q: Who do I call if I need accessible housing?

A: Everyone's situation is unique. For more information, contact an organization listed in [Section 2](#) of this guide.

Q: How do I identify my needs?

A: A good first step is to discuss your situation with your spouse, children, other family members or close friends. Talk to your family doctor as they can advise, direct or refer you to an agency or organization that can specifically assess your limitations and specific needs.

Q: What do I do when my needs change?

A: It is important to stay in touch with your health care and housing providers, so they can respond to changes in your condition. It isn't always easy to quickly accommodate changing needs. Sometimes there are trade-offs between getting access to additional services and care and maximizing independence.

Q: Who do I contact for help with completing an assessment to make my home more accessible?

A: Contact staff at the [Disability Information Service Program](#) Phone: 905-546-3200 x3205 at the Hamilton Central Library. Program staff will help make arrangements for an in-home assessment.

Q: Who do I call for information about the Social Housing waitlist or help with filling out my waitlist forms?

A: Call the Housing Services Division Access to Housing Line Phone: 905-546-2424 x3708 or email at: ath@hamilton.ca

Q: Where do I apply for grants to help me in making my living space more accessible?

A: The Homeowner Ontario Renovates, offers financial help to low-income households who own and occupy substandard housing to enable them to repair their dwellings to a minimum level of health and safety.

The Person with Disabilities Ontario Renovates offers financial assistance to households occupied by persons with disabilities who require special modifications to improve accessibility to their residence.

A 10-year forgivable loan up to a maximum of \$20,000 is given to assist with the cost of certain work required to the home. Modifications to increase accessibility including but not limited to:

- permanent installations of ramps, handrails, chair and bath lifts,
- height adjustments to countertops
- cues for doorbells/fire alarms

For more information, or to apply, contact program staff the City of Hamilton's Housing Service's Division by Email: housing@hamilton.ca or by Phone at 905-546-2424 x2758

Q: Who do I contact about an unresolved maintenance problem in my building?

A: If you complain to your landlord about a maintenance issue, make sure you write it down and date it. Verbal complaints cannot be tracked.

Contact the City of Hamilton Property Standards Department to get an inspection or issue a work order. If this doesn't fix the problem, tenants can call the [Landlord Tenant Board](#) at 1-888-332-3234 for more help.

Q: Who do I call about pests (bed bugs, cockroaches, ants etc.) in my unit?

A: Landlords are responsible for examining a housing unit for pests and taking care of their removal. If you have a disability you may need help to prepare for the treatment. If you have limited income, you can call the [Hamilton Housing Help Centre](https://www.hamilton.ca/home-property-and-development/pest-control/bed-bugs) at 905-526-8100 who offers supports for qualified households.

If your landlord doesn't help, you may need to call the [Public Health Department](https://www.hamilton.ca/public-health) at 905-546-2489. They can help resolve the matter up to and including issuing a work order.

Q: How do I know if the unit I am moving into has pests (bed bugs, cockroaches, ants etc.)?

A: The City of Hamilton has a useful website which has tips, tools and ways to prevent pests. For that information follow the link below: <https://www.hamilton.ca/home-property-and-development/pest-control/bed-bugs>

Q – Should I tell my building manager about my disability? If so, how?

A: Yes, this is good idea in case of an emergency. You can give your building manager or live-in superintendent details about your condition. You can also give them contact information of who they should call if there is an emergency.

Q - Are service animals allowed?

A: Service animals are allowed in all public buildings. When looking for a home, service dog owners should look for a space that can meet the animal's needs. This includes enough space, services and nearby park areas.

SECTION 10: Glossary

Legend:

Housing	Frequently used terms	Equity and Inclusion
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Glossary of Terms to Help You Use this Guide

Abuse	May be physical, psychological, social or financial mistreatment. Neglect is often associated with abuse.
Ableism	<p>It is a set of cultural, institutional and individual practices and beliefs that assign different values to persons who have various kinds of disabilities. It is a form of discrimination, prejudice and social exclusion based on a person's abilities, whether developmental, learning, physical, psychiatric or sensory, which devalues and disregards persons with disabilities.</p> <p>It is derived from the unconscious or conscious practice of setting the needs of persons without disabilities as the norm for the provision of programs, services and opportunities. It is coupled with a belief in the inherent superiority of those who do not have a disability. As a result of these beliefs and behaviours, facilities and programs may not be accessible to persons with disabilities.</p>

Access or Accessible Buildings	A person with a disability is, without assistance, able to approach, enter, pass to and from, and make use of an area and its facilities. (BC Building Code, 1992)
Access	Ensuring that the basic needs of everyone are met through the removal of barriers to services, programs, opportunities, resources, information, and decision-making, which is essential to maintaining and improving their quality of life and sense of belonging.
Accessibility	<p>When this term is used in relation to human rights concepts, it implies that all groups and individuals should be able to participate fully in all, programs, services and opportunities free of barriers and limitations.</p> <p>There are many kinds of disabilities such as physical, psychological, mental, learning disabilities and can be visible, non-visible, permanent, temporary, or occur only at certain times.</p> <p>It is often used with specific reference to the needs of persons with disabilities.</p>
Accessibility for Ontarians with Disabilities Act (AODA)	The AODA was enacted in 2005. This legislation is intended to benefit all Ontarians by developing, implementing and

	<p>enforcing accessibility standards to achieve accessibility for Ontarians with Disabilities, with respect to goods, services, facilities, accommodation, employment, buildings, structures and premises, and to ensure equal citizenship and full human rights.</p> <p>The Accessibility standards (Customer Service Standard, Integrated Accessibility Standards (Information & Communications Standards, Employment Standards, Transportation Standards) and Built Environment Standards) set out requirements, to which municipalities, businesses and organizations legally must comply.</p>
<p>Accommodation (verb)</p>	<p>The act of accommodating. Housing is designed in a way to maximize the removal of barriers that may exist for persons with disabilities. As well, that housing services are provided to maximize the inclusion of people with disabilities or in need of assistance.</p> <p>“Housing providers” includes landlords and other responsible parties, such as governments or agencies that provide housing-related services</p>
<p>Adaptable Housing</p>	<p>Housing that looks like traditional housing but has features designed and constructed for easy modification and adjustment to suit the needs of any occupant. This may include seniors, children and people with disabilities.</p>

Accountability	<p>It means that people (elected officials, managers, staff, and contractors) are responsible for carrying out a defined set of duties or tasks, and for conforming with policies, rules and standards that apply to their jobs and responsibilities.</p> <p>It is being responsible, liable, or answerable to the actions taken by an individual or organization.</p>
Affordable Housing	<p>Housing for lower and middle-income households. A common measure of affordability is households pay no more than 30% of their household income for housing.</p>
Ageing in place	<p>Coordination in the delivery of housing, healthcare and services to create and maintain livable communities that respond to the changing needs of people as they get older.</p>
Ageism	<p>Attitudes, labels and behaviours that make assumptions about persons and their abilities based on their age.</p> <p>It is a way of thinking of older people based on negative stereotypes about ageing, and structuring society as if everyone is young. (Ontario Human Rights Commission)</p>
Amenity	<p>Is a desirable or useful feature or facility of a building or place. Synonym: facility, service, convenience, resource, appliance,</p>

	aid, comfort, benefit, etc., such as bus stop, drug store, grocery store, library, schools, etc. (Thesaurus)
Anti-Racism	Beliefs, policies and practices that have been put together, designed, adopted or developed in order to identify, isolate and counteract the impacts of racism and to prevent or diminish the oppression of racialized communities, groups and individuals.
Apartment (Apt.)	A self-contained (kitchen, bedroom, bathroom and living space) unit. It is in a building with a few or many other units.
Appliances (Appl.)	Some include: washer and dryer, refrigerator, stove, dishwasher. Often some or all appliances are included in your rent. The most common appliances included are refrigerators and stoves.
Assistive Devices	Compensatory equipment used to overcome a physical or sensory disability including hand held, electronic or prosthetic aids.
Bachelor (Bach.)	A one room unit - living room, dining room and bedroom. The kitchen may either be in the main room or in a small separate room. The bathroom is usually a separate room.

Barrier	A barrier is defined as "anything that prevents a person with a disability from fully participating in all aspects of society because of their disability. It includes a physical barrier, an architectural barrier, an informational or communications barrier, an attitudinal barrier ... a policy or a practice barrier." (Ontarians with Disabilities Act, 2001).
Attitudinal Barriers	Are our assumptions, beliefs, thoughts and fears. Attitudes can be shaped by what we know, previous experience, stereotypes and what we hear and see from media and others. Attitude affects how we view, interact and treat people with disabilities.
Architectural or Structural Barriers	May result from design elements of a building such as stairs, doorways, the width of hallways and room layout. Every day practices such as where we store boxes, if accessible pathways are obstructed, how we layout the office or a meeting room can also create barriers.
Information or Communication Barriers	Affect access to public information, opportunities to express oneself and access to essential services. Communication barriers interfere with the ability of people to participate in life and obtain services. Examples of information and communication barriers can make it difficult for people to receive or convey information include: <ul style="list-style-type: none"> • Only providing material in small print • Low colour contrast between text and background

	<ul style="list-style-type: none"> • Not facing someone when speaking • Only accepting information in paper format • Not allowing or using electronic communication
Barriers (Related to Technology)	Technological barriers can prevent people from accessing information. Common tools like computers, telephones and other aids can all present barriers if they are not set up or designed with accessibility in mind. Using only recorded messages, sending out documents or information as images or inaccessible PDFs, requiring people to use an online service but having an inaccessible website can all create barriers for people with disabilities.
Barriers (Systemic)	Arise when policies, practices and procedures support some groups without considering or understanding the needs of others. Having policies that treat everyone the same, regardless of circumstance can create barriers for some groups. For example, a policy that does not allow for people to obtain a copy of a document ahead of the actual meeting can create barriers for people with vision loss or learning disabilities who may not be given the opportunity to read or review the document.
Bias	An inclination with little or no justification towards or against an individual or group that affects the way one sees them.

Bigotry	Intolerant prejudice which tends to glorify one's own group while denigrating members of other groups.
Built-environment	Refers to more than just buildings. It includes sidewalks, streetscapes, outdoor areas and any space made for people to use.
Canadian Charter of Rights and Freedoms	This legislation falls under the Constitution Act of 1982 guarantees the rights and freedoms of all Canadians. It states that everyone is entitled to fundamental freedoms protects everyone's right to be treated fairly, without discrimination.
Classism	A system of beliefs and cultural attitudes that ranks people according to economic status, family lineage, job status, level of education, and other divisions. Middle-class and owning- or ruling-class people (dominant group members) are seen as smarter and more articulate than working-class and poor people (subordinated groups). In this way, dominant group members (middle-class and wealthy people) define for everyone else what is "normal" or "acceptable" in the class hierarchy. Systems of policies and practices that are set up to benefit the upper classes at the cost of the lower classes, resulting in drastic income and wealth inequality

Culture	<p>A shared set of ideas, beliefs, customs, values, traditions and beliefs among a group of people. The term can apply to an organization or to a group that subscribe to a common language, religion, history or social norms.</p> <p>Cultural groups are distinguished by a set of unspoken rules that shape their people's values, beliefs, habits, patterns of thinking, behaviors and styles of communication.</p>
Communication	<p>Providing information in several different formats, such as audio tape, braille, print and speech.</p>
Co-operative Housing (CO-OP)	<p>Housing that runs on a not-for-profit basis. Those living there are members. They help to manage and run the property.</p>
Deposit (Dep.)	<p>Money that a tenant may have to give to a landlord to hold/reserve a rental unit.</p>
Dignity	<p>Providing services in ways that allow people to maintain his or her self-respect and the respect of other people. It means not treating persons with disabilities as an afterthought of forcing them to accept lesser service, quality or convenience. It means understanding and respecting the various ways people can effectively access and use services.</p>

<p>Disability</p>	<p>A disability is any degree of physical disability, infirmity, malformation or disfigurement that is caused by bodily injury, birth defect or illness.</p> <p>May also lead to the use of a service animal, a wheelchair or other assistive equipment or devices.</p> <p>A disability can also be invisible. This includes mental health, cognitive and learning disabilities all which might put a person at a disadvantage or may interfere with work or personal activities.</p>
<p>Discrimination</p>	<p>Is different treatment or practice either intentional or otherwise that can occur through action, policy, procedures or practice.</p> <p>Discrimination is the denial of fair treatment, human rights and opportunities. Discrimination can be practised based on race, nationality, ethnicity, gender, sexual orientation, age, religious or political affiliation, marital or family status, or disability.</p>
<p>Diversity</p>	<p>Diversity recognizes the broad variety of differences, similarities, backgrounds and life situations among individuals and groups of people.</p> <p>Diversity includes differences in; culture, education, class, perceived racial heritages, age, heritage, religion, ancestry colour, citizenship, gender, sexual orientation, ethnic origin,</p>

	abilities and disabilities, marital, parental or family status, literacy, geographical location, income, and work experience.
Duplex/Triplex/Multiplex	Duplex – a building with 2 units Triplex – a building with 3 units Multiplex - A building with several separate units
Emergency Shelter	A temporary place to go if you don't have a home and need somewhere to sleep.
Equal/Equitable Opportunity	Providing services in a way that allows individuals with disabilities to have the same chances, options, benefits and results of services as others. It means that persons with disabilities should not have to make more effort to access or obtain service or accept lesser quality or more inconvenience.
Equality	Equality is based on the concept of 'fairness', whereby everyone has the same means to a desired end. However, equality does not always assure equal outcomes because individual abilities, capabilities and access to resources, power and privilege vary. See Equity
Equity	Equity ensures that differentiated treatment must meet the needs of marginalized groups and to ensure equal outcomes for diverse groups across our society and help reduce the barriers or deficits faced by a specific group.

<p>Ethnicity</p>	<p>Ethnicity is a social construct which categorizes people into social groups based on characteristics such as a shared sense of group membership, values, behavioural patterns, language, political and economic interests, history and ancestral and/or geographical origins.</p> <p>Some examples of different ethnic groups are: Caribbean peoples; African Canadians; Haitians; Chinese, Korean, Vietnamese; Cherokee, Mohawk, Navajo; Cuban, Mexican, Puerto Rican; Polish, Irish, Swedish.</p>
<p>Eviction</p>	<p>The Residential Tenancies Act allows a landlord to evict a household for reasons including:</p> <ul style="list-style-type: none"> • Non-payment of rent or persistent late rent payments • Damage to the unit • Conducting illegal activity within the unit or building • Excessive noise • Safety matters • Over-occupancy (too many persons in the unit) • If the landlord wishes to use the unit for themselves or their family <p>A person cannot be evicted for living with a disability. There are remedies and resources for people with disabilities need assistance with matters related to evictions including rent</p>

	<p>repayment plans, interpretation services and appeals through the Landlord Tenant Board. (RTA, 2006)</p> <p>City Housing Hamilton has an Eviction Prevention Policy Click here for more information</p>
Harassment	<p>Persistent, ongoing communication in any form of negative attitudes, beliefs or actions towards an individual or group with the intention of placing that person in an unfavourable role. Harassment includes name-calling, jokes, slurs, graffiti, insults, threats, discourteous treatment and written or physical abuse</p> <p>Bill 168, Amendment to the Occupational Health and Safety Act to include workplace violence and workplace harassment</p>
Holistic	<p>The treatment of the whole person, taking into account mental and social factors rather than the just the disease symptoms.</p>
House	<p>A unit that usually has a yard and is separate from other units.</p>
Identity	<p>Refers to how people are understood or perceived by others in society. Identity is related in one way or another to a description of a person, and how that person fits into their social group(s) and the larger society.</p> <p>An individual's sense of identity is constantly developing, shifting, and evolving in relationship to history, institutional</p>

	power, the shifting beliefs of the dominant culture, the individual's own personal development, and the actions of other social groups to create change.
Impairment	Any disturbance or interference with the normal structure and functioning of the body, including the systems of mental health (WHO). This may or may not be a disability, for example high blood pressure would be classified as an impairment but not a disability.
Independence	Providing service that makes sure people can do things on their own, in their own way, without unnecessary help, interference or influence from others. It means giving individuals the freedom to make their own choices about how they receive service.
Integration	Providing service that allows people with a disability to benefit from the same services, in the same place and in the same or similar way as others. It means that policies, practices and procedures are designed to be accessible to everyone including people with disabilities. It is a seamless continuum of services.
Interpreter	A person trained in sign language to communicate with people who are deaf or hard of hearing. This can also be someone

	who speaks more than one language and can communicate with people in different languages.
Intervenor	A trained person who acts as the eyes and ears for people who are deaf, blind or deafblind and helps them adapt to their environment.
Landlord	A person who rents out housing (apartments, townhouses, rooms, etc.). Landlords collect rent and keep the housing in good condition. The landlord may use a property manager to operate the property.
Landlord and Tenant Board (LTB)	Like a court, the Landlord and Tenant Board settles disagreements between landlords and tenants using the Residential Tenancies Act (2006).
Last Month's Rent (LMR)	<p>Money that you may be asked to pay to the landlord when you first rent your unit. It must be equal to or less than your monthly rent.</p> <p>LMR it is typically used to cover your final rent payment upon moving out of your home; should the LMR be less than the current rental amount, you only owe the balance. Any deposit you pay should be applied to your last month's rent. A landlord is allowed to ask for the last month's rent when you move into a unit.</p>

	Receipts are available for rent as well as LMR
Lease	<p>A written contract that you and a landlord both sign. A lease will outline things like:</p> <ul style="list-style-type: none"> • how much your rent is • when you need to pay your rent • what your rent includes <p>You must be given a copy of the lease. A typical lease term is one year or more.</p>
Long Term Care	Includes several different services for older adults, people with disabilities and family caregivers. It refers to a range of personal care, support and health services provided to people who have limitations that affect them participating independently in everyday activities.
Long Term Care Facilities	<p>Sometimes called nursing homes are institutional buildings for people who can no longer live independently in the community and need access to 24- hour personal and nursing care, sometimes within a secure setting.</p> <p>These are sometimes called nursing homes.</p>
Market Rent	Rent that is not subsidized and set according to the local economic conditions.

<p>Modifications (Modified Units)</p>	<p>Usually refers to pre-existing housing that has been changed to meet the particular needs of a person (such as assist bars in the washrooms). Most do not have widened doorways or turning radius for wheelchair use.</p> <p>Application forms for social housing include a section where the applicant can specify accommodations that they require to meet their needs.</p> <p>The Person with Disabilities Ontario Renovates Program offers financial assistance to households occupied by persons with disabilities who require special modifications to improve accessibility to their residence.</p>
<p>Non-Profit Housing</p>	<p>Housing provided by community agencies that don't make a profit.</p>
<p>Ontario Human Rights Code</p>	<p>This legislation provides protection from discrimination and harassment at work, including in housing, and in the receipt and delivery of services, and contracts because of race, colour, heritage and ancestry, country of origin, ethnic background, citizenship, creed (religion), gender, disability, sexual orientation, age, marital or family status, or receipt of public assistance.</p>

	<p>For more information on the Ontario Human Rights Code please call 1-800-387-9080 or visit their website www.ohrc.on.ca</p>
<p>Ontario Disability Support Program (ODSP)</p>	<p>A program that provides people with a disability and their families financial assistance and benefits.</p> <p>ODSP applications are started by telephone or by going to the following link to apply online: ODSP Income Support. If you need financial help right away, apply for Ontario Works (OW) first as applying for ODSP is a longer process. OW will help you to apply for ODSP.</p>
<p>Ontario Works (OW)</p>	<p>A program that gives financial help and benefits to eligible people with little or no income. OW applications are started by telephone or by going to the following link to apply online: Application for Social Assistance</p> <p>You should apply as soon as you have a need. You will only get money from the date you make the call or send in the application.</p>
<p>Persons with Disabilities</p>	<p>Persons with disabilities are individuals experiencing difficulties in carrying out the activities of daily living due to a long-term or recurring physical or mental condition.</p>

	<p>There are a wide variety of disabilities that include physical, mental, audio-visual, developmental or psychological and psychiatric disabilities. Disabilities can be visible or invisible.</p> <p>Persons with disabilities may experience different discrimination because they have different types of disabilities and therefore have different, varying and often unmet needs.</p>
Personal Care Worker (PCW)	<p>Personal care workers help in the daily care of elderly or disabled individuals. They can live in the individual's home or live outside the home and make regular visits. They provide day-to-day care. Job duties may include housekeeping, making food, bathing and shopping.</p>
Private Market Rental Housing (Market Rent)	<p>Housing that isn't government or subsidized housing but is a private business. These may include:</p> <ul style="list-style-type: none"> • apartments • townhouses • duplexes • triplexes • houses
Post-Dated Cheques	<p>Cheques dated for some time in the future. These cheques can't be cashed until the date that is written on them.</p>

Quality of Life	Refers to a person's sense of well-being and satisfaction in the context of the culture and value systems in which they live, and in relation to their goals, expectations, standards and concerns (WHO).
Rent	Money paid to a landlord by a tenant for the right to live in a rental unit. Depending on your lease you may pay your rent; weekly, bi-weekly or monthly.
Rent-Geared-to-Income (RGI) or Social Housing/Subsidized Housing/ Public Housing	Housing paid for partly by the government or a community agency. The amount of rent is based on your household income.
Residential Tenancies Act (RTA)	The law that sets out rules for tenants and landlords in Ontario.
Rooming House	Licensed by the City. Housing where tenants have their own rooms but share kitchens, bathrooms and/or common areas. Rooming houses don't provide care for their tenants.
Semi-Detached Unit	Two self-contained units attached side by side. Each unit has its own kitchen, bathroom and living space.
Service Animal	Any animal trained to help a person with a disability with activities related to daily living. Service animals can help with;

	visual loss, epilepsy, diabetic conditions, autism and other disabilities.
Social Determinants of Health	Refer to factors that affect the quality of life of a person, such as income and social status, social support network, education and literacy, employment/working conditions, social environment, physical environments, personal health practices and coping skills, healthy child development, biology and genetic endowment, health services, gender and culture (National Health Forum, 1997)
Social Housing	Given to households who have a limited income. It is administered by private non-profit corporations, municipally owned non-profit corporation and non-profit cooperative housing corporations (co-ops). A subsidy is given so that households only spend 30% of their income on rent. For some people with low income, a rent subsidy helps them to live in a unit in a private market rental building. This subsidy is referred to as a rent supplement (RGI) or a housing allowance (flat rate reduction), (City of Hamilton Housing and Homelessness Action Plan 2013)
Special Priority	The Housing Services Act requires that special priority applicants rank ahead of all other applicants on the centralized waiting list for RGI housing and a housing provider's internal transfer list. Status is granted by Service Managers who approve applicants or in-situ tenants who have experienced abuse where the abuser is someone they live with or recently

	separated from or someone sponsoring the abused individual as an immigrant.
Statuses (on the Access to Housing Waitlist)	<p>There are 6 categories on Hamilton's waiting list. Application forms in each area provide details on the processes.</p> <ol style="list-style-type: none"> 1. Special Priority Status (SPP) 2. Urgent Status (the terminally ill fall into this category) 3. Homeless Status 4. Newcomer Status 5. Youth Status 6. Chronological Status <p>For more information about each Status type Hamilton Social Services</p>
Suitability	One size does not fit all
Supported Housing	This is when a person receives care in their home from one or more agencies. For example, services can include Personal Care Workers (otherwise known as a PSW), physiotherapists, homemakers, cleaning services and meal preparation services.
Supportive Housing	Housing where services are provided to tenants. This includes help with home maintenance, daily activities or health care. A residential care facility is an example of supportive housing.

Tenant	A person who lives in a rental unit and pays rent to the landlord.
Transitional Housing	Long-term but non-permanent stay to help build housing independence.
Townhouses	Self-contained units that include a kitchen, bathroom, bedroom and living space. They can be attached side-by-side, in a row or in a square. They can also be stacked one on top of the other. All have their own entrance from the outside.
Unit (Dwelling Unit)	A self-contained living space (your own kitchen, bathroom and living space). A unit can be an apartment, townhouse, semi-detached house, house or room.
Universal design	<p>Provides product, environment, building design and construction that aims to accommodate the functional needs of everyone, including children, adults and seniors, with or without disabilities.</p> <p>The word universal is often seen coupled to specific design environments or products such as universal kitchen design or universal bathroom design.</p>
Utilities	Water, electricity, hydro, gas, etc. Sometimes the costs of utilities are included in the rent and sometimes they are not.

	This should be a key question for tenants when speaking with landlord when considering renting a unit.
Visitability	A measure of a place's ease of access for people with disabilities. The Canadian Housing and Mortgage Corporations' report on Accessible Housing by Design — Visitability is found here: https://www.cmhc-schl.gc.ca/

SECTION 11: Common Abbreviations

	What it means		What it means		What it means
A1	Good Condition	Furn.	Furnished	Ph.	Phone (please phone)
Appl.	Appliances	Hyd.	Hydro, electricity	Prkg.	Parking
Avail, immed.	Available immediately	Immed.	Immediately	Priv.	Private
Apt.	Apartment	Incl.	Included	Refs.	References required
Bach.	Bachelor Unit	Kit.	Kitchen	Renov.	Renovated / Newly painted
Bal.	Balcony	Last/ LMR	Last month's rent	Rm	Room
BR	Bedrooms	Laun/Lndry	Laundry	Upr.	Upper
Bsmt.	Basement	Lrg.	Large	Util.	Utilities
Dep.	Deposit	Lwr.	Lower Floor	W/	With; included in the rent
Dr.	Dining Room	Mo.	Month	XL	Extra large
Fam.	Family Room	Msg.	Message		
Gar.	Garage	Neg.	Negotiable		
Flr.	Floor	Na. or N/A	Not Available		
Frdg.	Fridge	Nr.	Near		

Acknowledgements:

This guidebook was created by the Housing Working Group of the Advisory Committee for Persons with Disabilities (ACPD), and with help of the Housing Working Group of the Senior's Advisory Committee.

Thank you to the ACPD Committee and City of Hamilton staff in the Corporate Services and Healthy and Safe Communities Departments with special thanks to the Housing Services Division for their support.

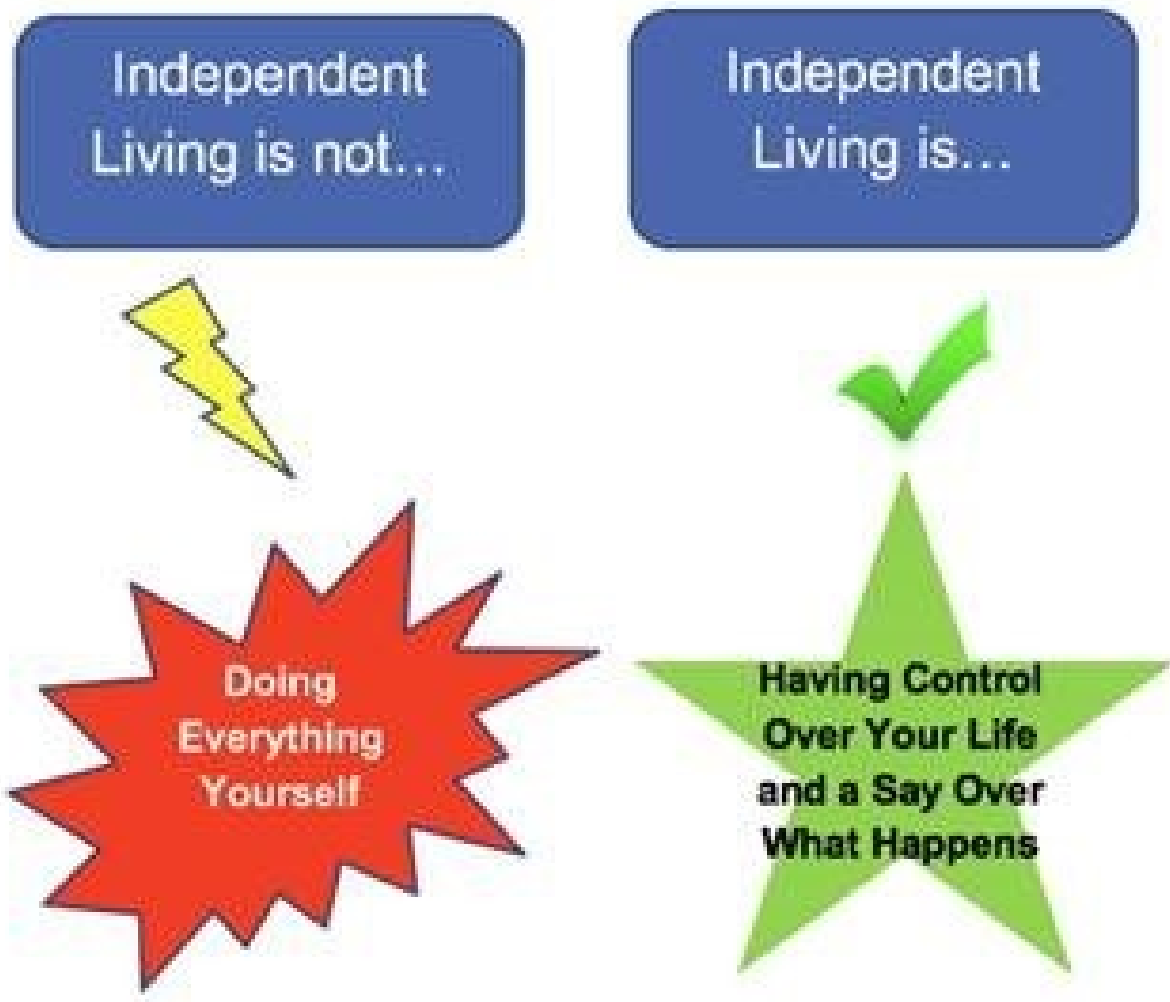


'A Guide to Finding Housing in Hamilton for People with Disabilities'

Purpose:

“This guide includes resources, information and tools which will make it easier for people with disabilities to find and maintain housing”

“Looking at housing needs in a comprehensive manner is vital to maintain a person’s independence and quality of life...”



Everyone has a home... Home is the foundation

December 2013

Hamilton's Housing & Homelessness Action Plan



The Guide is informed by Hamilton's Housing and Homelessness Action Plan which is a comprehensive 10-year, person-centred plan to make sure that everyone in Hamilton has a home."

Overview:

- Housing Options in Context
- Special Needs/Conditions
- Safety Features
- Frequently asked Questions
- Resources and Contacts
- Glossary

A person wearing a green long-sleeved shirt and dark pants is riding a bicycle in a hallway. The person is seen from behind, moving away from the camera. The hallway has light-colored walls and a dark floor. The text "Next Steps:" is overlaid in white on the image.

Next Steps:



INFORMATION REPORT

TO:	Mayor and Members General Issues Committee
COMMITTEE DATE:	June 20, 2018
SUBJECT/REPORT NO:	Our Citizen Survey: 2018 Summary of Results (CM18016) (City Wide)
WARD(S) AFFECTED:	City Wide
PREPARED BY:	Linda Button (905) 546-2424 ext. 3104 Brigitte Minard 905-546-2424 ext. 2297 Louisa Wong (905) 546-2424 ext.6091
SUBMITTED BY:	John Hertel Director, Strategic Partnerships and Communications
SIGNATURE:	

Council Direction:

This is the execution of Council-approved Capital Project #3381757506 that was part of the 2017 approved capital budget.

Information:

Background

In late 2016, a Performance Excellence Program was launched. The four areas of focus for performance excellence are: Performance Measurement, Continuous Improvement, Open Data and Citizen Feedback. The Our Citizen Survey is part of the focus area "Citizen Feedback".

What is Our Citizen Survey?

Our Citizen Survey is the first-ever standalone (not as part of a group of municipalities) comprehensive citizen satisfaction survey conducted by the City of Hamilton. Establishing a baseline is important so that in future years, there is a year-over-year comparator. There are plans for the survey to occur again in 2019. The survey had several purposes:

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OUR Mission: To provide high quality cost conscious public services that contribute to a healthy, safe and prosperous community, in a sustainable manner.

OUR Culture: Collective Ownership, Steadfast Integrity, Courageous Change, Sensational Service, Engaged Empowered Employees.

SUBJECT: Our Citizen Survey: 2018 Summary of Results (CM18016) (City Wide)**Page 2 of 11**

- 1) To understand the needs and perceptions of Hamiltonians
- 2) To identify areas for improvement in City service delivery, quality of life and well-being
- 3) To collect baseline information data about satisfaction with City service delivery

Why Our Citizen Survey?

- Executing the Council-approved project that was part of the 2017 approved capital budget
- Residents' perception of the City's service provision matters
- People expect value for money
- Work aligns with the "measurement" focus area in the City's 'Our People and Performance Plan'
- Based on the best practices research conducted for this project, municipalities commonly conduct a citizen satisfaction survey annually or bi-annually
- The collected information will help identify where the City is doing well and areas for improvement

Project Management: A Value-for-Money Approach**In-Sourcing Focus**

The survey tool development and the survey data analysis was conducted in-house by staff from the Healthy & Safe Communities Department – not an external consultant. This in-house project team possesses the knowledge, skills and abilities to successfully run this survey. The only costs incurred were to procure a service provider to administer the survey via specialized Computer Automated Telephone Interviewing (CATI) technology that the City of Hamilton does not possess.

Collaboration

The City Manager's Office, Healthy & Safe Communities Department, General Manager's Office and the Corporate Services' Customer Service Division worked collaboratively to execute this project. Feedback was received from the subject matter experts for the service areas. In addition to this, Procurement, and Information Management (Privacy) staff were consulted prior to finalizing the survey.

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Survey Cost

The total survey costs were \$12,500, consisting of procuring contractual services for the administration of the phone survey using CATI technology and a license fee for the online survey tool.

For comparison, the City of Mississauga's 2017 Citizen Satisfaction Survey cost \$35,000, and it was a repeat survey, not the initial year (which may have cost more). Hamilton's Our Citizen Survey cost 64% less than the City of Mississauga's survey.

Additionally, the Hamilton Public Library and Hamilton Police Service agreed to participate in the survey and are considered City-funded services from a resident perspective, so their results are included in the overall results.

Survey and Methodology

The telephone survey (cellular and land line) was administered via random calls by a contracted third party, Metroline Research Group Inc., between January 15 and February 6, 2018.

To supplement the telephone interviews and allow more residents to participate in the survey, an online version of the survey tool was available on the City's website between January 15 and February 4, 2018.

Both the telephone and online versions of the survey were available in English and French.

The telephone survey had a completion target of 550 responses. The phone survey results are accurate within +/-4.2%, 19 times out of 20. To achieve this target, 20,284 randomly selected phone Hamilton-based residential and cellular phone lines were called. To qualify for the survey, respondents had to be an adult age 18 years or older and residing in Hamilton.

The telephone survey is a statistically representative sample of the Hamilton population. The online survey results are a supplementary source of information, and results from the two data sources should not be compared due to differences in survey methodologies. The online survey may be subject to self-selection bias and the collected surveys cannot be determined to be a statistically representative sample of the population. The online survey supplements the telephone interviews and allows a broader audience of residents to participate in the survey.

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The telephone surveys were conducted to ensure all wards were fairly represented in the survey sample. This was achieved by aligning the sample population proportions by Ward with the City of Hamilton population proportions by Ward. It is difficult to draw accurate conclusions of the data at the ward level due to the smaller sample sizes and the wide margins of error. For future years of this survey, a larger sample size will be considered.

The focus areas of the survey were:

- Quality of City services
- Well-being/Quality of Life in Hamilton
- Customer Service and Service Channel preferences

The survey also asked residents:

- Preferred method for communicating with City of Hamilton
- Experience and satisfaction with contacting the City
- Ways the City can improve

For more details on the survey methodology, please refer to the Our Citizen Survey 2018 Report (Appendix “A” to Report CM18016). Analysis was conducted at the City-wide level, with additional analysis performed on the upper and lower City.

Key Findings

The findings of this report focus primarily on data collected through the phone survey, as it is a statistically representative sample of the Hamilton population. The online survey results are a supplementary source of information, and results from the two data sources should not be compared due to differences in survey methodologies. The online survey may be subject to self-selection bias and the collected surveys cannot be determined to be a statistically representative sample of the population.

It is also important to keep in mind that this is the first survey year, these are the baseline results, and no year-over-year comparisons can be made.

Overall, the results for the Our Citizen Survey are very positive, particularly in regard to satisfaction with quality of life and with some of our city’s most essential services. There are some areas where the City can improve; but, by and large the results are positive.

For complete survey findings for both the telephone and online survey, please refer to the Our Citizen Survey 2018 Report (Appendix “A” to Report CM18016). There were some differences between the telephone survey and the online survey, but generally the

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distribution of the results followed similar patterns. Results from the two data sources should not be compared due to differences in survey methodologies.

1. Quality of City Services

When asked, “Overall, how satisfied are you with the services provided by the City of Hamilton?”, **66% of telephone respondents are very satisfied or satisfied.**

For the telephone survey, of the 26 service areas that were rated by residents, **24 were rated as excellent, very good, good or fair by over 80% of respondents.**

The top five services rated most often as good, very good or excellent by respondents were:

1. Fire Department (97%)
2. Libraries and Bookmobiles (91%)
3. Paramedic Services (88%)
4. Parks and Open Space (87%)
5. Recreation (86%)

The two services rated as “poor” by greater than 20% of respondents in the telephone survey are:

1. Roads, Sidewalks (38% of respondents rated as “poor”)
2. Snow Plowing, Salting (21% of respondents rated as “poor”)

To reiterate, this is a baseline survey. The survey uncovered areas for improvement across several departments; the City and senior leaders are already aware of the ongoing concerns with respect to these service areas; and there are already capital and continuous improvement projects underway and investments being made to address citizen concerns.

When asked “In delivering services to you and the community, the City typically pays for them through taxes and user fees. Based on this, do you think the City should”:

- Increase taxes, improve services
- Maintain taxes and current service levels
- Decrease taxes, deliver fewer services

For the telephone survey, 72% of respondents wanted to maintain taxes and current service levels.

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2. Well-being/Quality of Life

More cities are directing efforts towards assessing community well-being. Obtaining residents' self-assessment of their well-being is useful information for planning City Services. Well-being questions focused on health, life satisfaction, and if the community is a great place to live, learn, work and play, and changes in quality life.

Health

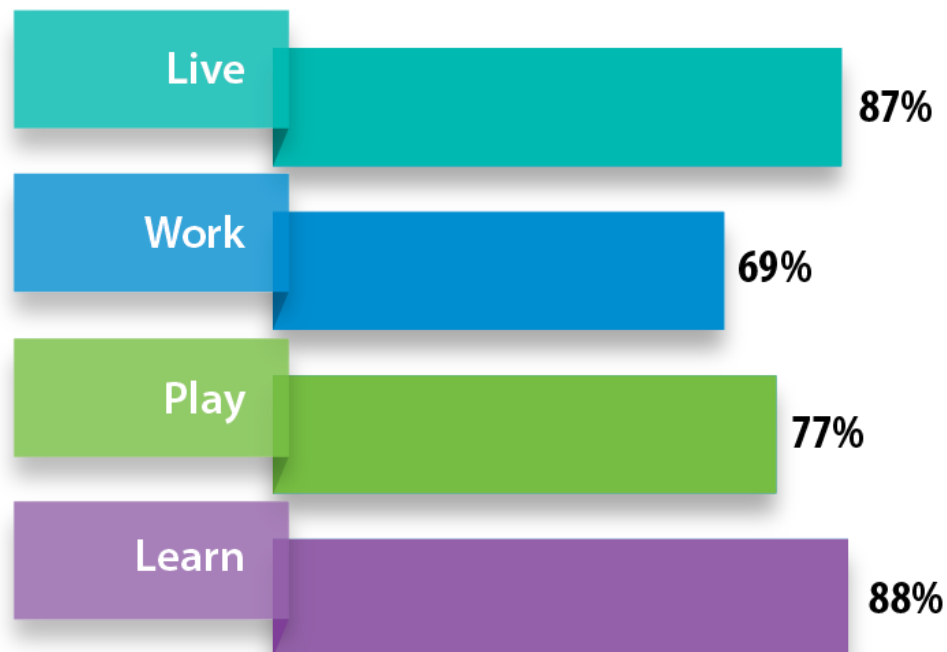
When asked, "In general, would you say your health is...?" (Excellent/Very Good/Good/Fair/Poor), **88% of respondents** in the telephone survey self-assessed that their health was **excellent, very good or good**.

Life Satisfaction

When asked, "Overall, how satisfied are you with your life these days?" for the telephone survey, **92% of respondents** indicated that they were **very satisfied or satisfied with their life**.

Live, Learn, Play, Work

When asked if "Hamilton is a great place to..." the telephone survey results were as follows:



Live, Play and Learn were all highly rated, with Work lagging behind. One of the organization's priority initiatives has been to grow the non-residential tax base, and the survey findings underscore this priority's importance.

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Quality of Life Improvements

When asked “In the past two years, would you say the quality of life in the City of Hamilton has improved, stayed the same or worsened”, **81% of respondents** indicated that **quality of life has improved or stayed the same**.

Commute

Three questions were asked about residents’ commuting behaviour:

1. How do you usually commute to work?
2. How do you usually commute to school?
3. How do you usually get around the city for things like groceries, shopping, activities, etc.?

For all three questions in the telephone survey, a majority of respondents are the driver of a vehicle and a motorbike. 76% of respondents use a vehicle/motorbike to commute to work and to get around the city for groceries, shopping activities, etc. and 59% of respondents drive a vehicle/motorbike on their commute to school.

For all three questions, only 1% of respondents were cyclists, with respondents taking the bus ranging from 12% to 25% across the three questions.

Progress Towards Vision

Respondents were asked if “Hamilton is on the right track towards its vision of being the best place to raise a child and age successfully”, and 61% of respondents strongly agreed or agreed with this statement. This measure will become more useful in future survey years to see if we are improving against this baseline assessment.

3. Customer Service and Service Channel Preferences

Customer Service

Almost half (48%) of respondents indicated having contacted the City of Hamilton for information or to conduct service transactions in the past year. For those that contacted the City in the past year, the following percentage agreed or strongly agreed with the following statements about their experience.

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Service Channels

Some general findings from the survey on service channel preference include:

- Residents prefer to use the phone when asking questions or making a complaint
- Residents most prefer to use the website to pay property taxes
- For other interactions (e.g. registering and paying for recreation programs, applying for licenses, booking city facilities and parks), residents prefer to complete on the website or in person)

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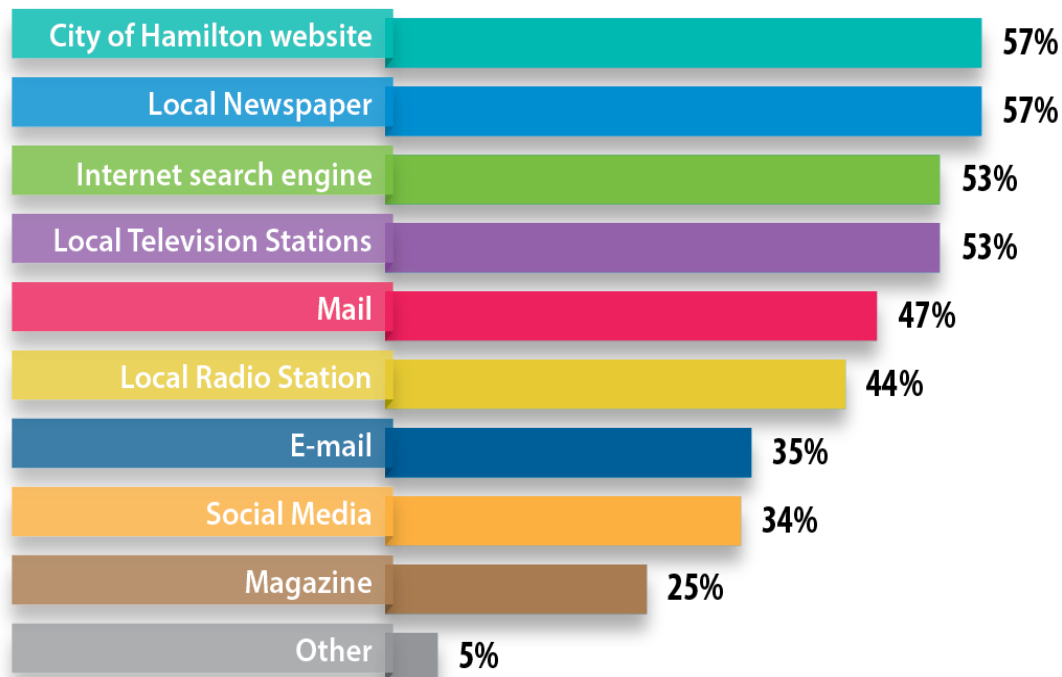
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Receiving Information About the City

In the telephone survey, when asked “How do you like to get information about the City of Hamilton’s programs, initiatives, news and events?” responses were as follows:



Residents prefer to receive information from a wide variety of sources, as they were given the choice of selecting more than one answer from the list above.

4. Open-Ended Text Comments

There was one open-ended question in the survey. The question was:

“What is the one thing you think the City of Hamilton should do to reach the vision of being ‘the best place to raise a child and age successfully?’”

SUBJECT: Our Citizen Survey: 2018 Summary of Results (CM18016) (City Wide)
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The most common topic areas identified were:

- Transit
- Community Safety
- Taxes
- Housing
- Schools and Education
- Roads and Sidewalks
- Child Care
- Inequities across the City
- Traffic Flow
- Parks, Playgrounds and Greenspace

Some of the topics and subtopics mentioned in the responses to this question were not in the City's jurisdiction (e.g. education, healthcare).

Sharing The Results

Survey results have been shared with the Senior Leadership Team, and each Department Leadership Team.

Managers and supervisors received an overview of results at the June 1 Corporate Extended Management Team meeting. Results will also be shared more broadly with City staff in the @cityofhamilton newsletter, on eNET and in divisional team meetings.

From a resident-facing perspective, the survey findings will be incorporated into the Citizen Dashboard on the City's website (www.hamilton.ca/citizen-dashboard) and updated as future iterations of the survey are conducted.

A communications plan has also been created for further public outreach and will include a media release and social media posts.

A one-page infographic sheet has also been created as a quick-reference tool for any audience and can be utilized for a general snapshot of results. Please refer to Appendix "B" to Report CM18016.

Next Steps

Next steps include the following actions:

- Regularly conducting this survey (annually) with an increased sample size for the telephone survey
- Monitor survey results year over year, with an annual report back to GIC and the public
- Linking service plans to the Our Citizen Survey results, demonstrating that the City of Hamilton is listening and acting on resident feedback
- Linking the Our Citizen Survey work to the Neighbourhood Action Strategy work

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- Connecting the Our Citizen Survey work to a broader portfolio of social media analysis and community engagement work

ALIGNMENT TO THE 2016 – 2025 STRATEGIC PLAN

Community Engagement & Participation

Hamilton has an open, transparent and accessible approach to City government that engages with and empowers all citizens to be involved in their community.

Healthy and Safe Communities

Hamilton is a safe and supportive city where people are active, healthy, and have a high quality of life.

Our People and Performance

Hamiltonians have a high level of trust and confidence in their City government.

Appendices

Appendix “A” to Report CM18016: Our Citizen Survey 2018 Report

Appendix “B” to Report CM18016: Our Citizen Survey 2018 Results Infographic

Appendix “C” to Report CM18016: Our Citizen Survey 2018 Project Team Profile

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2018 Report



Our Citizen Survey 2018 Report

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Background

The Our Citizen Survey 2018 is the City of Hamilton's first standalone citizen satisfaction survey.

The main objective of the survey is to collect a baseline measure of residents' perception of:

- quality of life in the City of Hamilton
- quality of City services
- value for tax dollars

In addition, the survey gives residents an opportunity to provide feedback about:

- preferred means of communicating and interacting with the City of Hamilton
- their experience and satisfaction with contacting the City
- ways the City can improve

The collected information will help identify what the City of Hamilton is doing well and areas for improvement.

The findings from the Our Citizen Survey 2018 will be incorporated into the Citizen Dashboard and updated as future iterations of the survey are conducted.

Survey Methods and Administration

The survey tool and questions were developed by a project team comprised of City staff based on the identified objectives of the survey. During the development stage of the survey tool, the project team consulted with department leaders to ensure City programs and services were appropriately represented in the survey. The project team also engaged City staff from the Privacy Office, Procurement, Information Technology Services and Communications to ensure City standards in these areas were being met. The survey tool can be found in Appendix A.

A third party vendor, Metroline Research Group Inc. was contracted to conduct the survey through Computer Assisted Telephone Interviews (CATI). Hamilton based residential and cellular phone lines were randomly called and residents were invited to participate in the survey. To qualify for participation in the survey, the respondent had to be an adult age 18 years or over residing in Hamilton. For residential lines, the adult in the household with the most recent birthday was interviewed. For cellular lines, the person answering the call would be interviewed provided they met the age and residency requirements. The telephone surveys were conducted between January 15th, 2018 and February 6th, 2018.

To supplement the telephone interviews and allow more residents to participate in the survey, an online version of the survey tool was made available on the City of Hamilton website. A banner advertising the survey with the survey link was placed on the most frequently visited pages on www.hamilton.ca. A list of the web pages where the banner was placed can be found in Appendix B. The online survey was active between January 15th and February 4th, 2018.

Both the telephone and online version of the survey was available in English and French.

Survey Response & Report Notes

The telephone survey conducted by Metroline called 20,284 randomly selected Hamilton based phone numbers and collected 550 completed responses.

The results of the telephone survey are accurate to +/-4.2%, 19 out of 20 times (95% confidence interval) for the City of Hamilton residents. Data for subgroups of the total respondent universe would have a larger margin of error.

The online survey collected 1,307 surveys where a response was provided for at least one (1) survey question.

The findings presented in this report will primarily focus on the data collected through the phone survey which is a statistically representative sample of the City of Hamilton population. The results of the online survey are also provided as a supplementary source of information. It should be noted that the results from the two data sources should not be compared due to differences in survey methodologies. While the online survey greatly expanded the opportunity for residents to participate in the survey, this survey methodology may be subject to self-selection bias and the collected surveys cannot be determined to be a statistically representative sample of the population.

For both the phone and online survey, respondents did not always provide a response to every question or may have responded “don’t know”. For some analyses these missing or “don’t know” records have been removed. Hence, the universe of respondents (n) will vary for each question. The universe of respondents (n) is provided for all reported data and a full breakdown of responses including the missing and “don’t know” response counts is provided in Appendix C.

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Data shown may not add up to 100% due to rounding. For some questions, respondents were allowed to select multiple responses in which case the totals would exceed 100%.

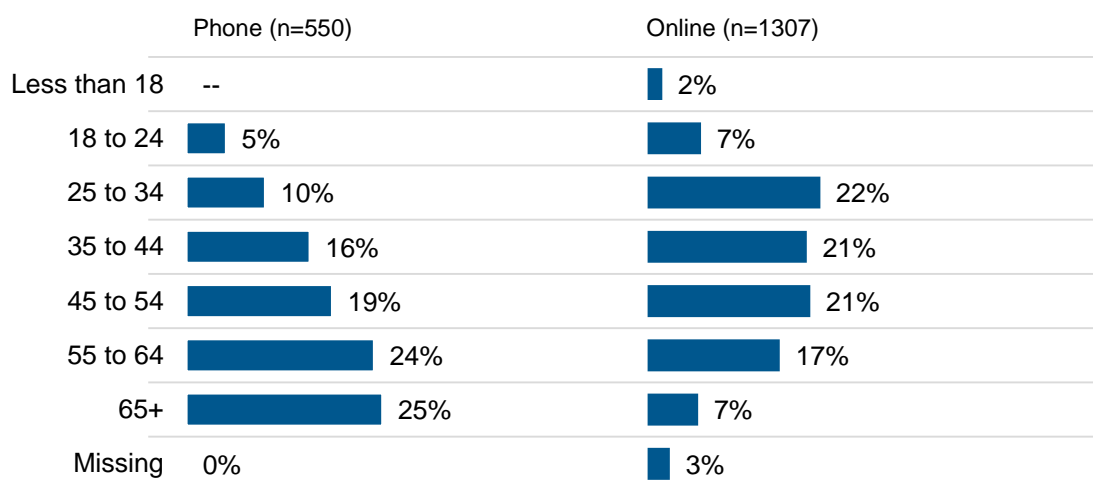
Key Findings

The Respondents

The following section provides some descriptors of the survey sample population such as age, gender, household composition, length of time living in the City of Hamilton, modes of transportation and self-perception of overall well-being. These respondent characteristics provide some context of collected responses and are helpful to keep in mind when reviewing survey results.

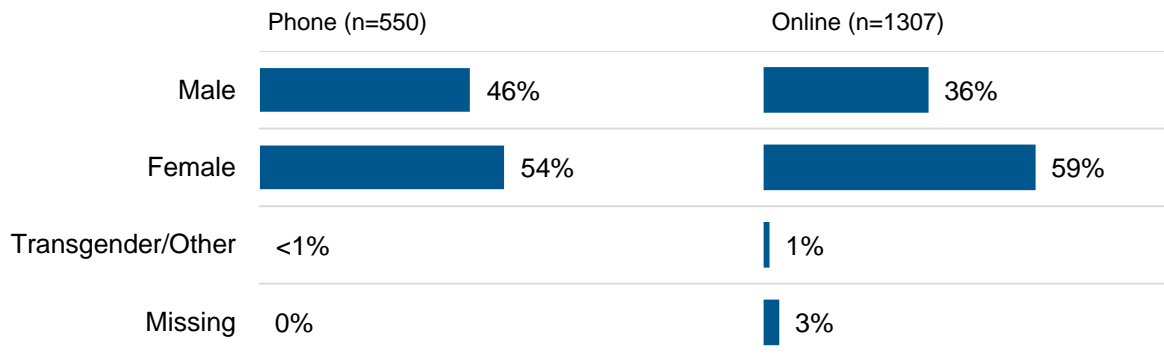
The following is the age and gender composition for respondents from both the phone and online survey.

Age



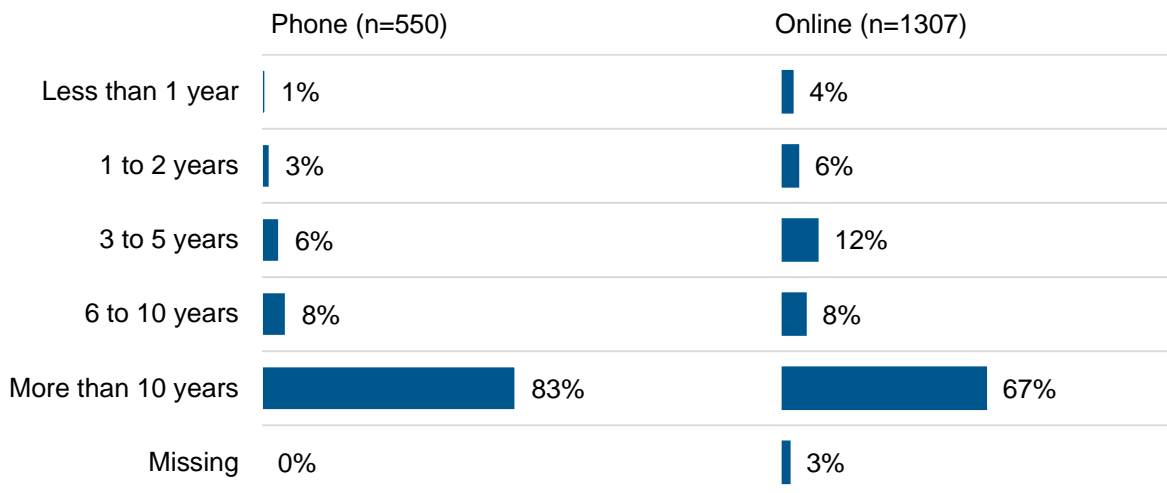
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Gender



The majority (83%) of respondents from the phone survey indicated having lived in Hamilton for more than 10 years.

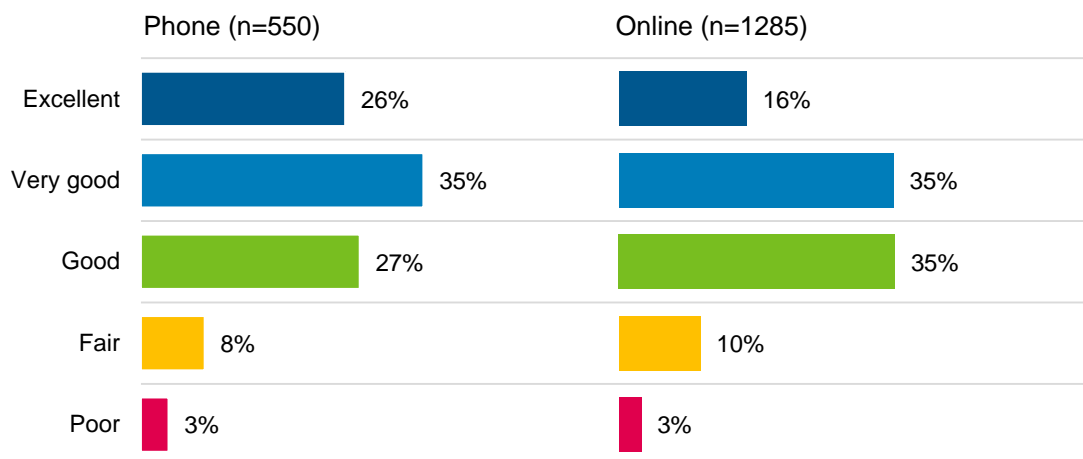
How long have you lived in the city of Hamilton?



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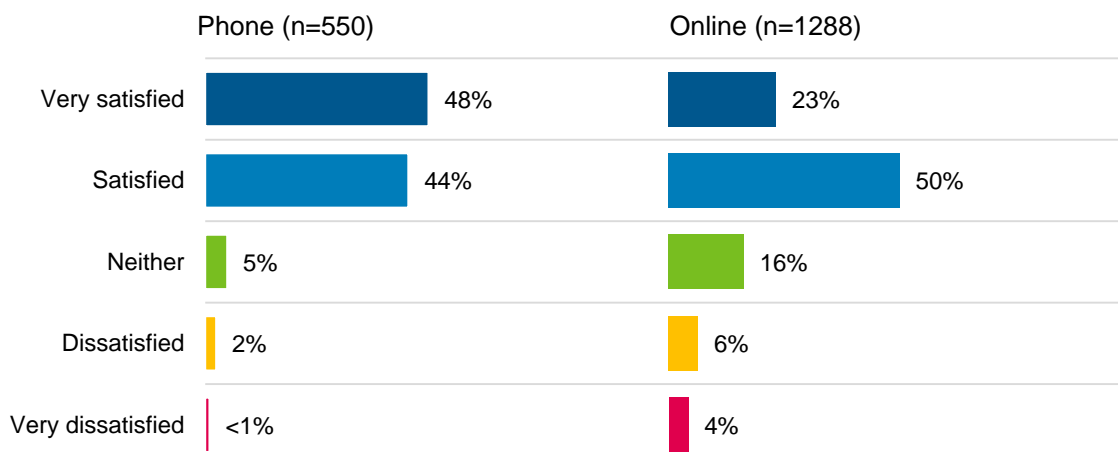
Over 88% of respondents from the phone survey indicated that their health is excellent (26%), very good (35%) or good (27%).

Health



The majority (92%) of respondents from the phone survey indicated being satisfied or very satisfied with their life overall.

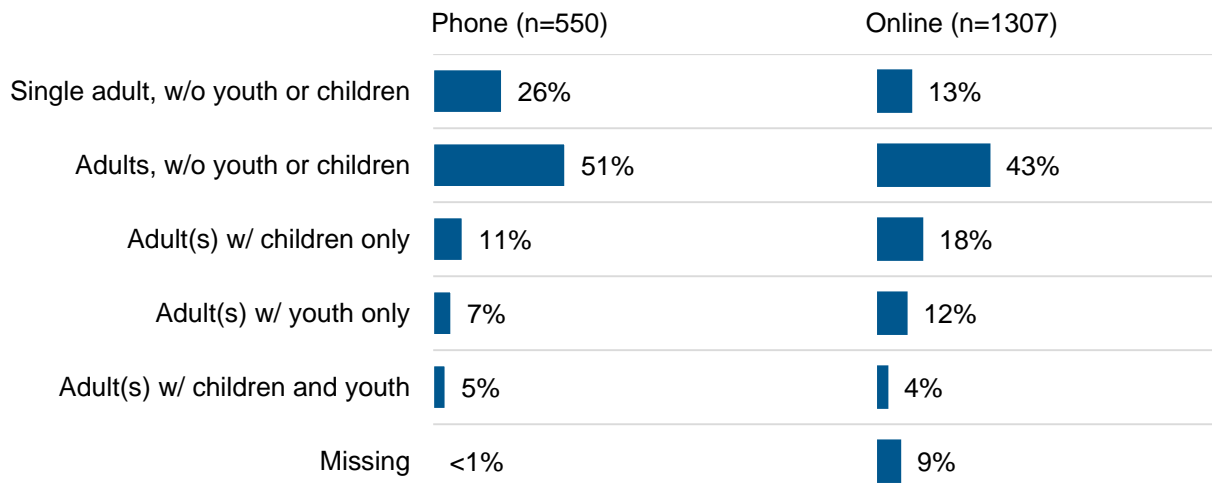
Overall, how satisfied are you with your life these days?



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Over 75% of the phone survey respondents indicated that they were part of a household comprised only of adults age 18 years and over.

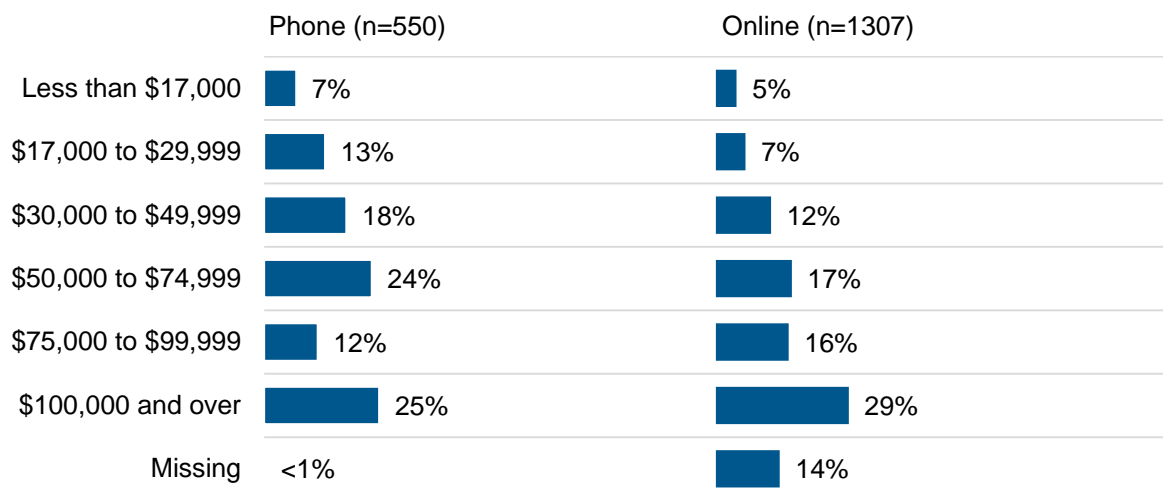
Household Composition



*Youth are age 12-17, Children are under age 12

The following is the distribution of the household income provided by respondents.

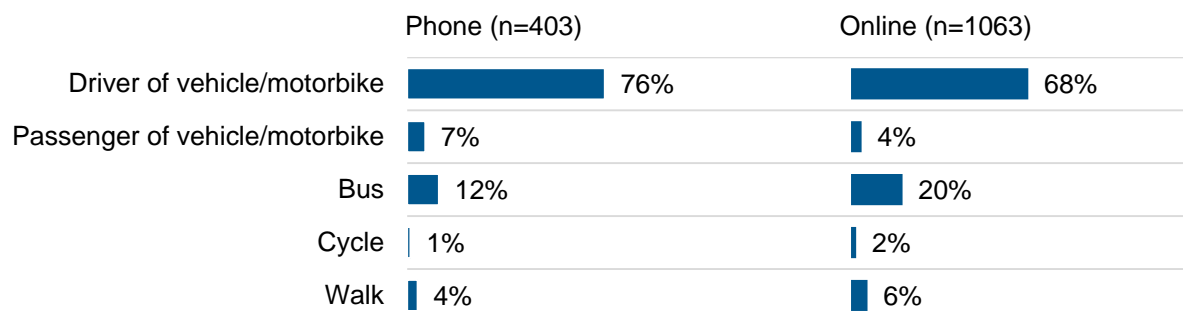
Total Household Income



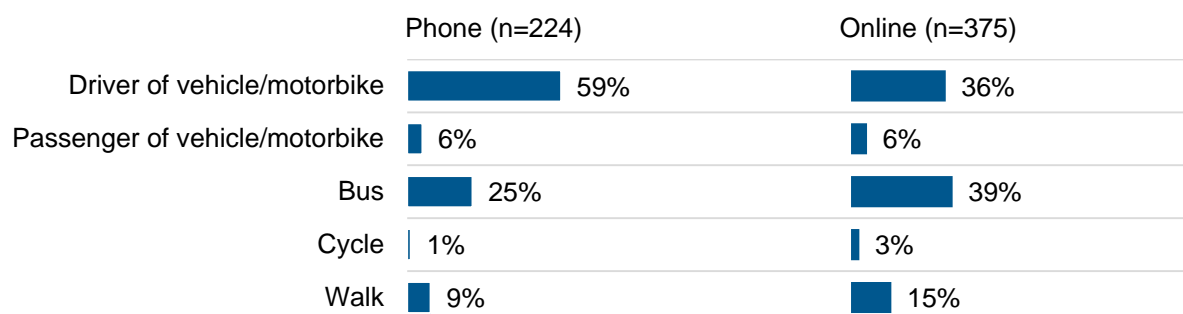
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The majority of the phone survey respondents commute to work, school or get around the City primarily by being a driver of a vehicle or motorbike. Approximately 12% of phone survey respondents primarily use the bus to commute to work or to get around the city.

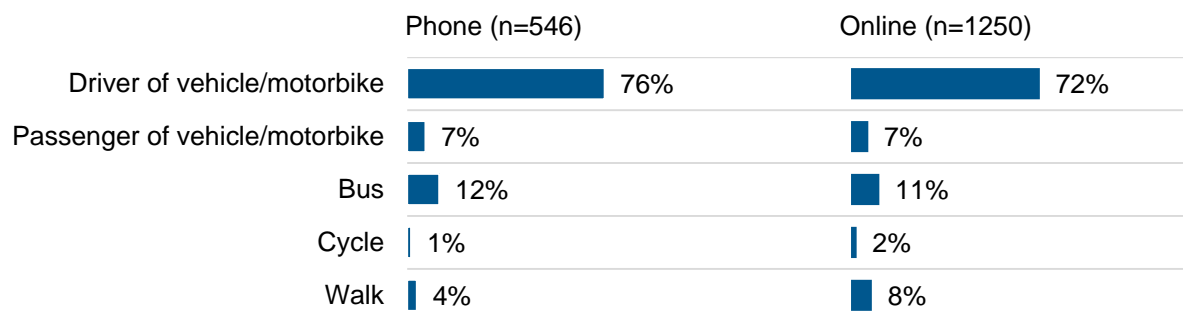
How do you usually commute to work?



How do you usually commute to school?



How do you usually get around the city for things like groceries, shopping, activities etc?



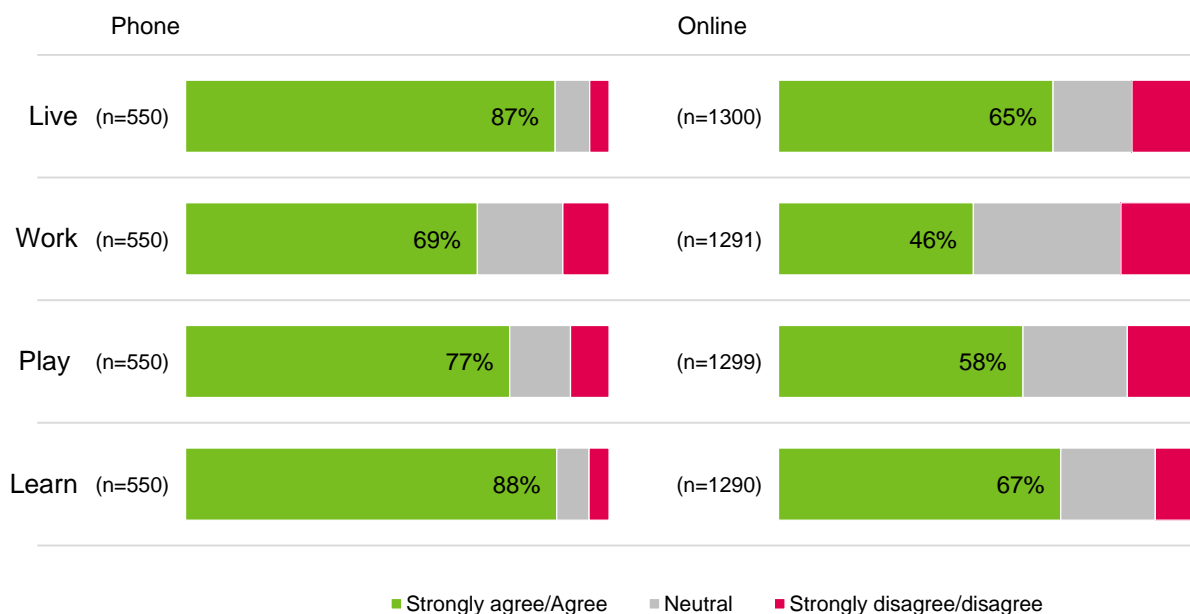
Our Citizen Survey 2018 Report

Quality of Life in Hamilton

The majority of respondents from the phone survey agreed or strongly agreed that Hamilton is a great place to live, work, play and learn.

The proportion of phone survey respondents who thought that Hamilton is a great place to work (69%) was significantly lower than those that indicated Hamilton being a great place to learn (88%), live (87%) and play (77%).

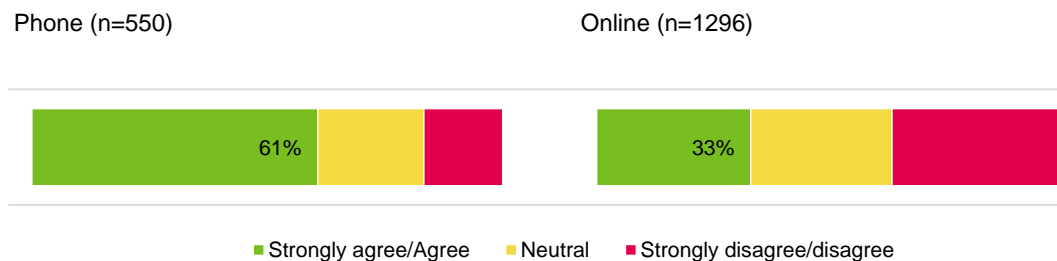
Hamilton is a great place to ...



Our Citizen Survey 2018 Report

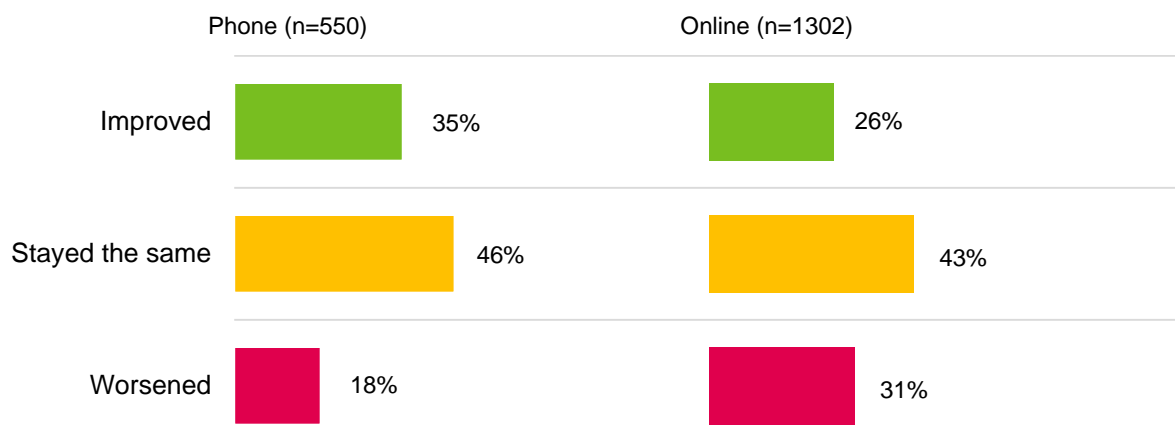
Approximately 61% of respondents from the phone survey felt that Hamilton was on the right track towards the vision of being “the best place to raise a child and age successfully”.

Hamilton is on the right track towards its vision of being “the best place to raise a child and age successfully”.



Over a third (35%) of respondents from the phone survey indicated that over the past two years, the quality of life has improved in the City of Hamilton

In the past two years, would you say the quality of life in the City of Hamilton has ...

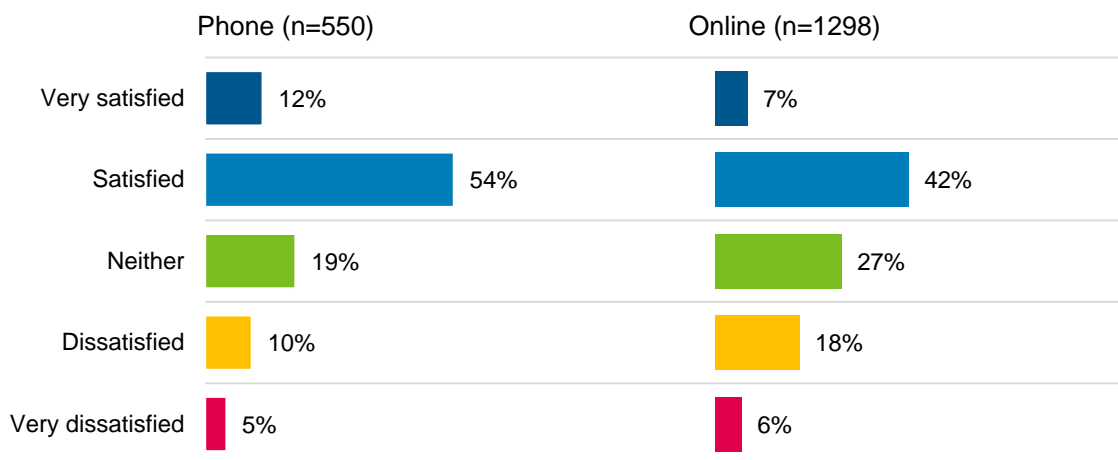


Our Citizen Survey 2018 Report

Satisfaction With and Rating of Services

Approximately two-thirds of respondents from the phone survey indicated being either satisfied (54%) or very satisfied (12%) with City services overall.

Overall, how satisfied are you with City services



When asked to rate services individually, there were a few services that a large proportion of phone survey respondents did not know enough about to provide a rating. The services to which phone survey respondents most commonly indicated “don’t know” include:

- Building permits (48%)
- Child Care Services (42%)
- Cemetery (30%)
- Hamilton Street Railway (HSR) Buses (30%)
- Legislative Services and Records Information (27%).

The ratings of services provided by respondents were mostly positive with almost all of the services rated as good, very good or excellent by over half of respondents.

The services that were most often rated as “poor” include:

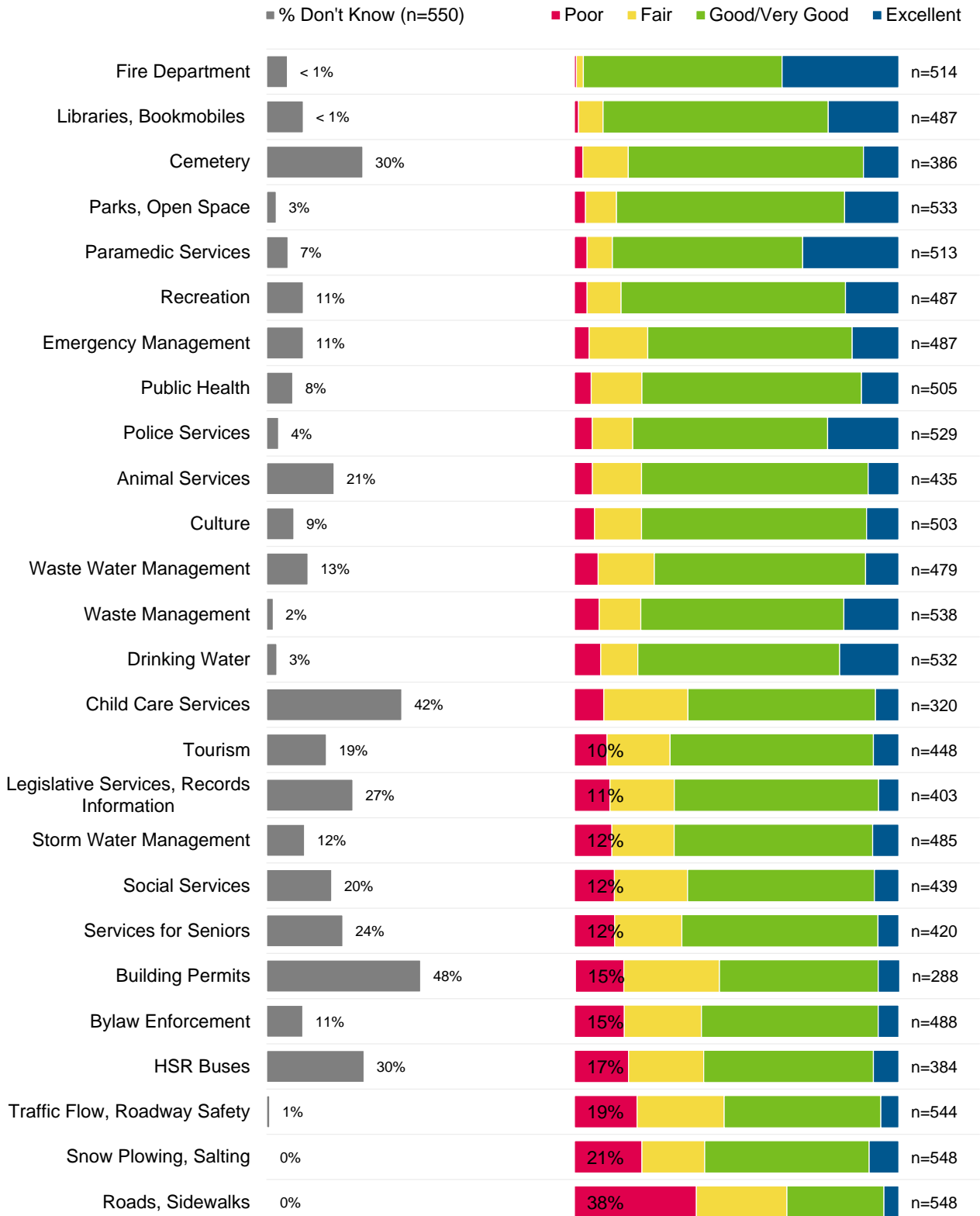
- Roads and Sidewalks (38%)
- Snow plow and Salting (21%)
- Traffic Flow, Roadway Safety (19%)
- Hamilton Street Railway (HSR) Buses 17%
- By-law Enforcement (15%)
- Building Permits (15%)



Our Citizen Survey 2018 Report

How would you rate each of the following services provided by the City of Hamilton?

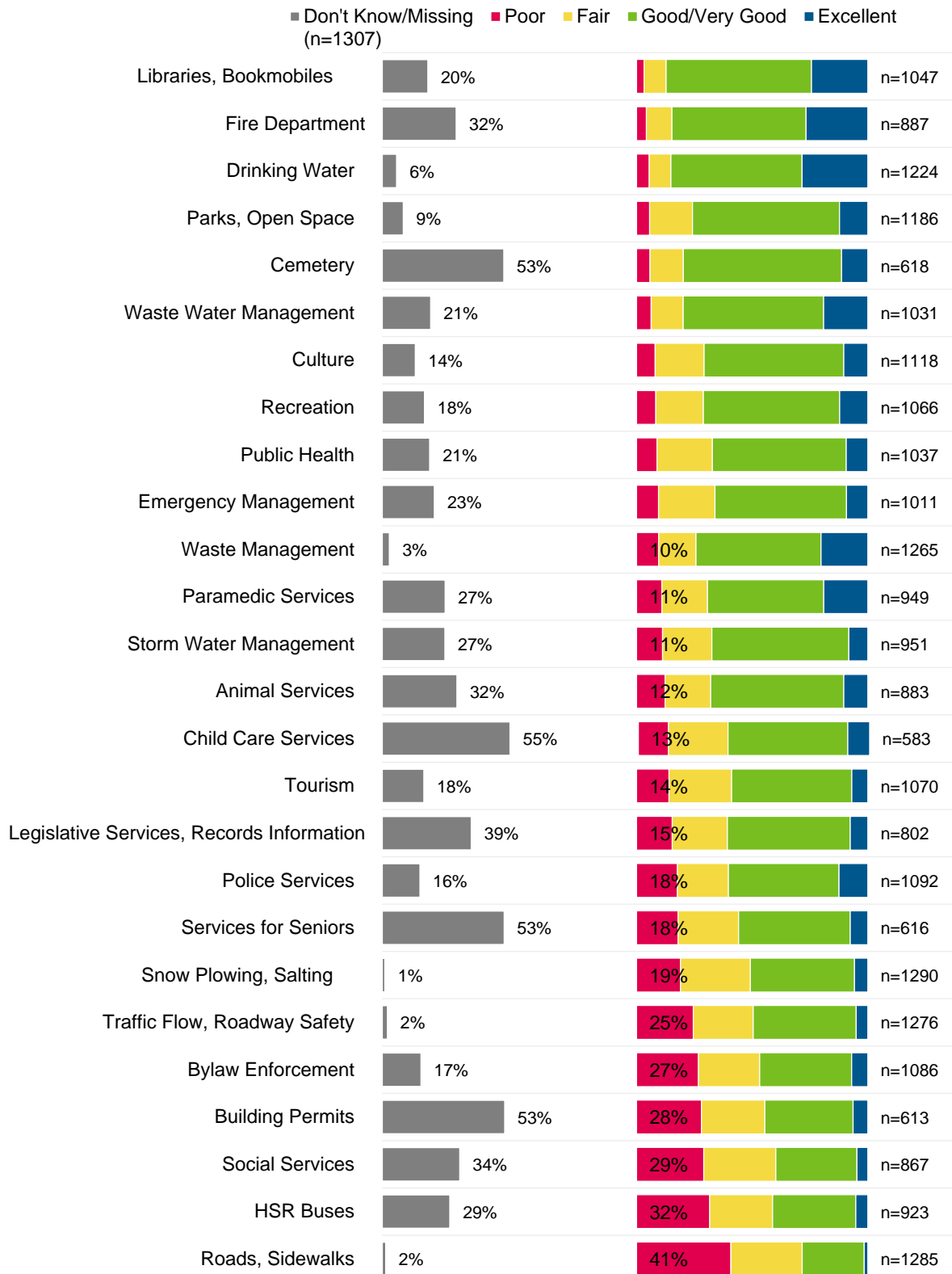
Phone



Our Citizen Survey 2018 Report

How would you rate each of the following services provided by the City of Hamilton?

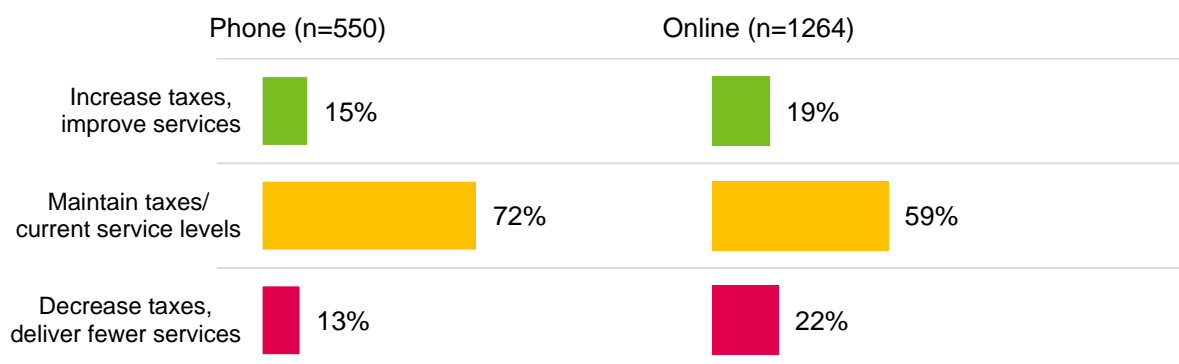
Online



Our Citizen Survey 2018 Report

The majority (72%) of respondents from the phone survey indicated they would prefer to maintain current taxes and current service delivery levels.

In delivering services to you and the community, the City typically pays for them through taxes or user fees. Based on this, do you think the City should:



Customer Service

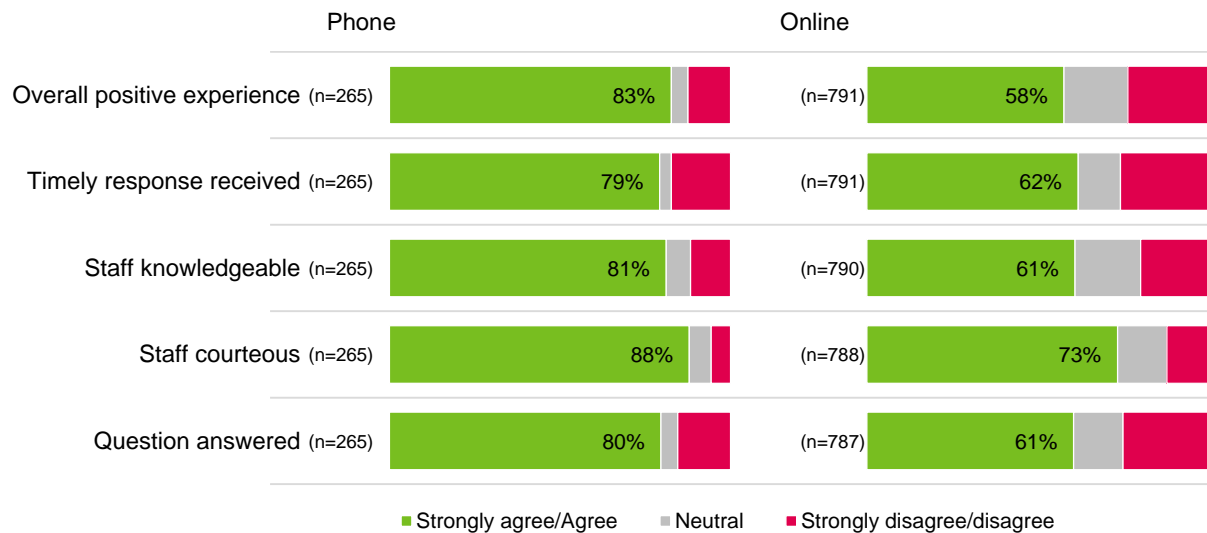
Close to half (48%) of the respondents from the phone survey indicated having contacted the City of Hamilton in the past year. Approximately 62% of respondents from the online survey indicated having contacted the City of Hamilton in the past year.

The majority (83%) of the phone survey respondents who had contacted the City of Hamilton in the past year felt that their overall experience contacting the City of Hamilton was positive.

The proportion of phone survey respondents who thought staff was courteous (88%) was significantly higher than: those that thought staff was knowledgeable (81%), those that felt their question was answered (80%) and those that felt they received a timely response (79%).

Our Citizen Survey 2018 Report

Customer services



Contacting the City of Hamilton

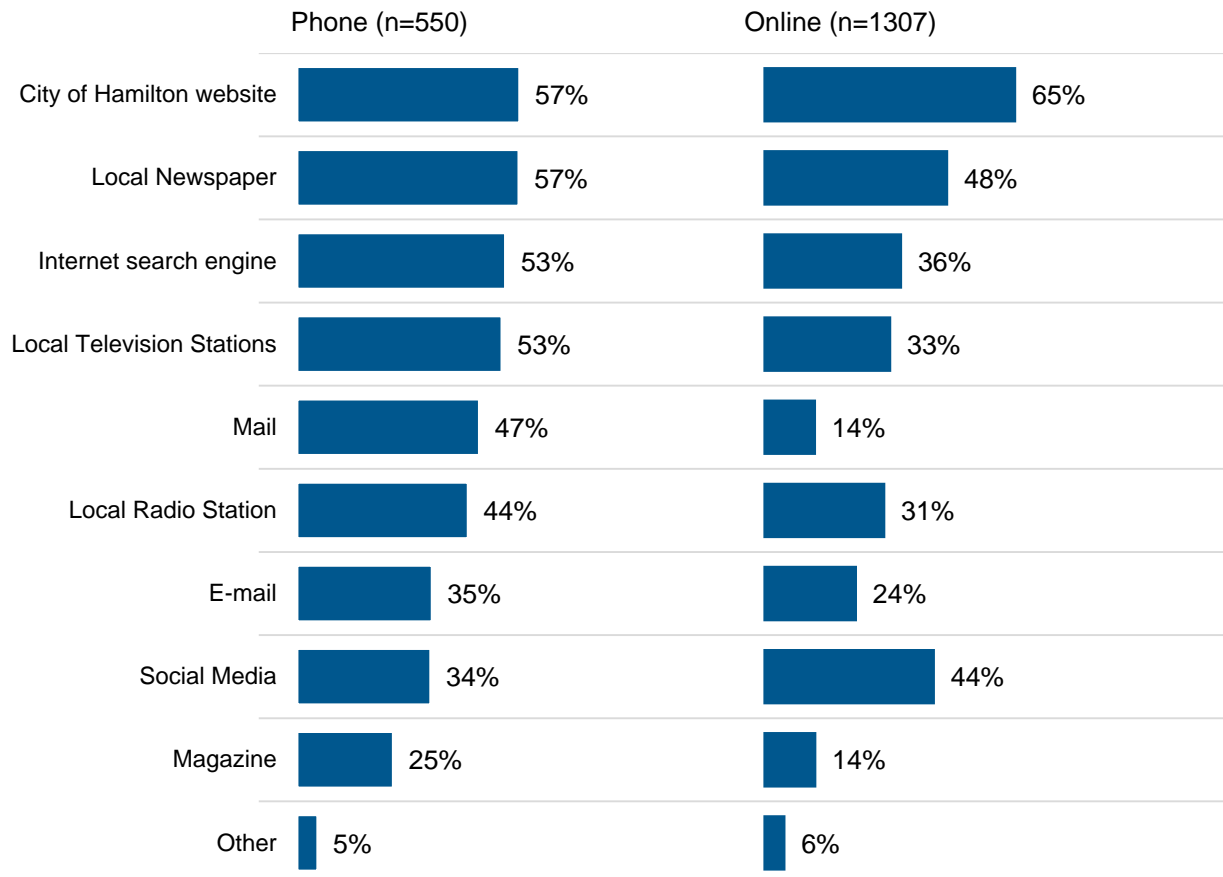
The phone survey found that residents mostly prefer to contact the City of Hamilton by phone when needing to ask questions or making a complaint. Residents would most prefer to use the website to pay property taxes. (Currently property taxes can only be paid online through online banking and not directly to the City via the web.)

For other interactions such as registering/paying for recreation programs, applying for licenses/permits or for booking/renting City facilities/parks, most residents indicated preferring to complete these either on the website or in person.

The phone survey found that residents mostly prefer to get information about the City of Hamilton from the City of Hamilton website, local newspapers, local television stations and by using an internet search engine.

Our Citizen Survey 2018 Report

How do you like to get information about the City of Hamilton's programs, initiatives, news and events?



Our Citizen Survey 2018 Report

Summary of Comments

The survey had one open ended question asking “What is one thing you think the City of Hamilton should do to reach the vision of being ‘the best place to raise a child and age successfully’?. There were over 470 responses to this question from phone survey respondents and over 940 responses from online survey respondents.

The following table provides a summary of the most common themes of the responses to the open ended question from both the phone and online survey respondents. The themes are presented with the more common ones listed first.

Theme	Includes comments primarily related to ...
Transit	<ul style="list-style-type: none"> ▪ concerns about HSR service reliability, service areas, the need to improve services etc. ▪ support and opposition of LRT ▪ improvements needed for GO transit* <small>(*note: this item does not fall under the jurisdiction of the municipal government)</small> ▪ improvements needed for DARTS ▪ transit fees ▪ improvements needed for transit ▪ the need to promote transit use
Community Safety	<ul style="list-style-type: none"> ▪ having safe communities and ensuring public safety ▪ concerns about crime, violence, drugs, guns, sex trade

Our Citizen Survey 2018 Report

Theme	Includes comments primarily related to ...
<p>Taxes</p>	<ul style="list-style-type: none"> ▪ the fairness of tax rates in relation to service levels across the city ▪ ensuring there is controlled and accountable spending of tax dollars ▪ concerns of the value of service ▪ lowering and/or stopping the increase of taxes
<p>Housing</p>	<ul style="list-style-type: none"> ▪ ensuring or maintaining the affordability of housing in Hamilton ▪ issues related to social or subsidized housing ▪ the need for more housing ▪ issues with housing standards
<p>Schools and Education</p> <p>(note: this item does not fall under the jurisdiction of the municipal government)</p>	<ul style="list-style-type: none"> ▪ the need to improve schools and/or education ▪ keeping schools open and the maintenance of schools ▪ programs and supports needed in schools ▪ class sizes and school sizes ▪ safety at school ▪ the need for more teachers/staff ▪ quality of teaching ▪ the curriculum ▪ bullying and violence

Our Citizen Survey 2018 Report

Theme	Includes comments primarily related to ...
Roads and Sidewalks	<ul style="list-style-type: none"> ▪ the need for road and sidewalk repairs, fixes and improvements ▪ fixing potholes ▪ the general condition and safety of roads and sidewalks ▪ the need for sidewalk installations
Child Care	<ul style="list-style-type: none"> ▪ the need for more child care centres, spaces and/or options for child care ▪ child care subsidy, costs and fees ▪ improvements needed to child care ▪ after school and special needs programs
Inequities across the City	<ul style="list-style-type: none"> ▪ ensuring consistent and equitable services are available across the City ▪ ensuring that all areas (rural, suburbs etc.) are recognized as being part of the City of Hamilton
Traffic Flow	<ul style="list-style-type: none"> ▪ traffic flow and issues with congestion ▪ the need for improvements to traffic and traffic flow control
Parks Playgrounds and Greenspace	<ul style="list-style-type: none"> ▪ the need for more parks and greenspace ▪ concerns about the maintenance and preservation of greenspace

Our Citizen Survey 2018 Report

Comments provided from the phone survey were most commonly focused on the following specific issues:

- the need for repairs/fixes and improvements to roads
- traffic flow and the need for improvements to traffic control efforts to improve safety and congestion
- having safe communities and ensuring public safety
- improving communication and awareness of City initiatives and programs available
- ensuring consistent and equitable services are available across the City
- concerns about HSR service reliability, service areas, the need to improve services etc.
- reducing poverty and providing assistance to those in low income
- maintenance of parks and greenspace
- ensuring or maintaining the affordability of housing in Hamilton
- improving and/or increasing child care centres, spaces or options

Comments provided from the online survey respondents were most commonly focused on the following specific issues:

- ensuring or maintaining the affordability of housing in Hamilton
- having safe communities and ensuring public safety
- concerns about HSR service reliability, service areas, the need to improve services etc.
- ensuring consistent and equitable services are available across the City
- having better transit or public transportation
- maintenance and improvement of parks and greenspace

Our Citizen Survey 2018 Report

- improving police services which includes increasing the police force, increasing police presence in the community, decreasing crime, etc.
- traffic flow and the need for improvements to traffic control to ensure safety and improve congestion
- concerns related to planning, zoning and development such as availability of infrastructure and services in growing communities, zoning of high-rise and/or high density areas etc.
- concerns about crime and crime rate

Sub City Level Analysis

The telephone surveys were conducted to ensure all Wards were fairly represented by the survey sample. This was achieved by aligning the sample population proportions by Ward with the City of Hamilton population proportions by Ward. The resulting sample sizes ranged between 17 and 59 per Ward which translates into margin of errors ranging between +/-12.8% and +/-23.8%, 19 times out of 20. The wide margins of error means it is difficult to draw accurate conclusions of the data at the Ward level.

To provide some analysis of the data at a sub-city level, data has instead been aggregated to the following geographical representation of Hamilton:

1. Lower Hamilton – Wards 1 to 5, 10 and 13
2. Upper Hamilton – Wards 6 to 9, 11, 12, 14 and 15

The associated margins of error for these geographies are less than +/-6.2%, 19 times out of 20. Sample sizes and associated margins of error for each Ward and the lower/upper Hamilton geographies are provided in Appendix D.

The following series of tables provides the phone survey results by upper and lower Hamilton for select questions most relevant to quality of life and citizen satisfaction. Throughout the tables, the results of the upper City and lower City are compared with the overall City of Hamilton result and differences are indicated as follows:

- **Red font** – significantly lower than City of Hamilton
- Black font – no significant difference
- **Green font** – significantly higher score than the City of Hamilton

Our Citizen Survey 2018 Report

Hamilton is a great place to ...	% of phone respondents that agree or strongly agree		
	City of Hamilton	Lower Hamilton	Upper Hamilton
live	87%	85%	89%
work	69%	68%	69%
play	77%	75%	78%
learn	88%	84%	90%

Hamilton is on the right track towards its vision of being “the best place to raise a child and age successfully”	% of phone respondents that agree or strongly agree		
	City of Hamilton	Lower Hamilton	Upper Hamilton
	61%	60%	61%

Overall how satisfied are you with the services provided by the City of Hamilton?	% of phone respondents that were satisfied or very satisfied		
	City of Hamilton	Lower Hamilton	Upper Hamilton
	66%	67%	65%

Our Citizen Survey 2018 Report

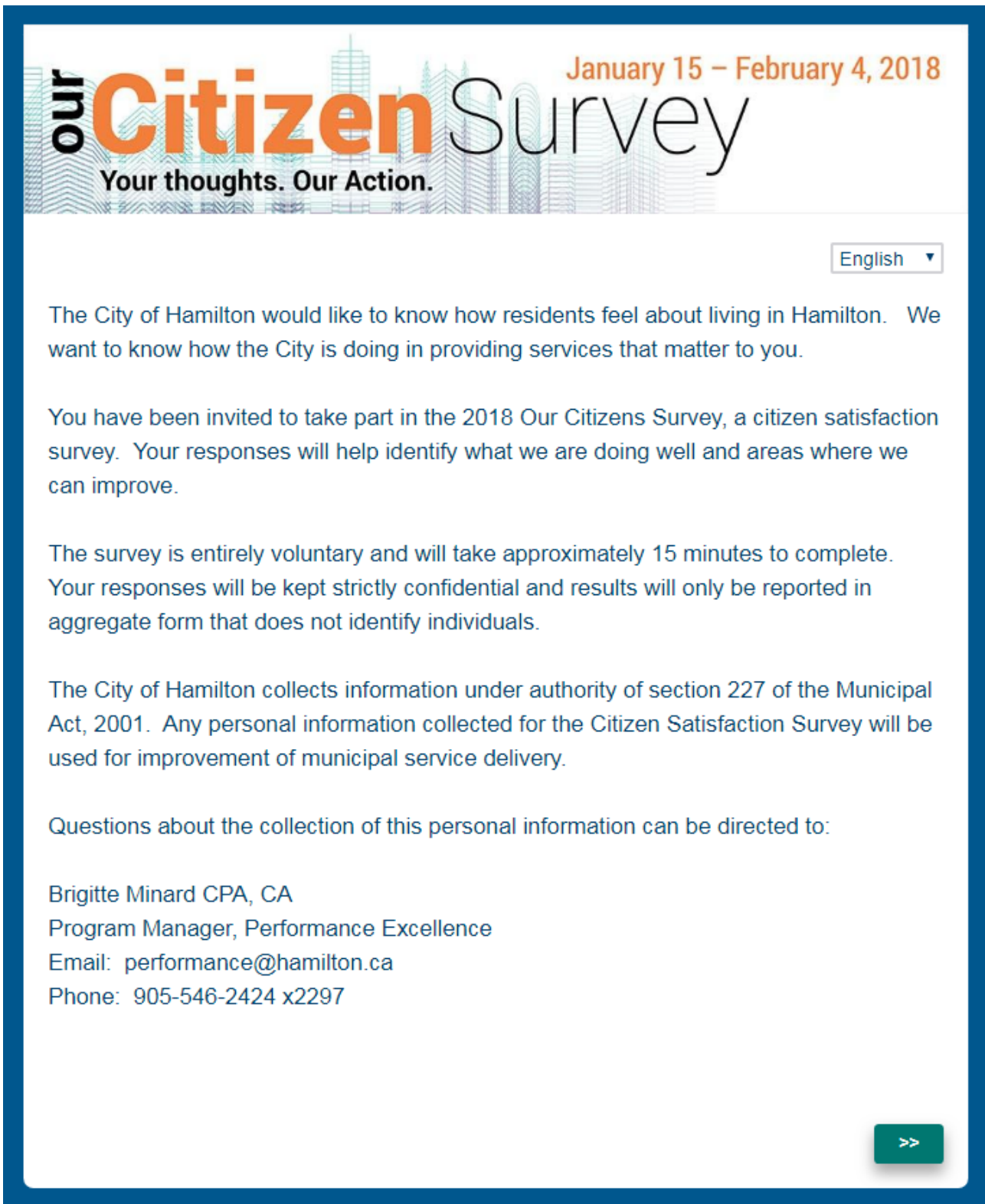
	% of phone respondents that rate service as good, very good or excellent		
	City of Hamilton	Lower Hamilton	Upper Hamilton
Fire Department	97%	97%	98%
Libraries, Bookmobiles	91%	89%	93%
Paramedic Services	88%	85%	91%
Parks, Open Space	87%	88%	86%
Recreation	86%	85%	86%
Cemetery	83%	82%	85%
Police Services	82%	80%	84%
Drinking Water	80%	81%	80%
Waste Management	80%	77%	82%
Animal Services	79%	77%	81%
Culture	79%	82%	77%
Public Health	79%	79%	80%
Emergency Management	77%	80%	76%
Waste Water Management	75%	75%	75%
Tourism	71%	67%	73%
Legislative Services, Records Information	69%	69%	69%
Storm Water Management	69%	68%	71%
Services for Seniors	67%	66%	68%
Child Care Services	65%	64%	66%
Social Services	65%	63%	67%
By law Enforcement	61%	65%	57%
HSR Buses	60%	63%	58%
Snow Plowing, Salting	60%	61%	59%
Building Permits	56%	53%	58%
Traffic Flow, Roadway Safety	54%	57%	51%
Roads, Sidewalks	34%	33%	35%



Our Citizen Survey 2018 Report

Appendix A: Survey Tool

Our Citizen Survey 2018 Report



our Citizen Survey
Your thoughts. Our Action.
January 15 – February 4, 2018

English ▾

The City of Hamilton would like to know how residents feel about living in Hamilton. We want to know how the City is doing in providing services that matter to you.

You have been invited to take part in the 2018 Our Citizens Survey, a citizen satisfaction survey. Your responses will help identify what we are doing well and areas where we can improve.

The survey is entirely voluntary and will take approximately 15 minutes to complete. Your responses will be kept strictly confidential and results will only be reported in aggregate form that does not identify individuals.

The City of Hamilton collects information under authority of section 227 of the Municipal Act, 2001. Any personal information collected for the Citizen Satisfaction Survey will be used for improvement of municipal service delivery.

Questions about the collection of this personal information can be directed to:

Brigitte Minard CPA, CA
Program Manager, Performance Excellence
Email: performance@hamilton.ca
Phone: 905-546-2424 x2297

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Our Citizen Survey 2018 Report

our **Citizen** Survey

Your thoughts. Our Action.

January 15 – February 4, 2018

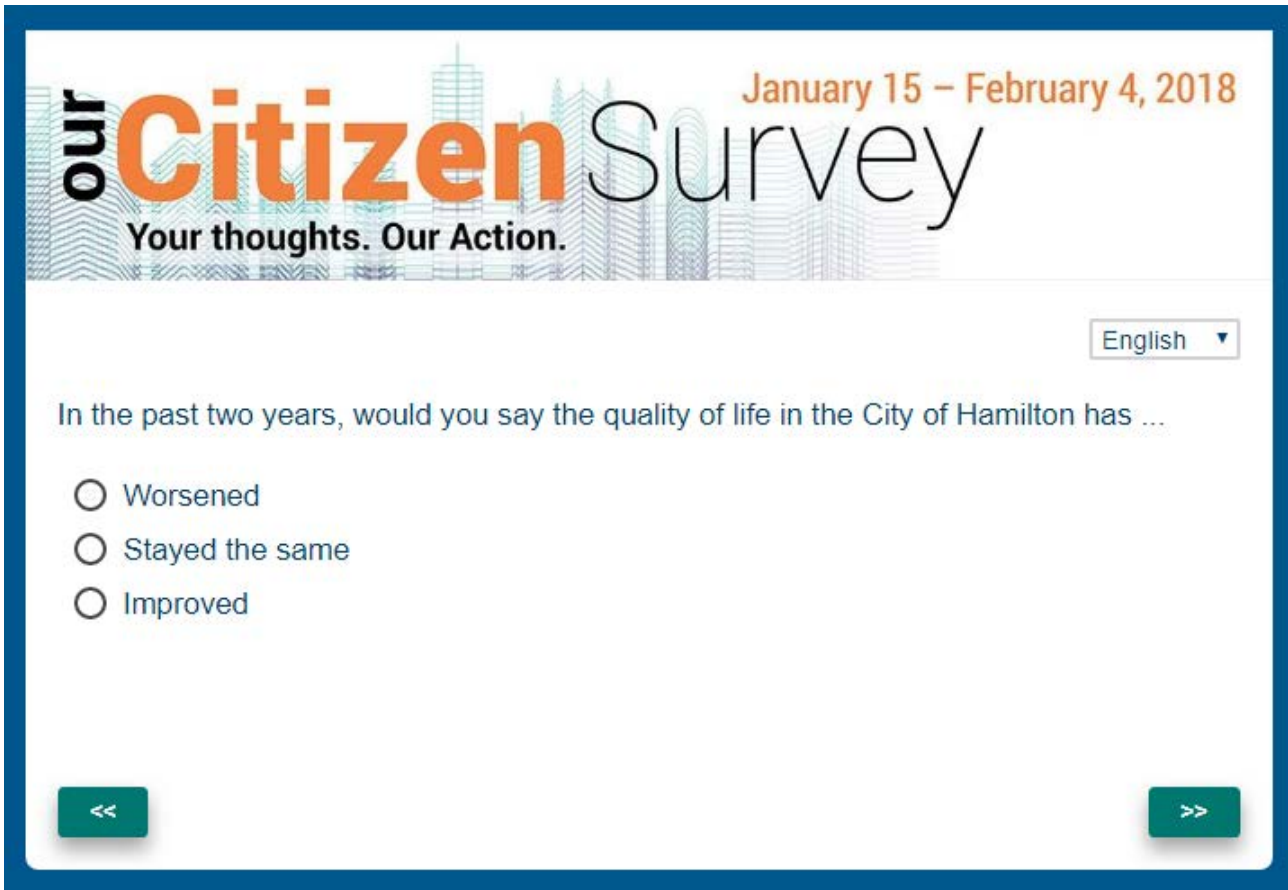
English ▾

Please indicate your level of agreement with the following statements.

	Strongly disagree	Disagree	Neither agree nor disagree	Agree	Strongly agree
Hamilton is a great place to live	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Hamilton is a great place to work	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Hamilton is a great place to play	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Hamilton is a great place to learn	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Hamilton is on the right track towards its vision of being "the best place to raise a child and age successfully."	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

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Our Citizen Survey 2018 Report



our **Citizen** Survey

Your thoughts. Our Action.

January 15 – February 4, 2018

English ▾

In the past two years, would you say the quality of life in the City of Hamilton has ...

Worsened

Stayed the same

Improved

<< >>

Our Citizen Survey 2018 Report

our Citizen Survey
Your thoughts. Our Action.

January 15 – February 4, 2018

English ▾

The following question will focus on the different services the City of Hamilton provides to its residents. How would you rate each of the following services provided by the City of Hamilton?

Fire Department

-Emergency response, fire safety inspections, fire safety education

Poor
Fair
Good
Very good
Excellent
Don't Know

Paramedic Services

-Emergency medical care, health education, community paramedic program

Poor
Fair
Good
Very good
Excellent
Don't Know

<<
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Our Citizen Survey 2018 Report

our **Citizen** Survey

Your thoughts. Our Action.

January 15 – February 4, 2018

English ▾

Police Services

- Police services, safety, law enforcement

Poor	Fair	Good	Very good	Excellent	Don't Know
<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

Emergency Management

- Handling city wide emergencies such as power outages, ice storms, floods, etc.

Poor	Fair	Good	Very good	Excellent	Don't Know
<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

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Our Citizen Survey 2018 Report

our Citizen Survey January 15 – February 4, 2018
Your thoughts. Our Action.

English ▾

Roads and Sidewalks
-Maintenance and condition


Poor Fair Good Very good Excellent Don't Know

Snow Plowing and Salting

Poor Fair Good Very good Excellent Don't Know

<< >>

Our Citizen Survey 2018 Report



our Citizen Survey
Your thoughts. Our Action.

January 15 – February 4, 2018

English ▾

Traffic Flow and Roadway Safety

- Traffic signal timing, street lighting, traffic signage, traffic calming measures, pavement makings, roadway safety issue identification

Poor

Fair

Good

Very good

Excellent

Don't Know

Hamilton Street Railway (HSR) Buses

- Service reliability, frequency and safety

Poor

Fair

Good

Very good

Excellent

Don't Know

<<

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Our Citizen Survey 2018 Report

our

Citizen

Survey

January 15 – February 4, 2018

Your thoughts. Our Action.

English ▼

Recreation

- Recreation programs, pools, arenas, recreation/community centres, seniors centres, booking parks and fields

Poor

Fair

Good

Very good

Excellent

Don't Know

Parks and Open Space

- Maintenance of parks, play structures, spray pads and access to parks and natural open spaces

Poor

Fair

Good

Very good

Excellent

Don't Know

Libraries and Bookmobiles

Poor

Fair

Good

Very good

Excellent

Don't Know

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>>

Our Citizen Survey 2018 Report

our **Citizen** Survey

Your thoughts. Our Action.

January 15 – February 4, 2018

English ▾

Tourism

-Visitor services; marketing, attracting, promoting and hosting conventions, sports tourism attractions and major events, i.e. Juno Awards

Poor	Fair	Good	Very good	Excellent	Don't Know
<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

Culture

-Public art, museums, cultural programming, heritage properties maintenance

Poor	Fair	Good	Very good	Excellent	Don't Know
<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

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Our Citizen Survey 2018 Report

our **Citizen** Survey

Your thoughts. Our Action.

January 15 – February 4, 2018

English ▾

Public Health

- Food safety inspections; pools and beaches inspections; rabies, West Nile, Lyme Disease, response to outbreaks; vaccinations and dental screening in schools; prenatal and parenting programs; alcohol, drugs, and gambling programs; help with quitting smoking and protection from second-hand smoke; air quality and extreme weather monitoring

Poor
Fair
Good
Very good
Excellent
Don't Know

Social Services

- Ontario Works, subsidized housing, homelessness prevention, home management services

Poor
Fair
Good
Very good
Excellent
Don't Know

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Our Citizen Survey 2018 Report

our **Citizen** Survey

Your thoughts. Our Action.

January 15 – February 4, 2018

English ▾

Child Care Services

-Ontario Early Years Child and Family Centres, subsidized child care

Poor	Fair	Good	Very good	Excellent	Don't Know
<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

Services for Seniors

-Long term care (Macassa Lodge and Wentworth Lodge), Meals on Wheels, Adult Day Program

Poor	Fair	Good	Very good	Excellent	Don't Know
<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

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Our Citizen Survey 2018 Report

our **Citizen** Survey

Your thoughts. Our Action.

January 15 – February 4, 2018

English ▾

Legislative Services and Records Information

-Providing City by-law information; marriage licenses and birth certificates, Council/committee agendas, reports and minutes; citizen appointments to sub-committees; delegation requests; accessing information under MFIPPA (Municipal Freedom of Information and Protection of Privacy Act); Commissioning of Affidavits – name change, waiver of immunization

Poor

Fair

Good

Very good

Excellent

Don't Know

Animal Services

-Dog Licensing, rabies response and wildlife, animal shelter, dog parks and animal investigations

Poor

Fair

Good

Very good

Excellent

Don't Know

<<

>>

Our Citizen Survey 2018 Report



our Citizen Survey
Your thoughts. Our Action.

January 15 – February 4, 2018

English ▾

By-law Enforcement

- Enforcement of parking by-laws, business licensing, property standards investigations, noise complaints, long weeds and grass by-laws, school crossings, smoking by-laws

Poor
Fair
Good
Very good
Excellent
Don't Know

Building Permits

- Building permit applications to erect, install, extend, alter or repair, demolish all or part of a building

Poor
Fair
Good
Very good
Excellent
Don't Know

Cemetery

- Grounds maintenance, burial services, customer service

Poor
Fair
Good
Very good
Excellent
Don't Know

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>>

Our Citizen Survey 2018 Report

our Citizen Survey
Your thoughts. Our Action.

January 15 – February 4, 2018

English ▾

Drinking Water

- Production and supply of clean, safe and reliable drinking water

Poor

Fair

Good

Very good

Excellent

Don't Know

Waste Water Management

- Collection and treatment of waste water that leaves a building through a drain (e.g. from flushing toilets, doing laundry, washing dishes, etc.)

Poor

Fair

Good

Very good

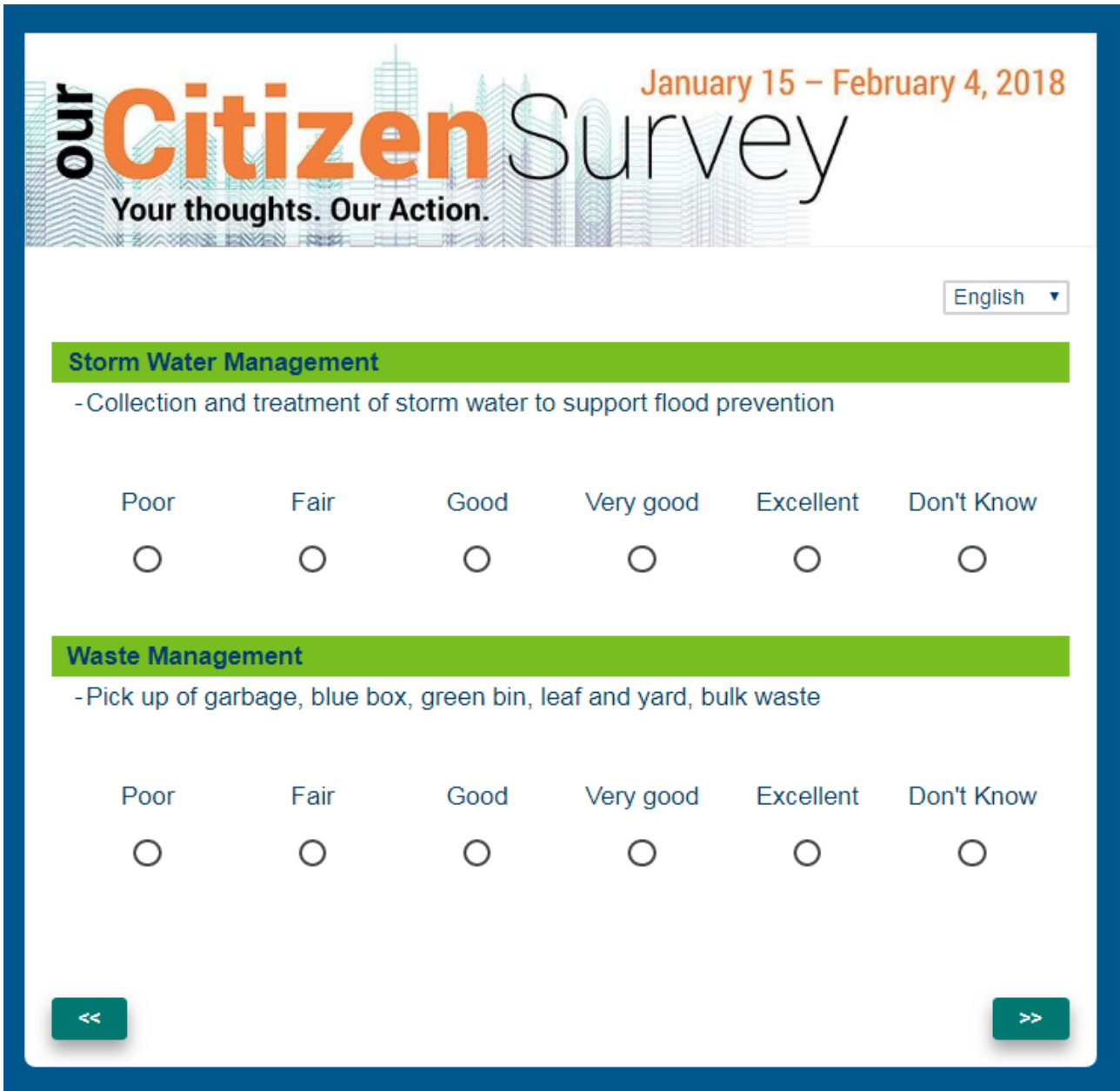
Excellent

Don't Know

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Our Citizen Survey 2018 Report



our Citizen Survey January 15 – February 4, 2018
Your thoughts. Our Action.

English ▾

Storm Water Management
- Collection and treatment of storm water to support flood prevention

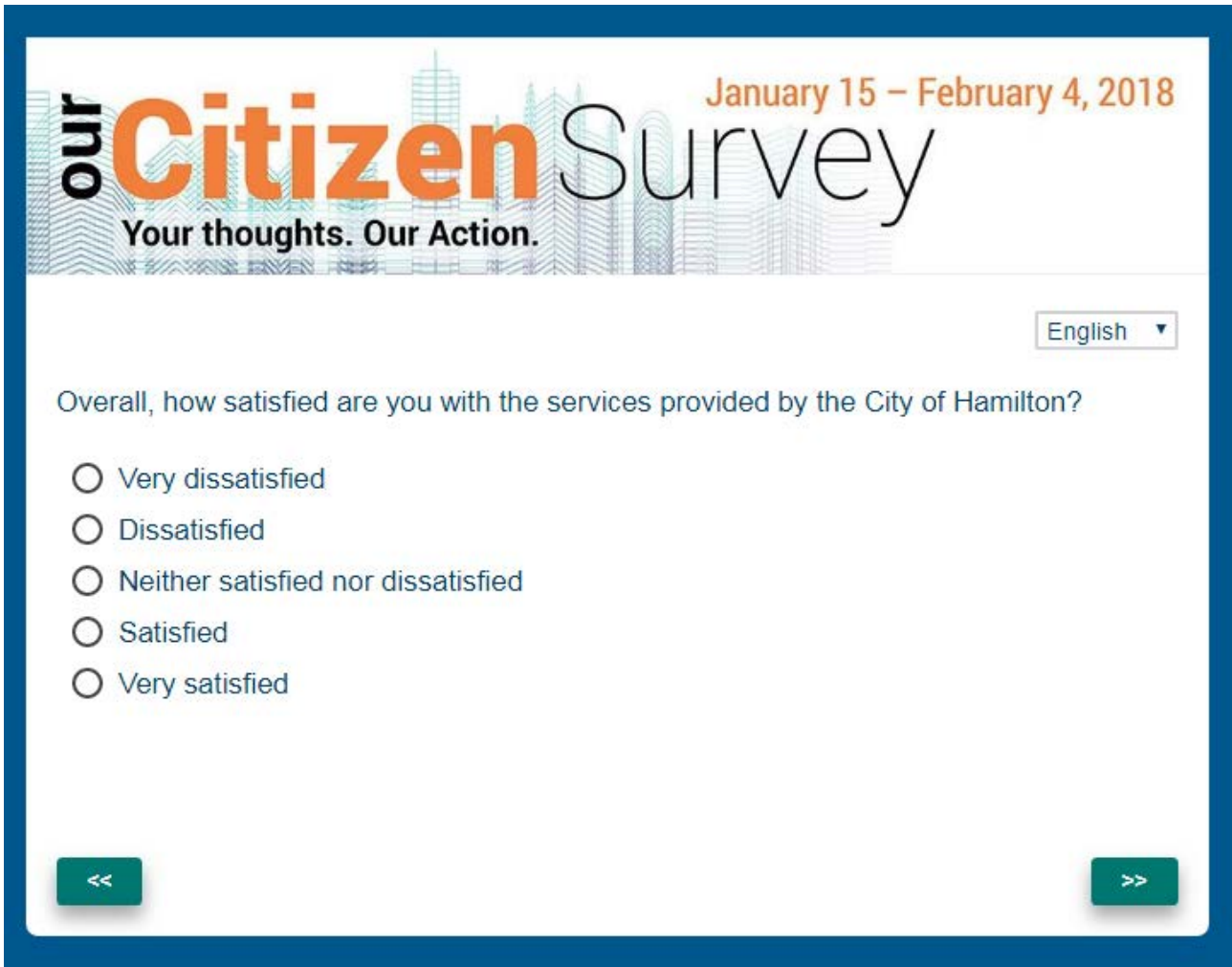
Poor Fair Good Very good Excellent Don't Know

Waste Management
- Pick up of garbage, blue box, green bin, leaf and yard, bulk waste

Poor Fair Good Very good Excellent Don't Know

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Our Citizen Survey 2018 Report



our **Citizen** Survey

Your thoughts. Our Action.

January 15 – February 4, 2018

English ▾

Overall, how satisfied are you with the services provided by the City of Hamilton?

Very dissatisfied

Dissatisfied

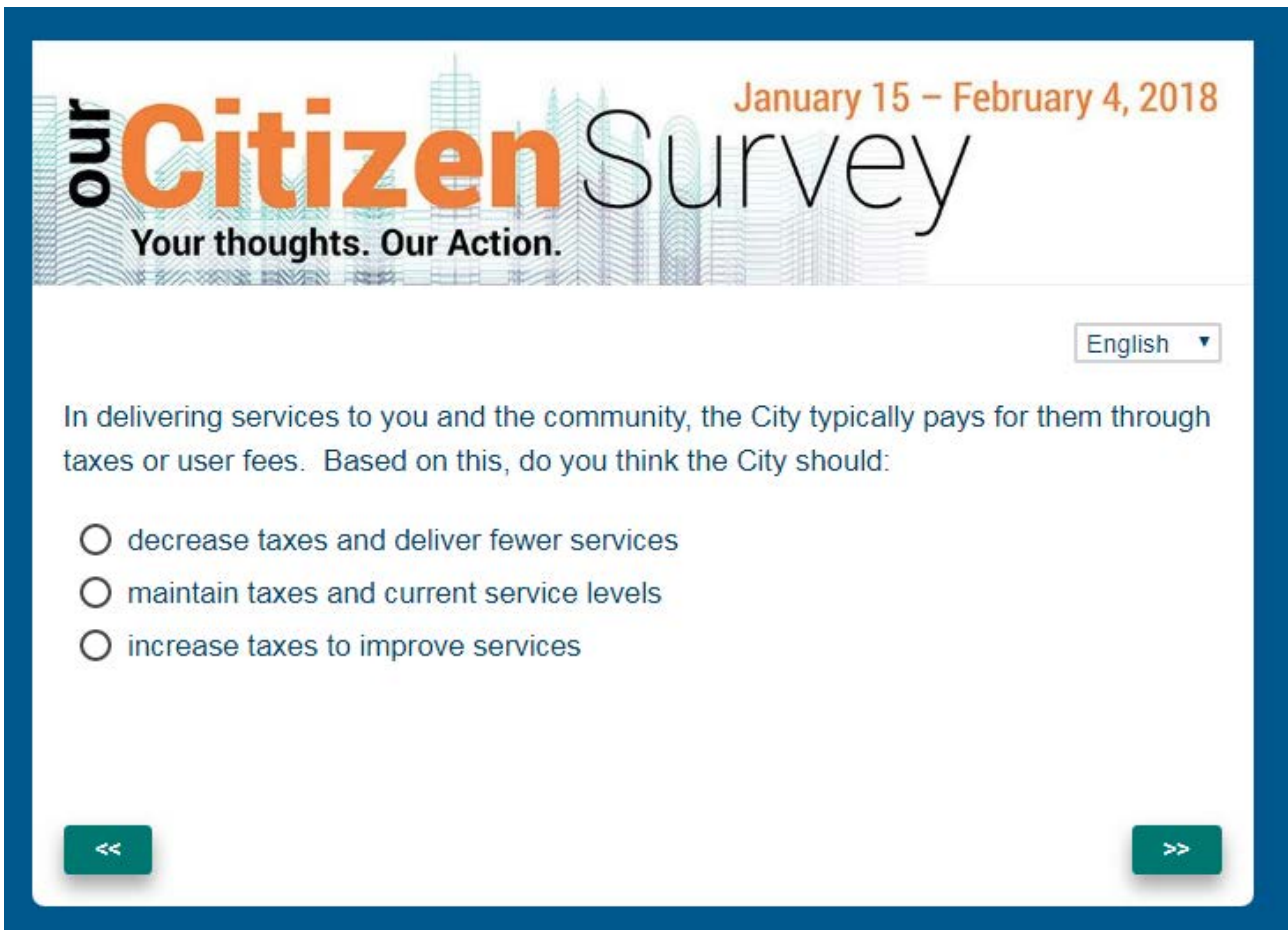
Neither satisfied nor dissatisfied

Satisfied

Very satisfied

<< >>

Our Citizen Survey 2018 Report



our Citizen Survey January 15 – February 4, 2018
Your thoughts. Our Action.

English ▾

In delivering services to you and the community, the City typically pays for them through taxes or user fees. Based on this, do you think the City should:

- decrease taxes and deliver fewer services
- maintain taxes and current service levels
- increase taxes to improve services

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Our Citizen Survey 2018 Report

our Citizen Survey

Your thoughts. Our Action.

January 15 – February 4, 2018

English ▾

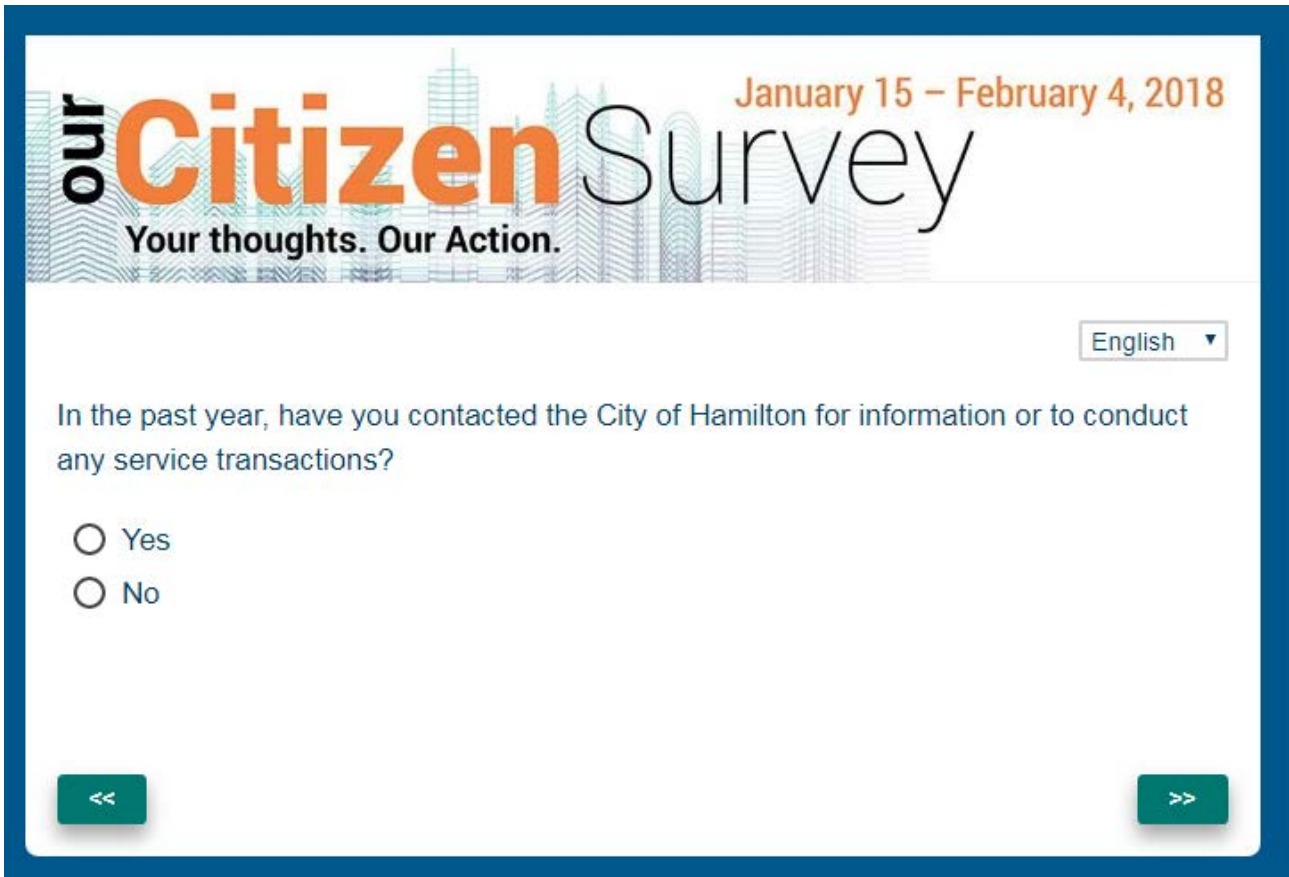
What is your preferred way of conducting each of the following types of interactions with the City of Hamilton?

	In Person	Phone	Email	Website	Social Media
Asking questions or getting information	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Making a complaint	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

	In Person	Phone	Email	Website
Paying property taxes	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Registering/paying for recreation programs	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Applying for licenses and permits	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Booking/renting City facilities or parks	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

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Our Citizen Survey 2018 Report



our Citizen Survey January 15 – February 4, 2018
Your thoughts. Our Action.

English ▾

In the past year, have you contacted the City of Hamilton for information or to conduct any service transactions?

Yes

No

<< >>

Our Citizen Survey 2018 Report

our **Citizen** Survey

Your thoughts. Our Action.

January 15 – February 4, 2018

English ▾

In the past year, have you contacted the City of Hamilton for information or to conduct any service transactions?

Yes
 No

Thinking about your contact with the City of Hamilton in the past year, please tell us how strongly you agree with each of the following statements.

	Strongly disagree	Disagree	Neither agree nor disagree	Agree	Strongly agree
Overall, my experience contacting the City of Hamilton was positive.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
I received a response in a timely manner.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Staff were knowledgeable.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Staff were courteous.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
I received the service I needed or my question was answered.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

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Our Citizen Survey 2018 Report

our **Citizen** Survey

Your thoughts. Our Action.

January 15 – February 4, 2018

English ▾

How do you like to get information about the City of Hamilton's programs, initiatives, news and events?
Select all that apply.

- Local Newspaper
(e.g. The Hamilton Spectator, Dundas Star News, Flamborough Review, Hamilton Mountain News, Stoney Creek News, The Sachem & Glanbrook Gazette, Bay Observer)
- Local Radio Station
(e.g. FM 102.9 KLite, FM CHML 900, 95.3 Fresh Radio)
- Local Television Station
(e.g. CHCH, Cable 14)
- City of Hamilton website (www.hamilton.ca)
- Internet search engine
- Social Media (Twitter, Facebook)
- Mail
- E-mail
- Magazine
(e.g. Hamilton Magazine, View, Snapd Hamilton, Best Start, Hamilton Recreation Guide)
- Other - please specify

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Our Citizen Survey 2018 Report

A screenshot of the 'Our Citizen Survey' web interface. The header features the text 'our Citizen Survey' in a mix of orange and black fonts, with 'Your thoughts. Our Action.' below it. The survey dates 'January 15 - February 4, 2018' are in the top right. A language dropdown menu is set to 'English'. The main question is: 'What is one thing you think the City of Hamilton should do to reach the vision of being "the best place to raise a child and age successfully"?' Below the question is a large, empty text input box. At the bottom of the interface are two green buttons with white arrows: a left-pointing arrow on the left and a right-pointing arrow on the right.

our **Citizen** Survey

Your thoughts. Our Action.

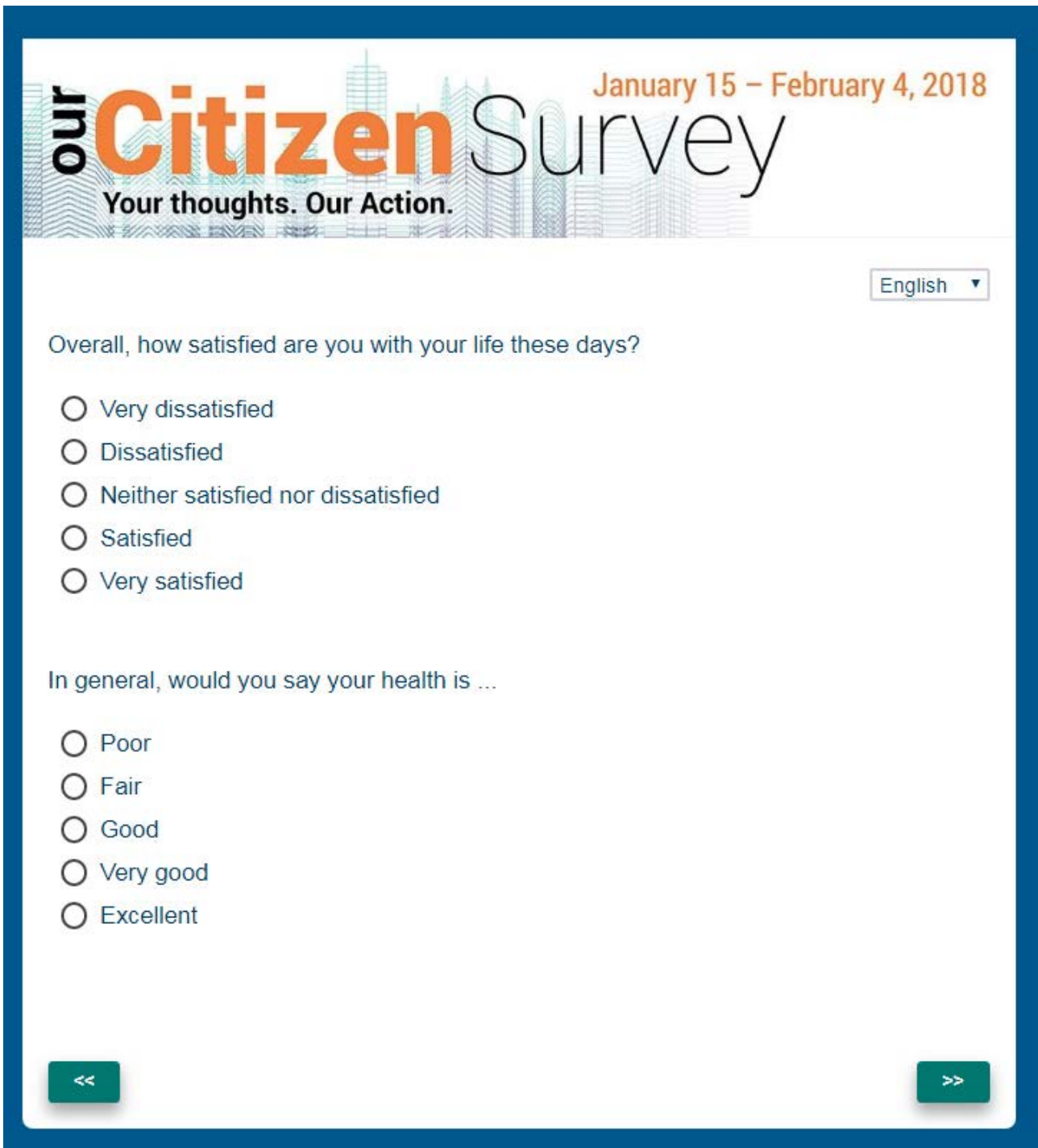
January 15 - February 4, 2018

English ▾

What is one thing you think the City of Hamilton should do to reach the vision of being "the best place to raise a child and age successfully"?

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Our Citizen Survey 2018 Report



our **Citizen** Survey

January 15 – February 4, 2018

Your thoughts. Our Action.

English ▾

Overall, how satisfied are you with your life these days?

Very dissatisfied

Dissatisfied

Neither satisfied nor dissatisfied

Satisfied

Very satisfied

In general, would you say your health is ...

Poor

Fair

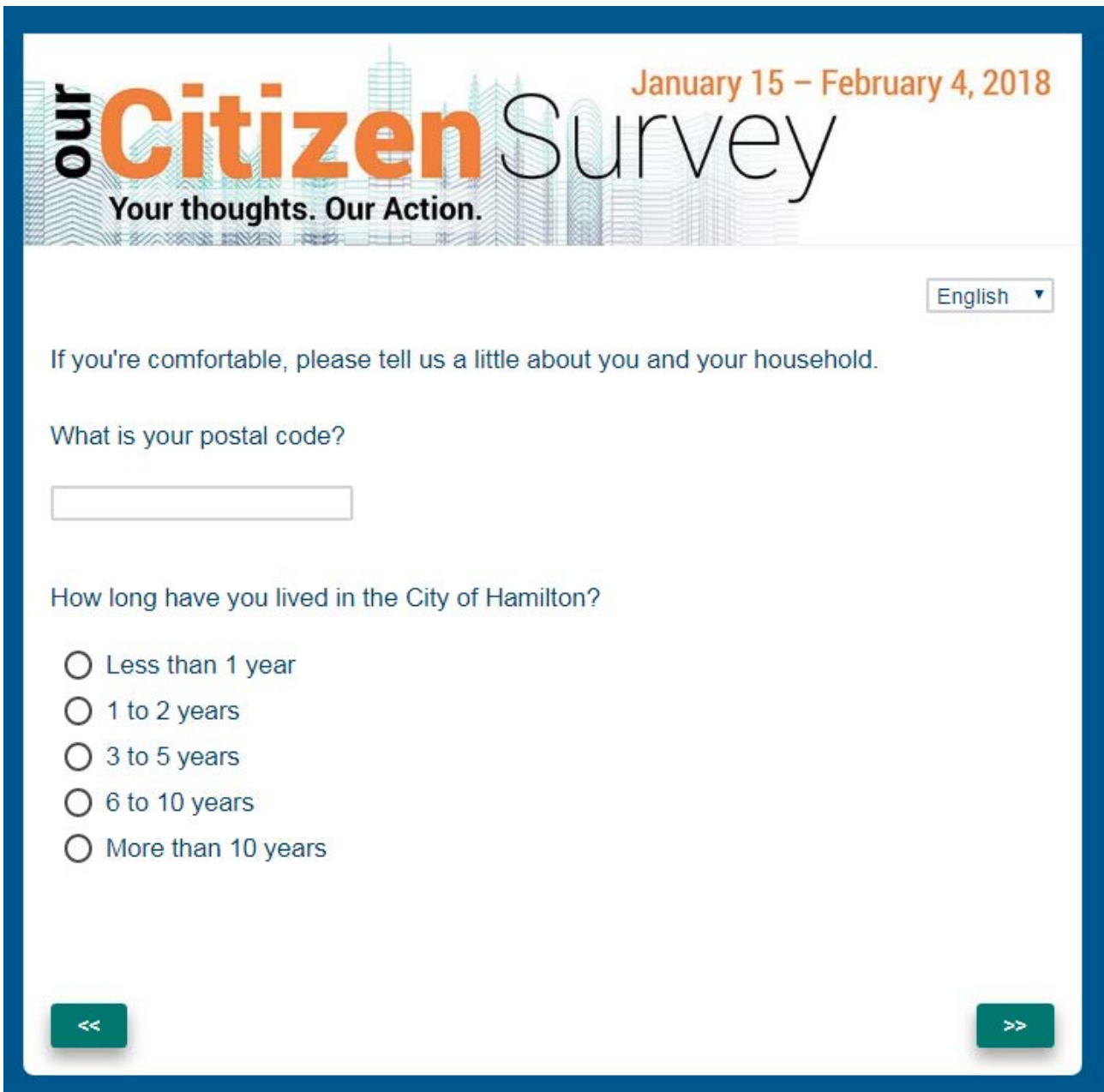
Good

Very good

Excellent

<< >>

Our Citizen Survey 2018 Report



our **Citizen** Survey

January 15 – February 4, 2018

Your thoughts. Our Action.

English ▾

If you're comfortable, please tell us a little about you and your household.

What is your postal code?

How long have you lived in the City of Hamilton?

Less than 1 year

1 to 2 years

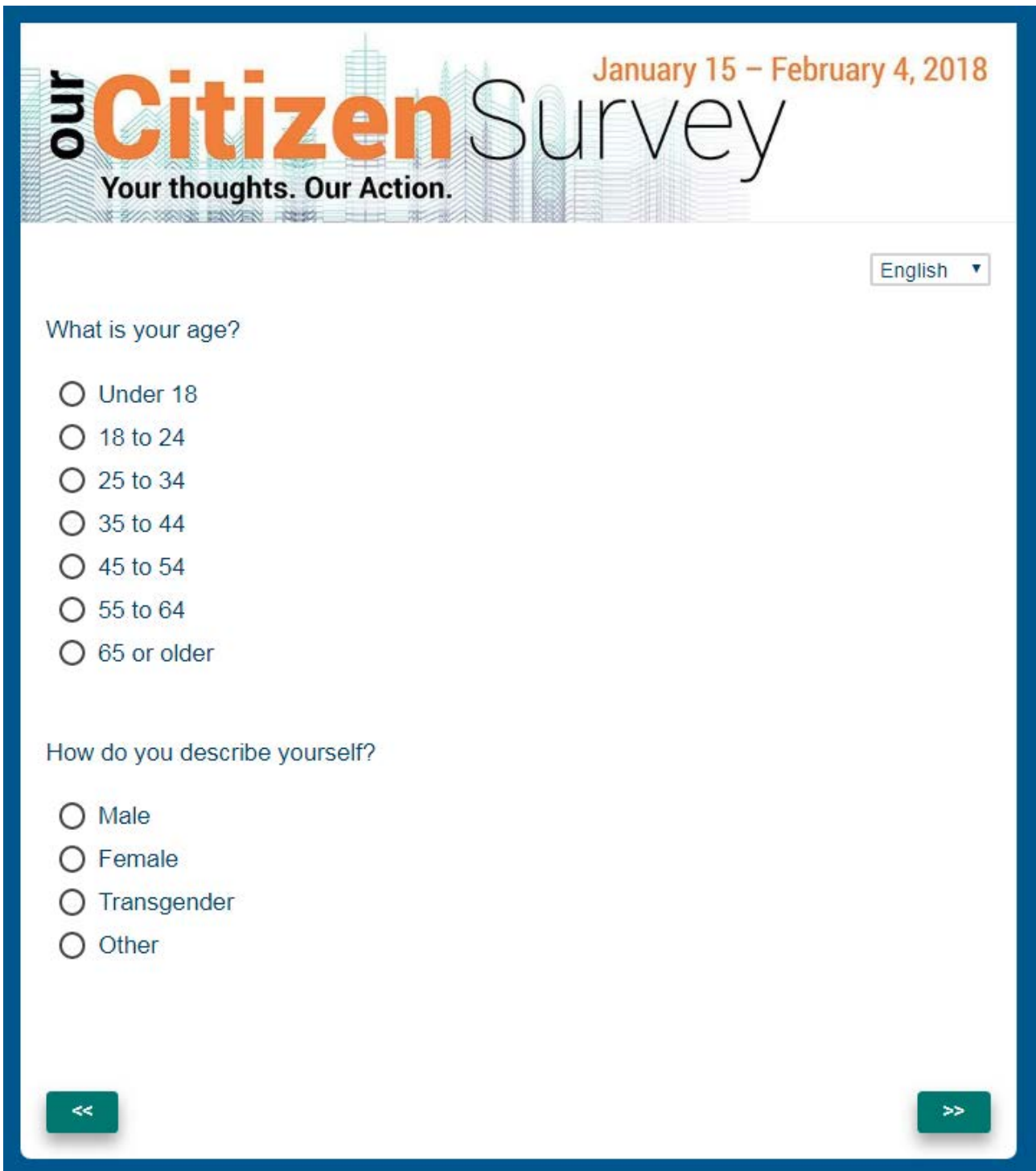
3 to 5 years

6 to 10 years

More than 10 years

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Our Citizen Survey 2018 Report



our **Citizen** Survey

January 15 – February 4, 2018

Your thoughts. Our Action.

English ▾

What is your age?

Under 18

18 to 24

25 to 34

35 to 44

45 to 54

55 to 64

65 or older

How do you describe yourself?

Male

Female

Transgender

Other

<< >>

Our Citizen Survey 2018 Report



our **Citizen** Survey
Your thoughts. Our Action.
January 15 – February 4, 2018


English ▾

What is your highest level of education?

- Less than high school
- High school diploma
- College diploma/trades certificate
- University Undergraduate Degree
- University Graduate Degree

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Our Citizen Survey 2018 Report



our Citizen Survey
Your thoughts. Our Action.

January 15 – February 4, 2018

English ▾

Including yourself, how many people living in your household fall into each of the following categories?

	Number in household
Adult (age 18 or older)	<input type="text" value="0"/>
Youth (age 12 to 17)	<input type="text" value="0"/>
Child (under age 12)	<input type="text" value="0"/>
Total	<input type="text" value="0"/>

What is your total household income before taxes?

- Less than \$17,000
- \$17,000 to \$29,999
- \$30,000 to \$49,999
- \$50,000 to \$74,999
- \$75,000 to \$99,999
- \$100,000 and over

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Our Citizen Survey 2018 Report

our **Citizen** Survey

Your thoughts. Our Action.

January 15 – February 4, 2018

English ▾

How do you usually ...

	Driver of a vehicle/motorbike	Passenger of a vehicle/motorbike	Bus	Cycle	Walk	Does not apply
Commute to work	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Commute to school	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Get around the city for things like groceries, shopping, activities etc.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

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Our Citizen Survey 2018 Report

Appendix B: Online Survey Link on www.hamilton.ca

The online survey was made available on the following City of Hamilton website pages:

Landing	URL
Ontario Works	https://www.hamilton.ca/social-services/ontario-works https://www.hamilton.ca/social-services/ontario-works/apply-ontario-works https://www.hamilton.ca/social-services/ontario-works/receiving-ontario-works https://www.hamilton.ca/social-services/ontario-works/ontario-works-contact-information
Clinics & Services	https://www.hamilton.ca/public-health/clinics-services https://www.hamilton.ca/public-health/clinics-services/alcohol-drug-and-gambling-clinics-programs https://www.hamilton.ca/public-health/clinics-services/alcohol-drug-gambling-services https://www.hamilton.ca/public-health/clinics-services/get-free-naloxone-kits https://www.hamilton.ca/public-health/clinics-services/injection-drug-use-outreach-worker-program https://www.hamilton.ca/public-health/clinics-services/needle-syringe-supplies-and-disposal https://www.hamilton.ca/public-health/clinics-services/street-health-clinics https://www.hamilton.ca/public-health/clinics-services/van-needle-syringe-program



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Landing	URL
Clinics & Services (cont'd)	https://www.hamilton.ca/public-health/clinics-services/treatment-centres-and-groups
	https://www.hamilton.ca/public-health/clinics-services/breastfeeding-services-supports
	https://www.hamilton.ca/public-health/clinics-services/breastfeeding-support-in-hamilton
	https://www.hamilton.ca/public-health/clinics-services/public-health-breastfeeding-services
	https://www.hamilton.ca/public-health/clinics-services/cancer-screening-programs
	https://www.hamilton.ca/public-health/clinics-services/breast-cancer-screening
	https://www.hamilton.ca/public-health/clinics-services/cervical-cancer-screening
	https://www.hamilton.ca/public-health/clinics-services/colorectal-cancer-screening
	https://www.hamilton.ca/public-health/clinics-services/community-health-worker
	https://www.hamilton.ca/public-health/clinics-services/dental-clinics-programs
	https://www.hamilton.ca/public-health/clinics-services/public-health-services-childrens-preventive-dental-clinic
	https://www.hamilton.ca/public-health/clinics-services/dental-health-bus
	https://www.hamilton.ca/public-health/clinics-services/public-health-services-dental-clinic
	https://www.hamilton.ca/public-health/clinics-services/free-or-low-cost-dental-programs-hamilton-residents
	https://www.hamilton.ca/public-health/clinics-services/food-safety-healthy-eating-programs-services
https://www.hamilton.ca/public-health/clinics-services/community-food-advisors	



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Landing	URL
Clinics & Services (cont'd)	https://www.hamilton.ca/public-health/clinics-services/cooking-clubs https://www.hamilton.ca/public-health/clinics-services/feeding-your-baby-children https://www.hamilton.ca/public-health/clinics-services/food-premise-convictions-orders-in-hamilton https://www.hamilton.ca/public-health/clinics-services/restaurant-inspections-food-safety https://www.hamilton.ca/public-health/clinics-services/mental-health-services https://www.hamilton.ca/public-health/clinics-services/child-and-adolescent-services https://www.hamilton.ca/public-health/clinics-services/mental-health-and-street-outreach-program https://www.hamilton.ca/public-health/clinics-services/parenting-programs-services https://www.hamilton.ca/public-health/clinics-services/car-seat-support https://www.hamilton.ca/public-health/clinics-services/check-it-out-drop-in-sessions https://www.hamilton.ca/public-health/clinics-services/pregnancy-programs-supports https://www.hamilton.ca/public-health/clinics-services/prenatal-community-supports-young-parents https://www.hamilton.ca/public-health/clinics-services/quitting-smoking-clinics-programs https://www.hamilton.ca/public-health/clinics-services/free-or-low-cost-products-help-you-quit-smoking https://www.hamilton.ca/public-health/clinics-services/programs-in-hamilton-help-you-quit-smoking



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Landing	URL
Clinics & Services (cont'd)	https://www.hamilton.ca/public-health/clinics-services/smoking-treatment-ontario-patients
	https://www.hamilton.ca/public-health/clinics-services/quit-smoking-clinic
	https://www.hamilton.ca/public-health/clinics-services/school-health-programs
	https://www.hamilton.ca/public-health/clinics-services/head-lice-bug-buster-clinics
	https://www.hamilton.ca/public-health/clinics-services/sexual-health-clinics
	https://www.hamilton.ca/public-health/clinics-services/vaccines-and-immunization-clinics
	https://www.hamilton.ca/public-health/clinics-services/community-vaccine-clinics
	https://www.hamilton.ca/public-health/clinics-services/flu-clinics
	https://www.hamilton.ca/public-health/clinics-services/hpv-vaccine-school-clinics
	https://www.hamilton.ca/public-health/clinics-services/hepatitis-b-vaccine-school-clinics
	https://www.hamilton.ca/public-health/clinics-services/high-school-vaccine-clinics
	https://www.hamilton.ca/public-health/clinics-services/meningococcal-cy-w-135-vaccine-school-clinics
	https://www.hamilton.ca/public-health/clinics-services/outbreak-clinics
	https://www.hamilton.ca/public-health/clinics-services/travel-clinics
	https://www.hamilton.ca/public-health/clinics-services/home-visiting-programs
https://www.hamilton.ca/jobs-city	



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Landing	URL
Current Opportunities	https://www.hamilton.ca/jobs-city/current-opportunities https://www.hamilton.ca/jobs-city/current-opportunities/recruitment-opportunities https://www.hamilton.ca/jobs-city/current-opportunities/bus-operator-recruitment https://www.hamilton.ca/jobs-city/current-opportunities/full-time-firefighter-recruitment https://www.hamilton.ca/volunteer-firefighter-recruitment https://www.hamilton.ca/jobs-city/current-opportunities/primary-care-paramedic-recruitment https://www.hamilton.ca/jobs-city/current-opportunities/police-constable-new-recruit-hamilton-police-service https://www.hamilton.ca/jobs-city/jobs-open-public/police-constable-lateral-transfer-hamilton-police-service https://www.hamilton.ca/jobs-city/current-opportunities/school-crossing-guard-recruitment https://www.hamilton.ca/jobs-city/jobs-open-public/winter-operator-roads-recruitment https://www.hamilton.ca/jobs-city/current-opportunities/part-time-recreation-recruitment https://www.hamilton.ca/jobs-city/current-opportunities/applying-job https://www.hamilton.ca/jobs-city/current-opportunities/police-background-checks https://www.hamilton.ca/jobs-city/current-opportunities/reference-checks https://www.hamilton.ca/jobs-city/jobs-open-public/student-co-op-placements
Employee Resources	https://www.hamilton.ca/jobs-city/employee-resources https://www.hamilton.ca/jobs-city/employee-resources/collective-agreements



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Landing	URL
Employee Resources (cont'd)	https://www.hamilton.ca/jobs-city/application-process/employee-benefits https://www.hamilton.ca/jobs-city/employee-resources/pay-information
Volunteer Opportunities	https://www.hamilton.ca/jobs-city/volunteer-opportunities https://www.hamilton.ca/jobs-city/volunteer-opportunities/macassa-lodge-volunteers https://www.hamilton.ca/jobs-city/volunteer-opportunities/wentworth-lodge-volunteers https://www.hamilton.ca/jobs-city/volunteer-opportunities/community-food-advisor https://www.hamilton.ca/jobs-city/volunteer-opportunities/neighbourhood-clean-teams https://www.hamilton.ca/jobs-city/volunteer-opportunities/recreation-division-volunteers https://www.hamilton.ca/jobs-city/volunteer-opportunities/trillium-awards-judge
Student & Youth Opportunities	https://www.hamilton.ca/jobs-city/student-youth-opportunities https://www.hamilton.ca/jobs-city/student-youth-opportunities/summer-student-program https://www.hamilton.ca/jobs-city/student-youth-opportunities/returning-students https://www.hamilton.ca/jobs-city/student-youth-opportunities/new-student-hires https://www.hamilton.ca/jobs-city/student-youth-opportunities/summer-student-general-labour-job-opportunities



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Landing	URL
Student & Youth Opportunities (cont'd)	<p>https://www.hamilton.ca/jobs-city/student-youth-opportunities/summer-student-recreation-job-opportunities</p> <p>https://www.hamilton.ca/jobs-city/student-youth-opportunities/specific-area-study-and-administrative-jobs</p> <p>https://www.hamilton.ca/jobs-city/student-youth-opportunities/public-health-post-secondary-student-placements</p> <p>https://www.hamilton.ca/jobs-city/student-youth-opportunities/unpaid-student-placements</p> <p>https://www.hamilton.ca/student-youth-opportunities/public-health-post-secondary-student-placements/masters-public-health</p> <p>https://www.hamilton.ca/student-youth-opportunities/public-health-post-secondary-student-placements/nursing-students</p> <p>https://www.hamilton.ca/student-youth-opportunities/public-health-post-secondary-student-placements/other-students</p> <p>https://www.hamilton.ca/jobs-city/post-secondary-student-placements/family-therapy</p> <p>https://www.hamilton.ca/jobs-city/student-youth-opportunities/high-school-co-op-student-program</p> <p>https://www.hamilton.ca/jobs-city/student-youth-opportunities/post-secondary-student-placements</p>
Training & Certification	<p>https://www.hamilton.ca/jobs-city/training-certification</p> <p>https://www.hamilton.ca/jobs-city/training-certification/aquatic-leadership-courses</p> <p>https://www.hamilton.ca/jobs-city/training-certification/recreation-leader-training</p> <p>https://www.hamilton.ca/jobs-city/training-certification/taxi-driver-training</p>



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Landing	URL
Building & Renovating	<p>https://www.hamilton.ca/home-property-and-development/building-renovating</p> <p>https://www.hamilton.ca/home-property-and-development/building-renovating/building-permit-status</p> <p>https://www.hamilton.ca/home-property-and-development/building-renovating/planning-build-or-renovate</p> <p>https://www.hamilton.ca/home-property-and-development/building-renovating/building-in-rural-hamilton</p> <p>https://www.hamilton.ca/home-property-and-development/building-renovating/hiring-contractor</p> <p>https://www.hamilton.ca/home-property-and-development/building-renovating/important-contacts-renovations-permits</p> <p>https://www.hamilton.ca/home-property-and-development/building-renovating/residential-building-permits</p> <p>https://www.hamilton.ca/home-property-and-development/building-renovating/residential-building-inspections</p> <p>https://www.hamilton.ca/home-property-and-development/building-renovating/submitting-drawings</p> <p>https://www.hamilton.ca/home-property-and-development/building-renovating/building-permit-classes-and-fees</p> <p>https://www.hamilton.ca/home-property-and-development/building-renovating/residential-fences</p> <p>https://www.hamilton.ca/home-property-and-development/building-renovating/swimming-pools</p>
Property Taxes	<p>https://www.hamilton.ca/home-property-and-development/property-taxes</p> <p>https://www.hamilton.ca/home-property-and-development/property-taxes/2017-mpac-assessment</p> <p>https://www.hamilton.ca/home-property-and-development/property-taxes/pay-your-property-tax</p>



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Landing	URL
Property Taxes (cont'd)	https://www.hamilton.ca/home-property-and-development/property-taxes/due-dates-and-penalties
	https://www.hamilton.ca/home-property-and-development/property-taxes/tax-assistance-programs
	https://www.hamilton.ca/home-property-and-development/property-taxes/property-information-taxes
	https://www.hamilton.ca/home-property-and-development/property-taxes/request-tax-certificate
	https://www.hamilton.ca/home-property-and-development/property-taxes/sale-properties-tax-arrears
	https://www.hamilton.ca/home-property-and-development/property-taxes/current-tax-sale-property-listing
	https://www.hamilton.ca/home-property-and-development/property-taxes/submit-tender
	https://www.hamilton.ca/home-property-and-development/property-taxes/tax-sale-property-results
	https://www.hamilton.ca/home-property-and-development/property-taxes/area-rating
	https://www.hamilton.ca/home-property-and-development/property-taxes/municipal-tax-competitiveness-study
	https://www.hamilton.ca/home-property-and-development/property-taxes/property-assessment
	https://www.hamilton.ca/home-property-and-development/property-taxes/property-inquiry
	https://www.hamilton.ca/home-property-and-development/property-taxes/tax-billing-by-laws
https://www.hamilton.ca/home-property-and-development/property-taxes/tax-calculator	



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Landing	URL
Property Taxes (cont'd)	https://www.hamilton.ca/home-property-and-development/property-taxes/tax-impact-mapping https://www.hamilton.ca/home-property-and-development/property-taxes/tax-rates-by-property-class https://www.hamilton.ca/home-property-and-development/property-taxes/understanding-your-property-tax-bill https://www.hamilton.ca/home-property-and-development/property-taxes/changes-your-property-tax-bill https://www.hamilton.ca/hsr-bus-schedules-fares
Accessible Transit	https://www.hamilton.ca/hsr-bus-schedules-fares/accessible-transit/accessible-transportation-services-ats-eligibility-and https://www.hamilton.ca/hsr-bus-schedules-fares/accessible-transit/accessible-low-floor-buses https://www.hamilton.ca/hsr-bus-schedules-fares/accessible-transit/darts https://www.hamilton.ca/hsr-bus-schedules-fares/accessible-transit/darts-fares-tickets-and-passes https://www.hamilton.ca/hsr-bus-schedules-fares/accessible-transit/ats-darts-no-show-and-cancellation-policy https://www.hamilton.ca/hsr-bus-schedules-fares/accessible-transit/how-file-complaint https://www.hamilton.ca/hsr-bus-schedules-fares/accessible-transit/taxi-scrip-program
Fares	https://www.hamilton.ca/hsr-bus-schedules-fares/fares https://www.hamilton.ca/hsr-bus-schedules-fares/fares/cash-tickets-and-passes https://www.hamilton.ca/hsr-bus-schedules-fares/fares/summer-youth-pass



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Landing	URL
Fares (cont'd)	https://www.hamilton.ca/hsr-bus-schedules-fares/fares/university-and-college-bus-passes https://www.hamilton.ca/hsr-bus-schedules-fares/fares/hsr-ticket-vendors https://www.hamilton.ca/hsr-bus-schedules-fares/fares/hsr-ticket-vendors https://www.hamilton.ca/hsr-bus-schedules-fares/fares/presto-cards https://www.hamilton.ca/hsr-bus-schedules-fares/fares/photo-identification https://www.hamilton.ca/hsr-bus-schedules-fares/fares/support-person-id-card https://www.hamilton.ca/hsr-bus-schedules-fares/fares/transfers-and-connections
Riding with HSR	https://www.hamilton.ca/hsr-bus-schedules-fares/riding-hsr/update-hsr https://www.hamilton.ca/hsr-bus-schedules-fares/riding-hsr/bikes-buses-program https://www.hamilton.ca/hsr-bus-schedules-fares/riding-hsr/ticket-ride-program https://www.hamilton.ca/hsr-bus-schedules-fares/riding-hsr/using-hsr https://www.hamilton.ca/hsr-bus-schedules-fares/riding-hsr/bus-safety https://www.hamilton.ca/hsr-bus-schedules-fares/riding-hsr/customer-service https://www.hamilton.ca/hsr-bus-schedules-fares/riding-hsr/bus-shelter-vandalism-program
Schedule, Routes & Maps	https://www.hamilton.ca/hsr-bus-schedules-fares/schedule-routes-maps https://www.hamilton.ca/hsr-bus-schedules-fares/schedule-routes-maps/trip-planner



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Landing	URL
Schedule, Routes & Maps (cont'd)	https://www.hamilton.ca/hsr-bus-schedules-fares/schedule-routes-maps/pdf-bus-schedules https://www.hamilton.ca/hsr-bus-schedules-fares/schedule-routes-maps/detours-and-service-updates https://www.hamilton.ca/hsr-bus-schedules-fares/schedule-routes-maps/trans-cab https://www.hamilton.ca/hsr-bus-schedules-fares/schedule-routes-maps/bus-check-phone https://www.hamilton.ca/hsr-bus-schedules-fares/schedule-routes-maps/triplinx https://www.hamilton.ca/hsr-bus-schedules-fares/schedule-routes-maps/special-event-shuttles https://www.hamilton.ca/hsr-bus-schedules-fares/schedule-routes-maps/tiger-cats-express-shuttles https://www.hamilton.ca/garbage-recycling
Garbage & Bulk Items	https://www.hamilton.ca/garbage-recycling/garbage-bulk-items https://www.hamilton.ca/garbage-recycling/garbage-bulk-items/garbage https://www.hamilton.ca/garbage-recycling/garbage-bulk-items/bulk-items-and-furniture https://www.hamilton.ca/garbage-recycling/garbage-bulk-items/illegal-dumping https://www.hamilton.ca/garbage-recycling/garbage-bulk-items/waste-collection-schedule https://www.hamilton.ca/garbage-recycling/garbage-bulk-items/what-goes-in-garbage https://www.hamilton.ca/garbage-recycling/garbage-bulk-items/what-are-bulk-items



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Landing	URL
Blue Box & Recycling	https://www.hamilton.ca/garbage-recycling/blue-box-recycling https://www.hamilton.ca/garbage-recycling/blue-box-recycling/blue-box https://www.hamilton.ca/garbage-recycling/blue-box-recycling/recycling https://www.hamilton.ca/garbage-recycling/blue-boxes-recycling/gold-box-recycling https://www.hamilton.ca/garbage-recycling/blue-box-recycling/blue-box-collection-schedule https://www.hamilton.ca/garbage-recycling/blue-box-recycling/what-can-be-recycled https://www.hamilton.ca/garbage-recycling/blue-boxes-recycling/gold-box-sign-form
Green Bin & Composting	https://www.hamilton.ca/garbage-recycling/green-bin-composting https://www.hamilton.ca/garbage-recycling/green-bin-composting/green-bin https://www.hamilton.ca/garbage-recycling/green-bin-composting/composting-your-green-bin https://www.hamilton.ca/garbage-recycling/green-bin-composting/what-goes-in-green-bin https://www.hamilton.ca/garbage-recycling/green-bin-composting/backyard-composting https://www.hamilton.ca/garbage-recycling/green-bin-composting/compost-giveaways https://www.hamilton.ca/garbage-recycling/green-bin-composting/green-bin-collection-schedule
Yard Waste	https://www.hamilton.ca/garbage-recycling/yard-waste https://www.hamilton.ca/garbage-recycling/yard-waste/yard-waste https://www.hamilton.ca/garbage-recycling/leaf-yard-waste/grasscycling https://www.hamilton.ca/garbage-recycling/yard-waste/what-goes-in-yard-waste



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Landing	URL
Apartment Waste	https://www.hamilton.ca/garbage-recycling/apartment-waste https://www.hamilton.ca/garbage-recycling/apartment-waste/apartment-garbage-and-bulk-items https://www.hamilton.ca/garbage-recycling/apartment-waste/apartment-blue-cart-recycling https://www.hamilton.ca/garbage-recycling/apartment-waste/apartment-green-bin-composting https://www.hamilton.ca/garbage-recycling/apartment-waste/property-owners-managers-superintendents https://www.hamilton.ca/garbage-recycling/apartment-waste/apartment-waste-search
Business Waste	https://www.hamilton.ca/garbage-recycling/business-waste https://www.hamilton.ca/garbage-recycling/business-waste/business-waste-eligibility https://www.hamilton.ca/garbage-recycling/business-waste/business-waste https://www.hamilton.ca/garbage-recycling/business-waste/waste-directory-businesses
Community Recycling Centres	https://www.hamilton.ca/garbage-recycling/community-recycling-centres https://www.hamilton.ca/garbage-recycling/community-recycling-centres/community-recycling-centre-locations https://www.hamilton.ca/garbage-recycling/community-recycling-centres/appliances-and-scrap-metal https://www.hamilton.ca/garbage-recycling/community-recycling-centres/household-hazardous-waste https://www.hamilton.ca/garbage-recycling/community-recycling-centres/reuse-shed https://www.hamilton.ca/garbage-recycling/community-recycling-centres/what-goes-community-recycling-centre



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Landing	URL
Official Plan & Zoning By-law	https://www.hamilton.ca/city-planning/official-plan-zoning-by-law
	https://www.hamilton.ca/city-planning/official-plan-zoning-by-law/official-plan
	https://www.hamilton.ca/city-planning/official-plan-zoning-by-law/rural-hamilton-official-plan
	https://www.hamilton.ca/city-planning/official-plan-zoning-by-law/urban-hamilton-official-plan
	https://www.hamilton.ca/city-planning/official-plan-zoning-by-law/provincial-plan-review
	https://www.hamilton.ca/city-planning/official-plan-zoning-by-law/zoning-by-law
	https://www.hamilton.ca/city-planning/official-plan-zoning-by-law/zoning-by-law-no-05-200
	https://www.hamilton.ca/city-planning/official-plan-zoning-by-law/commercial-and-mixed-use-zones
	https://www.hamilton.ca/city-planning/official-plan-zoning-by-law/transit-oriented-corridor-zones-wards-1-4
	https://www.hamilton.ca/city-planning/official-plan-zoning-by-law/rural-zoning
	https://www.hamilton.ca/city-planning/official-plan-zoning-by-law/zoning-by-laws-former-communities
	https://www.hamilton.ca/city-planning/official-plan-zoning-by-law/interactive-zoning-mapping
	https://www.hamilton.ca/city-planning/official-plan-zoning-by-law/regulating-entertainment-outdoor-commercial-patios
https://www.hamilton.ca/city-planning/official-plan-zoning-by-law/review-existing-residential-er-zone-in-ancaster	
https://www.hamilton.ca/city-planning/official-plan-zoning-by-law/grids-2-and-municipal-comprehensive-review	



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Landing	URL
Tickets & Parking	https://www.hamilton.ca/streets-transportation/tickets-parking
	https://www.hamilton.ca/streets-transportation/tickets-parking/pay-your-ticket
	https://www.hamilton.ca/streets-transportation/tickets-parking/parking-penalty-notice
	https://www.hamilton.ca/streets-transportation/tickets-parking/parking-infraction-notice
	https://www.hamilton.ca/streets-transportation/tickets-parking/provincial-offences-notice
	https://www.hamilton.ca/streets-transportation/tickets-parking/municipal-parking-by-laws
	https://www.hamilton.ca/streets-transportation/tickets-parking/street-parking
	https://www.hamilton.ca/streets-transportation/tickets-parking/residential-parking-private-property
	https://www.hamilton.ca/streets-transportation/tickets-parking/veteran-parking-program
	https://www.hamilton.ca/streets-transportation/tickets-parking/ministry-transportation-ontario-mto-accessible-parking-permit
	https://www.hamilton.ca/streets-transportation/tickets-parking/parking-near-schools
	https://www.hamilton.ca/streets-transportation/tickets-parking/municipal-car-parks
	https://www.hamilton.ca/streets-transportation/tickets-parking/reserve-municipal-car-park
	https://www.hamilton.ca/streets-transportation/tickets-parking/parking-meters
	https://www.hamilton.ca/streets-transportation/tickets-parking/special-events-parking
	https://www.hamilton.ca/streets-transportation/tickets-parking/towing
https://www.hamilton.ca/streets-transportation/tickets-parking/electric-vehicle-charging-stations	

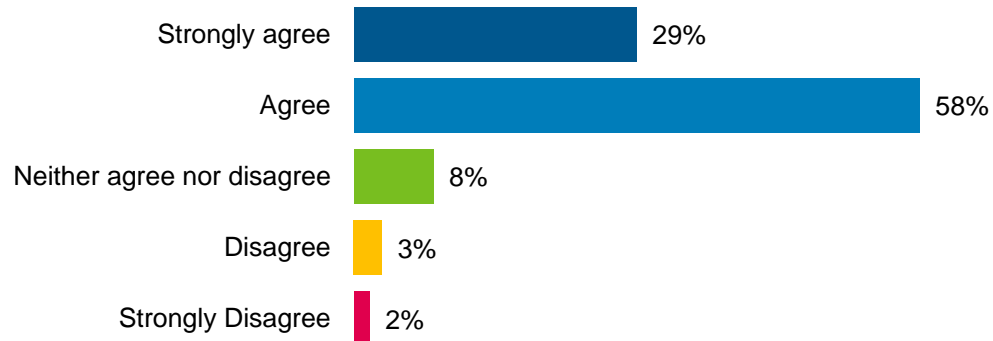
Appendix C: Detailed Response Summary

This section provides the full breakdown of all responses collected from the phone and online survey .

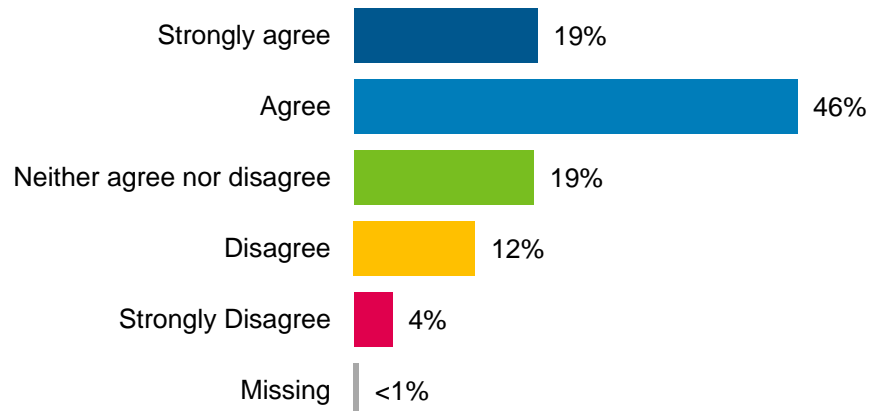
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Hamilton is a great place to live

Phone (n=550)



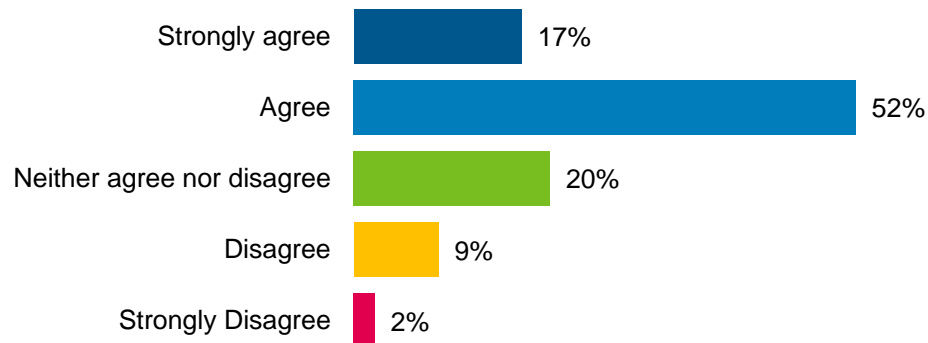
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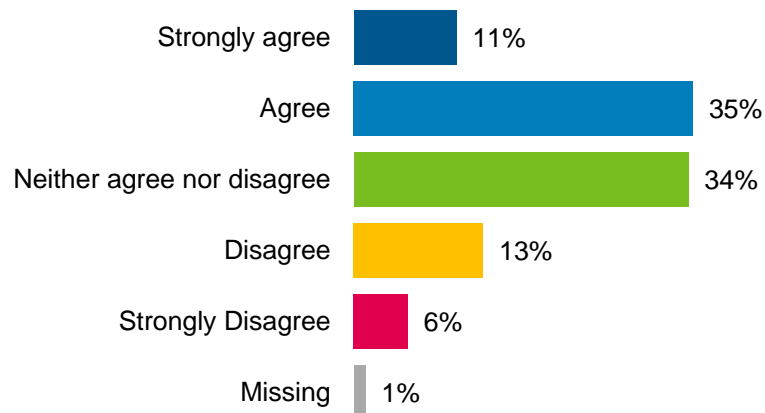
Our Citizen Survey 2018 Report

Hamilton is a great place to work

Phone (n=550)



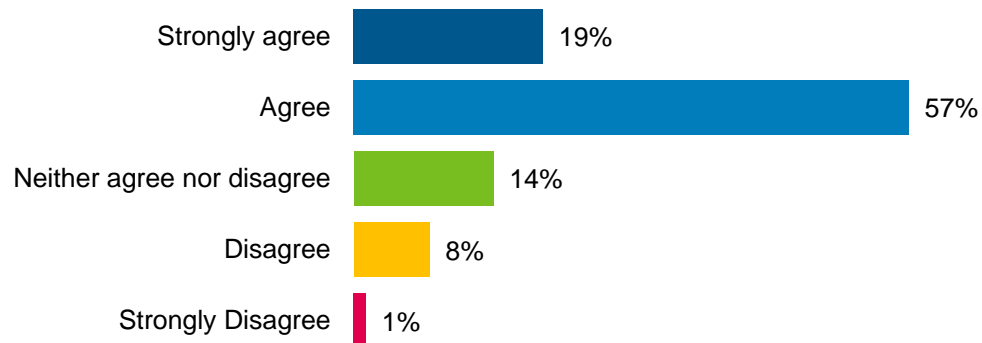
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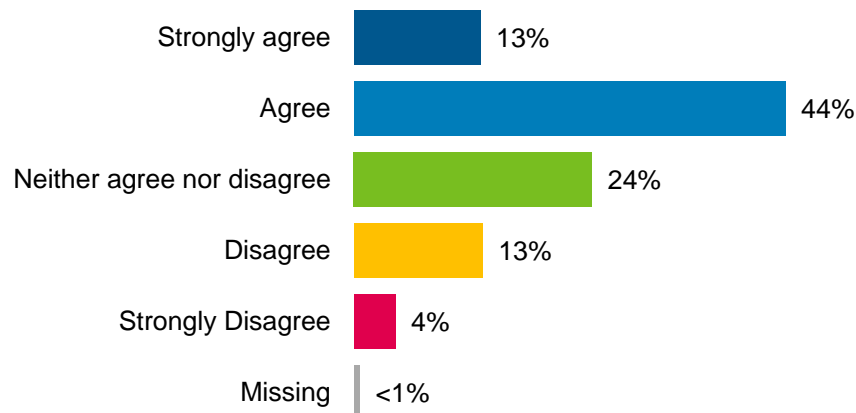
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Hamilton is a great place to play

Phone (n=550)



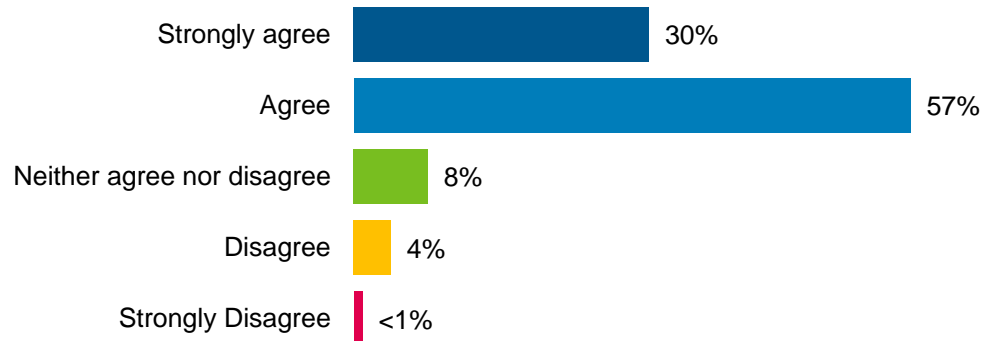
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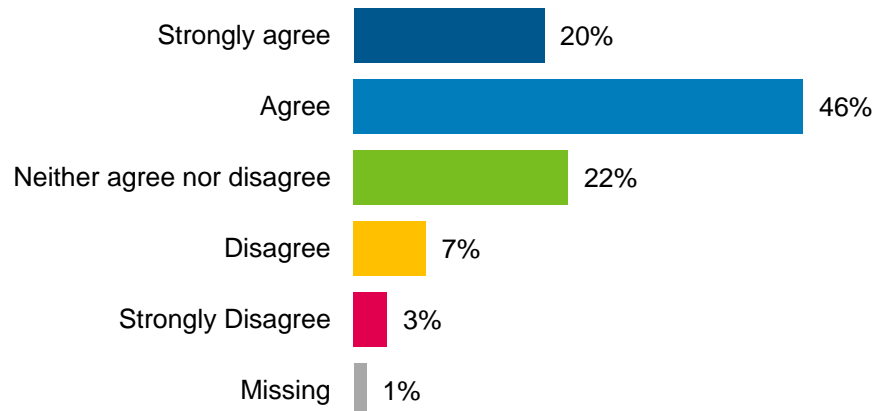
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Hamilton is a great place to learn

Phone (n=550)



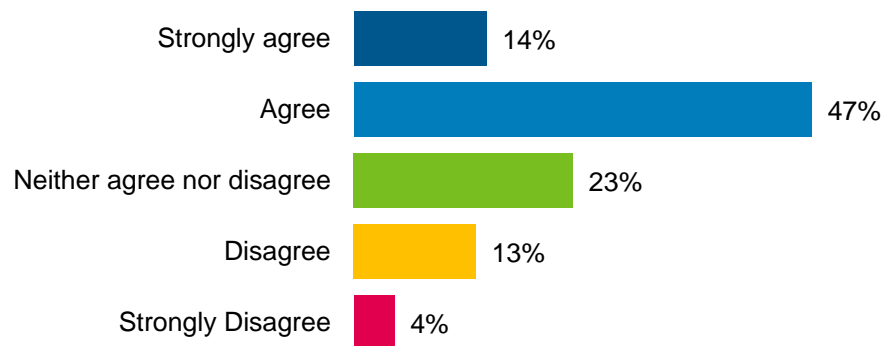
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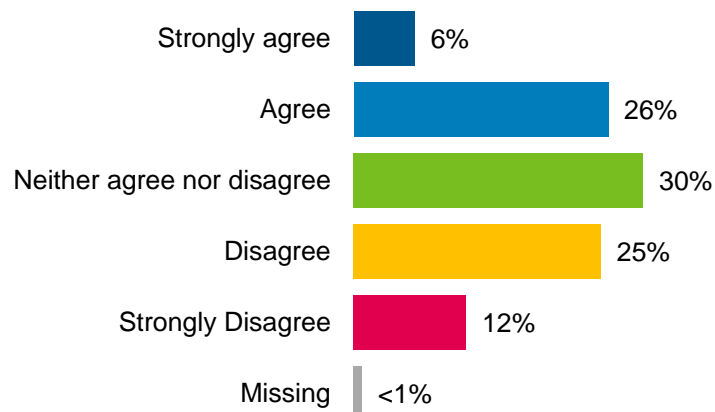
Our Citizen Survey 2018 Report

Hamilton is on the right track towards its vision of being “the best place to raise a child and age successfully”

Phone (n=550)



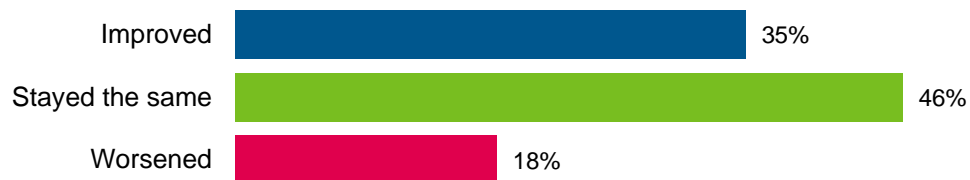
Online (n=1,307)



Our Citizen Survey 2018 Report

In the past two years, would you say the quality of life in the City of Hamilton has ...

Phone (n=550)



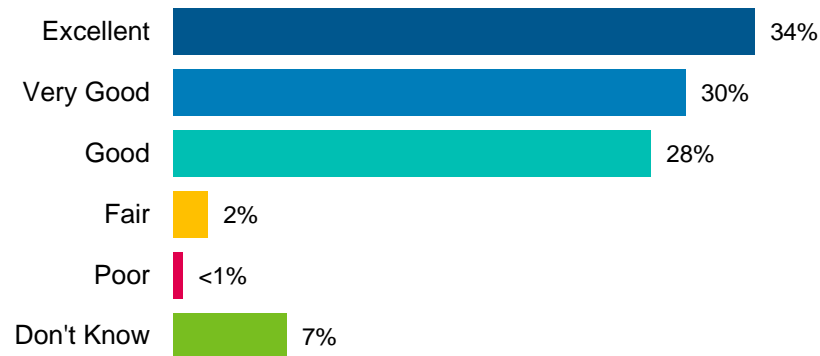
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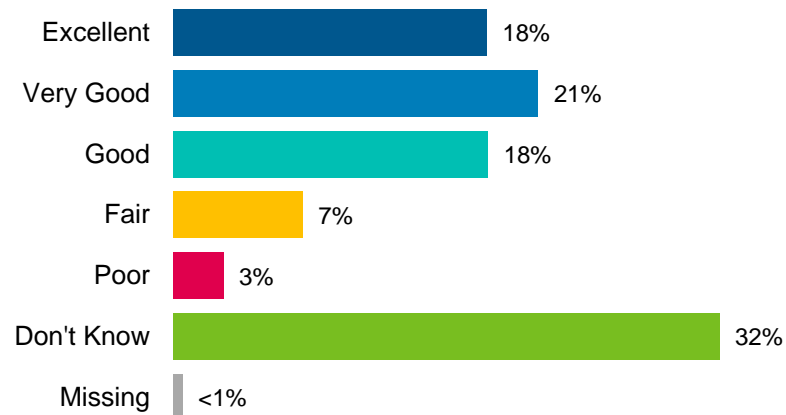
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Fire Department

Phone (n=550)



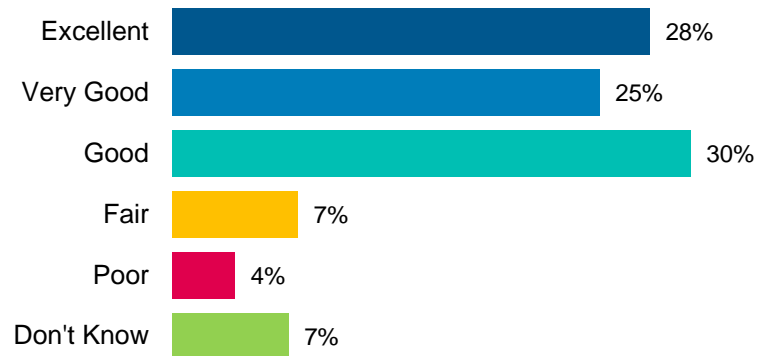
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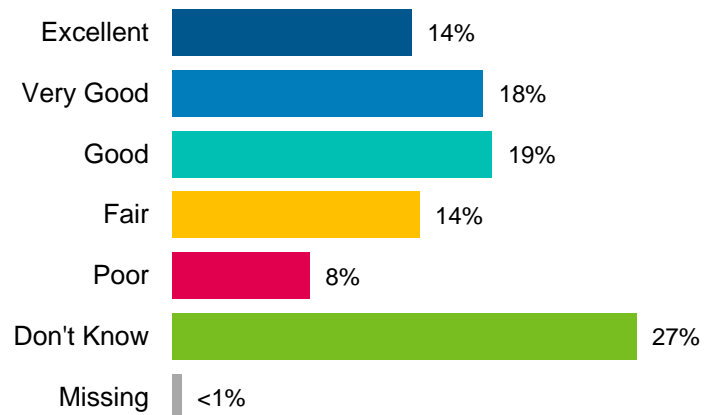
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Paramedic Services

Phone (n=550)



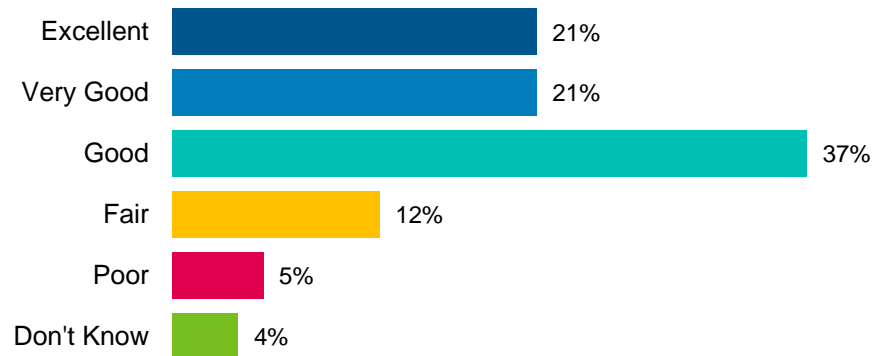
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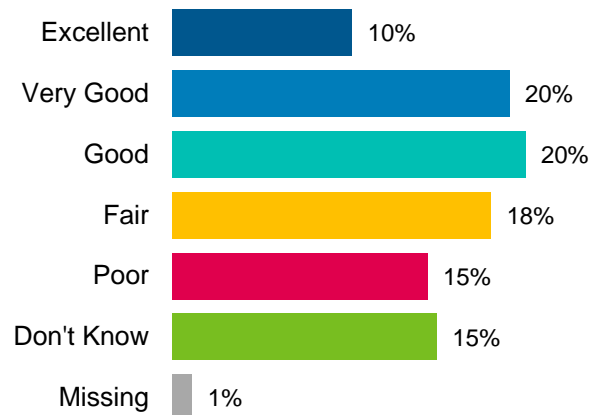
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Police Services

Phone (n=550)



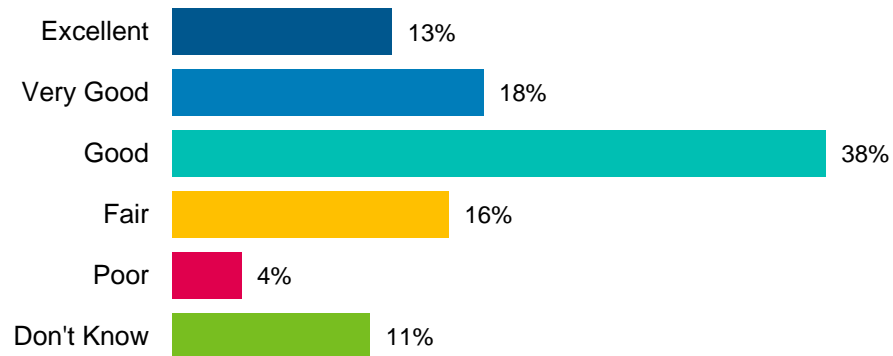
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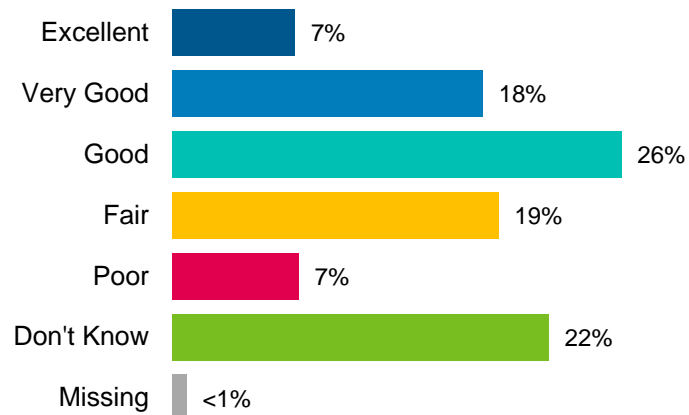
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Emergency Management

Phone (n=550)



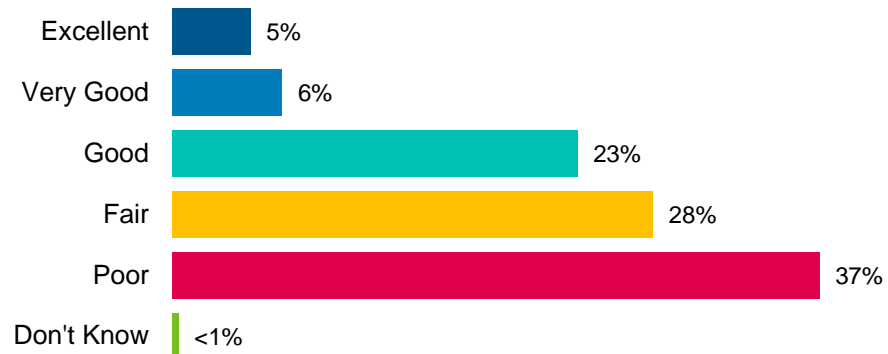
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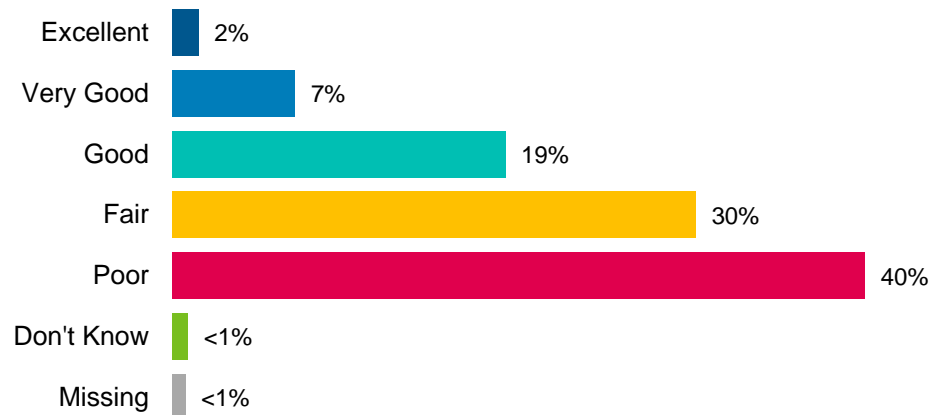
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Roads and Sidewalks

Phone (n=550)



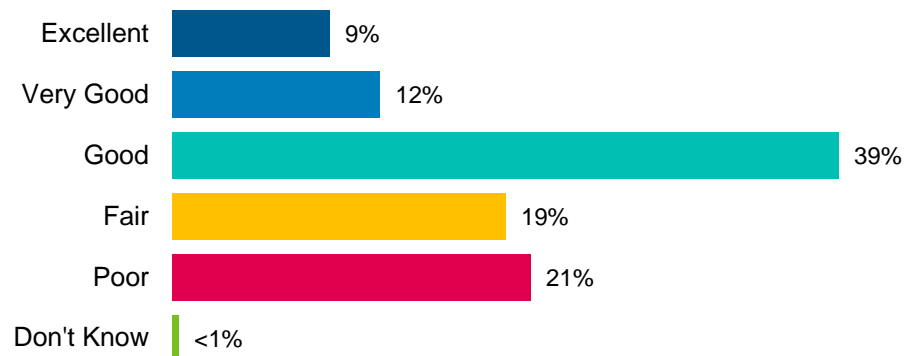
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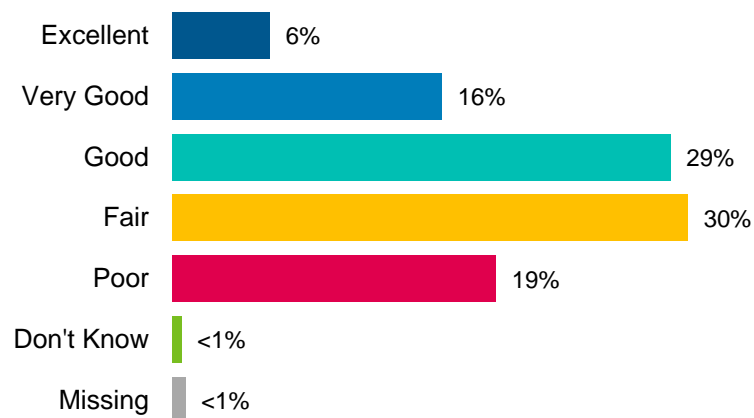
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Snow Plowing and Salting

Phone (n=550)



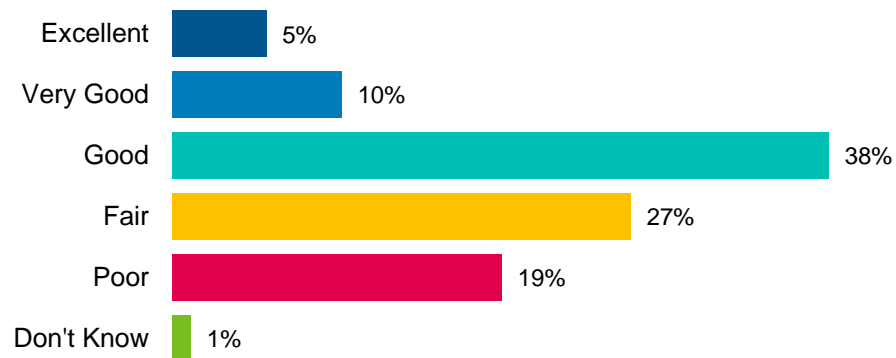
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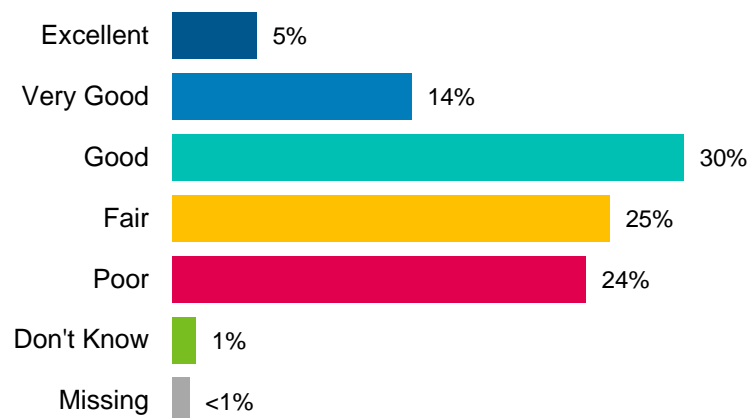
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Traffic Flow and Roadway Safety

Phone (n=550)



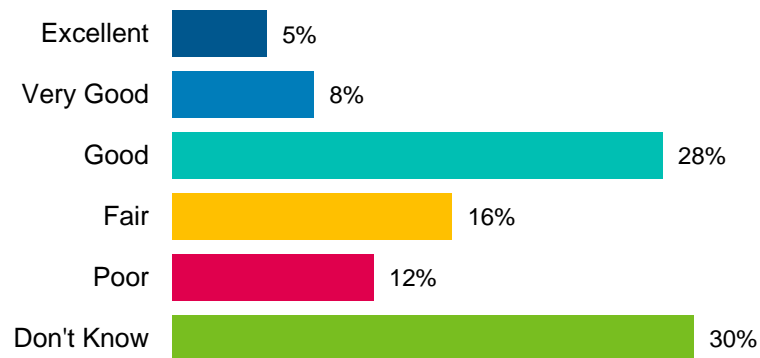
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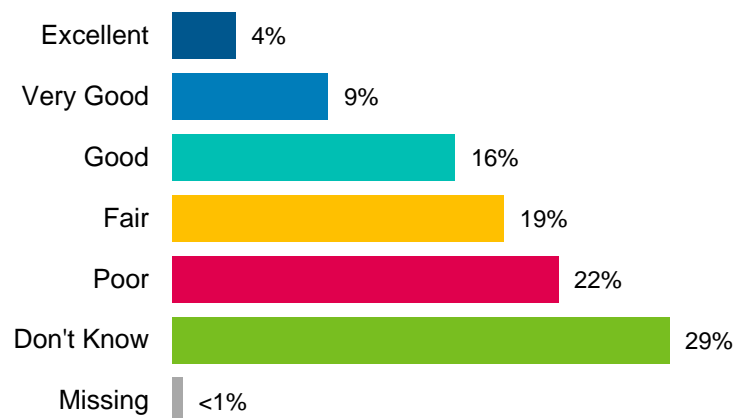
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Hamilton Street Railway (HSR) Buses

Phone (n=550)



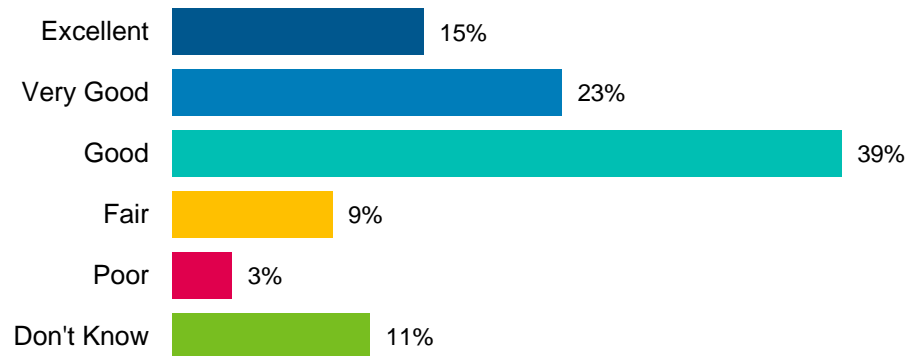
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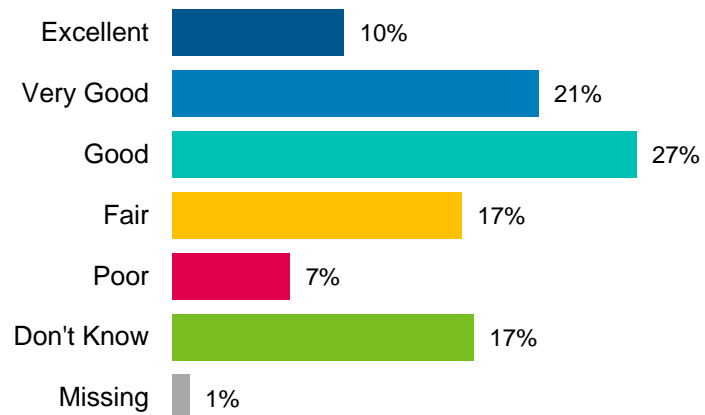
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Recreation

Phone (n=550)



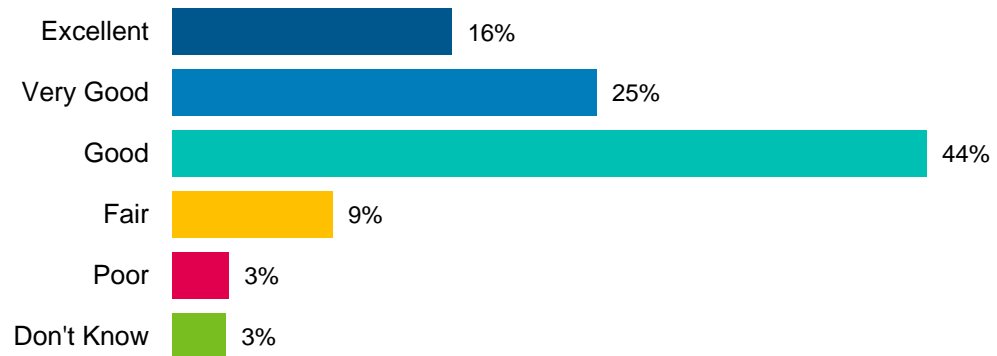
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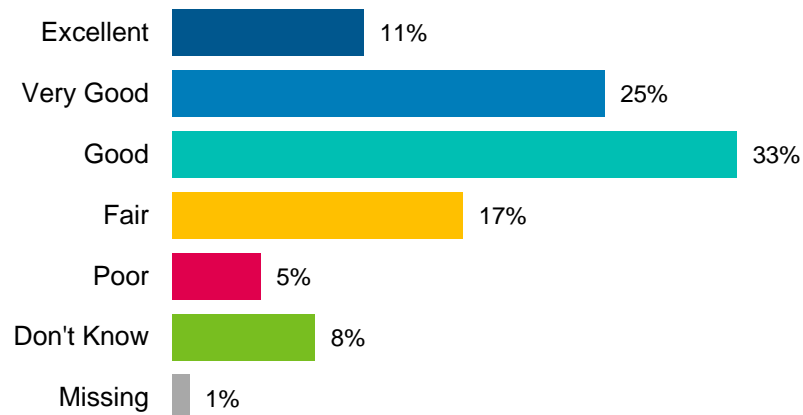
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Parks and Open Space

Phone (n=550)



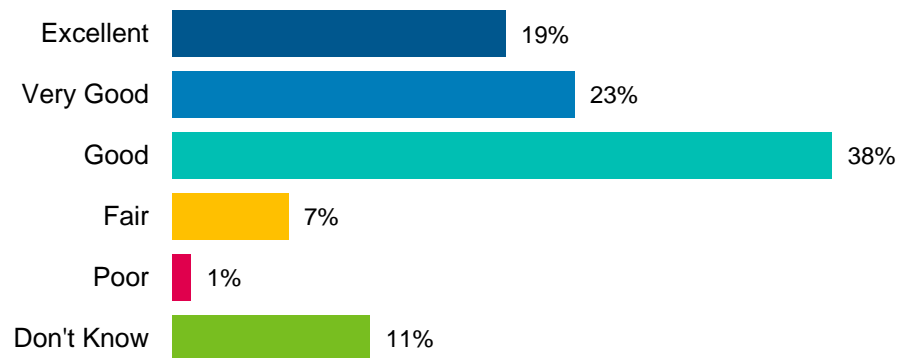
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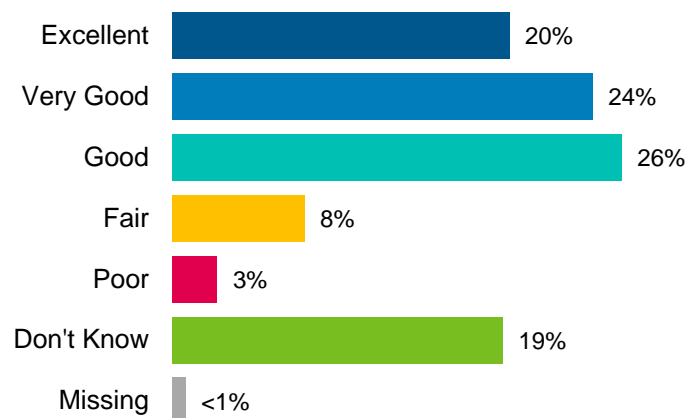
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Libraries and Bookmobiles

Phone (n=550)



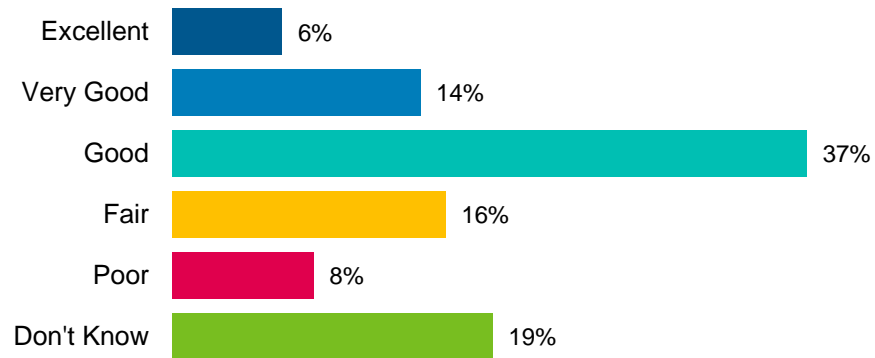
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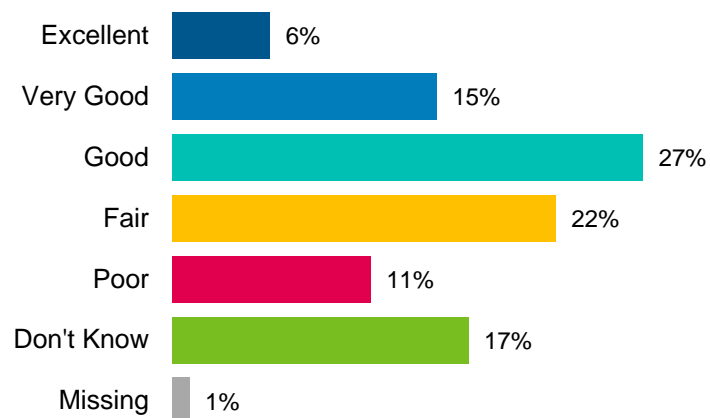
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Tourism

Phone (n=550)



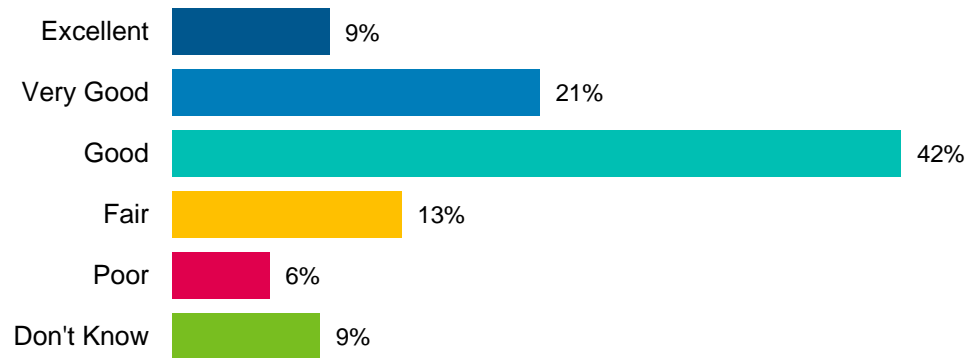
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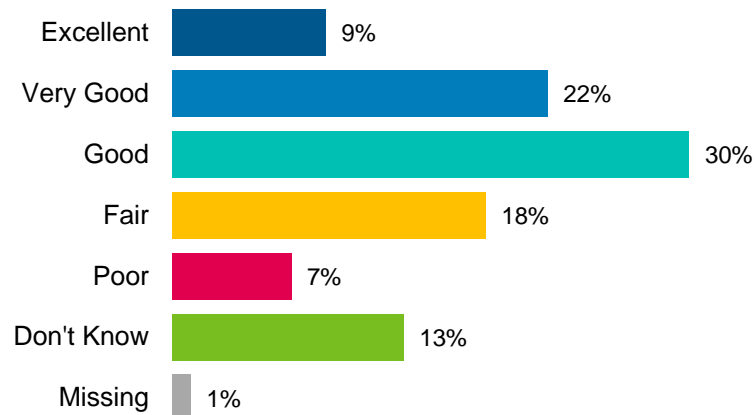
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Culture

Phone (n=550)



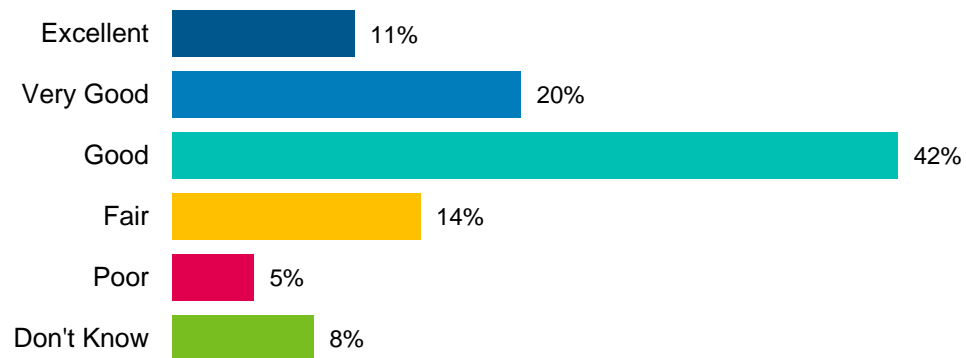
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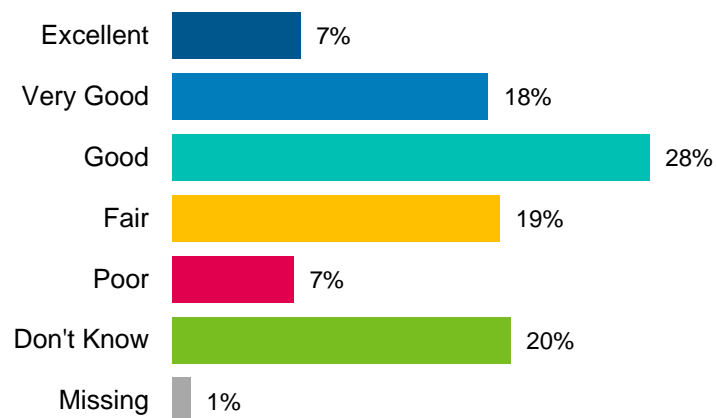
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Public Health

Phone (n=550)



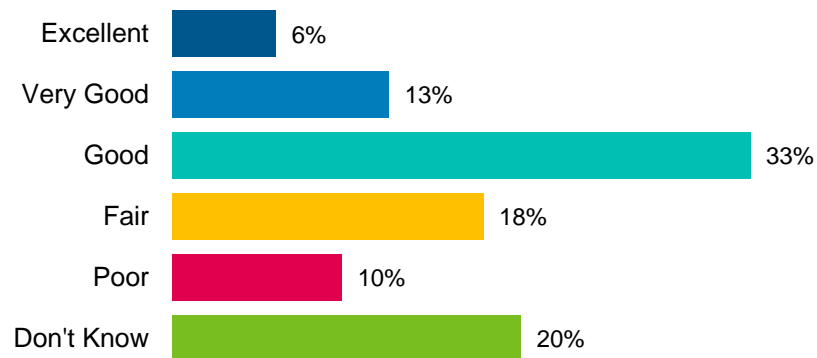
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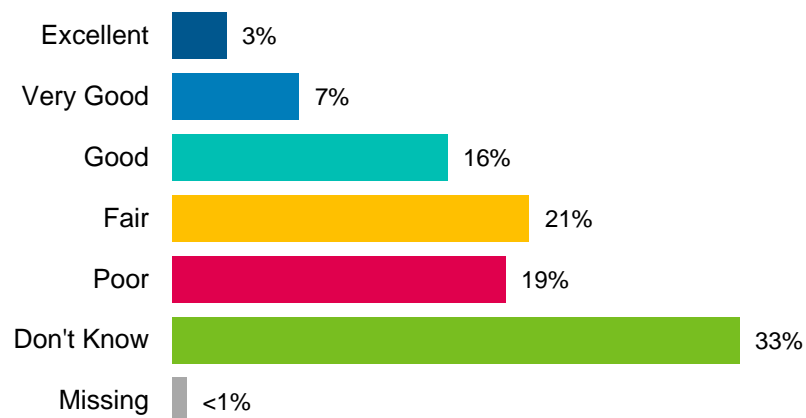
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Social Services

Phone (n=550)



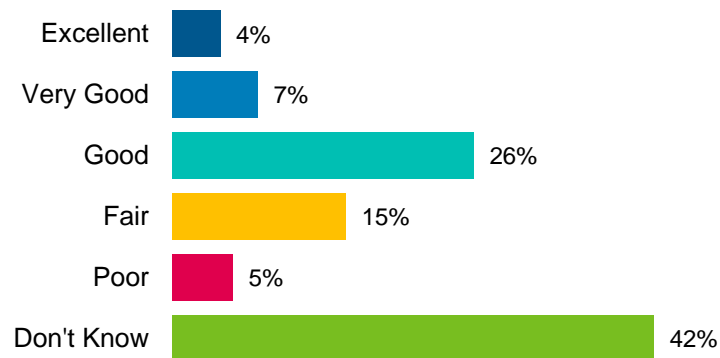
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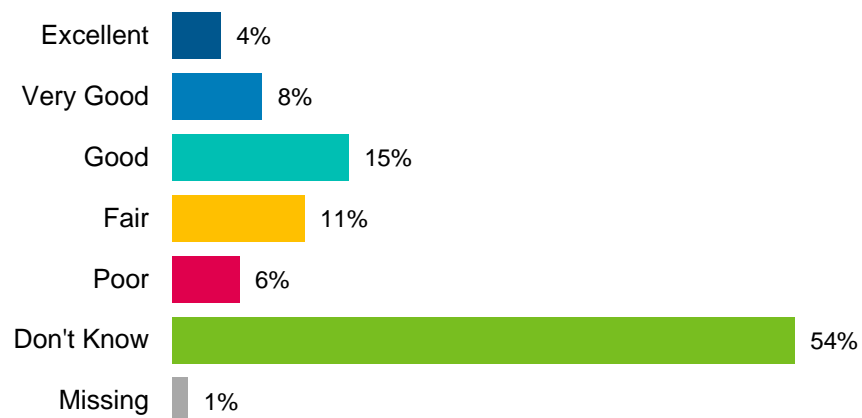
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Child Care Services

Phone (n=550)



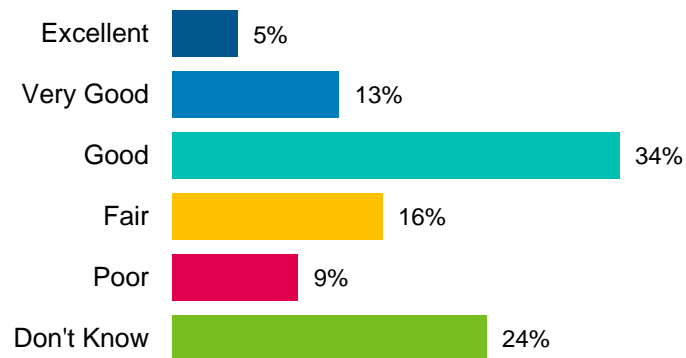
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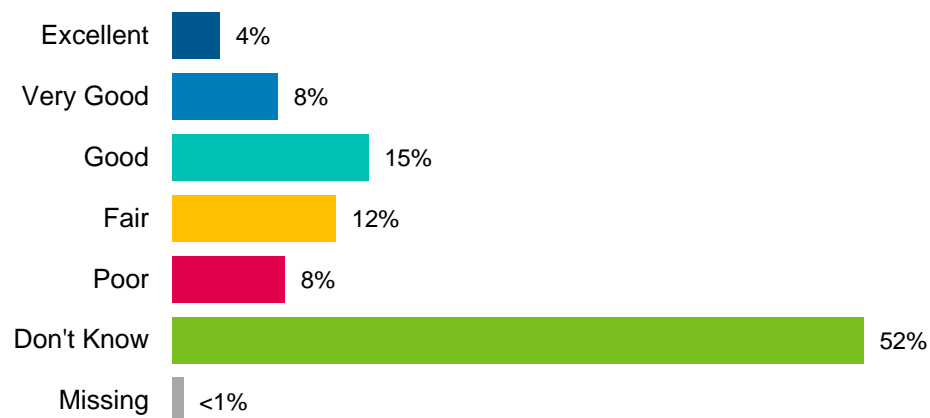
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Services for Seniors

Phone (n=550)



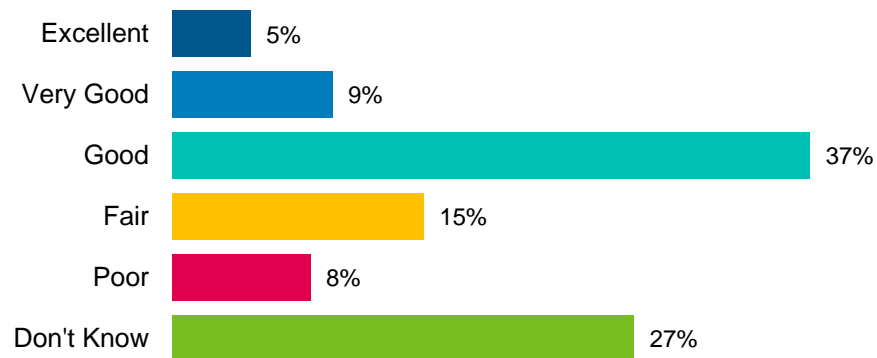
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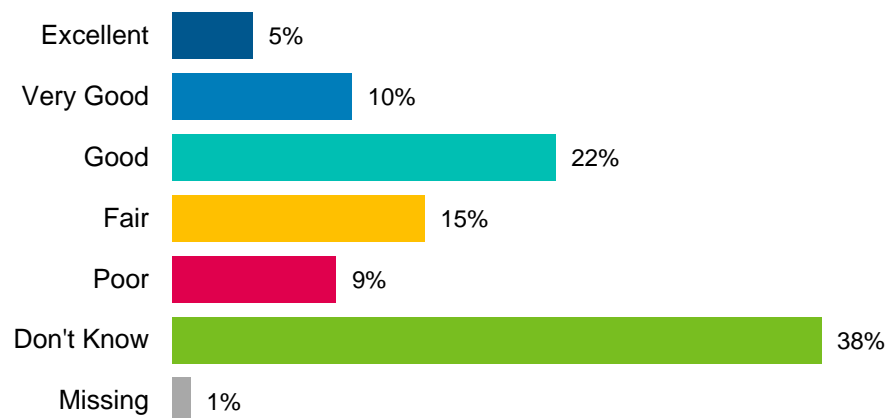
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Legislative Services and Records Information

Phone (n=550)



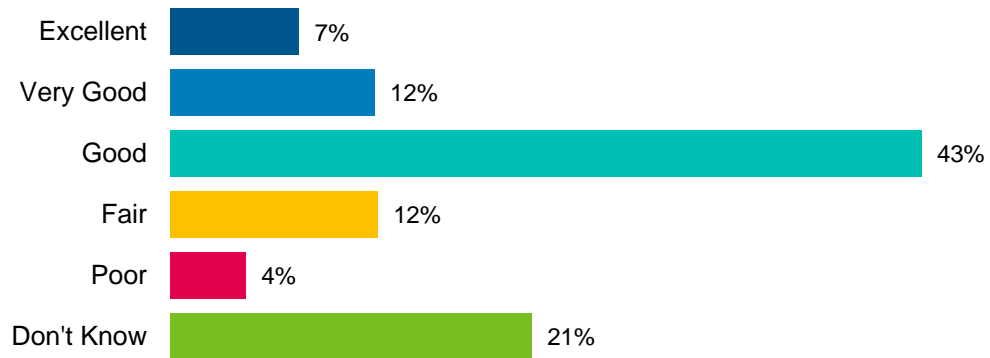
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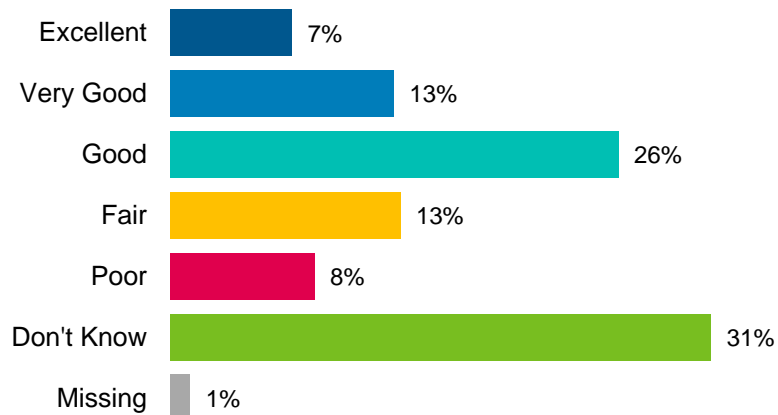
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Animal Services

Online (n=550)



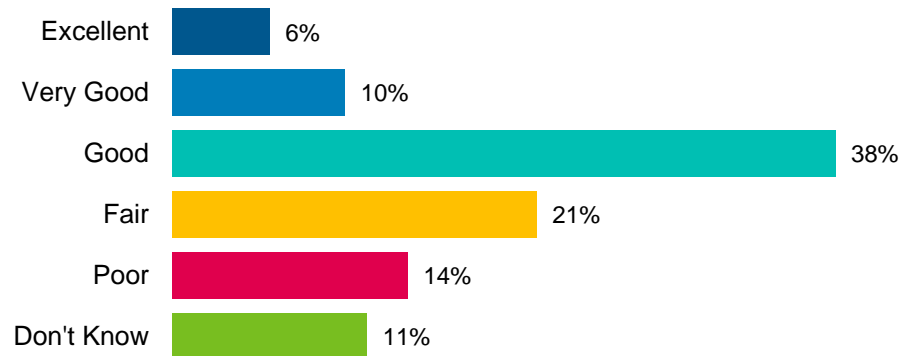
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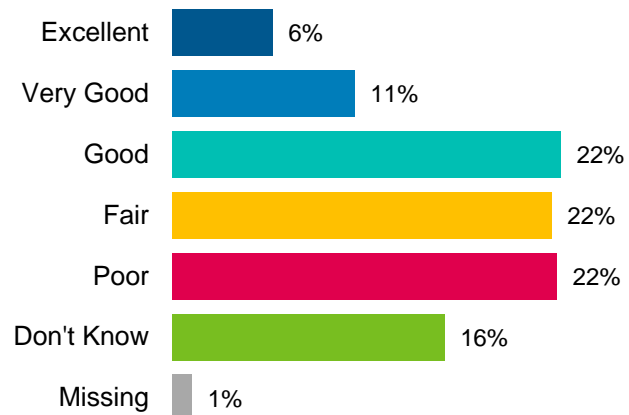
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By-law Enforcement

Phone (n=550)



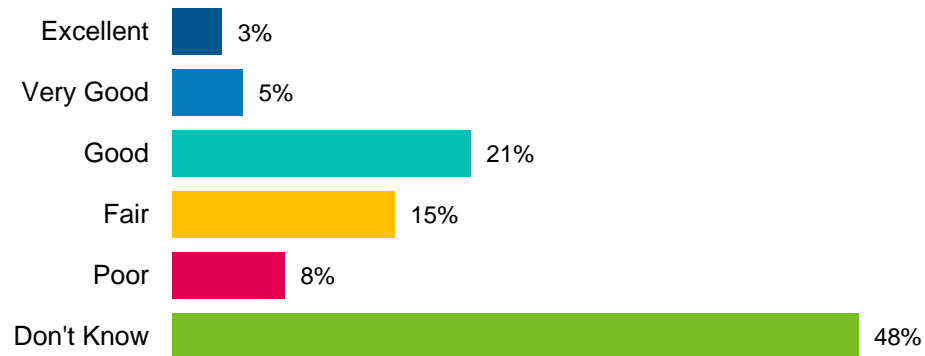
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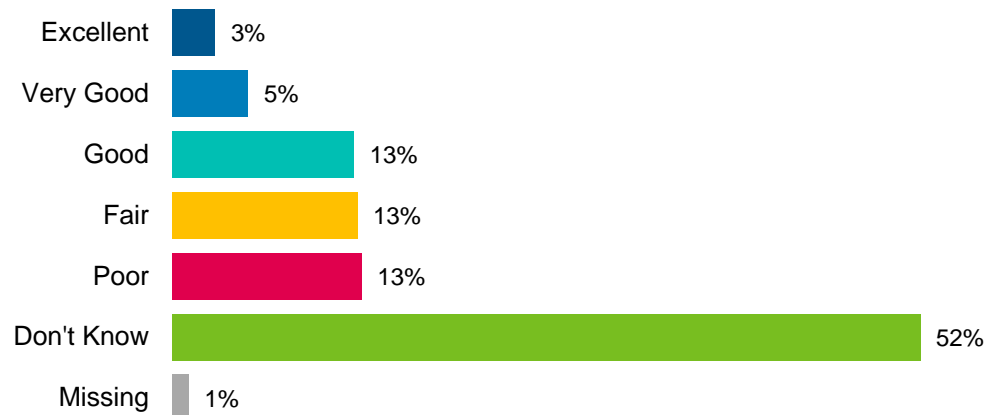
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Building Permits

Phone (n=550)



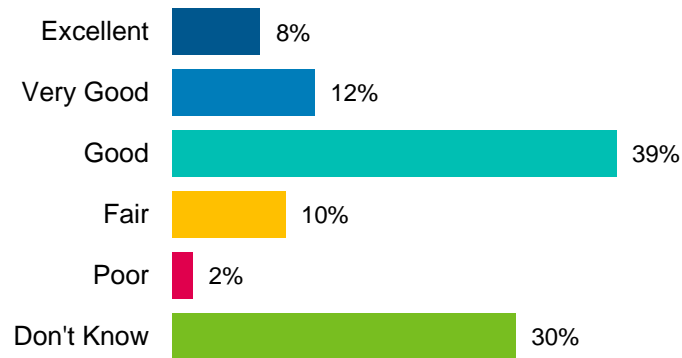
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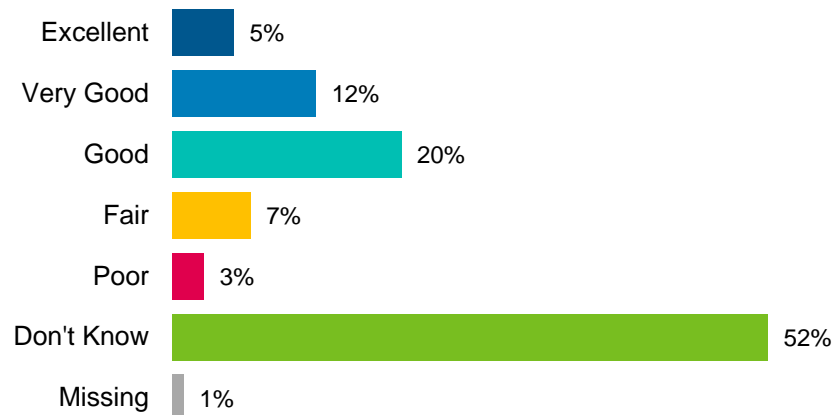
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Cemetery

Phone (n=550)



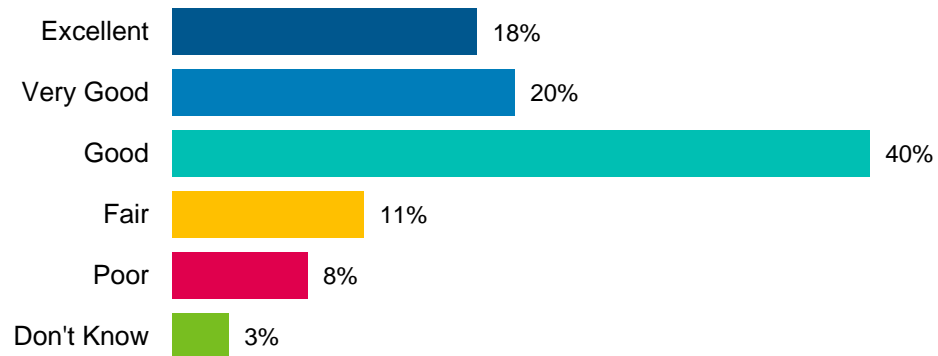
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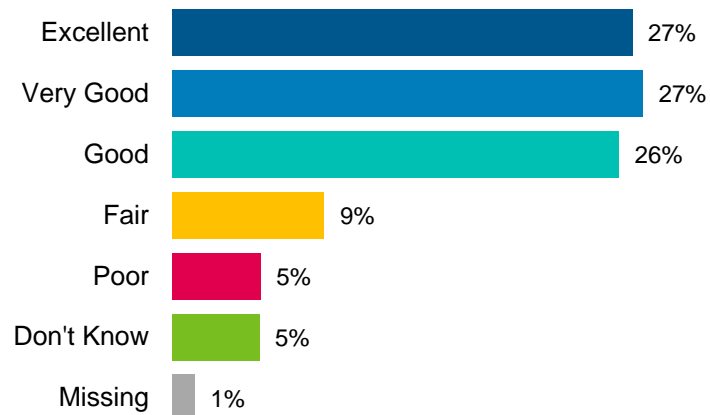
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Drinking Water

Phone (n=550)



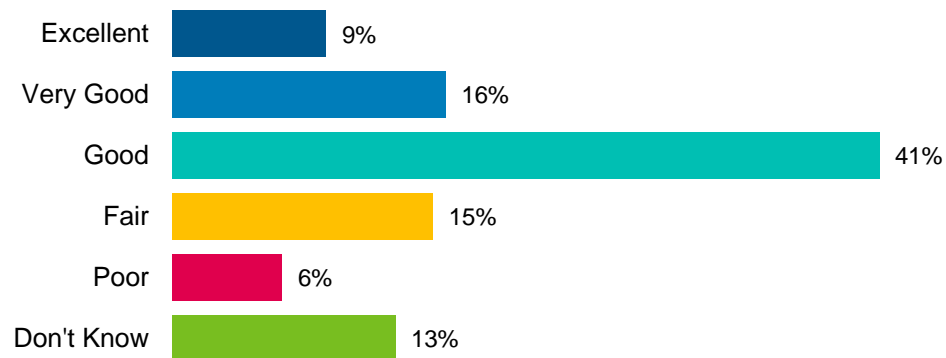
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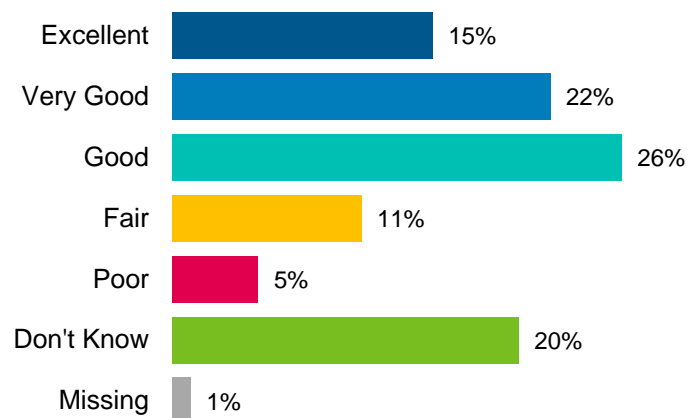
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Waste Water Management

Phone (n=550)



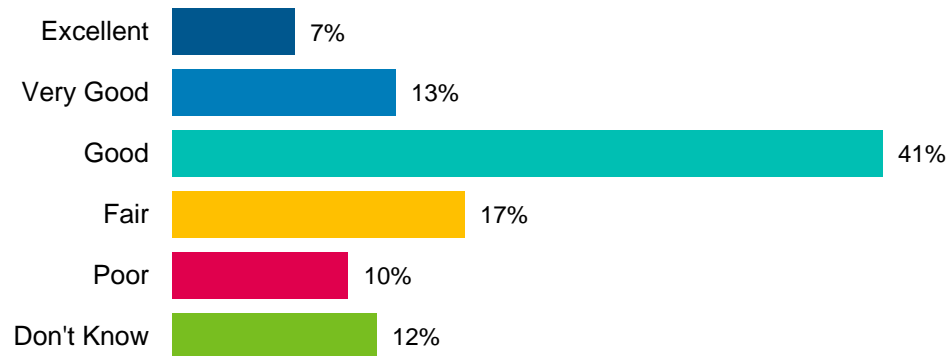
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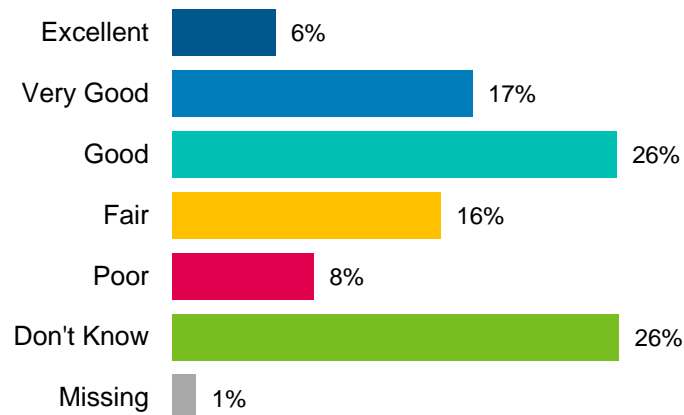
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Storm Water Management

Phone (n=550)



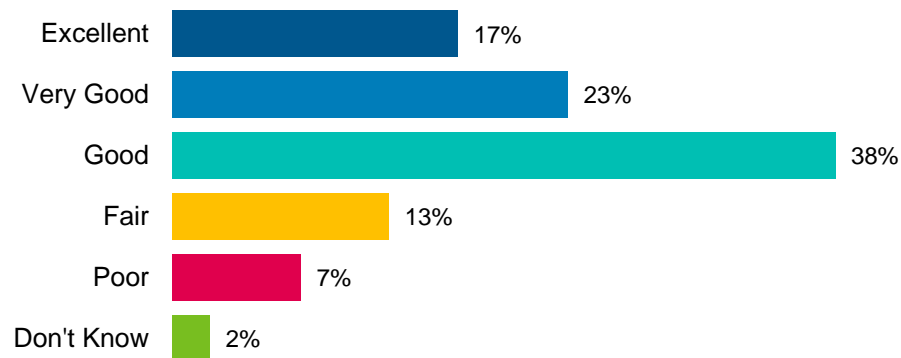
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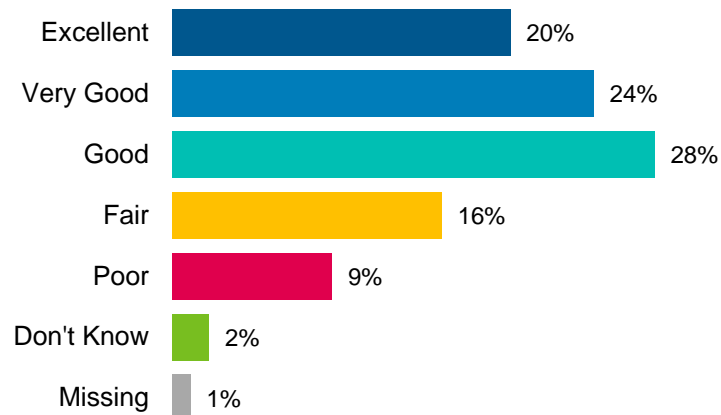
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Waste Management

Phone (n=550)



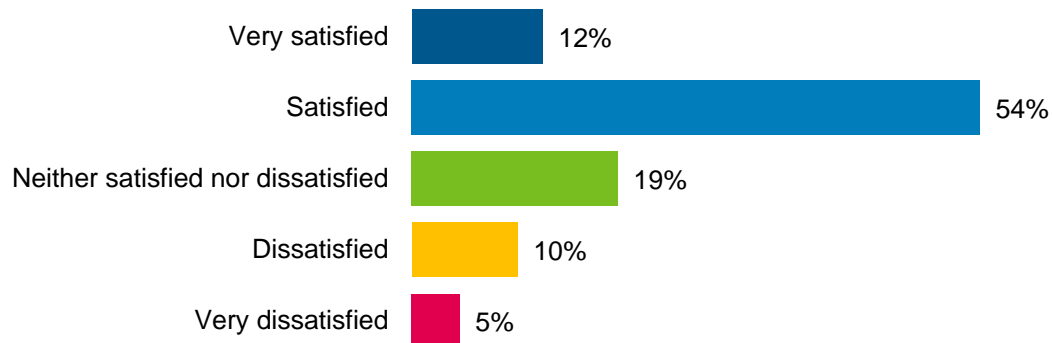
Online (n=1,307)



Our Citizen Survey 2018 Report

Overall, how satisfied are you with the services provided by the City of Hamilton?

Phone (n=550)



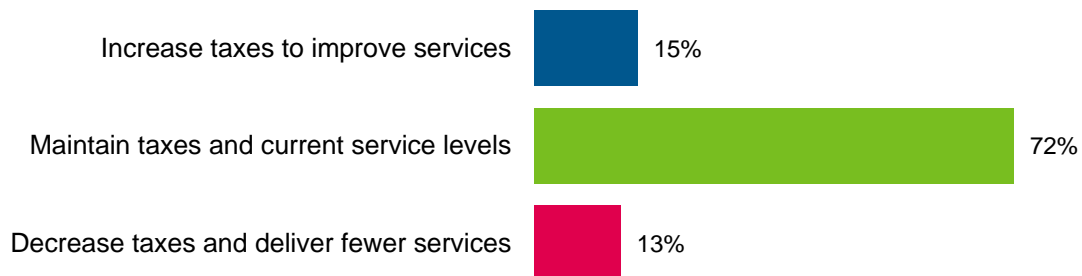
Online (n=1,307)



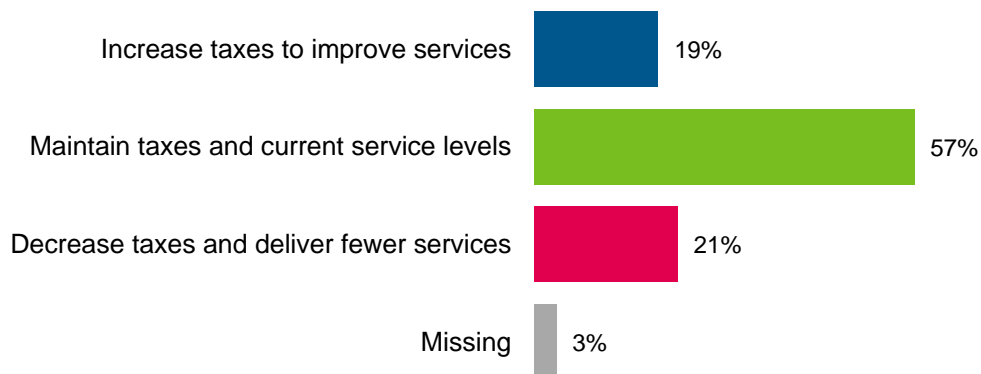
Our Citizen Survey 2018 Report

In delivering services to you and the community, the City typically pays for them through taxes or user fees. Based on this, do you think the City should:

Phone (n=550)



Online (n=1,307)

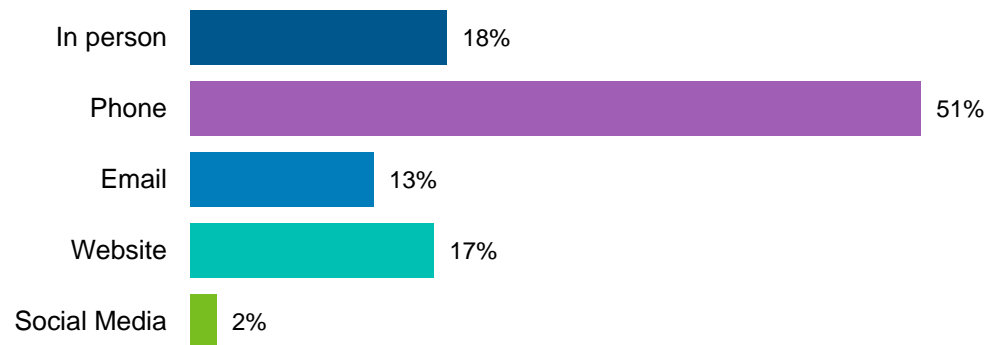


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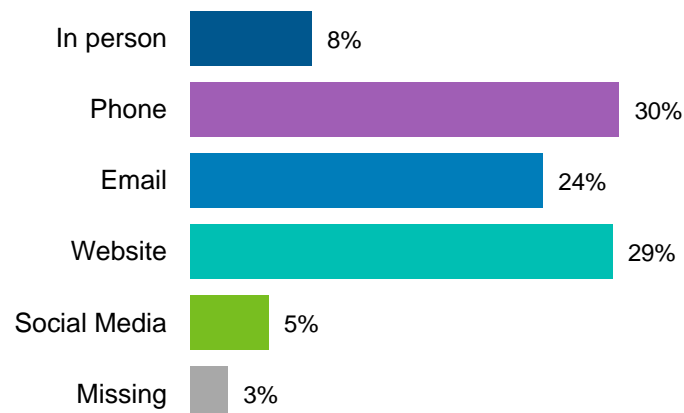
What is your preferred way of conducting each of the following types of interactions with the City of Hamilton?

– Asking questions or getting information

Phone (n=550)



Online (n=1,307)

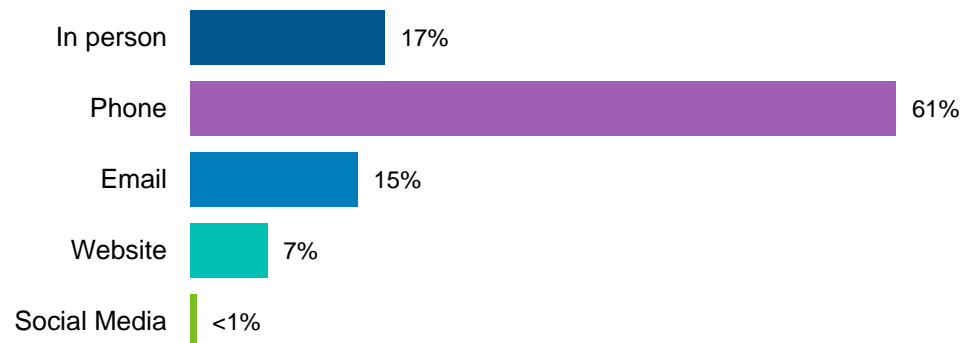


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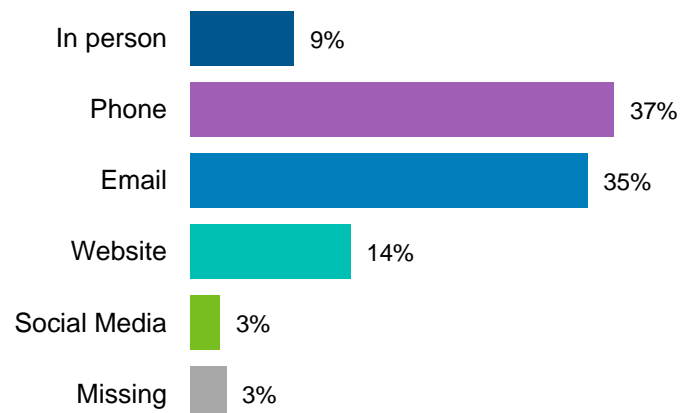
What is your preferred way of conducting each of the following types of interactions with the City of Hamilton?

– Making a complaint

Phone (n=550)



Online (n=1,307)

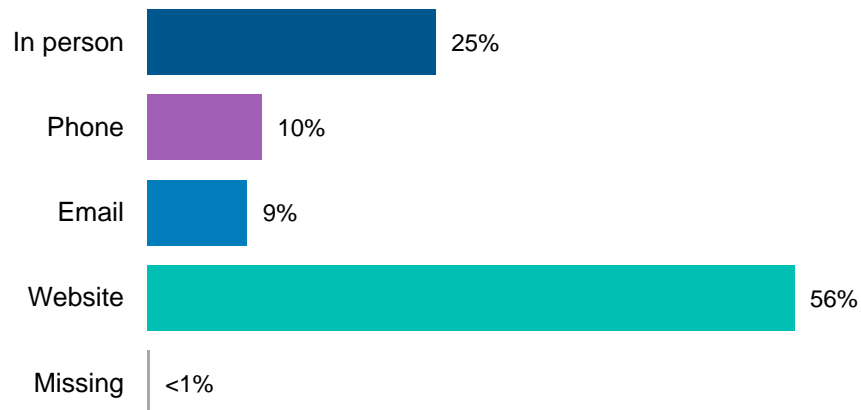


Our Citizen Survey 2018 Report

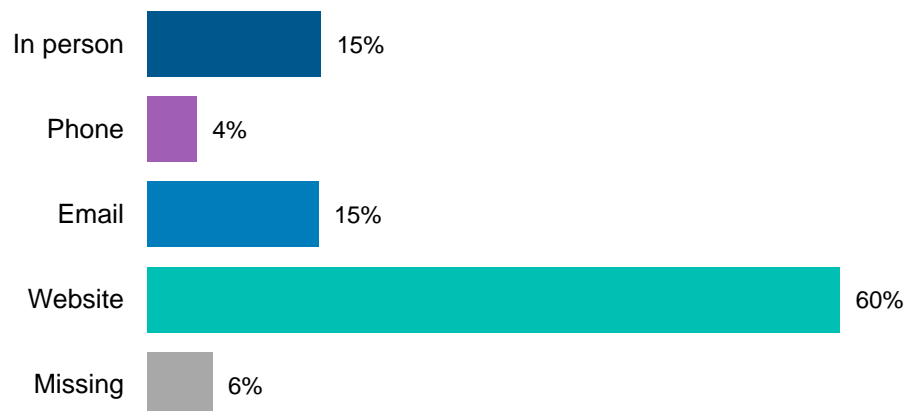
What is your preferred way of conducting each of the following types of interactions with the City of Hamilton?

– Paying property taxes

Phone (n=543)



Online (n=1,307)

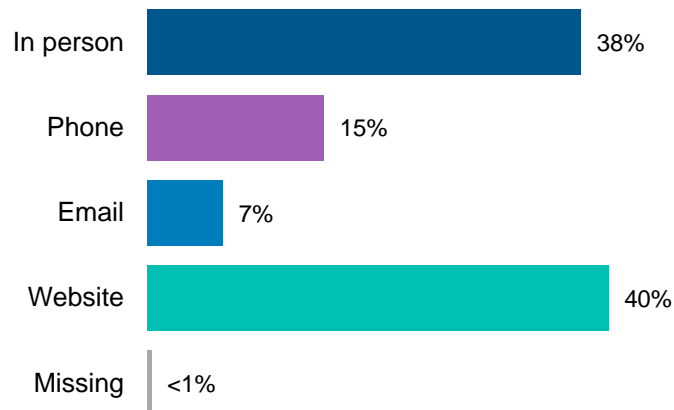


Our Citizen Survey 2018 Report

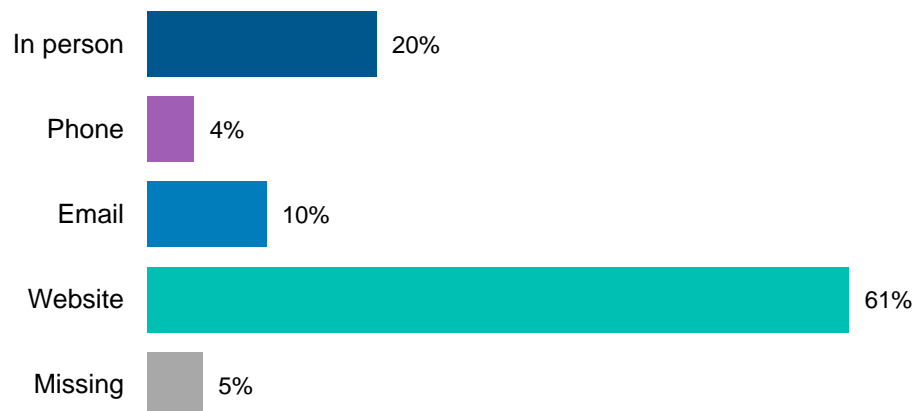
What is your preferred way of conducting each of the following types of interactions with the City of Hamilton?

– Registering/paying for recreation programs

Phone (n=547)



Online (n=1,307)

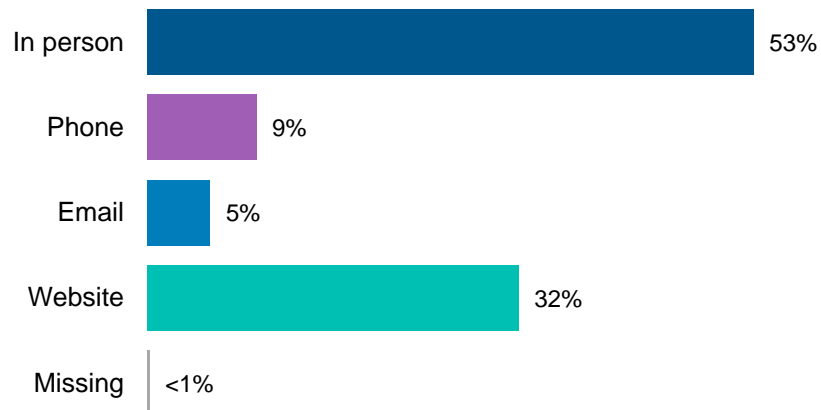


Our Citizen Survey 2018 Report

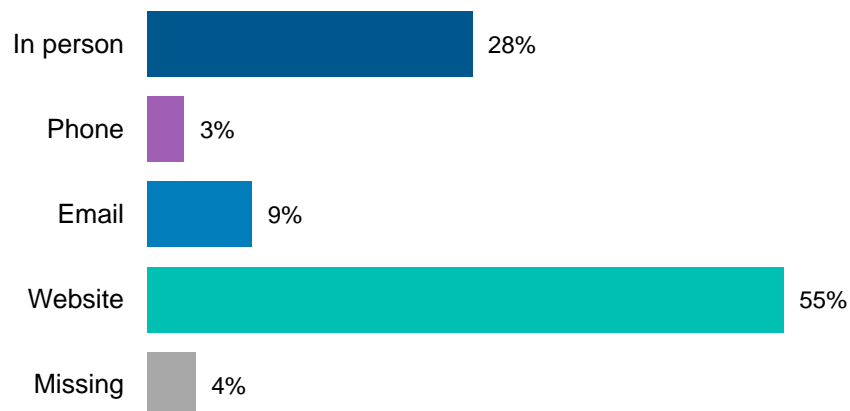
What is your preferred way of conducting each of the following types of interactions with the City of Hamilton?

– Applying for licenses and permits

Phone (n=549)



Online (n=1,307)

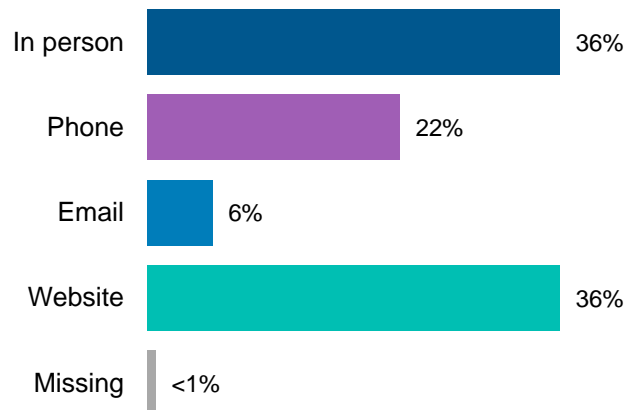


Our Citizen Survey 2018 Report

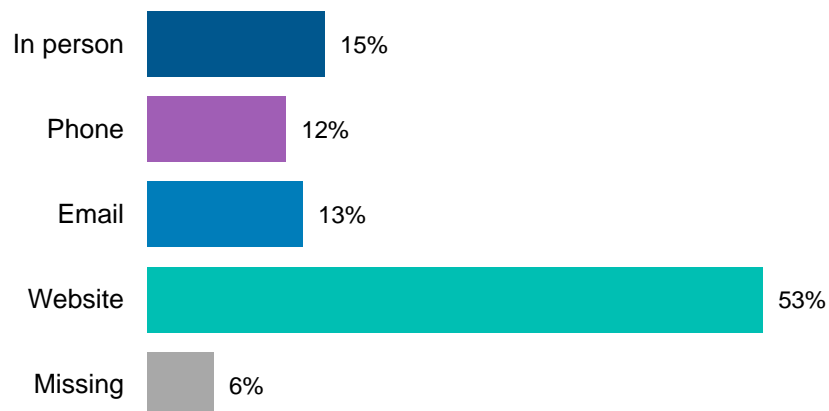
What is your preferred way of conducting each of the following types of interactions with the City of Hamilton?

– Booking/renting City facilities or parks

Phone (n=547)



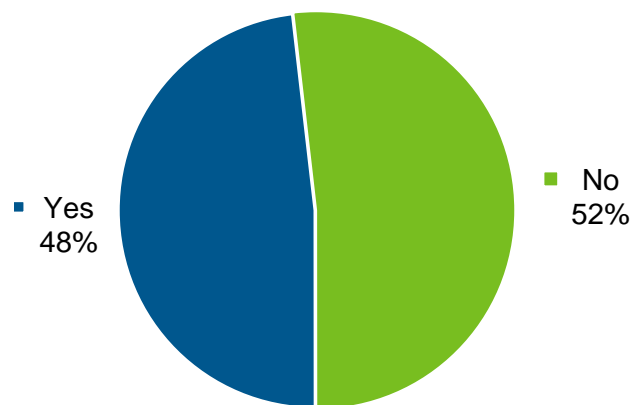
Online (n=1,307)



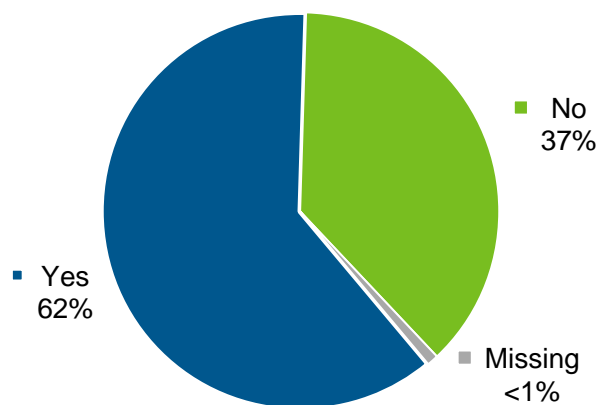
Our Citizen Survey 2018 Report

In the past year, have you contacted the City of Hamilton for information or to conduct any service transactions?

Phone (n=550)



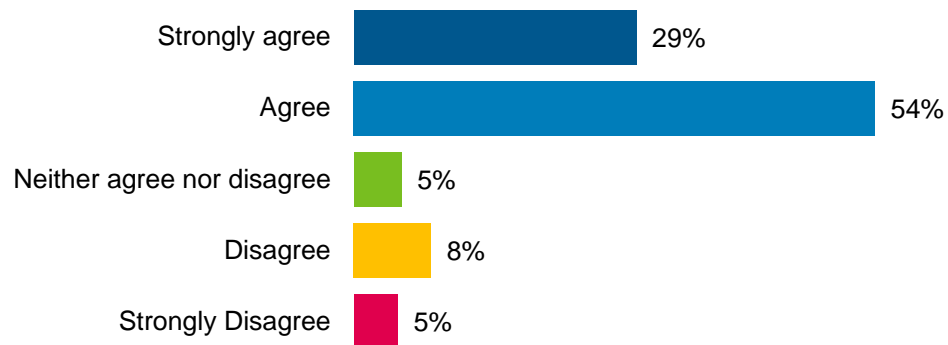
Online (n=1,307)



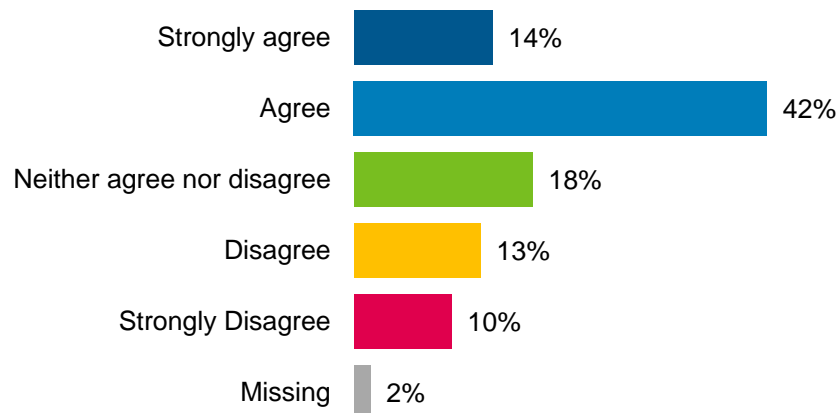
Our Citizen Survey 2018 Report

Overall, my experience contacting the City of Hamilton was positive.

Phone (n=265)



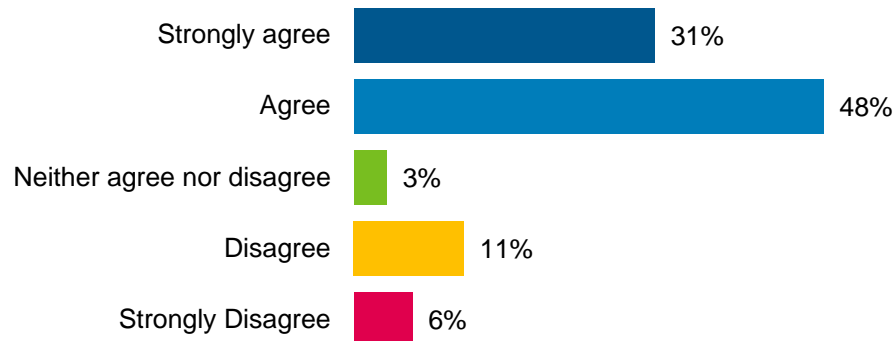
Online (n=805)



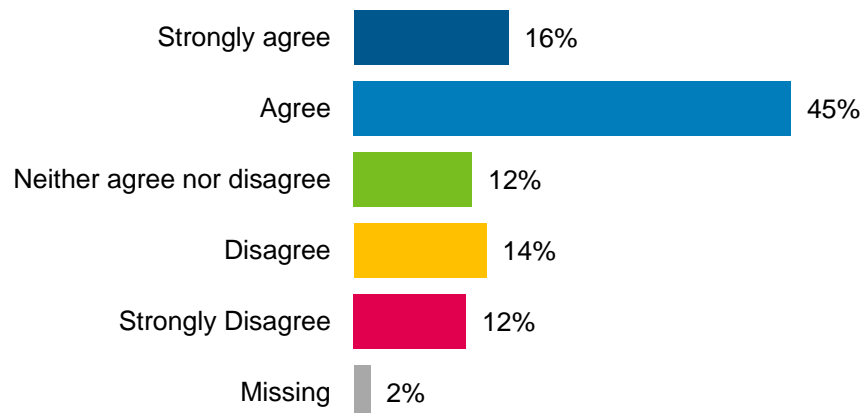
Our Citizen Survey 2018 Report

I received a response in a timely manner.

Phone (n=265)



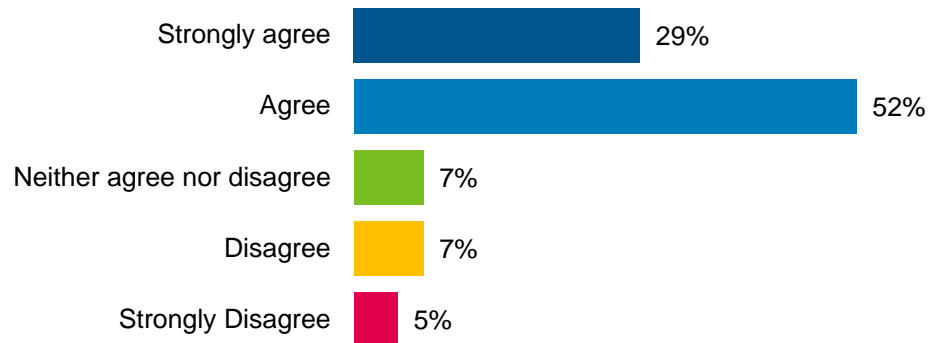
Online (n=805)



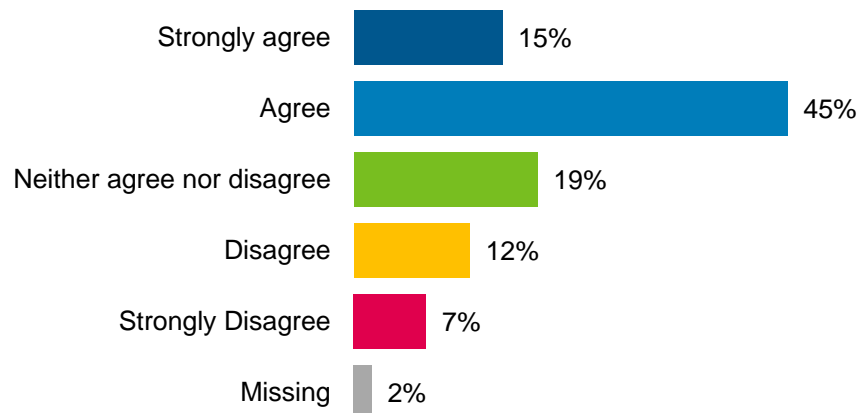
Our Citizen Survey 2018 Report

Staff were knowledgeable.

Phone (n=265)



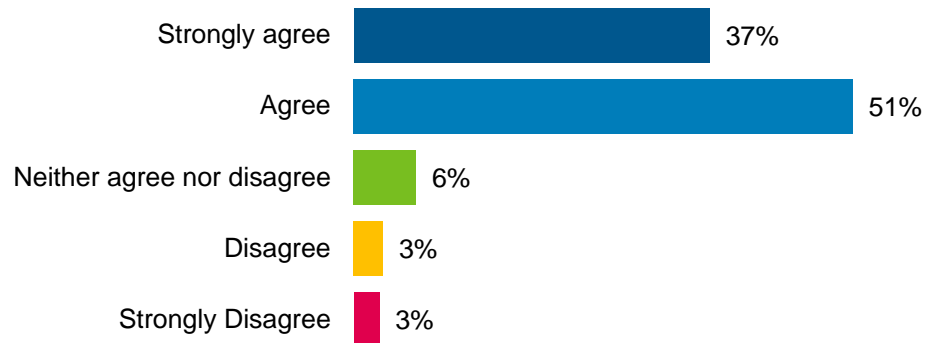
Online (n=805)



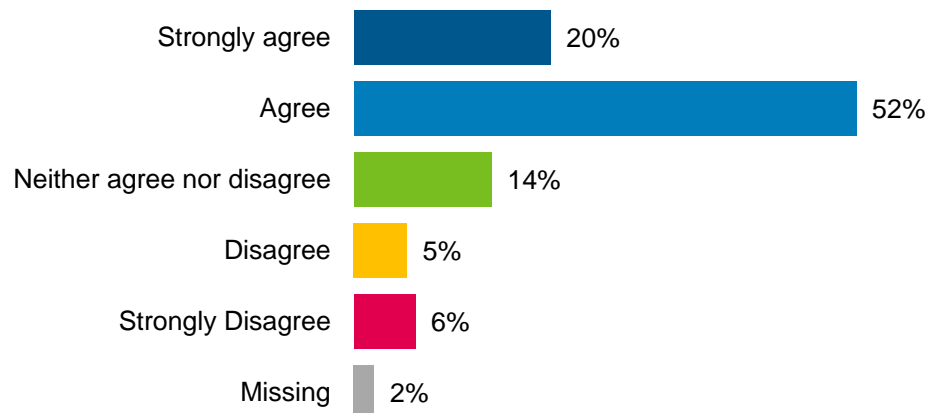
Our Citizen Survey 2018 Report

Staff were courteous.

Phone (n=265)



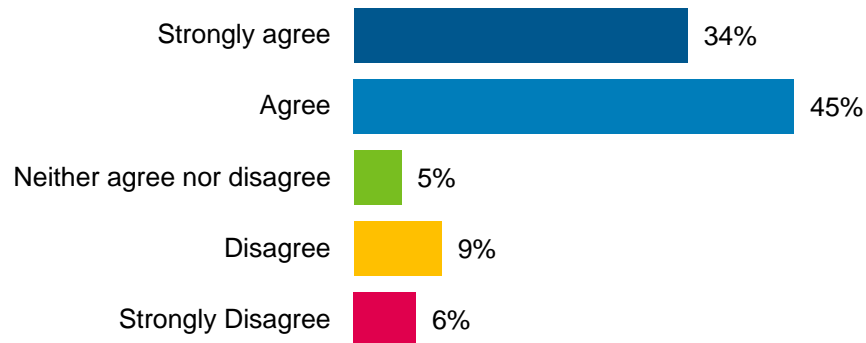
Online (n=805)



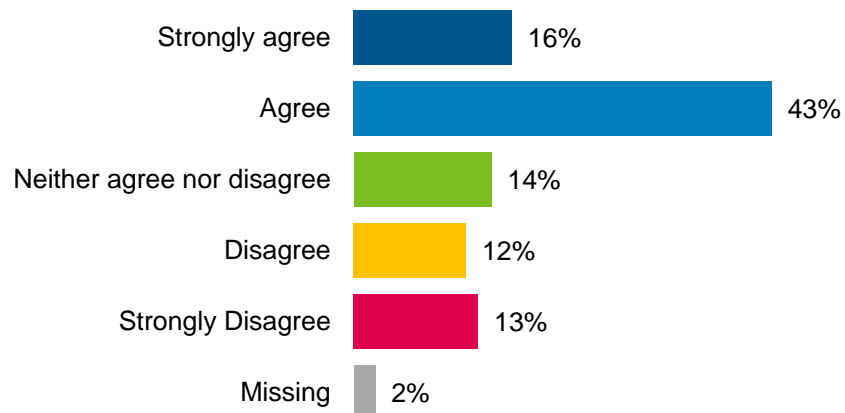
Our Citizen Survey 2018 Report

I received the service I needed or my question was answered

Phone (n=265)



Online (n=805)

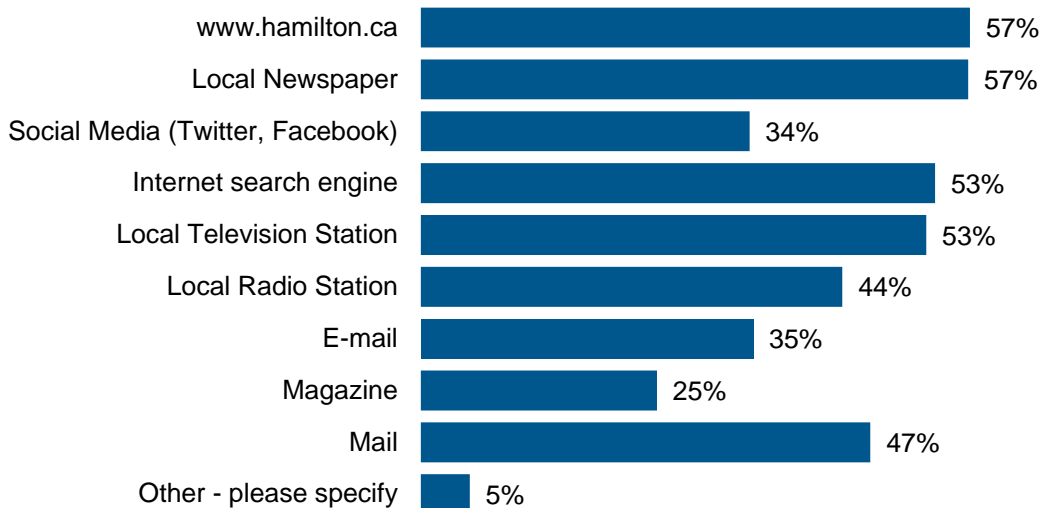


Our Citizen Survey 2018 Report

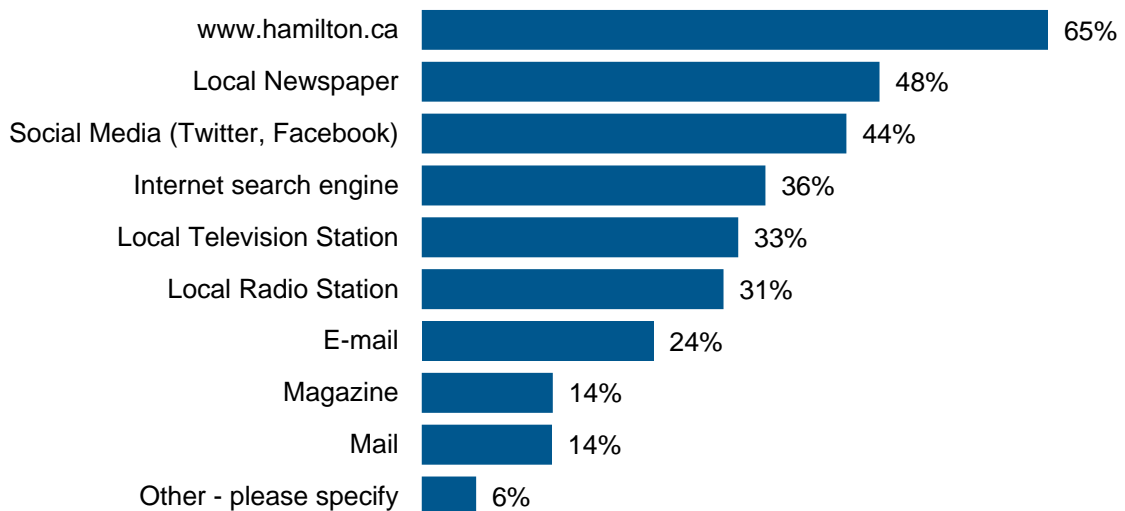
How do you like to get information about the City of Hamilton's programs initiatives, news and events?

* Totals do not add up to 100% because question is a multi-select question where respondents were prompted to select all responses that apply.

Phone (n=550)



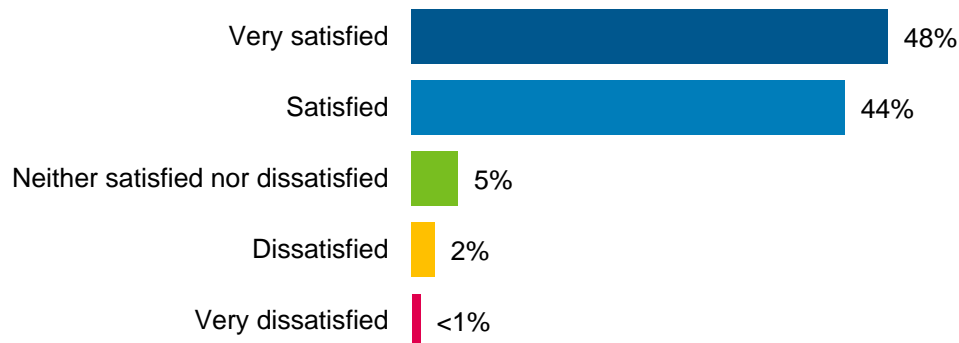
Online (n=1307)



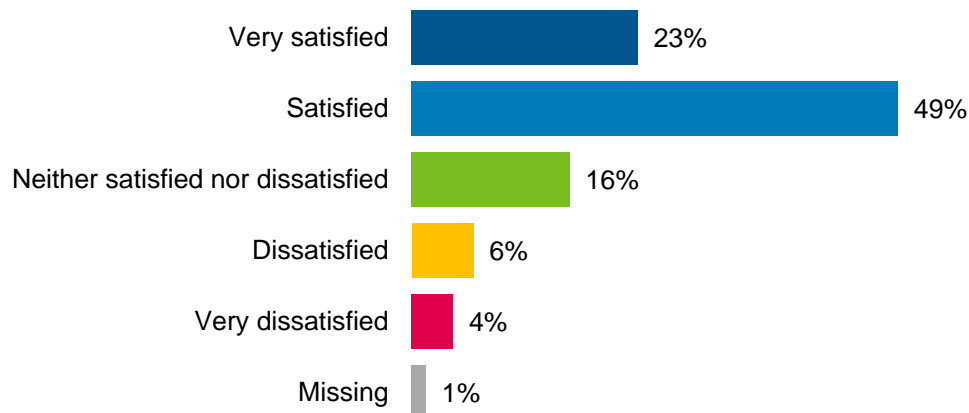
Our Citizen Survey 2018 Report

Overall, how satisfied are you with your life these days?

Phone (n=550)



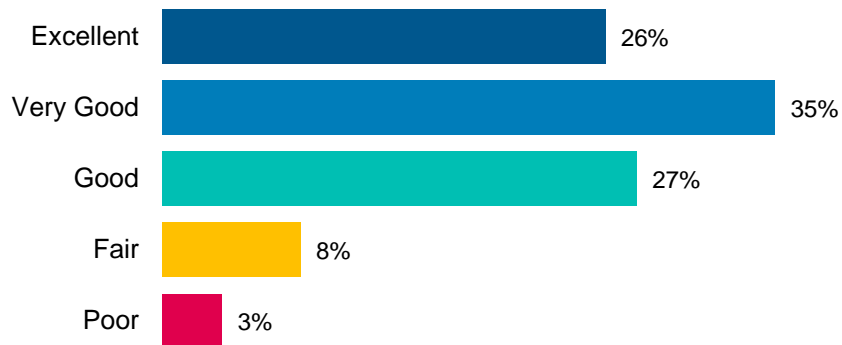
Online (n=1,307)



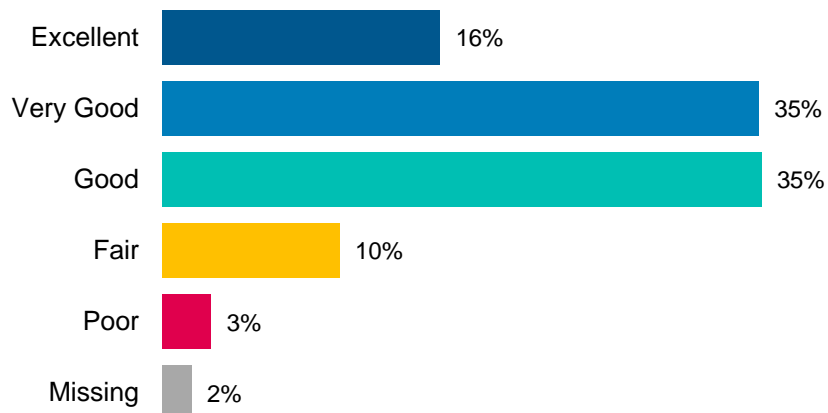
Our Citizen Survey 2018 Report

In general, would you say your health is ...

Phone (n=550)



Online (n=1,307)



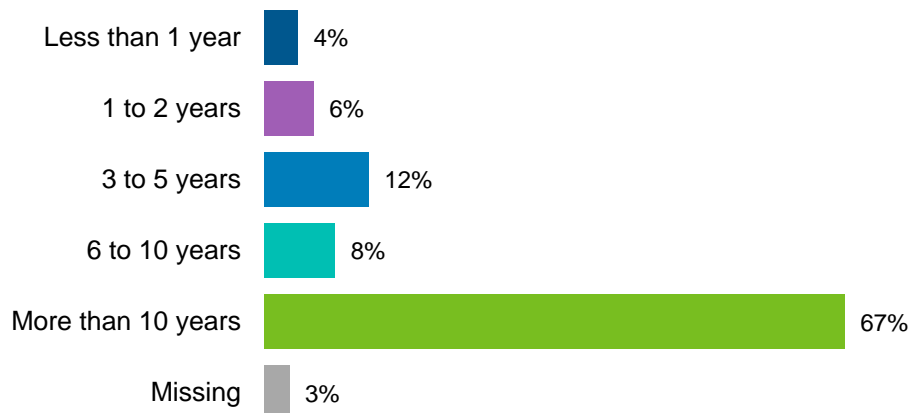
Our Citizen Survey 2018 Report

How long have you lived in the City of Hamilton?

Phone (n=550)



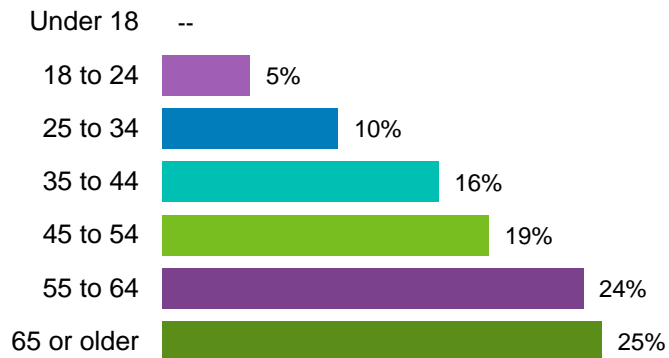
Online (n=1,307)



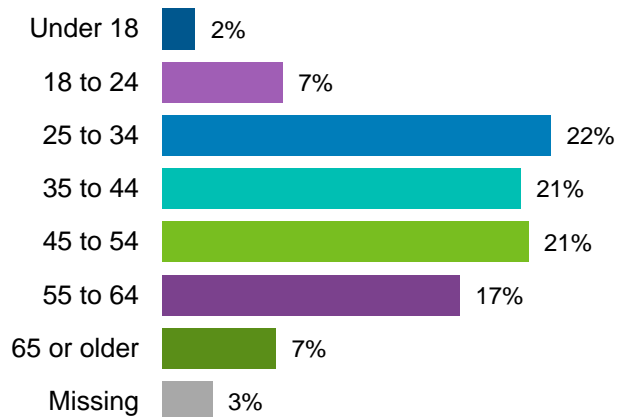
Our Citizen Survey 2018 Report

What is your age?

Phone (n=550)



Online (n=1,307)



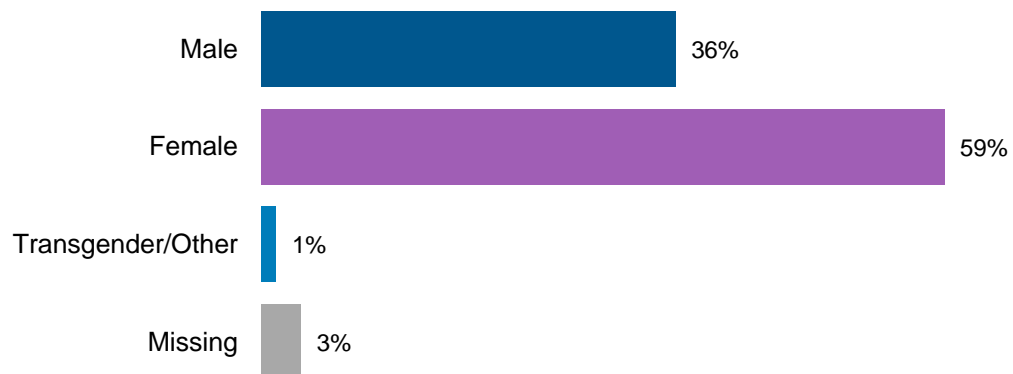
Our Citizen Survey 2018 Report

How do you describe yourself?

Phone (n=550)



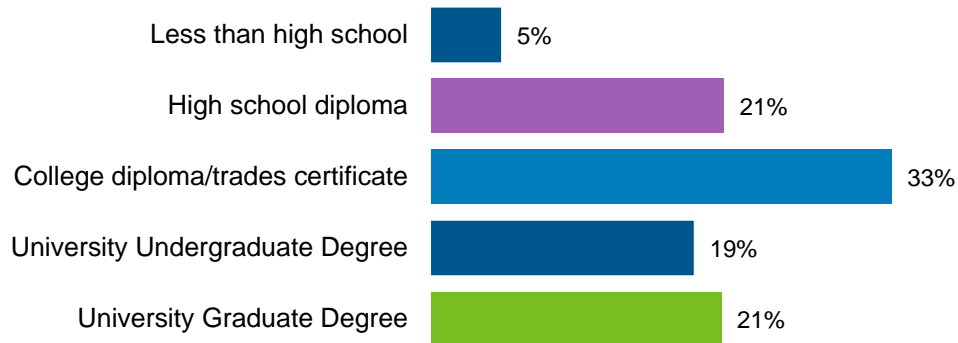
Online (n=1,307)



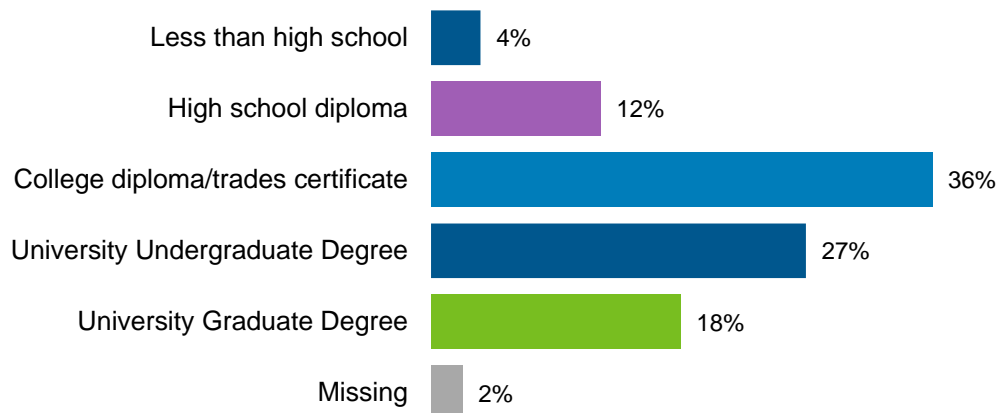
Our Citizen Survey 2018 Report

What is your highest level of education?

Phone (n=550)



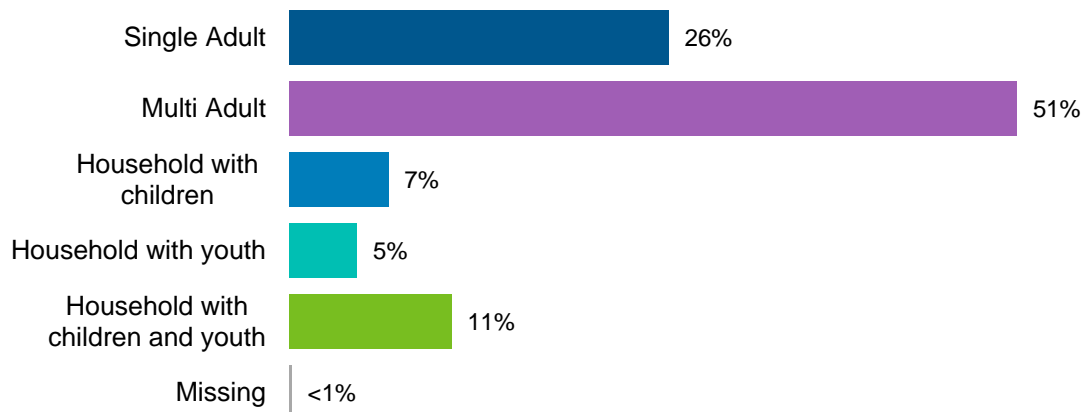
Online (n=1,307)



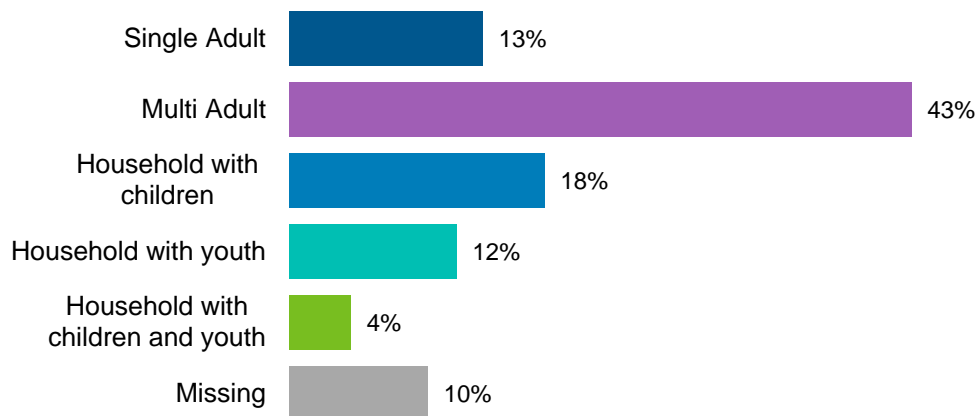
Our Citizen Survey 2018 Report

Household Composition

Phone (n=550)



Online (n=1,307)

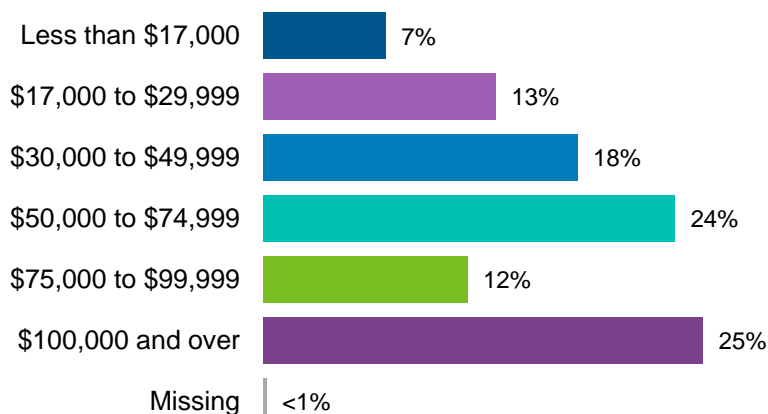


*Youth are age 12-17, Children are under age 12

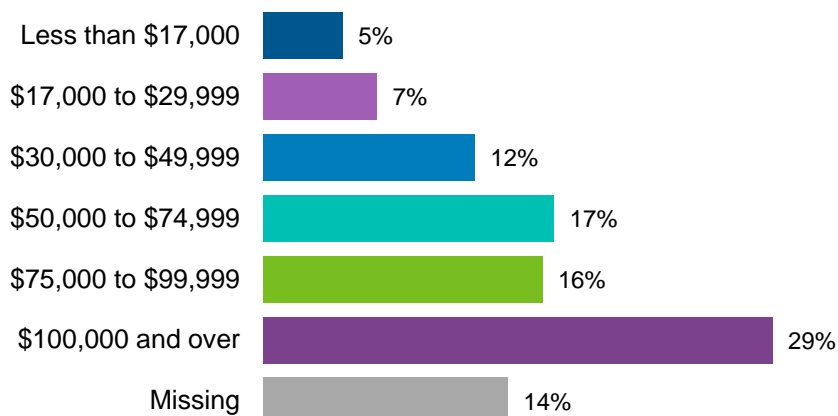
Our Citizen Survey 2018 Report

What is your total household income before taxes?

Phone (n=550)



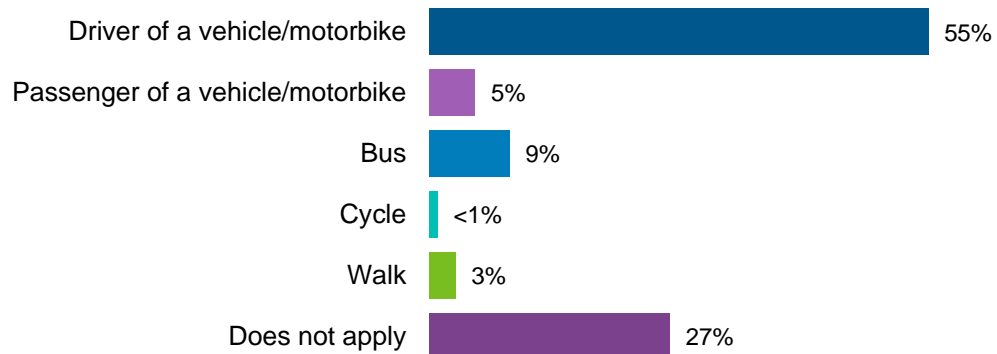
Online (n=1,307)



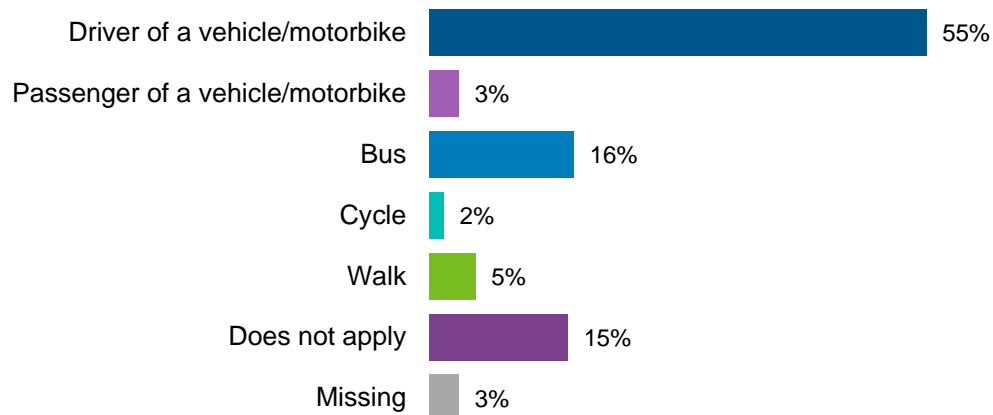
Our Citizen Survey 2018 Report

How do you usually commute to work?

Phone (n=550)



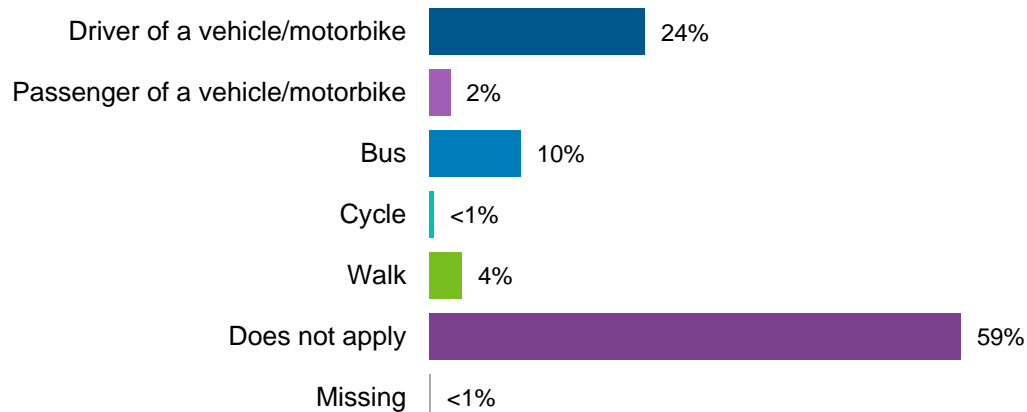
Online (n=1,307)



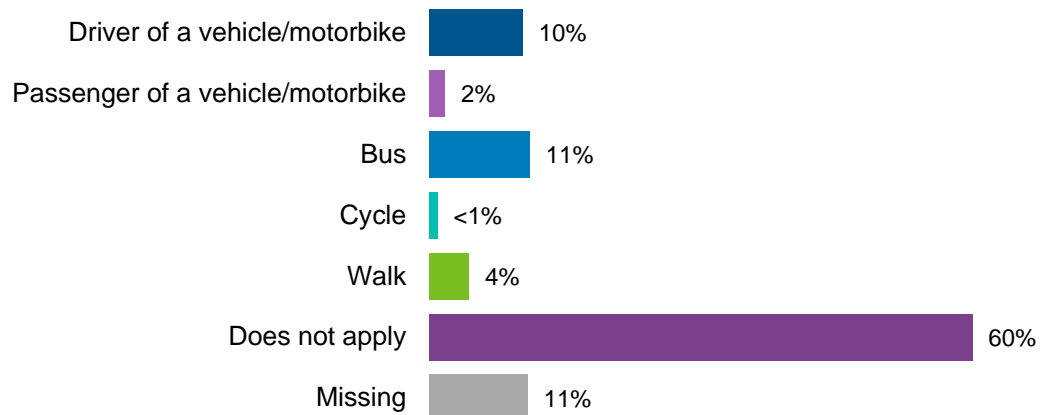
Our Citizen Survey 2018 Report

How do you usually commute to school?

Phone (n=550)



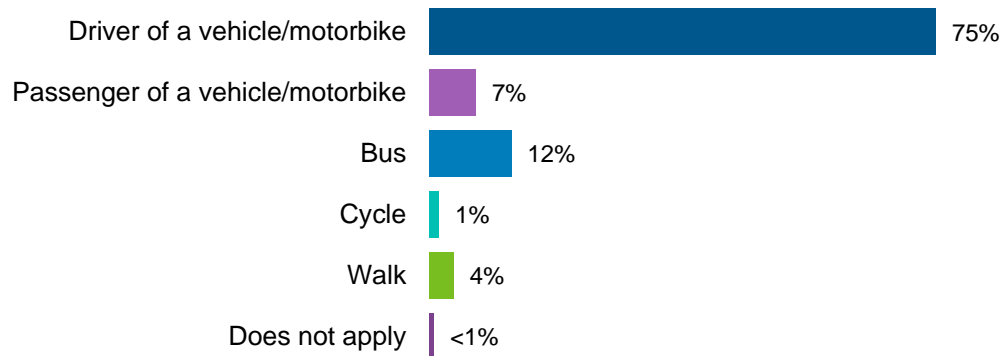
Online (n=1,307)



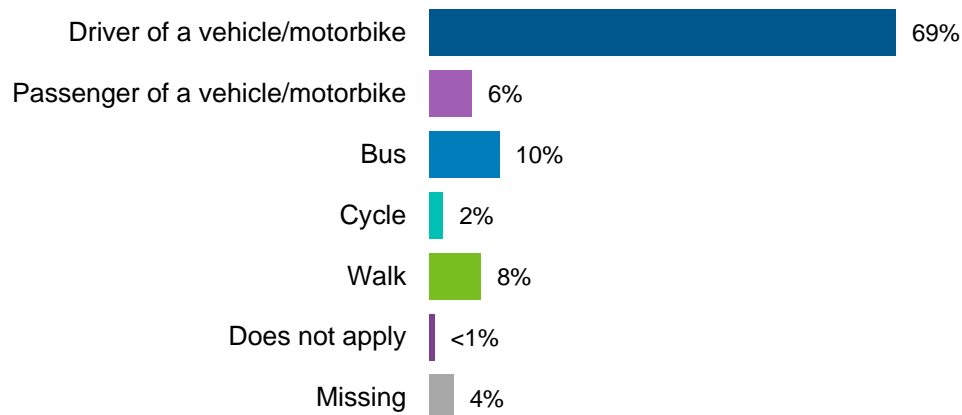
Our Citizen Survey 2018 Report

How do you usually get around the city for things like groceries, shopping, activities etc.?

Phone (n=550)



Online (n=1,307)





Our Citizen Survey 2018 Report

Appendix D: Sub City Level Sample Sizes

The following table shows the estimates of the city's population for each Ward and by the upper/lower Hamilton geographical split. Note that at the time the survey was conducted, official ward population counts were not available from the 2016 Census. Estimated population counts for each Ward was derived based on aggregating official population counts available at smaller geographies.

The proportion of phone survey respondents for each geography based on the respondent's postal codes and the resulting margins of error are also provided.

Geography	City of Hamilton Population	Phone Surveys Collected	% of Phone Survey Respondents	Margin of Error at 95% CI
City of Hamilton Total		550	100%	+/- 4.2%
Ward 1	5.5%	45	8%	+/- 14.6%
Ward 2	6.9%	45	8%	+/- 14.6%
Ward 3	7.0%	38	7%	+/- 15.9%
Ward 4	6.5%	34	6%	+/- 16.8%
Ward 5	6.9%	31	6%	+/- 17.6%
Ward 6	7.5%	41	8%	+/- 15.3%
Ward 7	11.3%	57	10%	+/- 13.0%
Ward 8	9.7%	59	11%	+/- 12.8%
Ward 9	5.6%	32	6%	+/- 17.3%
Ward 10	4.5%	25	5%	+/- 19.6%
Ward 11	8.4%	39	7%	+/- 15.7%
Ward 12	7.2%	31	6%	+/- 17.6%
Ward 13	4.5%	31	6%	+/- 17.6%
Ward 14	3.0%	17	3%	+/- 23.8%
Ward 15	5.3%	25	5%	+/- 19.6%
By Upper/Lower Hamilton Split				
Lower Hamilton (Ward 1-5, 10, 13)	41.9%	249	45%	+/- 6.2%
Upper Hamilton (Ward 6-9, 11, 12, 14, 15)	58.1%	301	55%	+/- 5.6%

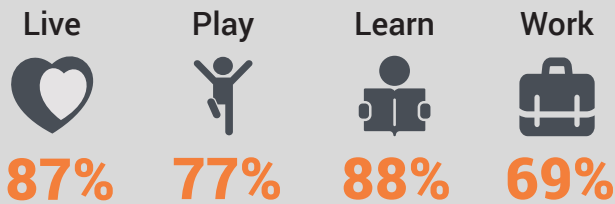
2018 our Citizen Survey

The City of Hamilton uses the Our Citizen Survey to understand the needs and perceptions of Hamiltonians and to identify areas for improvement in City service delivery, quality of life and wellbeing.

Life in Hamilton

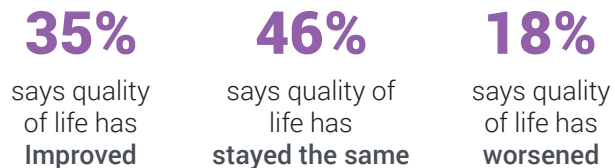


Hamilton is a great place to...
(% that agree or strongly agree)

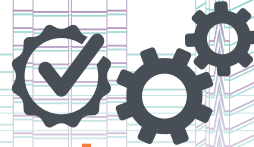


92%  very satisfied/satisfied with their life

Quality of life



Quality of City Services



66% are satisfied overall with City services

Services with highest ratings
(% rating service excellent, very good or good)



Services with lowest ratings
(% rating service poor)



Services rated as poor by more than 20% of respondents

Service Delivery Preferences

72% prefer to maintain taxes and current service levels

Contact with the City



% that agree/strongly agree...



Note: This infographic is based on results collected from a telephone survey.

Appendix C to Report CM18016**Our Citizen Survey
In-house project team profile****Linda Button, Ph.D.***Senior Project Manager*

- PhD in Sociology and Equity Studies conducting primary qualitative research
- Leads project teams in survey development, administration, analyses and action planning in the City of Hamilton – Healthy & Safe Communities Department

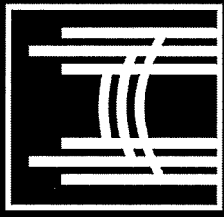
Brigitte Minard, CPA, CA, CIA, CGAP, HBA (Hons. Business)*Performance Excellence Program Manager*

- Manager of a portfolio that includes performance measurement, continuous improvement and citizen feedback
- Previously worked in Audit Services at the City of Hamilton managing a portfolio of audit and consulting work that included detailed statistical and analytical work

Louisa Wong, Hons B.Sc. (Mathematics & Statistics)*Program Analyst*

- Has managed projects related to program evaluation (including surveys) at the City of Hamilton
- Survey work includes planning, methodology, survey design, data collection, management, analysis and reporting

7.2



Hamilton

OUR CITIZEN SURVEY RESULTS

June 20, 2018

General Issues Committee

City of Hamilton

Chris Murray, City Manager

Brigitte Minard, Program Manager – Performance Excellence

RESULTS

January 15 – February 4, 2018

no Citizen Survey

Your thoughts. Our Action.

Our Citizen Survey



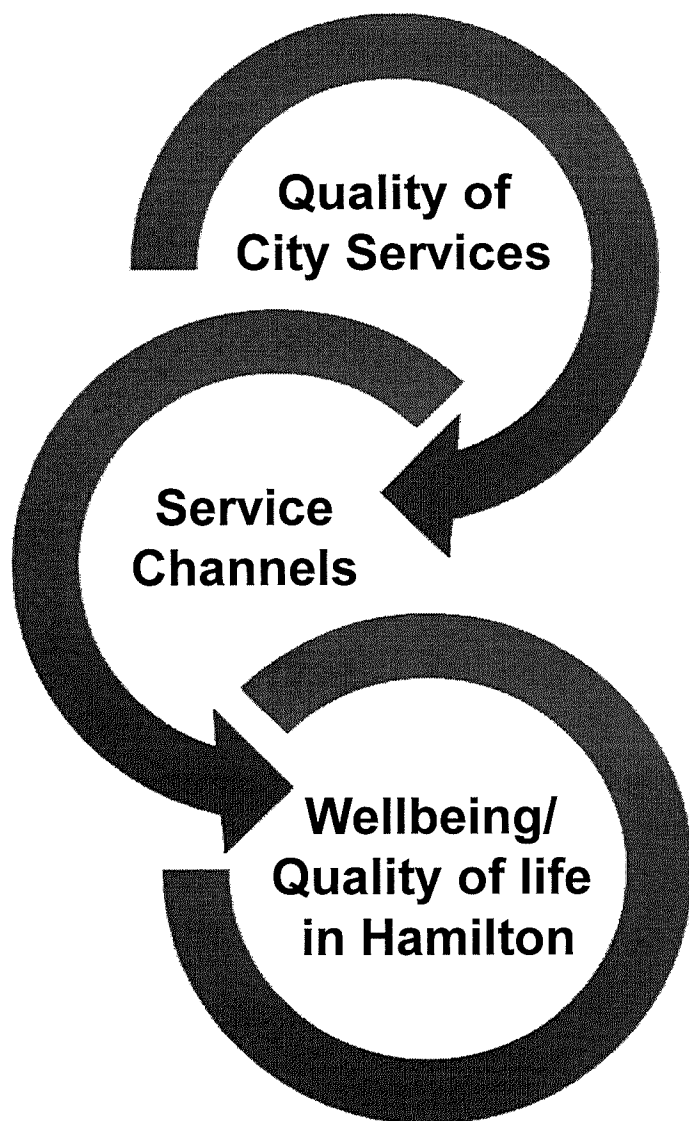
Methodology

- Survey developed and analyzed in-house
- Survey delivered by third party via randomized phone calls
 - 550 phone respondents (from 20,284 calls)
- Online survey links on City's website
 - 1,307 online respondents

Focusing on In-sourcing



Survey Focus Areas



Also

- Preferred method for communicating with City of Hamilton
- Experience and satisfaction with contacting the City
- Ways the City can improve

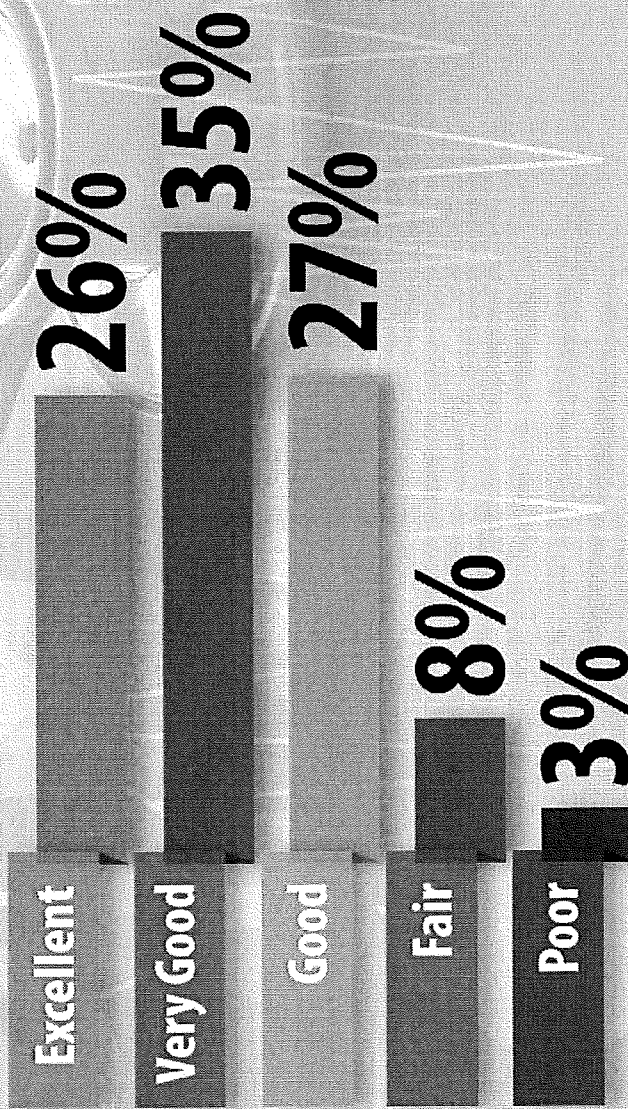


[well Being Results]

Health

In general, would you say your health is...

 Phone Survey

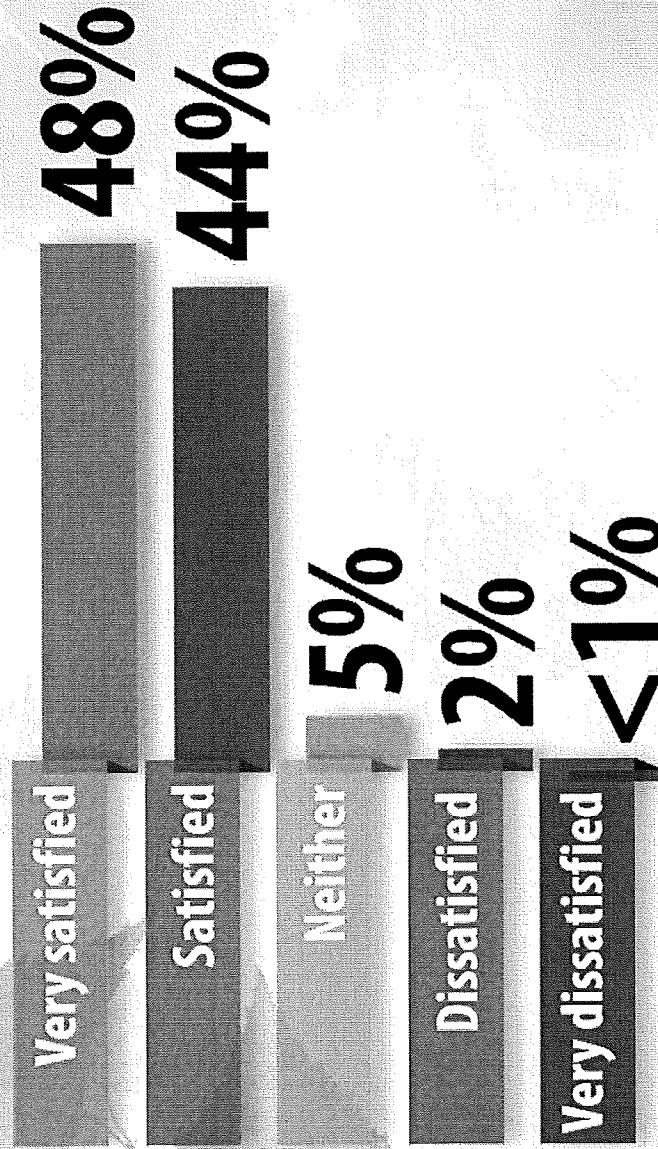


Satisfaction with Life

Overall, how satisfied are you with your life these days?



Phone Survey

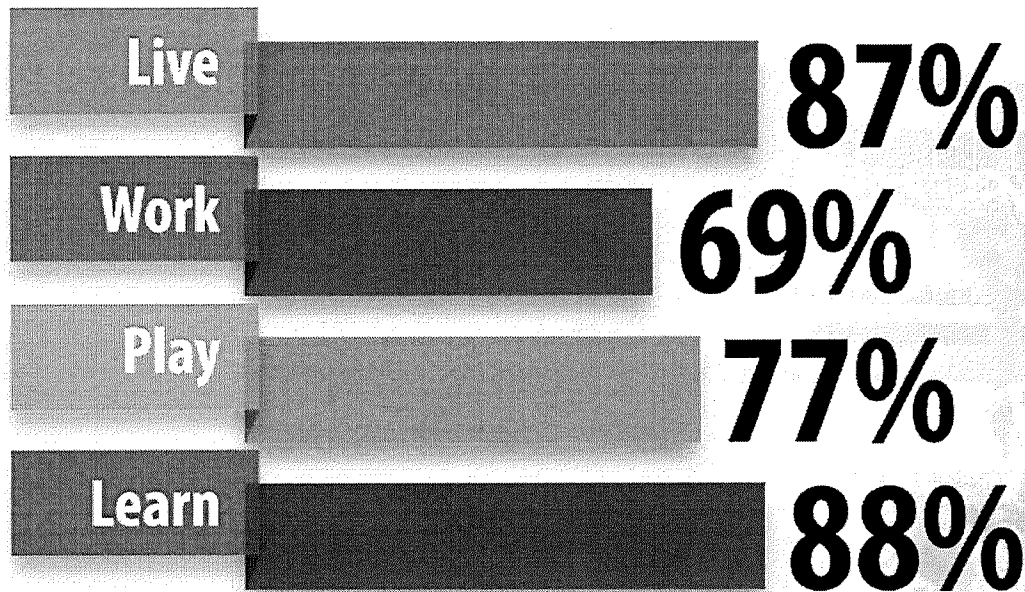


Quality of Life

Hamilton is a great place to... (% that agree or strongly agree)



Phone Survey

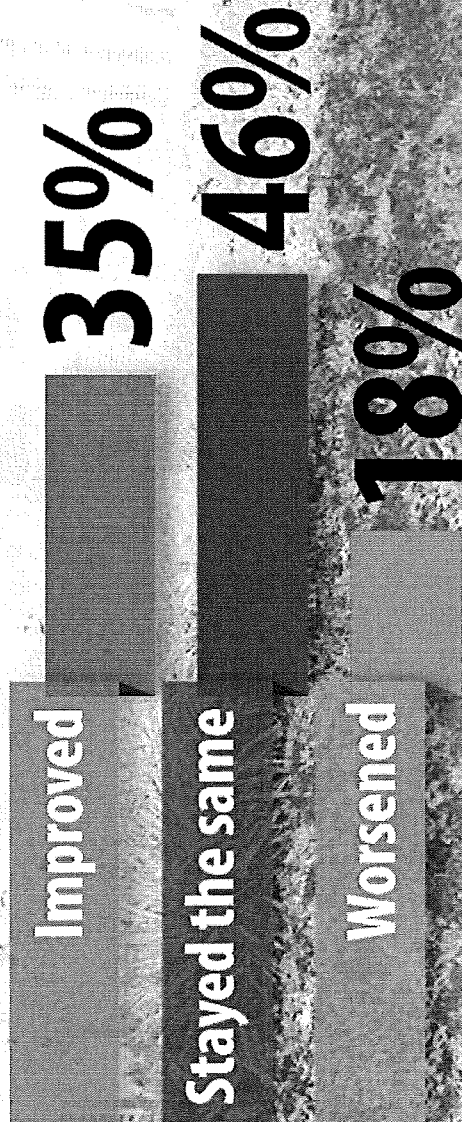


Quality of Life

In the last two years, the quality of life in the city of Hamilton has ...?



Phone Survey



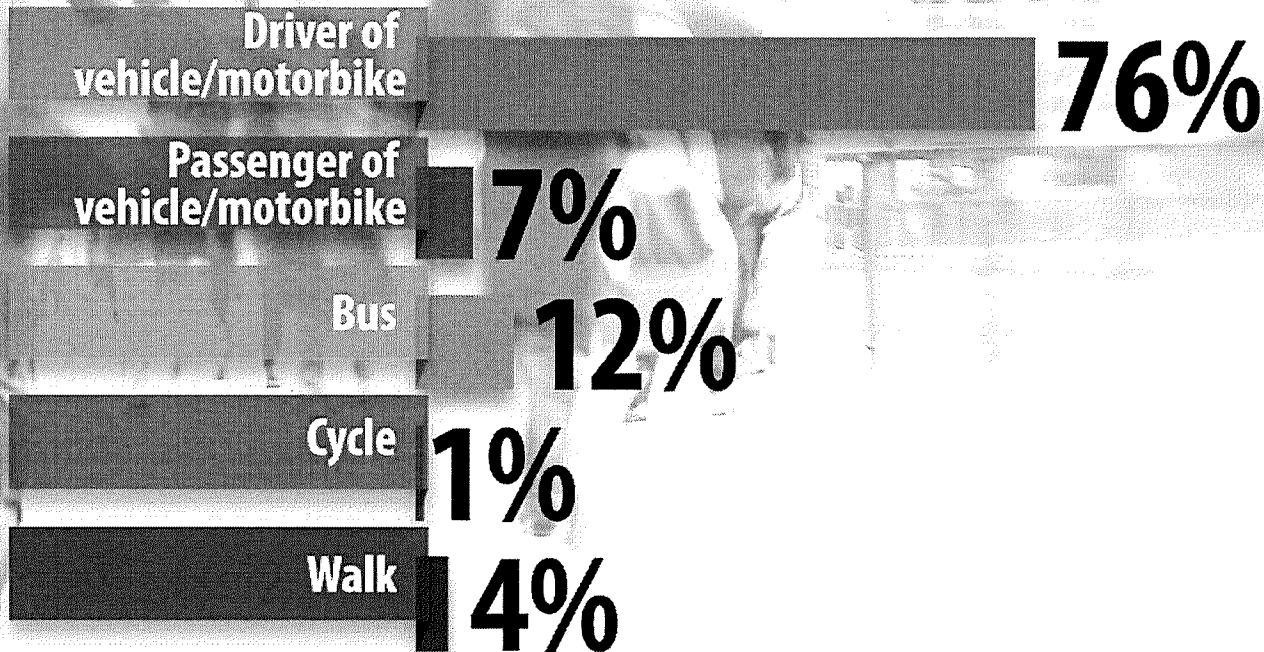
10

Commute

How do you usually commute to work?



Phone Survey



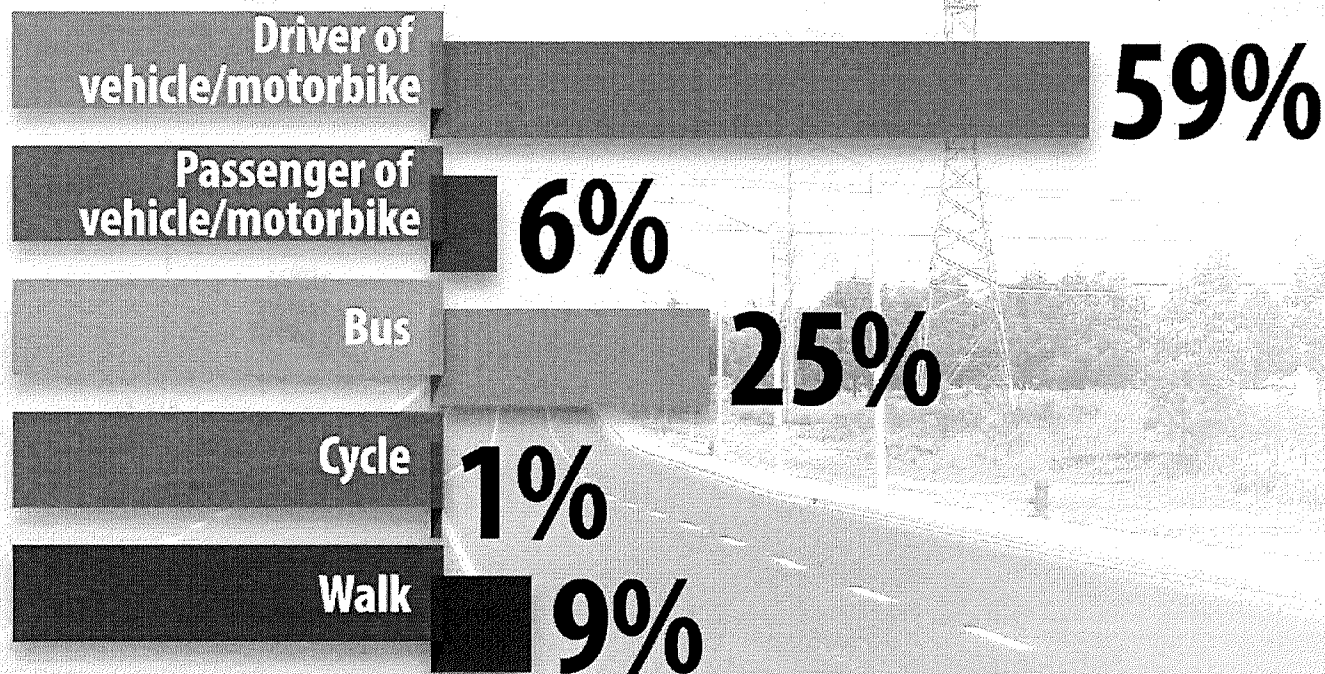
Commute



How do you usually commute to school?



Phone Survey

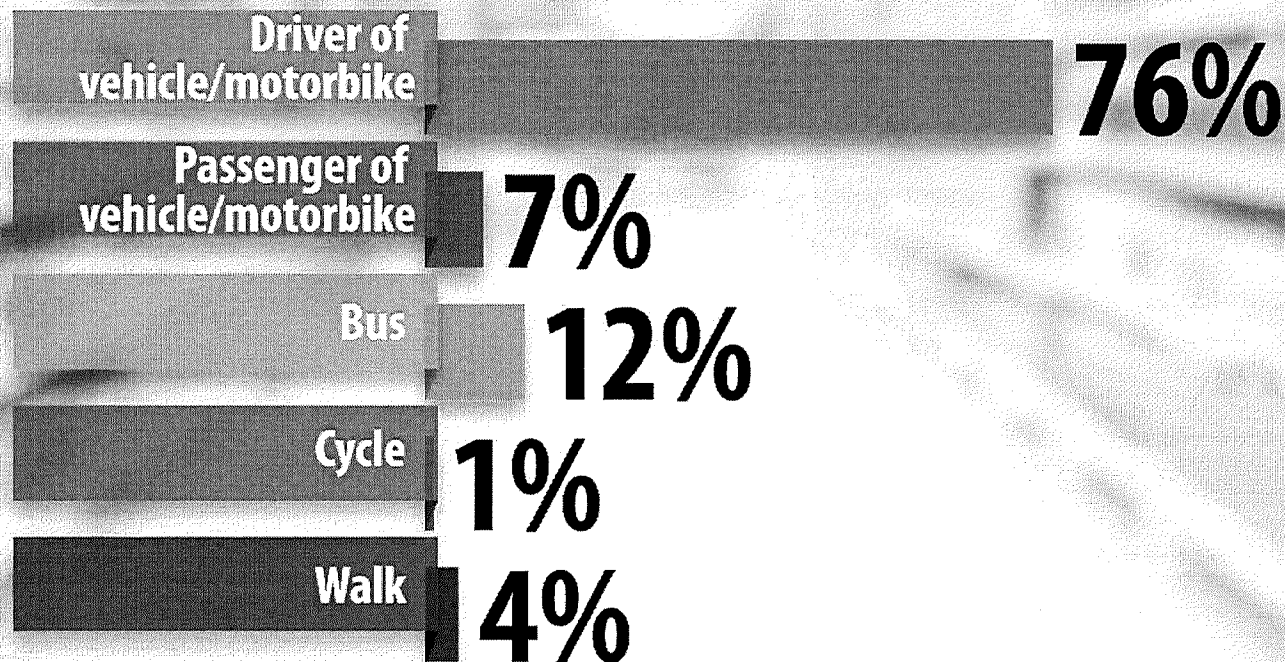


Commute

How do you usually get around the city for things like groceries, shopping, activities etc.?



Phone Survey

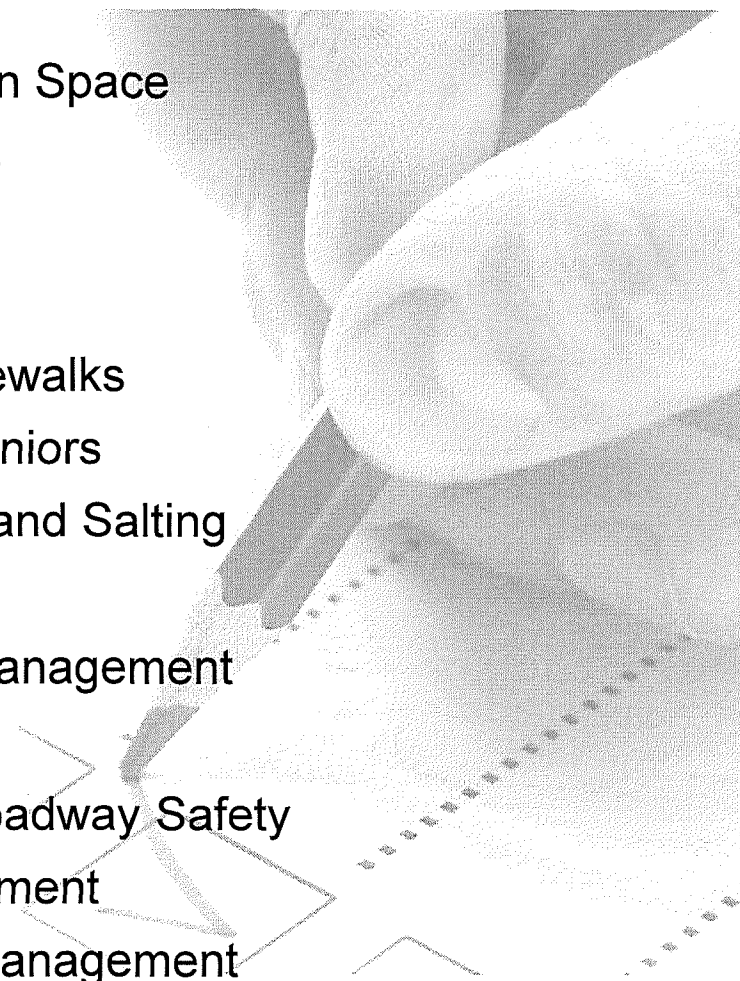




[City Services]

Services Included in Survey

- Animal Services
- Building Permits
- By-law Enforcement
- Cemetery
- Child Care Services
- Culture
- Drinking Water
- Emergency Management
- Fire Department
- HSR Buses
- Legislative Services and Records Information
- Libraries, Bookmobiles
- Paramedic Services
- Parks and Open Space
- Police Services
- Public Health
- Recreation
- Roads and sidewalks
- Services for Seniors
- Snow Plowing and Salting
- Social Services
- Storm Water Management
- Tourism
- Traffic Flow, Roadway Safety
- Waste Management
- Waste Water Management



Overall satisfaction with City Services

Overall, how satisfied are you with the services provided by the City of Hamilton?



Phone Survey

Very satisfied

12%

Satisfied

54%

Neither

19%

Dissatisfied

10%

Very dissatisfied

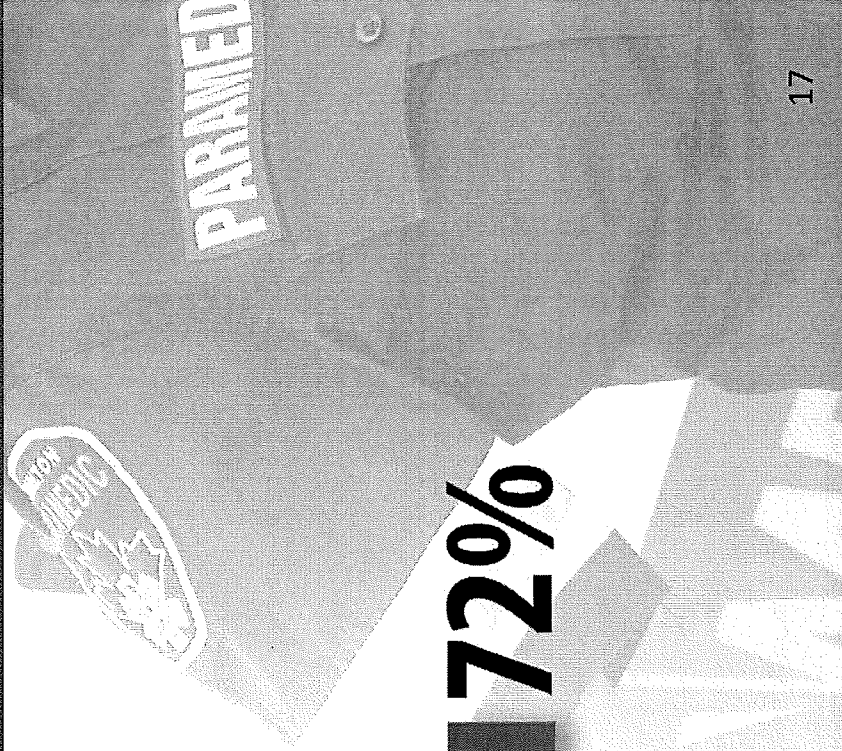
5%

Overall satisfaction with City Services

In delivering services to you and the community, the City typically pays for them through taxes and user fees. Based on this, do you think the City should:



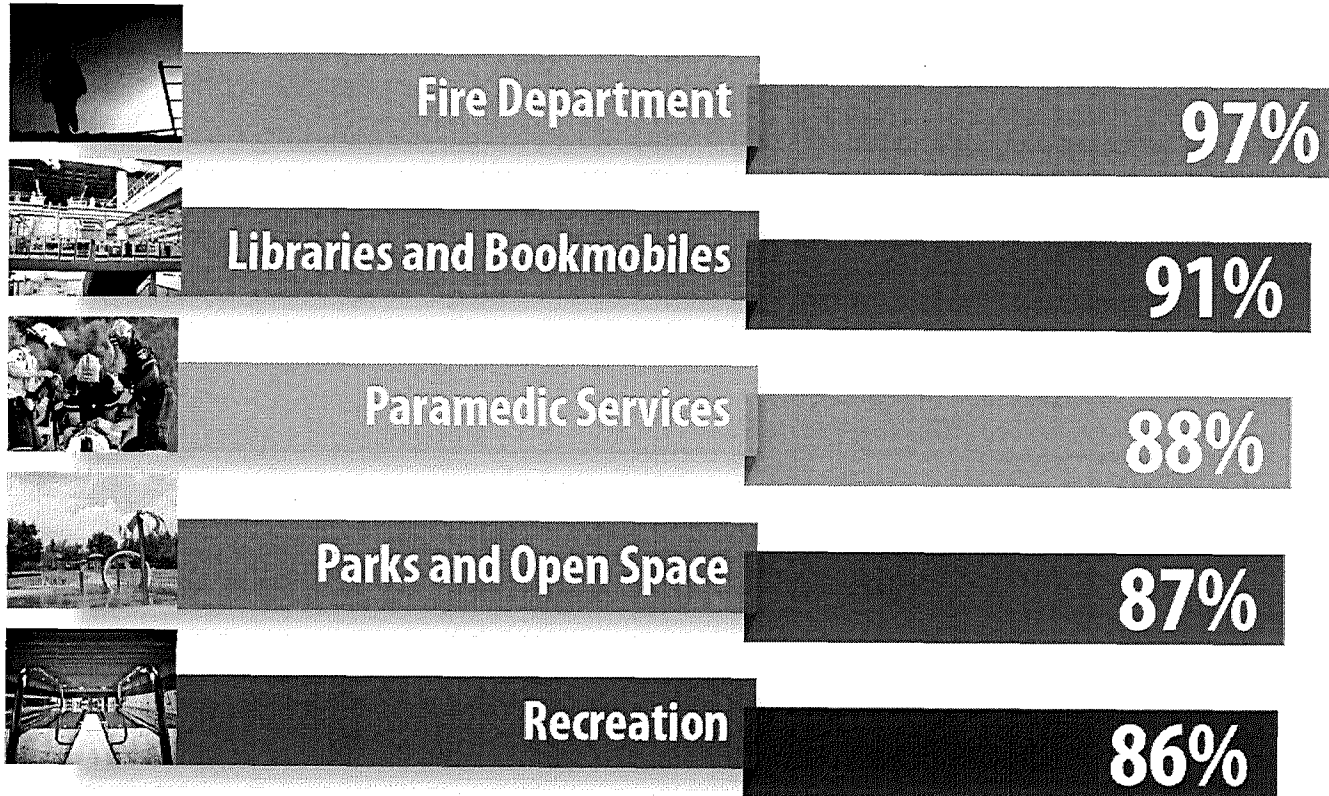
Phone Survey



Services Most Rated Excellent, Very Good, Good



Phone Survey

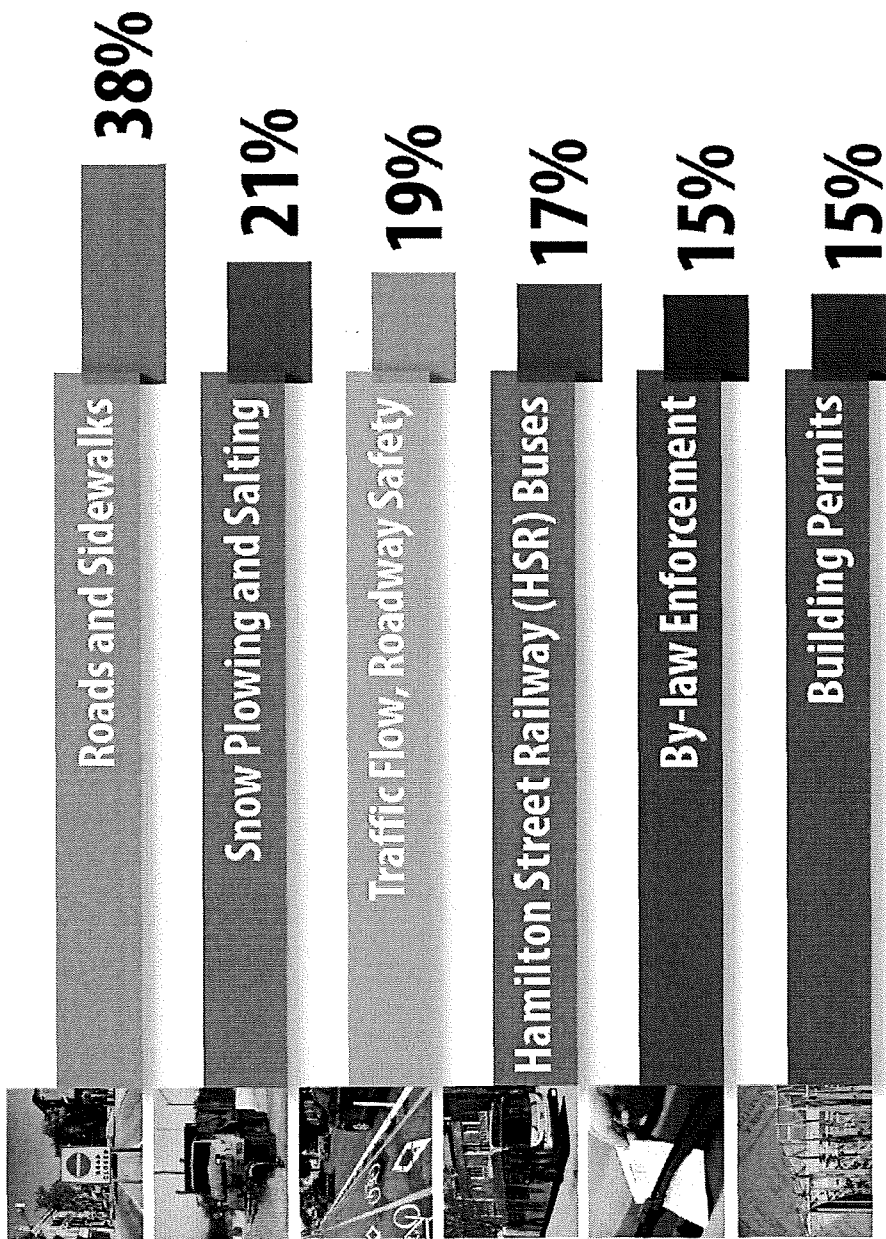




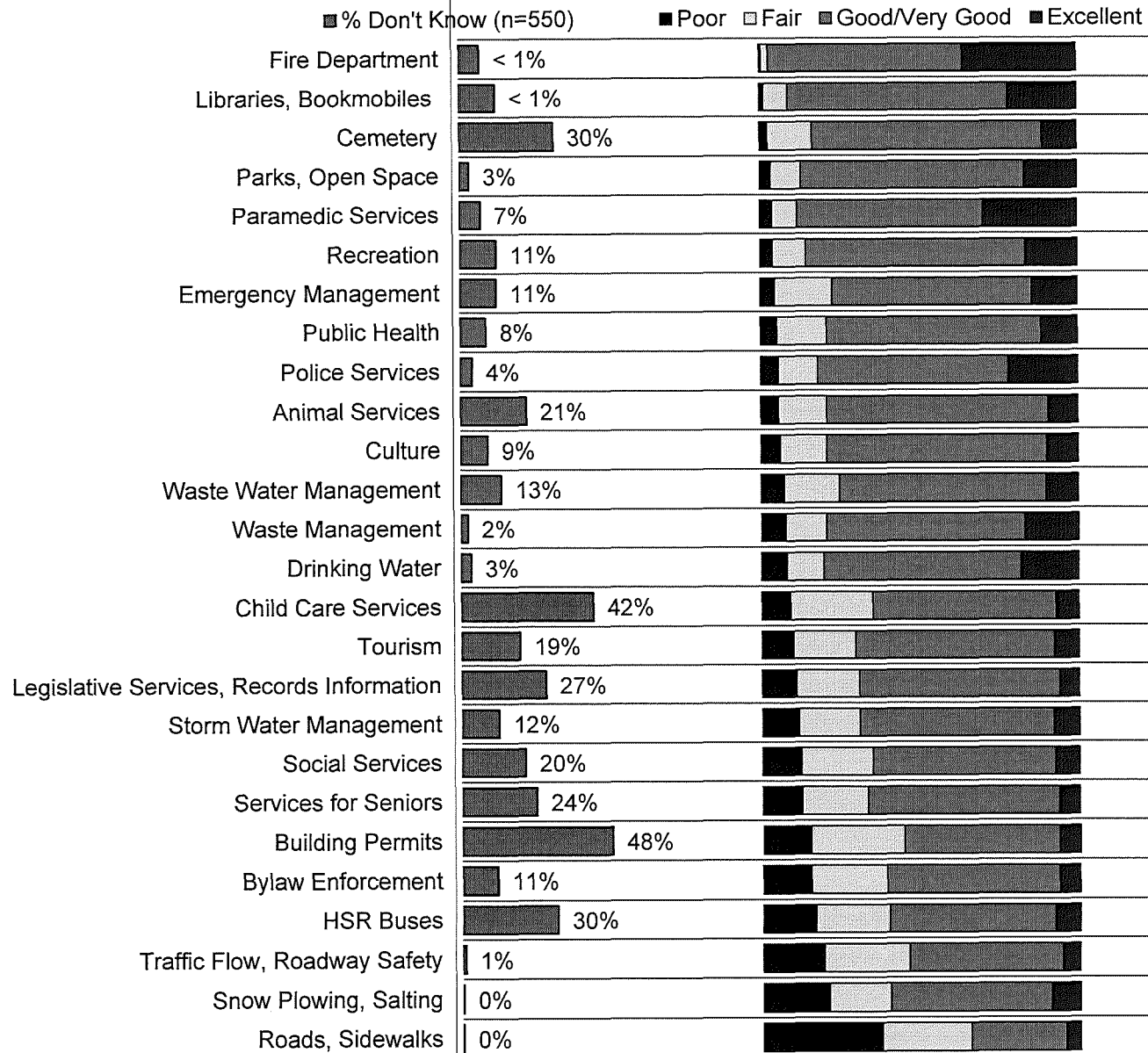
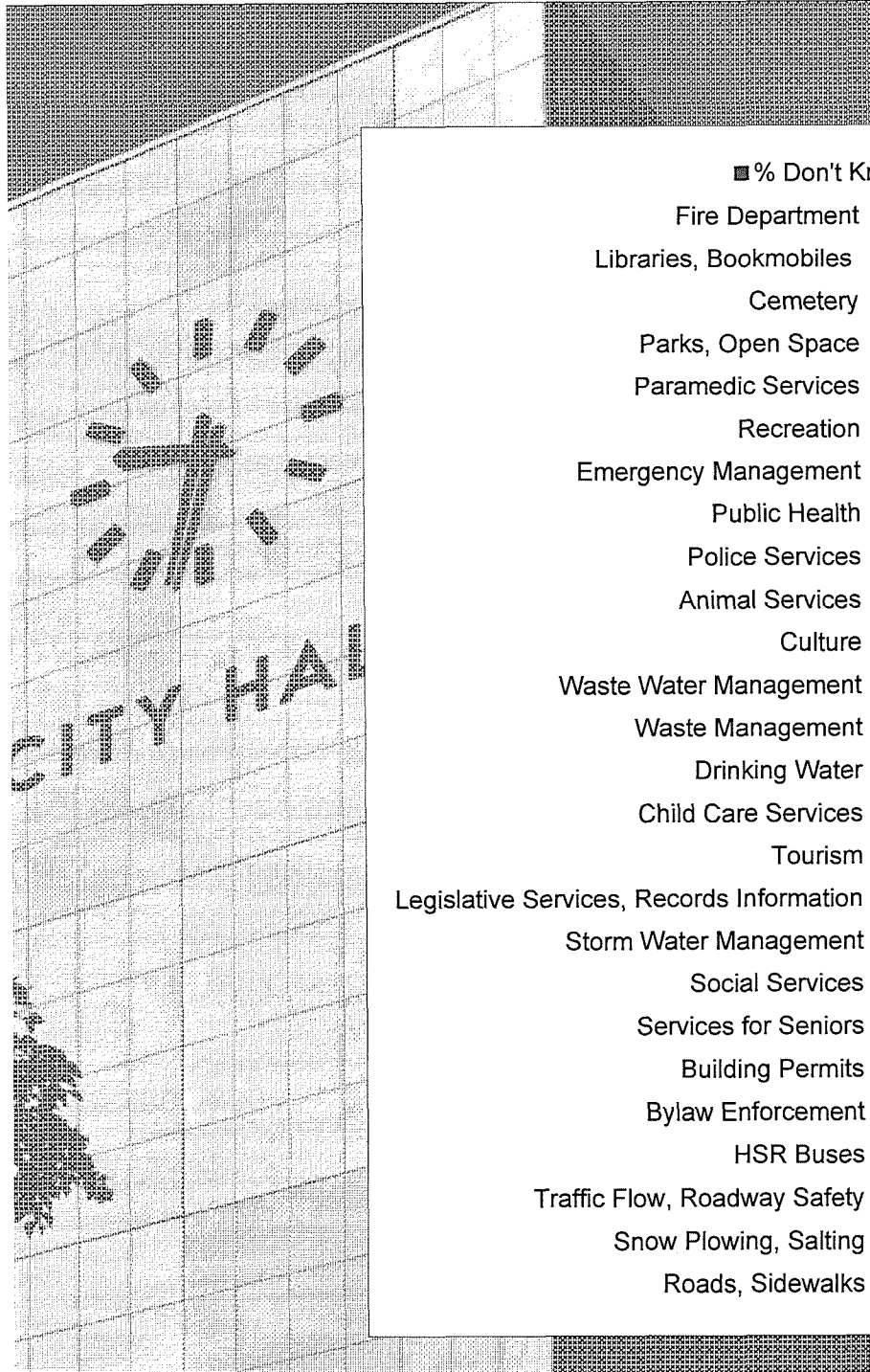
Services Most Rated Poor



Phone Survey



Ratings of Services

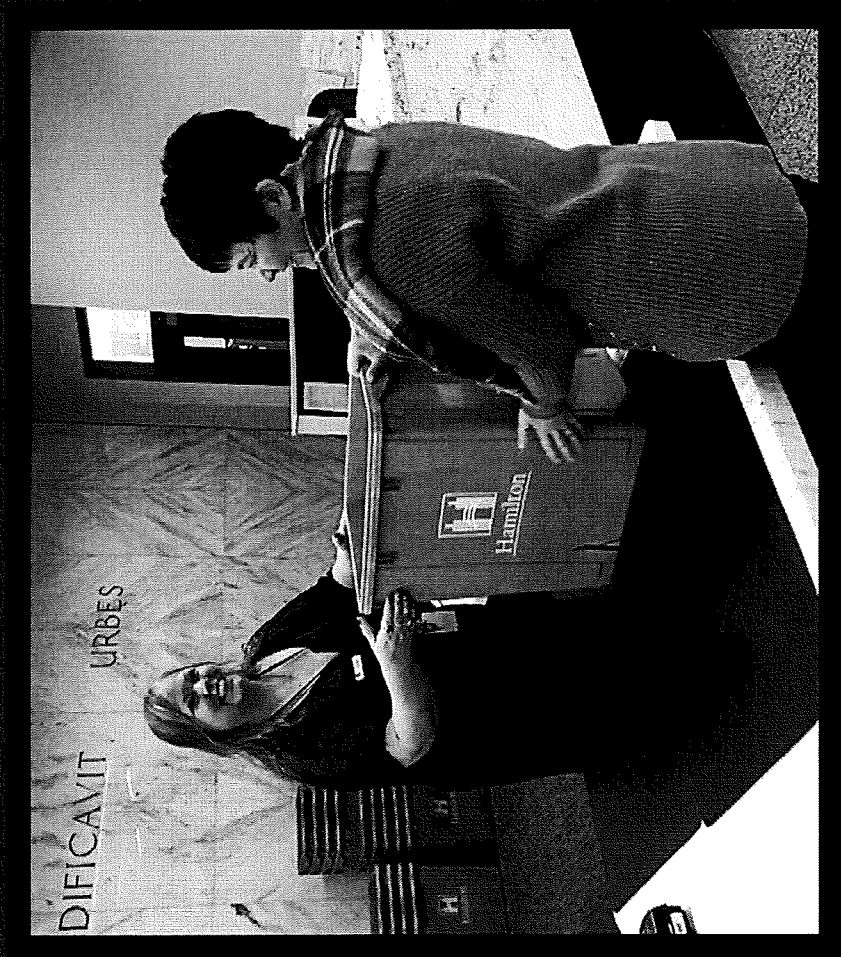


Themed Written Comments

“What is one thing you think the City of Hamilton should do to reach the vision of being ‘the best place to raise a child and age successfully’?”

Responses from both the phone and online survey were most commonly related to:

- Transit
- Community Safety
- Taxes
- Housing
- Schools and Education
- Roads and Sidewalks
- Child Care
- Inequities across the City
- Traffic Flow
- Parks, Playgrounds and Greenspace



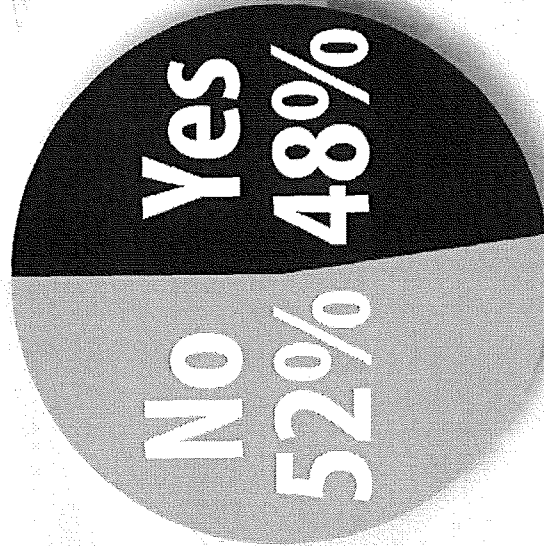
[Customer Service] & Service Channels

Contact with the City

In the past year, have you contacted the City of Hamilton for information or to conduct any service transactions?
(% that responded "Yes")



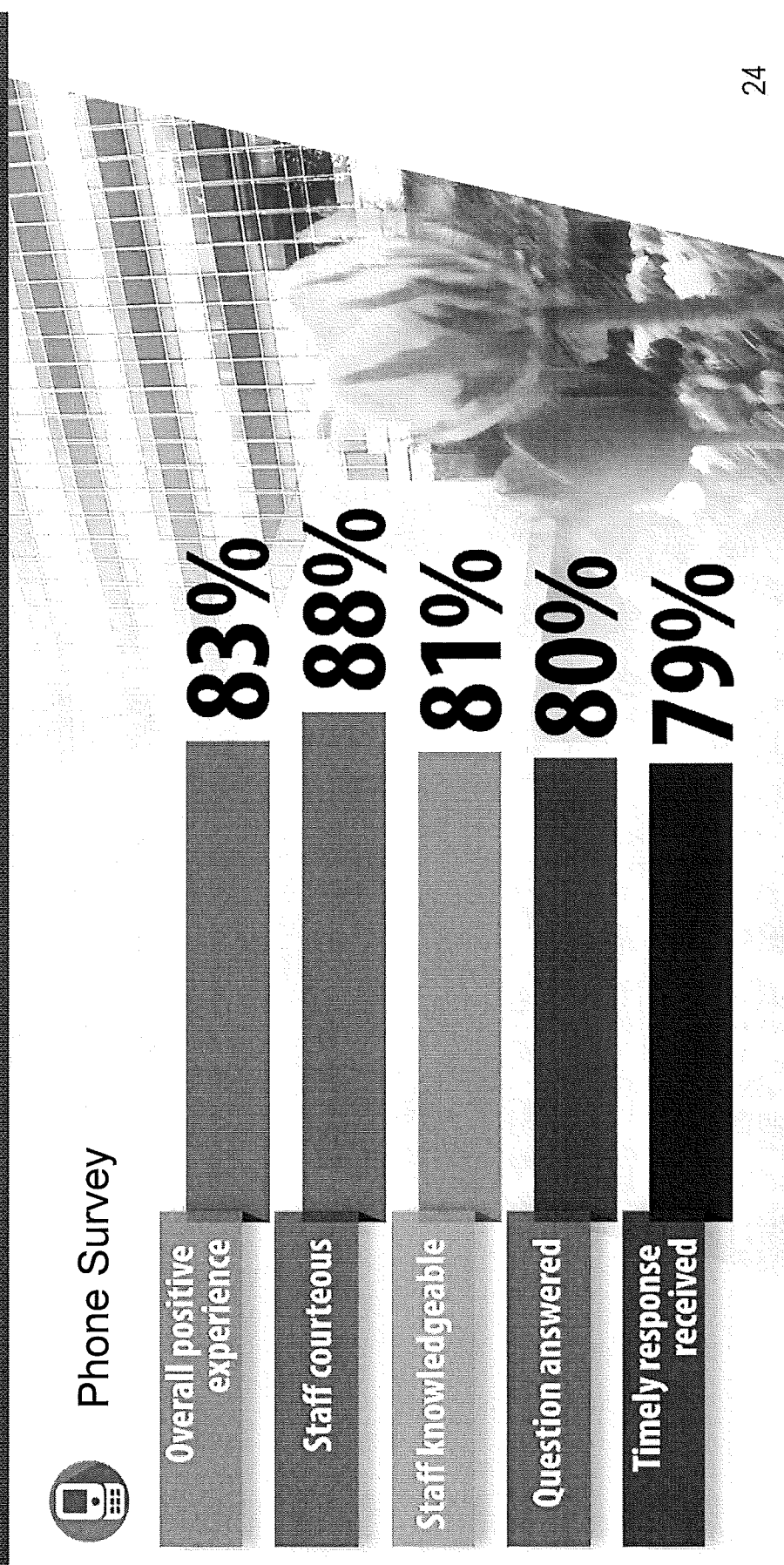
Phone Survey



23

Experiences with the City

For those that have contacted the City in the past year ...
(% that agreed/strongly agreed)



Resident Preferences



Residents prefer to use the phone when asking questions or making a complaint



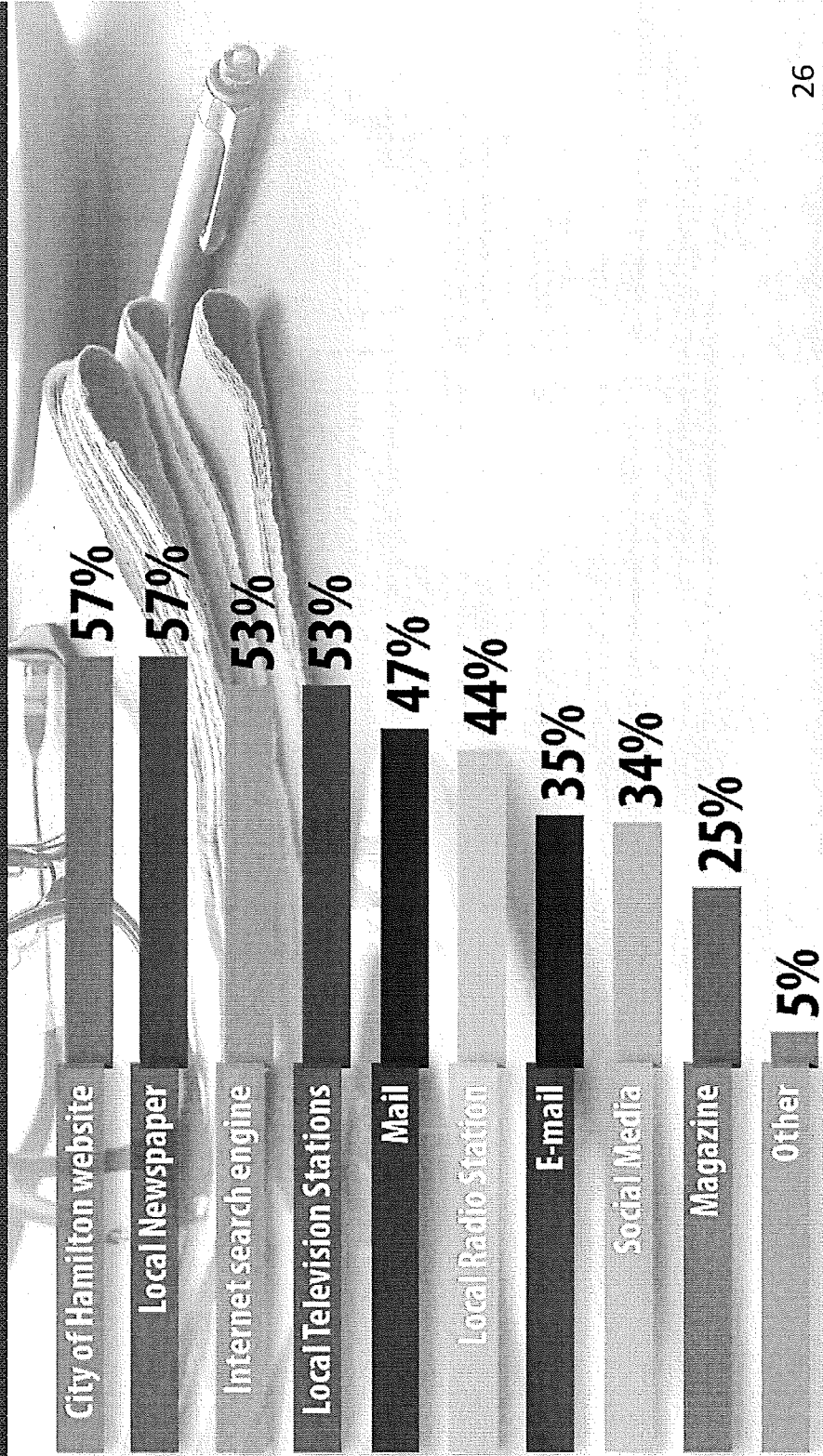
Residents most prefer to use the website to pay property taxes



For other interactions (registering & paying for recreation programs, applying for licenses, booking city facilities and parks), residents prefer to complete on the website or in person

Preference: Receiving Information from the City

How do you like to get information about the City of Hamilton's programs, initiatives, news and events?

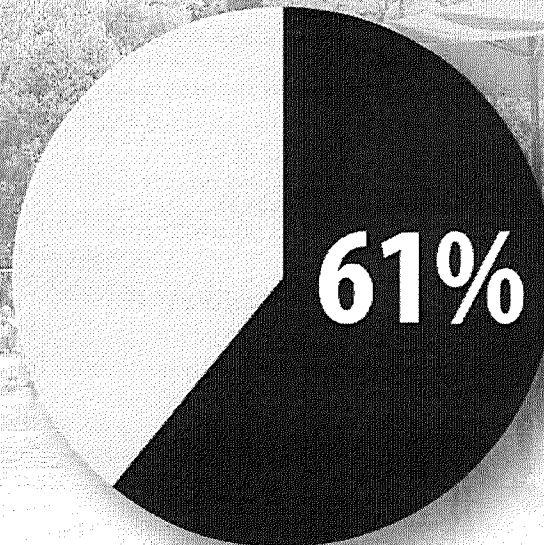


Connecting to Our Vision

Hamilton is on the right track towards our vision of being
“the best place to raise a child and age successfully”
(% that agree or strongly agree)



Phone Survey



What's Next

Regularly conduct this survey (annually) with an increased sample size.

Survey results will be monitored year over year, with a report back to the public.

Linking service plans to citizen survey results, demonstrating that the City is listening and acting on resident feedback.

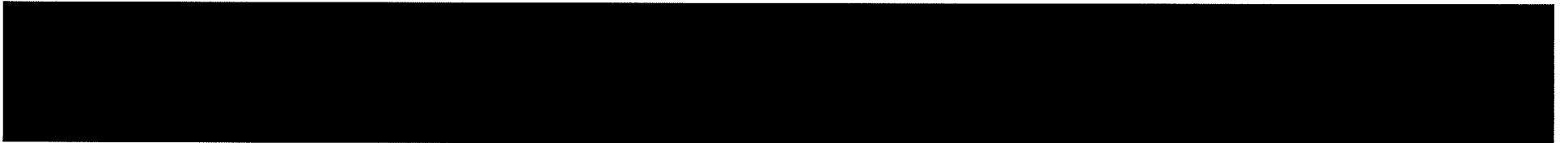
Link this work to the Neighbourhood Action Strategy work.

Connect the survey work to a broader portfolio of social media analysis and community engagement work.

28



QUESTIONS?





Hamilton

Office of the City Clerk
City Manager's Office
City of Hamilton
71 Main St. W., 1st Floor
Hamilton, Ontario,
Canada L8P 4Y5
www.hamilton.ca

June 29, 2018

Mr. P.J. Mercanti, CEO
Carmen's Group
77 James Street North
Suite 300
Hamilton, ON L8R 2K3

Dear Mr. Mercanti,

**Re: Correspondence respecting the Future Management of Hamilton's
Downtown Entertainment Venues**

At its meeting of June 27, 2018 City Council referred your correspondence of May 11, 2018 to the General Issues Committee when the item is being considered.

Janet Pilon, CMMIII, DPA, CMO
Manager, Legislative Services/Deputy Clerk

cc Stephanie Paparella
Legislative Coordinator
General Issues Committee

File C18-014
(5.7)



CARMEN'S GROUP

MAY 11 2018

May 11, 2018

Dear Mayor Eisenberger and Members of Hamilton City Council:

Re: The Future Management of Hamilton's Downtown Entertainment Venues

We are writing to update you on progress that has taken place since our letter in February, 2018, at which time the Carmen's Group formally requested City Council examine alternative contract management arrangements regarding the current three downtown entertainment venues. Our two-fold strategic objective remains clear; to maximize the potential of the existing former HECFI facilities in their current form, while concurrently moving forward with a collaboration process to build the private-public partnership model that best produces a renewed vision for the future of Hamilton's entertainment venues. Back in February, in light of the impending conclusion date on the first management contracts for the three venues set for the end of this calendar year, the Carmen's Group made our formal request to City Council, which then voted to instruct staff to investigate and report back.

As we await the staff report, our group wanted to ensure City Council be kept up-to-date on all relevant developments. We are excited to inform you that our Local Group has added an important new relationship. The Carmen's Group working in partnership with Scott Warren, has reached an agreement to work with the Oak View Group (OVG), headquartered in Los Angeles, regarding the proposed operation of the three venues. OVG was founded by Tim Leiweke, Irving Azoff and Madison Square Garden Entertainment. Tim Leiweke, now CEO of OVG, is the former president and CEO of Maple Leaf Sports and Entertainment (MLSE). Before coming to Toronto in 2013 he was president and CEO of the Anschutz Entertainment Group (AEG) in Los Angeles, where he developed the Staples Center, L.A. LIVE and the StubHub Center. He returned to L.A. in 2015 to found OVG with his partner Irving Azoff, who is formerly chairman and CEO of Ticketmaster Entertainment, executive chairman of Live Nation Entertainment, and CEO of Front Line Management. Azoff is currently chairman of Full Stop Management which represents recording artists such as the Eagles, Harry Styles, Christina Aguilera, Journey, Don Henley, Joe Walsh, Van Halen, Thirty Seconds to Mars, Steely Dan, Gwen Stefani, Fleetwood Mac, Bon Jovi, Jimmy Buffett and more. Since 2013 he has been chairman and CEO of Azoff MSG Entertainment, a venture with the Madison Square Garden Company, which controls live events at the Madison Square Garden arena and Theater at MSG. In addition to the Garden itself, MSG Entertainment owns the rights to operate two theaters in Manhattan, Radio City Music Hall and the Beacon Theatre, controls operations of the Chicago Theater, co-books the Wang Theater in Boston, and also purchased and renovated the Forum in Inglewood, California, transforming the former home of the L.A. Kings and Lakers into one of Southern California's most successful live event venues.

The coming together of these visionary partners to create the Oak View Group produced a world-class leader in facility management, business development, live-event bookings, sponsorships and global partnerships. Many top-level sports and entertainment executives joined the company, including Peter Luukko, co-chairman of OVG's Arena Alliance and current executive chairman and member of the NHL's Board of Governors for the Florida Panthers. Luukko was formerly president of Comcast Spectacor and president of the Philadelphia Flyers. With this exceptional team in place, OVG is currently developing the transformation of the KeyArena at Seattle Center, and was recently selected by the State of New York to develop the new home of the New York Islanders at Belmont Park on Long Island. Further, OVG's relationships in the touring entertainment business are second to none, and the Hamilton venues will benefit from the direct support that will be provided by the executives of OVG. The company is excited to provide venue-management and facility operation services to our Local Group, and this project represents their first venture in Canada.

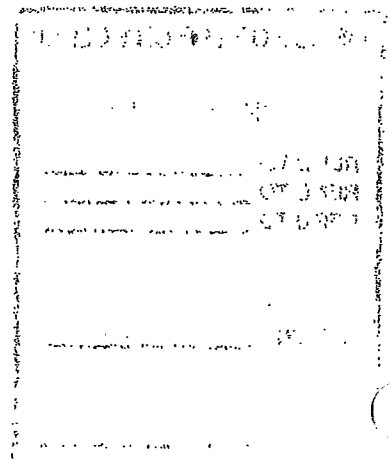


Our team understands and respects that City Council will have to determine how best to move forward in light of the pending conclusion date on the existing management contracts, and we will work within whatever process you decide. That said, we want to make clear that this venue-management proposal, crafted by our Local Group working with OVG, will mark a great improvement over the existing contracts, providing improved financial arrangements and entertainment services for all stakeholders throughout the term of a renewed engagement. We also want to let you know that as we pursue these considerations of the immediate contracts, our emerging Carmen's-led private-sector consortium also anticipates the presentation of an unsolicited bid regarding a comprehensive private-public partnership to establish the Precinct Plan that delivers the "next-generation" of sports, entertainment, convention and hospitality facilities in the heart of Hamilton's urban core. As these exciting projects proceed, we look forward to working with you in the days, weeks, years and generations to come.

Yours very sincerely,

A handwritten signature in black ink, appearing to read 'P.J. Mercanti'. The signature is fluid and cursive, with a large, sweeping flourish at the end.

PJ Mercanti
CEO, Carmen's Group





CITY OF HAMILTON
City Manager's Office
Strategic Partnerships and Communications

TO:	Mayor and Members General Issues Committee
DATE:	July 9, 2018
SUBJECT/REPORT NO:	Downtown Entertainment Assets Operating Agreements (CM18013) (City Wide)
WARD(S) AFFECTED:	City Wide
PREPARED BY:	Ryan McHugh (905) 546-2424, Extension 2725
SUBMITTED BY:	John Hertel Director, Strategic Partnerships and Communications City Manager's Office
SIGNATURE:	

RECOMMENDATION

- (a) That a 6-month extension of the existing Management Agreement between the City of Hamilton and Global Spectrum Facility Management, L.P. (Global Spectrum), which is set to expire on December 31, 2018, be approved;
- (b) That a 6-month extension of the existing Facility Operating Agreement between the City of Hamilton, the Hospitality Centre Corporation and Mercanti Banquet & Convention Centre Ltd. (Carmen's Group), which is set to expire on December 31, 2018, be approved;
- (c) That the Mayor and the City Clerk be authorized and directed to execute any documents required to give effect to a 6-month extension to the Management Agreement between the City of Hamilton and Global Spectrum Facility Management, L.P. (Global Spectrum);
- (d) That the Mayor and the City Clerk be authorized and directed to execute any documents required to give effect to a 6-month extension to the Facility Operating Agreement between the City of Hamilton, the Hospitality Centre Corporation and Mercanti Banquet & Convention Centre Ltd. (Carmen's Group);

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- (e) That staff be directed to invite Global Spectrum to submit two proposal(s):
 - (i) A 5-year extension of the existing Management Agreement between the City of Hamilton and Global Spectrum Facility Management, L.P.; and,
 - (ii) A second proposal which also includes the scope of work outlined in the Facility Operating Agreement between the City of Hamilton, the Hospitality Centre Corporation and Mercanti Banquet & Convention Centre Ltd. (Carmen's Group);
- (f) That staff be directed to invite Carmen's Group to submit two proposals:
 - (i) A 5-year extension of the existing Facility Operating Agreement between the City of Hamilton, the Hospitality Centre Corporation and Mercanti Banquet & Convention Centre Ltd.; and,
 - (ii) A second proposal which also includes the scope of work outlined the Management Agreement between the City of Hamilton and Global Spectrum Facility Management, L.P. (Global Spectrum);
- (h) That staff be directed to evaluate any proposal(s) the City receives using the criteria and methodology used by KPMG during the HECFI review and outlined in Appendix "A" and report back to General Issues Committee with a staff recommendation on how best to proceed with the management of these entertainment assets;
- (j) That a contribution to an upset limit of \$100,000 from the Tax Stabilization Reserve (#110046) be used to fund an independent third party review of the staff recommendation.

EXECUTIVE SUMMARY

Based on the direction Council provided in 2011, staff commissioned an "External Audit Review of HECFI Operations" with the assistance of KPMG. Upon the completion of this exercise in 2013, Council approved the staff recommendations put forward in report CM11013(e) at the February 12, 2013 General Issues Committee. Based on this direction, staff executed the following agreements:

1. The Management Agreement between the City of Hamilton and Global Spectrum Facility Management, L.P. attached as Appendix "A" to report CM11013(e). This agreement designated Global Spectrum as the operator of the City-owned FirstOntario Centre (formerly Copps Coliseum) and the FirstOntario Concert Hall

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(formerly Hamilton Place) for a 5-year term which concludes on December 31, 2018.

2. The Facility Operating Agreement between the City of Hamilton, the Hospitality Centre Corporation and Mercanti Banquet & Convention Centre Ltd. attached as Appendix “B” to report CM11013(e). This agreement designated the Carmen’s Group as the operator of the City owned Hamilton Convention Centre for a 5-year term which concludes on December 31, 2018.

Since this transition away from HECFI’s operations in March 2013, both Global Spectrum and the Carmen’s Group have had considerable success given the limitations of the aging facilities they operate. In addition to providing the City combined savings of approximately \$5,000,000 since transitioning away from HECFI’s operation in 2013, both Global Spectrum and Carmen’s Group have been exceptional stewards of the facilities and have been actively involved in the local community.

Both agreements state that “the City, in its discretion, may extend the Initial Term for an additional five (5) years, to end on 11:59 p.m. December 31, 2023 by providing to Manager written notice of its desire to extend no later than one hundred fifty (150) days prior to the expiration of the Initial Term.” Since both agreements are set to expire on December 31, 2018, the 150 day “cut-off date” for providing both Global Spectrum and the Carmen’s Group notice that the City wishes to exercise this extensions would be August 3, 2018.

Given the fact that both Global Spectrum and the Carmen’s Group have had measurable success operating their respective facilities and have met their financial commitments to the City, staff were prepared to recommend that Council give staff authorization to exercise both 5-year extensions. However, in February 2018, the Carmen’s Group provided the open letter attached as Appendix “B” to the Mayor and Members of Council. The letter concludes with a “Formal request that City Council now examine alternate contract management arrangements regarding the current three entertainment venues including facility redevelopment exploration.” This letter was accompanied by a second open letter to the Mayor and Members of Council dated May 11, 2018, which is attached as Appendix “C”.

Through ongoing discussions with Carmen’s and Global Spectrum, both organizations have notified staff that they are prepared to forgo their 5-year extension and submit proposals for:

1. A 5-year extension of the scope of work outlined in their existing management agreements (for Global Spectrum – FirstOntario Centre and FirstOntario Concert Hall, for Carmen’s Group – The Hamilton Convention Centre); and,

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2. The opportunity to manage all three facilities, which would effectively result in the City terminating one of their existing agreements with either Global Spectrum or the Carmen's Group.

It is staff's opinion that the recommendation outlined above would put the City in the position to secure an agreement or agreements, with terms even more favourable than the existing 5-year renewal options that staff were prepared to recommend to Council. Staff would evaluate any proposal(s) the City receives as a result of recommendations contained within report CM18013 using the criteria and methodology used by KPMG during the HECFI review and outlined in Appendix "A". Staff are also recommending that Council approve an amount not to exceed \$100,000 to fund an independent third party review of the staff recommendation.

FINANCIAL – STAFFING – LEGAL IMPLICATIONS

FINANCIAL:

That a contribution to an upset limit of \$100,000 from the Tax Stabilization Reserve (#110046) be used to fund an independent third party review of the staff recommendation set out in item (f) of report CM18013.

STAFFING: N/A

LEGAL:

The current agreements will expire December 31, 2018 if no notice of extension is provided by August 3, 2018. Legal Services will prepare an extension agreement, if approved.

HISTORICAL BACKGROUND

At its meeting held on December 15, 2010, City Council approved the following motion:

Motion respecting Audit of Hamilton Entertainment and Convention Facilities Incorporated

- (a) That an Independent External Audit Review be conducted of the HECFI operations;

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- (b) That upon completion of the Audit that staff report back to Council with a process to privatize HECFI through a Request for Tender Process not overlooking a potential public bid.

Based on this direction, staff submitted Report 11-006 at the February 23, 2011 General Issues Committee, where Council approved the following staff recommendations;

- (a) That Phase 1 of the Independent External Audit Review of HECFI Operations be approved and funded from the HECFI Reserve in an amount to not exceed \$90,000.
- (b) That the Terms of Reference for the Independent External Audit Review of HECFI Operations (Appendix A to report CM11001) be approved.
- (c) That the requirements of the Purchasing Policy Bylaw be waived in the interests of rapid completion of the Review.
- (d) That staff be directed to seek responses from no less than three major accounting firms or their consulting subsidiaries including a Scope of Work and a budget for completion of the tasks set out in the Terms of Reference. That value for money rather than lowest price be part of the evaluation criteria.
- (e) That following receipt and evaluation of the responses, the City Manager be authorized to negotiate with one, or more of the firms, and retain a firm to complete the review and to execute a contract for the work in a form satisfactory to the City Solicitor.

Based on this direction, staff initiated the first phase, which consisted of a review of the existing HECFI operation by KPMG in conjunction with HLT Advisory Inc. Upon the completion of Phase 1, staff submitted Report CM11013 at the June 23, 2011 General Issues Committee, where Council approved the following staff recommendations;

- (a) That Report CM11013 respecting the Independent External Audit Review of HECFI Operations be received.

At its meeting of June 29, 2011, Council approved the following recommendations pertaining to Phase 2 of the HECFI Review:

- (a) That the City Manager be authorized and directed to proceed with Phase 2 of the HECFI Review Terms of Reference, utilizing the services of KPMG, as follows:

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- (i) Prepare and issue a Request for Interest (RFI) or Expression of Interest (EOI) for the purchase, lease, or management, of all or parts of HECFI facilities;
- (ii) Summarize options in a report to GIC;
- (b) That the City Manager be authorized and directed to negotiate the scope and cost of the Review with KPMG;
- (c) That the City Manager report back to the General Issues Committee with the results of Phase 2 by December 31, 2011;
- (d) That the cost of Phase 2 be funded from the HECFI Reserve.

At the October 11, 2011 GIC, staff submitted a report titled “Independent External Audit Review of HECFI Operations Phase 2 (CM11013(a))” and Council received this report which outlined the terms of reference for Phase 2 of the HECFI review as directed by Council.

At the April 27, 2012 General Issues Committee, Council approved Report CM11013c which included the following staff recommendations:

- (a) That the City Manager be authorized and directed to enter into negotiations with Global Spectrum/Live Nation, and SMG/Forum Equity, in an effort to finalize a proposed Memorandum of Understanding subject to further approval of the City, with one of the aforementioned groups that achieves the objectives of Council with respect to the operations of the HECFI Facilities;
- (b) That the proposed Memorandum of Understanding achieved in Recommendation of Report CM11013c, together with the details of the HECFI Business Plan as presented to their Board, be presented to the General Issues Committee for their consideration on or before June 30, 2012, to provide staff with directions or recommend Council approval necessary for entering into the Memorandum of Understanding and providing for an operating agreement between the City and the preferred group;
- (c) That KPMG LLP be retained to facilitate the negotiations with the proponents outlined in Recommendation a) of Report CM11013c based on the fee schedule contained in their Terms of Reference (attached hereto as Appendix “A”), and funded through the HECFI Reserves.

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At the February 12, 2013 General Issues Committee staff submitted a report titled “Independent External Review of HECFI Operations - Phase III Contract Negotiations (CM11013(e))” Where Council approved the following staff recommendations:

- (a) That an agreement for the management of Copps Coliseum and Hamilton Place substantially in the form of the Management. Agreement between the City of Hamilton and Global Spectrum Facilities Management L.P. (attached as Appendix "A" to Report CM11013(e)) be approved.
- (b) That an agreement for the management of the Hamilton Convention Centre substantially in the form of the Facility Operating Management Agreement between the City of Hamilton and the Carmen's Group Inc. (attached as Appendix 'B' to Report CM11013(e)), be approved.
- (d) That the Mayor and City Clerk be authorized and directed to execute the Management Agreement between the City of Hamilton and Global Spectrum Facilities Management L.P., the Facility Operating Management Agreement between the City of Hamilton and Carmen's Group Inc. (attached as Appendices 'A' and "B" respectively to Report CM11013(e)), and all necessary associated documents, all in a form satisfactory to the City Solicitor.
- (e) That the position, Director, Enterprise Management and Revenue Generation for the oversight of the contracts and other duties as outlined in Report CM11013(e) be approved and funded through the overall savings resulting from the implementation of the HECFI facilities Operating Contracts.

POLICY IMPLICATIONS AND LEGISLATED REQUIREMENTS

N/A

RELEVANT CONSULTATION

City Manager’s Office: Strategic Partnerships and Communications
 Corporate Services: Finance and Administration, Procurement, Legal
 Planning and Economic Development: Economic Development, Planning, Tourism
 Public Works: Facilities Management and Capital Projects

Global Spectrum’s latest annual report attached as Appendix “D”
 Carmen’s Group latest annual report attached as Appendix “E”

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ANALYSIS AND RATIONALE FOR RECOMMENDATION

Global Spectrum is widely regarded as a world leader in hosting and entertainment, partnering with over 300 clients at 400 global properties. Global Spectrum's expertise is embodied within three divisions: Venue Management, Food Services and Hospitality and Ticketing and Fan Engagement. According to Global Spectrum's latest Annual Report, their "mission is to provide world class, diversified and quality entertainment to the people of Hamilton and its surrounding areas." Since 2013 the facilities under Global Spectrum's management hold on average 203 events per year, with average annual attendance of 470,000. Under the agreement with Global Spectrum, the City of Hamilton has provided operating subsidies for the operation of the FirstOntario Centre and FirstOntario Concert Hall totalling \$12,466,667 since the agreement's commencement in March 2013.

The Hamilton Convention Centre which has been operated by the Carmen's Group since 2013, offers traditional convention centre events (conventions and conferences, meeting rooms, trade show exhibitions, banquets) with full food and beverage capabilities. The Carmen's Group prides themselves "on being one of Hamilton's largest and most successful hospitality and entertainment brands, with five beloved venues and 400 employees, and a long history of commitment to this community." The venue hosts thousands of visitors each year from all over the world. In 2017, the Hamilton Convention Centre held 137 events across 206 days, which resulted in an occupancy rate of 67%. Despite a budgeted net positive contribution of \$165,000 by the Carmen's Group in 2018, the City of Hamilton has provided the Hamilton Convention Centre a net operation subsidy of \$964,000 since 2013.

Under the existing Management Agreement between the City of Hamilton and Global Spectrum, the operating and capital costs associated with the FirstOntario Centre and the FirstOntario Concert Hall are allocated as follows:

Description	Global Spectrum
Capital vs. Operating Costs	The City is responsible for all Capital costs while Global Spectrum is responsible for all Operating Costs.
Utilities	Any utility costs above the 2011 Actual utility cost of \$1.2M will be paid by Global Spectrum.
Net Contribution from City	City will cover the first \$1.4M in losses, and Global Spectrum will cover the next \$500k in losses. Additional losses will be covered by the City. If losses are less than \$1.4M, Global Spectrum will retain the first \$450k as their management fee, and additional savings will be split between the City (70% to the City, 30% to Global Spectrum).

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The City of Hamilton has provided Global Spectrum the following operating subsidies over the life of this agreement:

Agreement Year	Subsidy of Operating loss	Subsidy of Utility Cost	Total Net Operating Subsidy
2017	\$1,300,000	\$1,200,000	\$2,600,000
2016	\$1,400,000	\$1,200,000	\$2,600,000
2015	\$1,400,000	\$1,200,000	\$2,600,000
2014	\$1,400,000	\$1,200,000	\$2,600,000
2013**	\$1,166,667	\$1,000,000	\$2,166,667
Total	\$6,666,667	\$5,800,00	\$12,466,667

Despite providing Global Spectrum operating subsidies of \$12,466,667 since the commencement of the agreement, the City has still realized over \$2,000,000 in operating savings based on 2013 baseline projections. The City also benefited from a one-time \$500,000 payment for capital improvement upon execution of the agreement. During the life of the agreement, the City has made capital expenditures totalling \$7,053,341 to the end of 2017 in the FirstOntario Centre and Hamilton Place broken out as follows:

FirstOntario Centre

Agreement Year	Capital Expenditures	Description
2017	\$500,000	Roof replacement (partial section), partial security system installation, removal of planter system, visual barriers on York St.
2016	\$740,000	Roof replacement (partial section), Acrylic Safety Glass for Rink, Elevator Compliance, Overhead Door Replacement, Domestic Water Pump Replacement
2015	\$56,000	Roof repair, Escalator and Elevator Compliance, Vertical Transportation Study
2014	\$448,000	Roof replacement (section), Exterior Door Replacement
2013	\$2,336,000	Refrigeration Plant Replacement, Washroom Renovation
Total	\$4,080,000	

FirstOntario Concert Hall

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Agreement Year	Capital Expenditures	Description
2017	\$638,300	Curtains for Theatre, Lighting replacement, House & stage & Controls, Concert Hall Sound Board Replacement
2016	\$94,768.	Furniture order for Mezzanine, Asbestos sampling and abatement Spec., Dance Floor - Adagio – Black 5'3" W x 101'L-Roll5,
2015	\$571,800	HP Vertical Movement Passenger Guards, Orchestra Lift guards, Freight Guards, Elevator Cylinder for Passenger + Staff elevators, Carpet replacement in Foyer & Mezzanine, Recommissioning of heating system, HP & HCC Asbestos survey and abatement
2014	\$869,148	HP Skylight caulking, HP & HCC Doors and Fire exits, HP Theatre New Audio system, HP TV, Sound Bar & TV bracket, HP Roof drain, HP & HCC Horizontal Exits Upgrades
2013	\$799,325	Reskinning the exterior, Consulting-window, carpets & Roof drains, HP & HCC Horizontal Exits, Elevator Cylinder replacement, concrete Rehabilitation
TOTAL	\$2,973,341	

Under the existing Management Agreement between the City of Hamilton and Carmen's Group, the operating and capital costs associated with the Hamilton Convention Centre are allocated as follows:

Description	Carmen's Group
Capital vs. Operating Costs	The City is responsible for all Capital costs while Carmen's Group is responsible for all Operating Costs (less the annual subsidies indicated below)
Utilities	Carmen's Group is contractually committed to paying the City the following annual utility contribution: For the 2014 Operating Year: \$105,000; For the 2015 Operating Year: \$115,000;

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	For the 2016 Operating Year: \$135,000; For the 2017 Operating Year: \$145,000; For the 2018 Operating Year: \$165,000;
Net Contribution from City	The City is contractually committed to paying Carmen's Group a subsidy in the following amounts: For the 2014 Operating Year: \$344,454.00; For the 2015 Operating Year: \$250,000.00; For the 2016 Operating Year: \$200,000.00; For the 2017 Operating Year: \$125,000.00; For the 2018 Operating Year: \$0;

The City of Hamilton has provided Carmen's Group the following operating subsidies over the life of this agreement:

Agreement Year	Subsidy of Operating loss	Less Carmen's Group Utility Contribution	Total Net Operating Subsidy/ (Contribution)
2017	\$125,000	(\$145,000)	(\$20,000)
2016	\$200,000	(\$135,000)	\$65,000
2015	\$250,000	(\$115,000)	\$135,000
2014	\$344,000	(\$105,000)	\$239,000
2013**	\$650,000	(\$105,000)	\$545,000
Total	\$1,569,000	(\$605,000)	\$964,000

The City also benefited from a one-time \$700,000 payment for capital improvement upon execution of the agreement. During the life of the agreement, the City has made capital expenditures totalling \$813,741 in the Hamilton Convention Centre broken out as follows:

Hamilton Convention Centre

Agreement Year	Capital Expenditures	Description
2017	\$167,983	Exterior door replacement, health & safety repairs, brick structural investigation (ongoing)
2016	\$185,789	Exterior door replacement, scissor lift, escalator & elevator Repairs
2015	\$271,908	Asbestos abatement, Chedoke Room ceiling renovation, LED lighting, Webster's Lounge skylight, escalator & elevator repairs
2014	\$177,809	Escalator repairs, kitchen floor tile replacement, natural gas ovens, exterior door replacement, roof evaluation

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2013	\$10,252	Select HVAC replacement, Exterior Door Replacement
Total	\$813,741	

ALTERNATIVES FOR CONSIDERATION

Alternative 1:

- (a) That Council direct staff to notify Global Spectrum Facility Management, L.P. (Global Spectrum) that the City wishes to exercise the 5-year extension outlined in the existing Management Agreement between the City of Hamilton and Global Spectrum Facility Management, L.P.;
- (b) That Council direct staff to notify Mercanti Banquet & Convention Centre Ltd. (Carmen's Group) that the City wishes to exercise the 5-year extension outlined in the existing Facility Operating Agreement between the City of Hamilton, the Hospitality Centre Corporation and Mercanti Banquet & Convention Centre Ltd.;
- (c) That the Mayor and the City Clerk be authorized and directed to execute any documents required to give effect to the 5-year extension to the Management Agreement between the City of Hamilton and Global Spectrum Facility Management, L.P. (Global Spectrum);
- (d) That the Mayor and the City Clerk be authorized and directed to execute any documents required to give effect to the 5-year extension to the Facility Operating Agreement between the City of Hamilton, the Hospitality Centre Corporation and Mercanti Banquet & Convention Centre Ltd. (Carmen's Group).

Alternative 2:

- (a) That 1-year extension of the existing Management Agreement between the City of Hamilton and Global Spectrum Facility Management, L.P. (Global Spectrum), which is set to expire on December 31, 2018, be approved;
- (b) That 1-year extension of the existing Facility Operating Agreement between the City of Hamilton, the Hospitality Centre Corporation and Mercanti Banquet & Convention Centre Ltd. (Carmen's Group), which is set to expire on December 31, 2018, be approved;
- (c) That the Mayor and the City Clerk be authorized and directed to execute any documents required to give effect to the 1-year extension to the Management Agreement between the City of Hamilton and Global Spectrum Facility Management, L.P. (Global Spectrum);

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- (d) That the Mayor and the City Clerk be authorized and directed to execute any documents required to give effect to the 1 year extension to the Facility Operating Agreement between the City of Hamilton, the Hospitality Centre Corporation and Mercanti Banquet & Convention Centre Ltd. (Carmen’s Group);
- (e) That Council directs Staff to issue a more formal RFP for the scope of work outlined within the existing Management Agreement between the City of Hamilton and Global Spectrum Facility Management, L.P. (Global Spectrum) and the existing Facility Operating Agreement between the City of Hamilton, the Hospitality Centre Corporation and Mercanti Banquet & Convention Centre Ltd. (Carmen’s Group).

ALIGNMENT TO THE 2016 – 2025 STRATEGIC PLAN

Community Engagement & Participation

Hamilton has an open, transparent and accessible approach to City government that engages with and empowers all citizens to be involved in their community.

Economic Prosperity and Growth

Hamilton has a prosperous and diverse local economy where people have opportunities to grow and develop.

Built Environment and Infrastructure

Hamilton is supported by state of the art infrastructure, transportation options, buildings and public spaces that create a dynamic City.

Culture and Diversity

Hamilton is a thriving, vibrant place for arts, culture, and heritage where diversity and inclusivity are embraced and celebrated.

Our People and Performance

Hamiltonians have a high level of trust and confidence in their City government.

Economic Prosperity and Growth

APPENDICES AND SCHEDULES ATTACHED

Appendix “A” – KPMG HECFI Review Methodology

Appendix “B” – Carmen’s Letter to the Mayor and Members of Council – February 2018

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OUR Mission: To provide high quality cost conscious public services that contribute to a healthy, safe and prosperous community, in a sustainable manner.

OUR Culture: Collective Ownership, Steadfast Integrity, Courageous Change, Sensational Service, Engaged Empowered Employees.

**SUBJECT: Downtown Entertainment Assets Operating Agreements (CM18013)
(City Wide) – Page 14 of 14**

Appendix “C” – Carmen’s Letter to the Mayor and Members of Council – May 2018

Appendix “D” – Global Spectrum Latest Annual Report

Appendix “E” – Carmen’s Group Latest Annual Report



HECFI Alternative Service Delivery RFP City Objectives of the RFP Process

- In seeking ASD proposals from interested parties, the RFP document listed the following specific objectives of the City:
 1. **Reducing or eliminating the City's subsidization of HECFI's facilities.**
 2. Fostering spin-off private investment in the downtown core of Hamilton.
 3. Maintaining the core use of each of the three HECFI facilities.
 4. Attracting a larger mix of high calibre sports and entertainment events.
 5. Enhancing the quality of life of Hamiltonians

Dear Mayor Eisenberger and Members of Hamilton City Council:

Re: A Renewed Vision or the Future of Hamilton's Sports, Entertainment, Hospitality and Convention Facilities

As one of Hamilton's largest and most successful hospitality and entertainment brands, with five beloved venues and 400 employees, and a long history of commitment to this community, Carmen's Group would like to now present to the City of Hamilton an opportunity to accelerate the City's development as a national cultural hotspot, by proposing a renewed direction for Hamilton's iconic entertainment facilities.

The strategic objective of this proposal is twofold; to maximize the potential of the existing former HECFI facilities in their current form, while simultaneously moving forward with a collaboration process to build the private-public partnership model that best produces the next generation of Hamilton's entertainment venues.

Carmen's Group, in partnership with Scott Warren - former General Manager of FirstOntario Centre and FirstOntario Concert Hall/The Studio with 28 years of significant contributions to the management of entertainment venues - will spearhead a local, ***Made in Hamilton*** consortium. This consortium has a dynamic slate of expertise including strong sports and entertainment industry relationships, large-scale entertainment promotion experience, facility management prowess, as well as partners with extensive financing and development expertise. The consortium will work with private-sector, industry partners and City Council to explore all potential redevelopment options to ensure the next generation of Hamilton entertainment patrons have state-of-the-art facilities that deliver the extraordinary experiences they desire. Building on the partnerships established in the already completed and private-sector funded 2016 Arena Renovation Study that Carmen's Group was a key partner in, and the recent 2017 City Council motion proposed by Councillor Merulla, this renewed direction would see various urban core locations, precinct feasibility scenarios, strong business case and city-building components examined and explored.

While this longer-term vision is pursued, the Carmen's Group/Scott Warren partnership would provide an immediate win-win-win for all stakeholders including City Council, City staff, employees of the current venues, and all citizens of Hamilton, by providing the following benefits to be shared among all involved parties:

- **Immediate Upfront Savings to Hamilton Taxpayers** – continuing the demonstrated capacity of Carmen's Group to produce subsidy reductions, as evidenced by our effective management of the Convention Centre, as well as the proven taxpayer subsidy reduction of the entertainment venues via Scott Warren's leadership, the consortium will deliver further subsidy reductions across the facilities under our management throughout the term of a renewed engagement;
- **Upfront Capital Investments** – a sizeable upfront investment in improvements to the respective facility's aesthetics designed to ultimately enhance guest experiences;
- **Contract Flexibility** – the consortium, due to their locality and future vision, will include flexible language and terms in the contract to allow for development exploration;

- **Programming Expertise** – With Scott Warren executing the booking/talent buying, as he has done for the past five years, the consortium will continue to build on the world-class talent programming that has helped Hamilton realize enormous economic impact. Scott continues to maintain extensive relationships with industry promoters and agents in the United States and Canada and will share documentation of their support for this consortium.

- **Employee Continuity** – all existing union and non-union employees of the facilities would be offered employment under the terms of the proposed new management contract;

- **Local Advisory Board** – the consortium will form an industry board consisting of the most prominent and influential names from the local and national entertainment industry, to offer insight, support and assistance in maximizing the potential of the respective venues.

The future has never looked brighter for the City of Hamilton. With a booming real estate market, new residential developments, hot new restaurants, exciting transit improvements, vibrant neighbourhood districts, and unparalleled natural beauty, the rest of the world is starting to appreciate what Hamiltonians have long recognized and what the City so appropriately said in our visionary bid to be home to Amazon's HQ2; **Hamilton is Unstoppable!** It is now time to bring this same vision to best maximizing synergies with our entertainment facilities, having them work in tandem, with specific and unique opportunities surrounding the FirstOntario Centre, FirstOntario Concert Hall/The Studio and the Hamilton Convention Centre. Carmen's Group has a proven track record, delivering on our promise to dramatically reduce the operating subsidy at the Convention Centre, saving the City nearly \$6 million since 2013. We have further demonstrated our commitment to Hamilton and the urban core by moving the Carmen's Group Corporate Headquarters to downtown Hamilton, in the heart of the hospitality district on James Street North.

With regards to next steps, in light of the impending conclusion date on the first management contract for these three venues, **Carmen's Group formally requests that City Council now examine alternative contract management arrangements regarding the current three entertainment venues including facility redevelopment exploration.** We then look forward together with our consortium partners, to the presentation of an unsolicited bid regarding a comprehensive private-public partnership plan that will take Hamilton's sports, entertainment, convention and hospitality industry deep into the 21st century, helping Hamilton fulfill its destiny as the **Ambitious City.**

Yours very sincerely,



PJ Mercanti

CEO

Carmen's Group



May 11, 2018

Dear Mayor Eisenberger and Members of Hamilton City Council:

Re: The Future Management of Hamilton's Downtown Entertainment Venues

We are writing to update you on progress that has taken place since our letter in February, 2018, at which time the Carmen's Group formally requested City Council examine alternative contract management arrangements regarding the current three downtown entertainment venues. Our two-fold strategic objective remains clear; to maximize the potential of the existing former HECFI facilities in their current form, while concurrently moving forward with a collaboration process to build the private-public partnership model that best produces a renewed vision for the future of Hamilton's entertainment venues. Back in February, in light of the impending conclusion date on the first management contracts for the three venues set for the end of this calendar year, the Carmen's Group made our formal request to City Council, which then voted to instruct staff to investigate and report back.

As we await the staff report, our group wanted to ensure City Council be kept up-to-date on all relevant developments. We are excited to inform you that our Local Group has added an important new relationship. The Carmen's Group working in partnership with Scott Warren, has reached an agreement to work with the Oak View Group (OVG), headquartered in Los Angeles, regarding the proposed operation of the three venues. OVG was founded by Tim Leiweke, Irving Azoff and Madison Square Garden Entertainment. Tim Leiweke, now CEO of OVG, is the former president and CEO of Maple Leaf Sports and Entertainment (MLSE). Before coming to Toronto in 2013 he was president and CEO of the Anschutz Entertainment Group (AEG) in Los Angeles, where he developed the Staples Center, L.A. LIVE and the StubHub Center. He returned to L.A. in 2015 to found OVG with his partner Irving Azoff, who is formerly chairman and CEO of Ticketmaster Entertainment, executive chairman of Live Nation Entertainment, and CEO of Front Line Management. Azoff is currently chairman of Full Stop Management which represents recording artists such as the Eagles, Harry Styles, Christina Aguilera, Journey, Don Henley, Joe Walsh, Van Halen, Thirty Seconds to Mars, Steely Dan, Gwen Stefani, Fleetwood Mac, Bon Jovi, Jimmy Buffett and more. Since 2013 he has been chairman and CEO of Azoff MSG Entertainment, a venture with the Madison Square Garden Company, which controls live events at the Madison Square Garden arena and Theater at MSG. In addition to the Garden itself, MSG Entertainment owns the rights to operate two theaters in Manhattan, Radio City Music Hall and the Beacon Theatre, controls operations of the Chicago Theater, co-books the Wang Theater in Boston, and also purchased and renovated the Forum in Inglewood, California, transforming the former home of the L.A. Kings and Lakers into one of Southern California's most successful live event venues.

The coming together of these visionary partners to create the Oak View Group produced a world-class leader in facility management, business development, live-event bookings, sponsorships and global partnerships. Many top-level sports and entertainment executives joined the company, including Peter Luukko, co-chairman of OVG's Arena Alliance and current executive chairman and member of the NHL's Board of Governors for the Florida Panthers. Luukko was formerly president of Comcast Spectacor and president of the Philadelphia Flyers. With this exceptional team in place, OVG is currently developing the transformation of the KeyArena at Seattle Center, and was recently selected by the State of New York to develop the new home of the New York Islanders at Belmont Park on Long Island. Further, OVG's relationships in the touring entertainment business are second to none, and the Hamilton venues will benefit from the direct support that will be provided by the executives of OVG. The company is excited to provide venue-management and facility operation services to our Local Group, and this project represents their first venture in Canada.



Our team understands and respects that City Council will have to determine how best to move forward in light of the pending conclusion date on the existing management contracts, and we will work within whatever process you decide. That said, we want to make clear that this venue-management proposal, crafted by our Local Group working with OVG, will mark a great improvement over the existing contracts, providing improved financial arrangements and entertainment services for all stakeholders throughout the term of a renewed engagement. We also want to let you know that as we pursue these considerations of the immediate contracts, our emerging Carmen's-led private-sector consortium also anticipates the presentation of an unsolicited bid regarding a comprehensive private-public partnership to establish the Precinct Plan that delivers the "next-generation" of sports, entertainment, convention and hospitality facilities in the heart of Hamilton's urban core. As these exciting projects proceed, we look forward to working with you in the days, weeks, years and generations to come.

Yours very sincerely,

PJ Mercanti
CEO, Carmen's Group

FIRSTONTARIO CENTRE • FIRSTONTARIO CONCERT HALL • THE STUDIO

CORE

ENTERTAINMENT

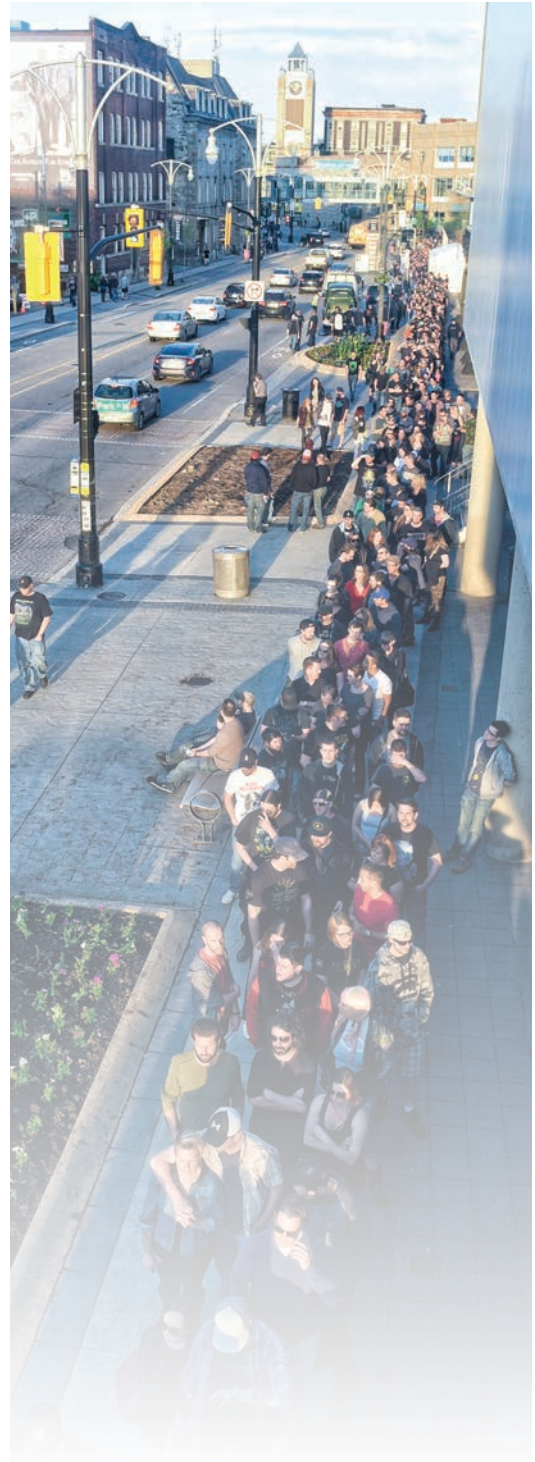


2013-2017 REVIEW



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EXECUTIVE SUMMARY

INTRODUCTION

Spectra, in partnership with Live Nation, is pleased to submit a summary of the record breaking 2017 operating results, as well as a synopsis of the close to five year Spectra management experience of the Core Entertainment facilities on behalf of the City of Hamilton.

Spectra is committed to enriching the City of Hamilton. Since 2013, our team of experienced industry professionals in Hamilton, supported by the depth of the Spectra and Live Nation organization, has delivered customized solutions and game-changing efficiencies that have instilled operational excellence and a seamless experience for customers and guests. Our expertise has provided diverse event content, proficient facility operations, subsidy reducing solutions, financial returns, and engaging marketing strategies for the Core Entertainment facilities, FirstOntario Centre, FirstOntario Concert Hall and The Studio.

MAJOR HIGHLIGHTS

On average, the Spectra/Live Nation partnership has generated an annual operational savings to the City of approximately \$500,000 per year since 2014, and in 2017, we were able to increase these savings to \$599,000 making it the best year yet!

We enhanced the core use of each of the facilities under the Core Entertainment brand by attracting high calibre events through our partnership with Live Nation, as well as the other Spectra managed facilities in Ontario and throughout Canada.

Spectra has developed increased ancillary revenue around shows through proven Spectra programs.

Spectra's corporate network has allowed for information sharing, shared resources and the development and execution of industry best practices in Hamilton.

Spectra has attracted 42 full time Canadian employees to further their careers at Core Entertainment, 8 of whom have relocated to Hamilton from other Spectra managed facilities. In addition, the Core Entertainment employees represented by Locals 129, 772 and 173 have integrated well and have played a key role in the success of the Core Entertainment operation.

SUMMARY AND CONCLUSION

Since 2013, Spectra, in partnership with Live Nation, has worked closely with the City of Hamilton to execute specific new and ongoing strategies to ensure that FirstOntario Centre, FirstOntario Concert Hall and The Studio have provided maximum benefit to the City of Hamilton.

REGIONAL VICE PRESIDENT & INTERIM GENERAL MANAGER



Mr. John Hertel
Director
Strategic Partnerships & Communications
City Manager's Office
City of Hamilton

Dear Mr. Hertel

Spectra Venue Management, along with our partner Live Nation, are very pleased to present to you our outstanding 2017 operating results for the Core Entertainment facilities including the FirstOntario Centre, the FirstOntario Concert Hall, and the Studio. In addition to the record breaking 2017 operating results, we are also including a synopsis of the success and growth of the Core Entertainment facilities since Spectra assumed management responsibility in 2013.

On March 1st, 2013, the Spectra/Live Nation partnership, working in conjunction with the City of Hamilton, began the first full year of operation of the now Core Entertainment complex. On average we have generated an operational savings to the City of approximately \$500,000 per year since 2014, and in 2017, we were able to increase this savings to \$599,000, making it our best year yet.

The flexibility and wide scope of all three facilities has allowed Spectra to attract a wide variety of events, including high profile big name concerts, smaller, more intimate shows, family shows, sporting events, consumer shows, motor sports, industry award gatherings, community events, and more. Additionally, Spectra has worked closely with major tenant Hamilton Bulldogs to assist in the transition from the AHL to the OHL, and to successfully present 34 games each season, hosting over 120,000 fans.

This success is the direct result of the combined effort of Spectra and Live Nation applying proven resources and cutting edge industry experience to support the everyday operation of the Core Entertainment facilities. This support is essential to keep pace and to continue to grow in an ever changing, increasingly competitive industry. All aspects of the everyday operation, including event booking, patron experience, event management, operations, labour management, marketing, ticketing/box office, sponsorship sales, financial systems and control, budgeting, and client relations are supported by corporate industry professionals, including the many Spectra resources throughout our 11 facilities close by in Ontario, and the Live Nation office in Toronto.

Looking ahead, 2018 is shaping up to be another strong year, and increased emphasis will be placed on building upon every key aspect of the operation to enable the Core Entertainment facilities to continue to grow and best serve the citizens of Hamilton. An essential element to all of this success is the support and strong working relationship Spectra has established with you and the City of Hamilton. As the facilities owners it is important that you are engaged and continually provide input so we at Spectra can ensure that we are working hard on your behalf to realize the goals you and the community have set for the facilities.

Thank you very much for your engagement and support.

Sincerely

Tim Murphy
Regional Vice President and Interim General Manager
Spectra Venue Management

Tim Murphy

Regional Vice President & Interim General Manager

Spectra Venue
Management

CHAIRMAN LIVE NATION CANADA



John Hertel
Director
Strategic Partnership and Communications
City Manager's Office
City of Hamilton

Riley O'Connor

Chairman

Live Nation Canada

Dear John,

I thought this would be a good time to reflect on the Spectra/Live Nation partnership in the management of the Core Entertainment facilities.

Our Partnership has brought combined resources in operations, marketing, ticketing and sponsorship using best practices and management experience. A key driver to keeping the City of Hamilton on the global live entertainment stage is presenting a diverse genre of artists.

Since 2013, the City of Hamilton facilities have played host to iconic rock artists from Motley Cruë to Black Sabbath. Canadian Artists who have left their imprint on the world stage from Rush to Bryan Adams, The Tragically Hip to Sarah McLachlan. We have seen a broad spectrum of country artist from Luke Bryan to Dixie Chicks, Hip Hop and modern rockers: Kanye West and the Red Hot Chili Peppers. The City of Hamilton has also played host to artists recognized around the globe such as Elton John and Paul McCartney.

The Spectra/Live Nation partnership works closely to ensure a consistent fan experience within the City of Hamilton facilities with guest services and on time running of productions. Spectra and Live Nation are driven in performance with positive fiscal results. We continually look for growth opportunities in content and expanded revenue streams.

We look forward to building the live entertainment business and bringing economic value to the City of Hamilton.

Sincerely,

A handwritten signature in black ink that reads "Riley O'Connor".

Riley O'Connor
Chairman
Live Nation Canada

OWNER HAMILTON BULLDOGS HOCKEY CLUB



Michael Andlauer

Owner

Hamilton Bulldogs

Mr. John Hertel
Director
Strategic Partnerships & Communications
City Manager's Office
City of Hamilton

Dear Mr. Hertel

It is very important to the Hamilton Bulldogs to have a close and positive working relationship with the owner and manager of the arena we call our home!

For the past five seasons Spectra Venue Management & Live Nation have managed the FirstOntario Centre in a very professional and diligent manner. They know what they are doing and they have deep corporate resources to support this operation. They treat the Bulldogs with respect as their prime tenant partner. They are not only familiar with arena management but hockey ownership as well. Their parent company, Comcast Spectacor, owns the NHL Flyers which play their home games at Spectra's headquarters building, the Wells Fargo Center in Philadelphia.

Live Nation's commitment to Hamilton and the FirstOntario Centre cannot be underestimated. They work closely with Spectra but more importantly provide much of the entertainment programming that complement our Bulldog season ticket holders.

On behalf of the Hamilton Bulldogs, we salute Spectra Venue Management & Live Nation and look forward to more years of our successful partnership.

Sincerely

Michael Andlauer
Owner, Hamilton Bulldogs

DIRECTOR STRATEGIC PARTNERSHIPS & COMMUNICATIONS



Mr. Tim Murphy
Regional Vice President & Interim General Manager
Spectra Venue Management

Congratulations Tim and Team,

The momentum continued to grow in 2017 as a result of the steady growth of ticketed and community events across the venues, which produced strong financials that enabled the City of Hamilton to recognize an operating profit sharing contribution. Also, with Council's support, we were able to have capital dollars allocated to the buildings to improve lighting, security, and the movement of patrons on new escalators and elevators.

Our major tenants, the Hamilton Bulldogs and the Hamilton Philharmonic Orchestra also had banner year's thanks in part to the strong support from the Spectra team. The Bulldogs led their division most of the way and look strong for a playoff run. The HPO brought amazing performances and sold out audiences to the FirstOntario Concert Hall.

Shows featuring major acts like Maroon 5, Green Day, Jeff Dunham and Red Hot Chili Peppers, as well as great hockey from the Bulldogs and a World Junior pre-tournament game brought thousands of patrons to FirstOntario Centre. The Concert Hall was very busy with great international and local performances as well as community events. All of these contribute prominently to the vitality and economy of the City. Our City sponsored "First Responders" game with the Bulldogs was another great success, and our jointly sponsored "Walk/Run" program for the community has grown significantly in participation in 2017.

The year ahead is shaping up to be just as exciting. Best wishes for continued success.

Regards,

John Hertel
Director
Strategic Partnerships & Communications
City Manager's Office
City of Hamilton

John Hertel

Director

Strategic Partnerships &
Communications

City Manager's Office

City of Hamilton

2013-2016 NOTABLE SHOWS & EVENTS

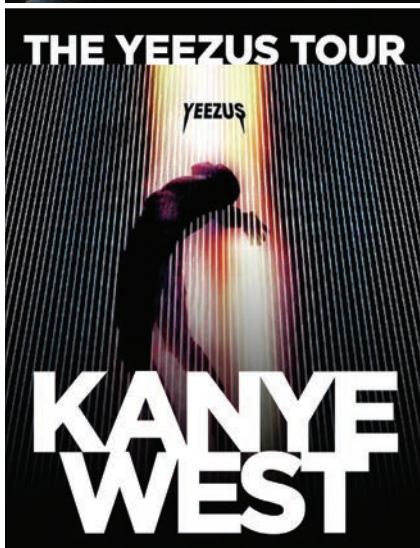
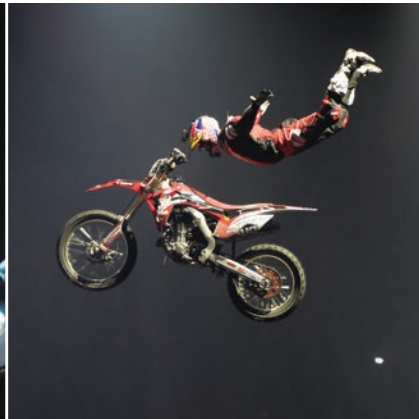


2013

- Spectra facility managers of FirstOntario Centre, FirstOntario Concert Hall and The Studio form a joint partnership with Live Nation, the world's number one concert promoter, ensuring the long-term success of all three venues.
- Spectra Regional Canadian meetings held at The Studio. Eight marketers representing 13 arenas and convention centres meet with industry leader Bob Schwartz, Vice President of Marketing, for a two day intensive workshop focusing on Marketing and PR initiatives training, sharing and revenue generation.
- Monster Jam ticket sales "jump" over previous shows at FirstOntario Centre doubling ticket sales from its last show at the venue in 2010.
- Oprah takes over Hamilton and inspires fans at FirstOntario Centre.
- Demand for The Lumineers tickets sells out two venues and ends up playing to a sold out crowd in FirstOntario Centre's "Club Core" set up.
- Spectra holds its first pre-show block party to celebrate Rock and Roll Hall of Fame Canadian rock legends RUSH.
- Sirius XM Radio concert at The Studio featuring Billy Talent sells out. The band donates all proceeds to the Lac-Megantic Red Cross.
- Sidney Crosby "skates" his way to Hamilton to film a Tim Horton's commercial at FirstOntario Centre.
- The puck drops for the Hamilton Bulldogs 18th AHL season at FirstOntario Centre.
- Dixie Chicks make their triumphant return to Hamilton with their Long Time Gone Tour.
- The Spectra Marketing Team duplicates a successful promotion executed at Spectra managed Abbotsford Centre and sets up the first ticket sales kiosk at Mapleview Shopping Centre in Burlington to promote "Give The Gift Of Entertainment This Holiday Season". In partnership with the Hamilton Bulldogs, just over \$50,000 in sales was generated in the 30 day period in December 2013.
- The Spectra team in Hamilton partners with the number one radio station in Hamilton, 102.9 K-Lite, to host a free family skate over the holidays.

CLICK TO WATCH
YouTube

2013-2016 NOTABLE SHOWS & EVENTS



2014

- Called an “action sport collective” Nitro Circus brings their first ever North American show to Hamilton.
- Elton John and his band return to FirstOntario Centre after a four year absence. The tour featured iconic hits and classic album tracks from his incredible five-decade career, as well as a selection of new songs.
- Kanye West – The Yeezus Tour adds a stop at FirstOntario Centre.
- After selling out The Studio in 2013, R5 returns to Hamilton in less than a year, rocking out with over 2,700 of their fans at FirstOntario Centre.
- Black Sabbath sells out FirstOntario Centre.
- The Backstreet Boys get “everybody to rock their body” at FirstOntario Centre. The band enjoys seeing their “likeness” used in a video to help promote their show in Hamilton.

CORE
ENTERTAINMENT

- Spectra unites Hamilton venues under new “Core Entertainment Brand”.
- Spectra launches the new state-of-the-art CoreEntertainment.ca website.

2013-2016 NOTABLE SHOWS & EVENTS



Fists pump as 85 sing Journey hit in record attempt



2015

- Spectra receives international recognition by industry leaders and publications.
- New sound system installed at FirstOntario Concert Hall gets picked up as feature story in ProSound Web.
- The 2015 Junos held at Core Entertainment's FirstOntario Centre was front and centre in industry publication Pollstar.
- A trade shot featuring management members at Core Entertainment along with Dean Brody and Paul Brant gets highlighted in the coveted Backstage Photopass section of Pollstar Magazine.
- The Spectra team at Core Entertainment takes over the front page of news publication Hamilton Spectator for closing down the street to throw a block party before Kenny Chesney's show at FirstOntario Centre.
- Spectra managed FirstOntario Centre lands on the front page of the Hamilton Spectator in an attempt to break a RecordSetter.com record of greatest number of people singing Journey's hit song "Don't Stop Believin'" in unison as part of a PR stunt to promote its upcoming Journey show at the venue.
- Iconic multi-platinum recording-artist Bryan Adams plugged into the FirstOntario Centre in celebration of the 30th Anniversary of Reckless.
- Canada's largest music award show the 2015 Juno Awards takes over the city of Hamilton as well as FirstOntario Centre. Both the city and the venue get world media attention.
- FirstOntario Concert Hall becomes the backdrop to Netflix's Original Series and wildly popular Hemlock Grove.
- Shakey Graves plays a sold out crowd at The Studio.
- Once again, both Hamilton and FirstOntario Centre are placed on the world's stage as the 2015 ISU World Synchronized Skating Championships come to town. Over 15 countries are represented.

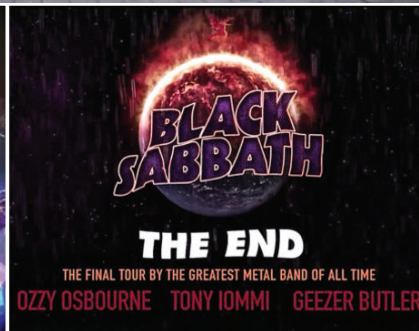
2013-2016 NOTABLE SHOWS & EVENTS



2015

- International superstar Shania Twain sets out on first North American tour in over a decade after acclaimed Las Vegas residency ROCK THIS COUNTRY TOUR makes FirstOntario Centre a stop on her tour.
- Grammy Award winning “Weird Al” Yankovic the biggest-selling comedy recording artist in history sells out FirstOntario Concert Hall.
- South Asian stand-up comedian, actor, TV host, producer and singer Kapil Sharma performs at FirstOntario Centre.
- Marvel Universe LIVE! takes the live entertainment experience to a whole new level, with a mind-blowing show unlike anything you’ve seen before. Favourite Marvel Super Heroes including Spider-Man and The Avengers (Iron Man, Black Widow, Hulk and more) and threatening villains come to life in an action-packed arena performance.
- The Studio turns into St. Mary High School’s Formal creating a new opportunity for community involvement.
- Jazz At Lincoln Centre Orchestra with Wynton Marsalis brings his only Southern Ontario stop to FirstOntario Concert Hall.
- Jeff Dunham returns to FirstOntario Centre for the first time since 2010.

2013-2016 NOTABLE SHOWS & EVENTS



2016

- Spectra managed venues continue to be recognized by industry and main stream publications.
 - Garth Brooks – Pollstar Backstage Pass.
 - Chicago along with Earth, Wind and Fire – Pollstar Backstage Pass and show image.
 - Billboard Magazine recognizes FirstOntario Centre as a Top Canadian Venue in 2016.
 - Looking back at 2016 Hamilton Spectator highlights many of the shows at Core Entertainment venues as highlights for the year.
- Hamilton favourite, Blue Rodeo play two sold out shows at FirstOntario Concert Hall.
- The final tour by the greatest Metal Band of all time, Black Sabbath. Ozzy Osbourne, Tony Iommi and Geezer Butler close the final chapter in the final volume of the incredible Black Sabbath story with farewell performance at FirstOntario Centre.
- The 91st Highlanders Athletic Association holds the yearly Indoor Games at FirstOntario Centre. The goal of this event is to promote youth Athletics in the Golden Horseshoe Region. The meet has been held every year since 1908, except in the war years – making it the oldest continually operating indoor track and field meet in North America.
- Garth Brooks takes over Hamilton for 5 shows in 4 days. At the on sale for the shows Garth Brooks smashed his past Hamilton and Toronto ticket sales record combined in 45 minutes. He last played Copps Coliseum (now FirstOntario Centre) in Hamilton, September 5th, 1996 and SkyDome in Toronto, September 6th, 1996 and sold a combined 47,910 tickets. The day of the on-sale he sold 54,048 tickets for his shows at FirstOntario Centre.
- In its 122nd year the City of Hamilton played host to the annual Around The Bay Road Race. Approximately 13,000+ athletes, plus coaches, volunteers, family and friends visited Hamilton during this time frame.
- Platinum and gold winning artists Brighton Rock returned to Hamilton after 25 years making a stop and selling out The Studio in celebration of their 30th anniversary of their album Young Wild and Free.

2013-2016 NOTABLE SHOWS & EVENTS



2016

- Five-time GRAMMY® Award winner James Taylor makes a stop at FirstOntario Centre as part of his 2016 North American Tour.
- The larger-than-life rock icon Meat Loaf, brought his over-the-top and one-of-a-kind show to a sold out FirstOntario Concert Hall.
- Keifer Sutherland moved away from acting to go on a Canadian tour to support his new country album. Fans of the actor were “wowed” when he played our intimate Studio.
- Sir Paul McCartney’s historic debut appearance in Hamilton making his first stop ever to our city as part of his One On One global tour.
- Iconic Canadian band, The Tragically Hip make an electrifying, emotional and never forgotten stop in Hamilton as part of their Man Machine Poem tour.
- FirstOntario Centre played host to the 26th Canada Kabaddi Cup.



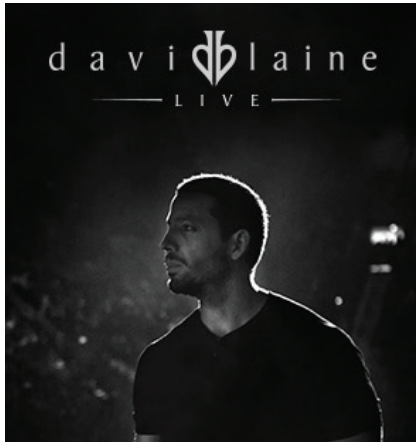
2017 NOTABLE SHOWS & EVENTS



2017

- After selling out The Studio in 2013, and opening for Dierks Bentley at FirstOntario Centre in 2014, local country star Tim Hicks kicks off the year with a headline show at FirstOntario Concert Hall.
- FirstOntario Centre transforms into a hub of opportunity as McMaster University and Mohawk College come together for Connect to Careers, touted as Hamilton's largest job fair.
- Hamilton's own Arkells sell out the "Club Core" set up at FirstOntario Centre. This unique configuration is the only one of its kind in Ontario and allows for up to 5,000 GA capacity on the floor.
- Returning after an eight year absence, Green Day ROCKS FirstOntario Centre.
- FirstOntario Concert Hall continued to host an increasing number of dance competitions and graduations.
- Hamilton favourites father and son duo Bill & Joel Plaskett sell out The Studio.
- Hamilton's Food & Drink show make Spectra managed FirstOntario Centre their new home.
- Florida Georgia Line brings their fans to their feet with their first stop to FirstOntario Centre.
- Red Hot Chili Peppers announce a first time ever stop in Hamilton as part of their Getaway Tour. To celebrate, the Spectra team in Hamilton throws a pre-show street party prior to the show.

2017 NOTABLE SHOWS & EVENTS



2017

- In his first stop to FirstOntario Concert Hall, David Blaine amazes a sold out crowd.
- The Heritage Cup of Lacrosse pits Team Canada against Team USA. Canada wins in this first time event at FirstOntario Centre.
- Canadian Pop and Indie bands, Scott Helman & Ria Mae, USS (2 shows) and Alvways play to sold out crowds in The Studio.
- Two-time GRAMMY-nominated blues-rock guitar icon Joe Bonamassa plays to a full house at FirstOntario Concert Hall.
- The National perform to a sold out crowd at FirstOntario Concert Hall.
- Supporting our tenant partners the Hamilton Bulldogs, the World Junior Pre-Tournament skated into the FirstOntario Centre. Canada beats Switzerland 8 - 1.



RENOVATIONS & FACILITY IMPROVEMENTS

Working in partnership with the City of Hamilton Facility Management Team, the focus has been to create great experiences for fans attending any of the Core Entertainment venues.

Spectra's corporate office provides support, information and best practices to the Core Entertainment venues and staff through bi-weekly calls amongst all Directors of Operations (Convention Centres, Stadiums, Arenas etc.). The benefit of this network not only allows us to share information but also share resources such as equipment, purchasing, best practices, as well as utilizing experienced staff to support other Spectra venues.

A SNAPSHOT OF SPECTRA'S CORPORATE SUPPORT IN HAMILTON

ICE MAINTENANCE STRATEGIES

- Assistance from Philadelphia Flyers with ice maintenance strategies. This was a thorough examination of our practices and conditions supporting our unique ice setup of FirstOntario Centre.

360 LED RING

- Daktronics display system. Assistance in the procurement process & products for the new power LED ring at FirstOntario Centre.

NATIONAL SERVICE AGREEMENTS

- The ability to utilize national service agreements procured by Spectra to reduce overhead. Examples that we have adopted: temporary labour rates, micro main CMMS, stage right materials, Guillevin supplies, Athletica supplies and Garrett Security Systems to name a few.

EQUIPMENT RENTAL & SHARED RESOURCES

- Operational equipment for shows and entertainment is easily obtained for free from sister venues in Ontario if required. Without these connections there would be significant increase in expenses due to the need to out-source certain operational equipment.

Under the direction of Matt McDowall, Director of Operations, Spectra's Building Operations team in Hamilton has accomplished and completed a great many projects in partnership with the City of Hamilton Facility Management Team and internal staff.

Since 2013, venue capital projects have focused on revenue generation, client experience, health & safety, event readiness and facility maintenance.

FIRSTONTARIO CENTRE

- In 2013, Spectra invested in a complete 360 LED ribbon to replace the antiquated static billboards around the arena. The LED ribbon not only helps with fan engagement but, is used to generate additional revenue for sponsorship.
- New acrylic glass for the hockey rink was needed to meet the ongoing requirements of Ontario Hockey League. This glass is to NHL standards and was installed by Athletica. The original glass was tempered creating not only a safety hazard to patrons if shattered but was also labour intensive during change over for various events held at the arena.
- After restoring the event level of FirstOntario Centre an opportunity existed to utilize this area more effectively. Additional washrooms were created and tied in to our existing plumbing/electrical system to cater to the needs of growing event level crowds.
- The scoreboard at FirstOntario Centre could only be trimmed to a certain height which posed not only an issue for rigging around an existing show but also impeded particular events that could be executed in this arena. We re-set the trim heights and elevated our current rigging plans, cabling and loads which allows shows to easily execute in the area while reducing stagehands costs for load ins and load outs.



- In 2017 the installation of new LED light fixtures, replaced the old system of HID lighting. This has not only created a better fan experience and flexibility for hockey games and shows alike but will save the city in excess of \$50,000 a year on utilities.

CLICK TO WATCH 

- At the end of 2017, a successful bid from the City of Hamilton Facility Management Team saw an injection of approximately \$4.3 million to help refurbish and renovate the elevator and escalators at FirstOntario Centre. The Spectra team in Hamilton has been working closely with the lead project manager regarding options and design.

RENOVATIONS & FACILITY IMPROVEMENTS

ADDITIONAL IMPROVEMENTS AT FIRSTONTARIO CENTRE

- Rigging and engineering report & design (for show loads and capacities).
- Drain replacement and roofing project.
- Digital upgrades to all concourse televisions.
- Electrical tie in of walk in freezers to our back up generator.
- Updating the security systems as well as urban landscaping outside the venue.
- Striping and sealing the entire exhibition hall floor and redistributed space.
- Replacing the York St roll up doors.
- Concourse painting.
- Power sanded all in bowl aisles.

FIRSTONTARIO CONCERT HALL

- The original orange carpet at FirstOntario Concert Hall has been updated and replaced in phases. The third phase, (stairwell), is expected to be completed in 2018. The new carpet brings a fresh feel and atmosphere to the FirstOntario Concert Hall. The remainder of the carpeting on the walls and the inside of the Great Hall are expected to be replaced in the future.
- New furniture has been added in the lobby, mezzanine, first and second balconies. The furniture makes the area more welcoming to guests and compliments the current transitioning color scheme of the carpet renovations.
- The acquisition of a new, in-house, audio system has modernized the Great Hall while producing fantastic quality of sound for guests and producers alike.

ADDITIONAL IMPROVEMENTS AT FIRSTONTARIO CONCERT HALL & THE STUDIO

- Skylight replacement and repair.
- Great Hall and Studio audio board replacements.
- New lighting board system.
- New upstage black curtain drop.
- Elevators replaced to double shaft.
- New dance floor for dance competitions.
- New line sets for the theatre fly system.



- The FirstOntario Concert Hall replaced all its front of house lighting systems and controls to help make the building become more energy independent. Further upgrades of the stage lighting will see expected energy savings of between \$50,000 – \$60,000 a year.

THE STUDIO

- Complete audio & lighting board.
- Second level riser fabrication.
- New stage replacement.
- Upstage curtain refurbishment.
- Second level floor replacement.
- SL & SR lighting truss installation.
- New sound baffling system.
- Projector screen & projector installation.

OPERATIONAL INITIATIVES

RECYCLING PROGRAM

- Recognizing the venues lack of a recycling program was a lost revenue stream, the Operations Department implemented a process to help offset additional overhead. This program meant the collection of cans after every game and concert. This program established in 2016, has thus far generated more than \$16,000 to the bottom line.

BASKETBALL COURT

- Leveraging Spectra's relationships and contacts with other arenas we rented out our basketball court to other arenas for

use by the Harlem Globetrotters. Though this required far more planning the results speak for themselves. To date this program has generated more than \$29,000 to the bottom line.

CLEANING IN HOUSE

- The extremely important operational function of cleaning was switched from an independent sub-contractor to complete local Spectra control, which helped us save approximately \$140,000 to date. Not only has this saved money but it has allowed us to have more control and direction of the procedures, practices and standards at our venues.

KEY PARTNERSHIPS



Live Nation Entertainment is the global leader for live entertainment comprised of four market leaders: Live Nation Concerts, Live Nation Entertainment (Ticketmaster) and Live Nation Media/Sponsorship.

In March 2013, Spectra, facility managers of FirstOntario Centre, FirstOntario Concert Hall and The Studio formed a joint partnership with Live Nation ensuring the long-term success of all three venues.

The Spectra/Live Nation partnership encompasses all aspects of venue management, event booking and promotion.

LIVE NATION SHOWS #AtTheCore

2013

- | | | | | |
|--------------------------|---------------------|--------------------|-------------------|------------------|
| • Motley Crue | • Great Big Sea | • R5 | • Johnny Reid | • Matt Good |
| • Celtic Thunder | • Trailer Park Boys | • Brad Paisley | • Eric Church | • Blue Rodeo (2) |
| • The Price Is Right (2) | • Volbeat | • Jillian Michaels | • Marilyn Mason | • Monster Truck |
| • RUSH | • Jethro Tull | • Dixie Chicks | • Sarah Brightman | |

2014

- | | | | | |
|-------------------|-----------------|--------------------|---------------|-----------------|
| • Alice In Chains | • Jan Arden | • Barenaked Ladies | • Elton John | • Lights |
| • John Fogerty | • Black Sabbath | • Sam Roberts | • Brian Regan | • Jason Aldean |
| • IL Divo | • R5 | • Dierks Bentley | • YES | • Goo Goo Dolls |
| • Backstreet Boys | • Mother Mother | • Blue Rodeo (2) | • Hedley | • USS |
| • Kanye West | • Demi Lovato | • Sarah McLachlan | • Dean Brody | |

2015

- | | | | | |
|---------------------------|-------------|-----------------|---------------------|--------------|
| • Bryan Adams | • Matt Good | • Luke Bryan | • Three Days Grace | • BNL |
| • Counting Crows | • Journey | • The Next Step | • ZZ Top | • Alan Doyle |
| • Dean Brody + Paul Brant | • Mavericks | • The Tenors | • Trailer Park Boys | |

2016

- | | | | | |
|------------------|-----------------|-------------------|------------------|------------|
| • Paul McCartney | • James Taylor | • Marianas Trench | • Blue Rodeo (2) | • Hedley |
| • Black Sabbath | • The Next Step | • Tragically Hip | • Chicago EWF | • Meatloaf |

2017

- | | | | | |
|------------------|------------------------|-----------------|-------------------------|--------------------------|
| • Dallas Smith | • Simple Plan | • David Blaine | • Maroon 5 | • Scott Helman & Ria Mae |
| • Brian Regan | • Dixie Chicks | • Bobby Bazini | • Jackson Browne | • Big Wreck |
| • Peppa Pig | • Daniel O'Donnell | • Green Day | • Avvays | • Matt Good |
| • Dierks Bentley | • Tim Hicks | • Dean Brody | • Red Hot Chili Peppers | • Blue Rodeo (2) |
| • Colin James | • Florida Georgia Line | • USS (2 shows) | • Lewis Black | • Mother Mother |

2018 (TO DATE)

- | | | | | |
|--------------------------|------------------------------|----------------------------------|------------------|----------------|
| • Avenged Sevenfold | • Hedley | • Kevin Hart | • Santana | • Shania Twain |
| • Big Wreck | • Chris Hadfield | • I Mother Earth & Finger Eleven | • Jim Cuddy Band | • LetterKenny |
| • Nitty Gritty Dirt Band | • Our Lady Peace & Matt Good | • Peppa Pig | • The Debators | |

KEY PARTNERSHIPS



HAMILTON BULLDOGS

The Hamilton Bulldogs are a major junior hockey team that is currently a member of the Ontario Hockey League. The Bulldogs play their home games at FirstOntario Centre. First established in 1996 following the relocation of the Cape Breton Oilers, the American Hockey League Bulldogs would become the main affiliate of the Edmonton Oilers until 2001. That year local interests were secured to purchase the Quebec Citadels from the Montreal Canadiens and move them to Hamilton. The team was merged with the current Bulldogs forming a joint affiliate with Edmonton and Montreal. The Oilers would relocate in 2003 leaving Montreal as the sole affiliate of the Bulldogs. The team was purchased in 2004 by Burlington businessman Michael Andlauer and would see several years of success including winning the Calder Cup in 2007. The Canadiens would remain the associated with the AHL Bulldogs until 2015, when the team was sold back to Montreal and moved to St. John's, Newfoundland. Andlauer purchased a majority share of the OHL's Belleville Bulls and would relocate them to Hamilton in time for the 2015-2016 season.

KEY PARTNERSHIPS



TICKETMASTER

Ticketmaster is part of the Live Nation Entertainment family. In the beginning of 2010, Live Nation and Ticketmaster Entertainment merged to create Live Nation Entertainment. This gives fans access to more fan-friendly options.



THE HAMILTON PHILHARMONIC ORCHESTRA

The Hamilton Philharmonic Orchestra has been an important and integral part of the community for over a century, tracing its roots back to the 1880s when the first orchestral ensemble was formed in Hamilton. In 1949, the Hamilton Philharmonic Orchestra was founded as a professional ensemble, and has plays an important role in shaping the cultural landscape of the City of Hamilton and the surrounding region.



TOURISM HAMILTON

Tourism Hamilton is an innovative destination management organization dedicated to significantly increasing new and return tourist visitation to Hamilton.



RESTAURANT ASSOCIATES

Restaurant Associates is recognized as the nation's premier hospitality company, operating over 100 prestigious locations. Restaurant Associates, based in New York City, provides premium food services to museums, performing arts centers, aquariums, corporate dining, educational facilities and off-premise catering events in New York City, Boston, Hartford, Atlanta, Washington D.C., Philadelphia and Toronto. Restaurant Associates is a subsidiary of Compass Group North America, the world's leading foodservice organization.



NORTHWEST PROTECTION SERVICES

Northwest Protection Services is the largest event security company in Canada and are regularly responsible for security services at events like Aerosmith, Canadian Music Week, Eric Clapton, Kid Rock, Mary J. Blige, BMO Field Toronto FC, Ozzfest, Pearl Jam, U2, Weezer, World Youth Day, as well as many others.

THE GROWTH OF OUR SPECTRA TEAM IN HAMILTON

Spectra is dedicated to recruiting and developing individuals with the skills, experience, desire, and values to contribute to the continued growth and success of our organization. Together we transform events into experiences. These experiences create excitement, turn heads, and make memories.

The growth of our Canadian talent here in Hamilton is no exception.



Allison Green

- With Spectra 15 ½ years
- Director of Finance - Core Entertainment
- Regional Director of Finance - Spectra Venue Management
- Director of Finance - Budweiser Gardens



Michaela Putman

- With Spectra 10 years
- Director of Marketing - Core Entertainment
- Regional Director of Marketing - Spectra Venue Management
- Director of Marketing - Abbotsford Centre



James Beechey

- With Spectra 4 ½ years
- Senior Finance Manager - Core Entertainment
- Accounting Manager - Budweiser Gardens
- Senior Accountant - Canalside
- Staff Accountant - WFCU Centre



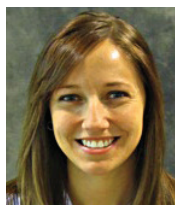
Jill Kurtz

- With Spectra 8 ½ years
- Assistant Director of Marketing - Core Entertainment
- District Marketing Director - Spectra Venue Management
- Regional Director of Marketing - Spectra Venue Management
- Senior Marketing Manager - Core Entertainment
- Marketing Manager - Core Entertainment
- Group Sales Manager - Budweiser Gardens
- Group Sales Manager - Abbotsford Centre
- Group Sales Intern - Budweiser Gardens



Matt McDowall

- With Spectra 9 years
- Director of Operations - Core Entertainment
- Operations Manager - Core Entertainment
- Event Manager - Core Entertainment
- Event Manager - Iowa Events Center
- Event Manager - Abbotsford Centre



Lauren Crandall

- With Spectra 11 years
- Director of Events- Core Entertainment
- Spectra Leadership Institute
- Assistant Director of Events- Mattamy Athletic Centre
- Event Manager & Senior Event Manager - Budweiser Gardens



Blair McGauchie

- With Spectra 7 ½ years
- Operations Manager - Core Entertainment
- Guest Services Manager - Core Entertainment
- Event Services Manager - Budweiser Gardens
- Event Services Supervisor - Budweiser Gardens
- Event Staff - Budweiser Gardens



Rachel Down

- With Spectra 11 years
- Event Manager - Core Entertainment
- Sr. Event Services and Security Manager - Core Entertainment
- Guest Services Manager - Core Entertainment
- Part-Time Event Staff Supervisor - Budweiser Gardens
- Part-Time Event Staff - Budweiser Gardens

FINANCIAL SUCCESSSES & BENEFITS

Spectra has the unique advantage of ongoing support from a network of 18 Spectra managed facilities in Canada. This dynamic ensures the best possible opportunity for success, proven systems and resources that generate the best possible opportunity to drive the guest experience and generate revenue for the City of Hamilton.

Spectra has saved the City approximately \$500,000 per year since 2014. In 2017, the city received an additional savings of \$99,000.

Achieving cost savings to the city came through efficiencies in the on-site Spectra operation of the venues, shared resources with the Spectra corporate office and other Spectra managed facilities within Ontario, our partnership with Live Nation and Ticketmaster, and the development of new revenue streams.

Some of the programs, initiatives and new revenue sources brought in by the Spectra organization include:

VENUE NAMING RIGHTS

- FirstOntario Centre - annual net revenue \$140,000
- FirstOntario Concert Hall - annual net revenue \$87,500

TICKETMASTER REVENUE

In 2014, Spectra along with Live Nation renegotiated the vitally important ticketing agreement with Ticketmaster. Through the new Ticketmaster deal convenience fee revenue increased an average of 40% compared to the agreement, with 2017 seeing a 50% increase.

ATM PURCHASE

In 2016, Spectra purchased the existing venue ATM's and added an additional ATM to FirstOntario Centre. By taking the ATM's in house Spectra generated approximately \$20,000 of new revenue in 2017.

MARKETING & GROUP SALES

Spectra's companywide marketing departments generate revenue through ad plan programs, group sales, suite rentals and dinner packages. The marketing and group sales team in Hamilton has generated over \$500,000 in revenue since 2014 with these programs.

In 2017, the marketing department also generated over \$30,000 in net revenue through a focus on developing partnerships and finding new opportunities to generate revenue.

2017 CORE ENTERTAINMENT FACILITIES FINANCIAL PERFORMANCE

FOR THE YEAR ENDING DECEMBER 31, 2017

	ACTUAL	BUDGET	VARIANCE
NUMBER OF EVENTS	201	198	3
ATTENDANCE	384,715	370,500	14,215
Direct Event Income	\$1,551,916	\$1,473,110	\$78,806
Surcharge Revenue	457,528	476,283	(18,755)
Convenience Fee Revenue	667,474	639,884	27,590
Suite Ticket Revenue	30,685	26,231	4,454
Ancillary Revenue	689,881	739,429	(49,548)
TOTAL EVENT INCOME	3,397,484	3,354,937	42,547
OTHER INCOME	636,922	654,520	(17,598)
INDIRECT EXPENSES	(4,844,582)	(5,128,374)	283,792
*NET OPERATING INCOME (LOSS)	(810,176)	(1,118,917)	308,741
City Contractual Contribution	1,402,000	1,402,000	—
NET Loss Savings	591,824	283,083	308,741
Spectra Base Incentive Fee	450,000	283,083	
Spectra additional share of net loss savings - 30%	42,548	—	42,548
City share of additional net loss savings - 70%	\$99,276		\$99,276

* The Spectra Management agreement with the City of Hamilton guarantees the annual operating loss will not exceed (\$1,402,000). The Spectra management fee compensation is calculated only on improvements to the annual benchmark loss of (\$1,402,000). Spectra receives as management fee 100% of improvement between the annual operating loss reduction from (\$1,402,000) to \$952,000. Once the annual operation loss reduction improvements exceed \$952,000, 70% of all additional savings revert to the City of Hamilton.

COMMUNITY INVOLVEMENT

Spectra has a firm commitment to enrich the communities we serve driven by our guest first philosophy. From that starting point, our team in Hamilton has been committed to making a difference and creating positive experiences for guests who attend our events, community partners and the people who reside in Hamilton.

Since 2013, the charitable arm of our organization driven by the Spectra team in Hamilton donated in kind gifts and volunteer hours to over 500 charitable organizations within our community.



DANCE COMPETITIONS & GRADUATIONS



STREET TEAM



PRE/POST PARTIES



WALK/RUN TRACK

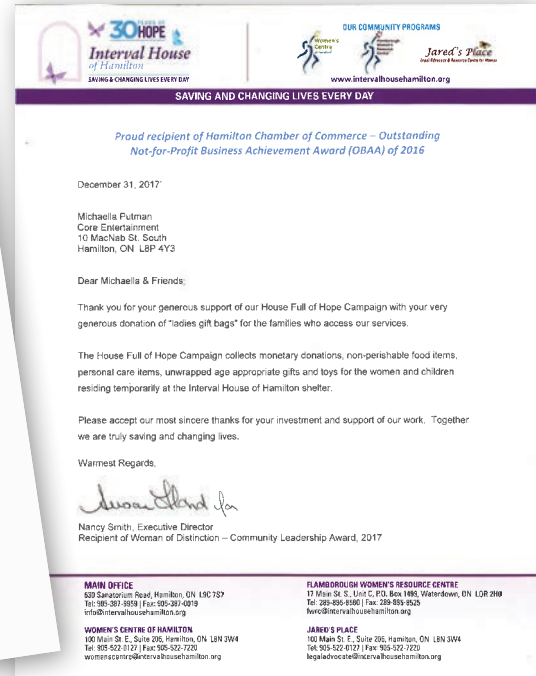
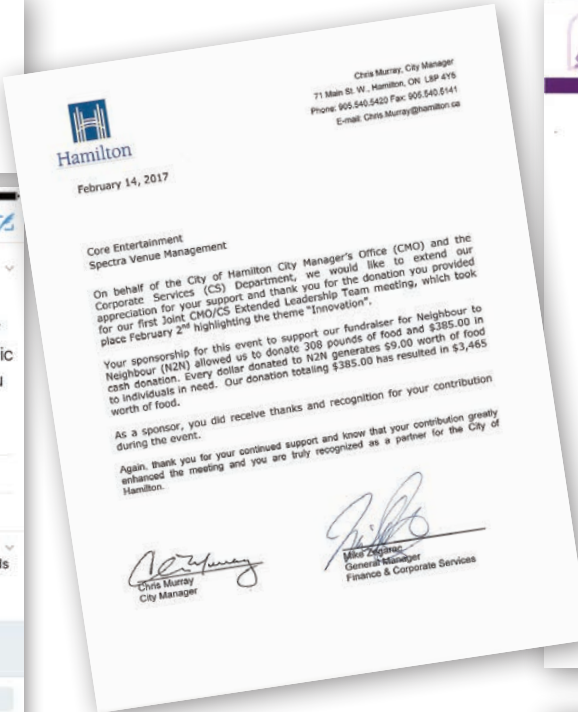


GIVING BACK



GIVING BACK

TESTIMONIALS



This letter is first to thank you and Core Entertainment for your generous contribution to our Children's Concert program.

I write as well to express my appreciation to the stage staff. They have been so helpful and participatory in making these concerts a success.

The roar of the packed Great Hall with children were not just for the performers but for each and every one of you whose collaboration in lighting, sound and placement made the most of the very short rehearsal time we had to work with. These are the most important concerts we present as they make a lasting lifetime impression on young minds and hearts who late on become supporters and audience members. You helped create a positive experience they will never forget.

Bravo IATSE crew, and thank you,

Boris Brott O.C., O.Ont., O.Que., D. Mus., LL.D.

I want to thank you all for another great working experience with your great team. The show was a great success, and everyone contributed to making a most smooth operation yesterday, and a most successful one to boot.

Jill, your willingness to always listen to an old fart like me, and at the same time convince me to go with a number of your excellent suggestions, turned the sales on this show around to the degree that we ended up going into %. For months I was just praying that we would get to break even.

Sam, you continue to be a great ambassador for the venue your efficiency with how you get things done, and expediency and your attention to details, and with the great attitude with which you bring to everything when we work together.

Brian, hell, I doubt that I could throw anything at you that you wouldn't be able to fix, and at the same time, never show the least bit of stress doing it.

James, you are definitely a great addition to the team. You were right on the ball in having things ready on a timely basis, and being able to wrap up both the Show Settlement and our co-pro settlement quicker than I might have ever expected.

You guys make a great team to be working with, and as always, you make me look forward to the next time we can do this again.

Cheers,

Rob Bennett

rbi productions inc.

TESTIMONIALS

Thank you Jill

We would like to take a moment to say thank you Jill for giving us the tickets for the Monster Jam. We all had an awesome time at the show and enjoyed it very much!

We really enjoyed going into the pit and watching the entire show. Some of our favourite moments were; when Scooby-Doo lost his nose, the freestyle competition and when the trucks crushed the cars.

We really appreciated getting to go to Monster Jam. You gave us an opportunity we would not have had. When Steve told us about it, we were very excited and could not wait to go!

We all would like to thank you sincerely, for giving us the opportunity to have this experience.

Thanks Very Much, Alfonso M, Grant C, Jonathan C, John P, Rob C, Frank C, Gilbert C, Bill G, Rob Y. Kristine M
And Steve Mesaglio



Thanks so much Toni.

The service you guys are offering is quite unexpected and a pleasant surprise!!

Top notch!!

Our group is also taking advantage of the early entry at the Lounge for dinner and drinks. Do you know if we will have access to the merch table upon entry at 530? We are already registered and booked in for the pre-show in the Lounge.

Thanks again. Looking forward to tomorrow.

Matt Thomas

GM BATL London

CLICK TO WATCH 

DOOR TO THE CORE AND MORE!

WIN 2 TICKETS TO EVERY EVENT FOR AN ENTIRE YEAR PLUS NIGHT OUT PACKAGES!

Partners: CORE ENTERTAINMENT, STAYBRIDGE SUITES, Fresh RADIO 95.3, 108, FirstOntario Centre, FirstOntario Concert Hall, THE Studio, URV unique restaurant group.

HAMILTON
CONVENTION
CENTRE
BY CARMEN'S

ANNUAL REPORT 2017



“Between 2013 and 2017, Carmen’s Group has saved Hamilton taxpayers approximately \$6 million.”

A MESSAGE FROM OUR CEO

Dear Mayor, Members of Hamilton City Council, and Community Stakeholders,

Carmen’s Group is proud to be the stewards of the Hamilton Convention Centre and we are delighted to share that 2017 was another marquee year for our operation. It was the first year since the commencement of our management contract that the City of Hamilton achieved a net financial surplus and the venue also experienced many positive achievements within its convention services program.

Between 2013 and 2017, Carmen’s Group has saved Hamilton taxpayers

approximately \$6 million (via operating subsidy reductions) while contributing nearly \$600,000 in utility payments during the same timeframe. This positive financial performance has ultimately been achieved through the development of a robust event calendar and leveraging operational savings through Carmen’s Group’s extensive supplier network.

The flagship downtown venue hosted many visitors from around the world into Hamilton in 2017 at conferences including the American Public Garden Association’s International Conference and the Canadian Council for the Advancement

of Education National Conference. We also welcomed and hosted many of the community's largest gala events including the YWCA Women of Distinction Gala, Good Shepherd's Glamour in the Hammer, B'Nai B'Rith and CYO Sports Celebrity Dinners, Hamilton Health Sciences Foundation Gala, City Kidz Dreams Banquet and the Dreamcatcher Gala. In all, the venue hosted over 137 total events including 39 international, national or provincial conventions, conferences or events last year.

The venue earned rave reviews from convention organizers and guests alike, as many of the customer service metrics improved year over year, including our industry-leading event Net Promoter Scores and Google scores. Among the positive testimonials received this year are the following: "We were blown away by the exceptional service and staff... Not a single detail was missed" and "If I were to host an event in the Hamilton area, this would be my first choice." The Hamilton Convention Centre and Sheraton Hotel also hosted the Canadian Society of Association Executives (CSAE) Trillium Chapter's Winter

Summit, the overarching body of national association organizers, for their first visit to Hamilton in many years. Needless to say, many from the group were impressed with Hamilton's new hospitality offerings and committed to bringing their association events back to Hamilton soon.

Carmen's Group and the Hamilton Convention Centre also worked very closely with Tourism Hamilton, our accommodation partners and the Ontario Restaurants Hotel and Motel Association (ORHMA) throughout the year to formalize the launch of a Destination Marketing Program, as per council's approved 5-year Tourism Strategy. The newly initiated program will enable the City of Hamilton and all of its Tourism partners to compete more aggressively in securing provincial, national and international events into our city.

We are excited that the Hamilton Convention Centre is contributing to the unstoppable momentum building in the community, as we are eager to show the rest of the world that Hamilton is the place to be!

PJ MERCANTI
CEO, CARMEN'S GROUP

ADVISORY BOARD



Dr. Nick Bontis
McMaster University,
DeGroote School of
Business



Sean Tiernay
Senior Manager,
Commercial Services
FirstOntario Credit Union



Glenn Gibson
Vice Chairperson
Hamilton Tiger-Cats
Former CEO
Crawford Consulting



Maria Fortunato
Executive Director
Hamilton Halton Brant
Regional Tourism Office



Judy Marsales
Former MPP & Owner
Judy Marsales Real
Estate



Dennis Concordia
Former Vice President
Carstar Hamilton
President
Powergroup Resources



Tony Cohen
Founder
Thompson Hotel
Toronto and Hotel Le
Germain Toronto
Partner & Executive
Vice President
Crescent Hotels and
Resorts

OPERATIONAL HIGHLIGHTS

DEVELOPING A TEAM OF CHAMPIONS

- Recruited an Operations Manager and two Sales and Event Services Associates
- Achieved an Employee Engagement Score of +47

OPERATING IN A WINNING SYSTEM

- Hamilton Convention Centre's culinary team has taken great strides in elevating the quality of its food product offering, by working with local purveyors who are able to supply the high quantities that are demanded. The team has also worked much closer with event organizers to design more customized dining experiences, applying first-class culinary techniques to ensure a first-class delivery.
- A newly adopted model of training has been introduced at the Hamilton Convention Centre in order to improve guest experiences. Additionally, more full-time resources have been added to the event planning department to ensure that customer needs are being met and exceeded.

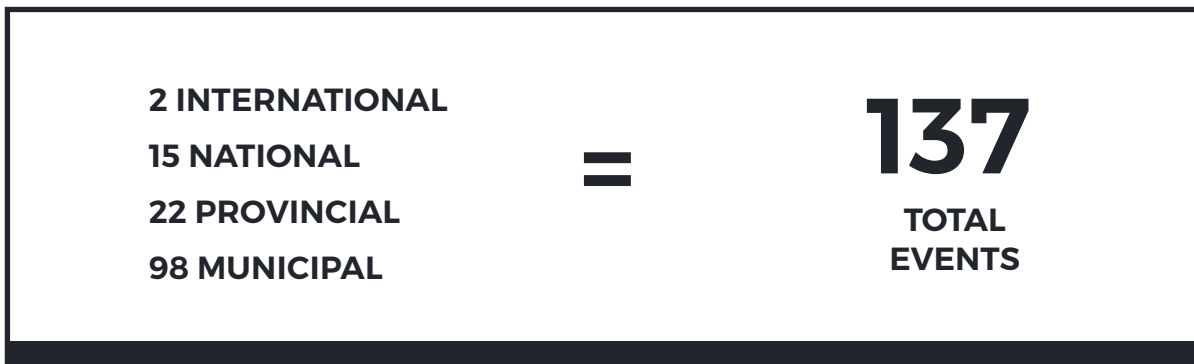
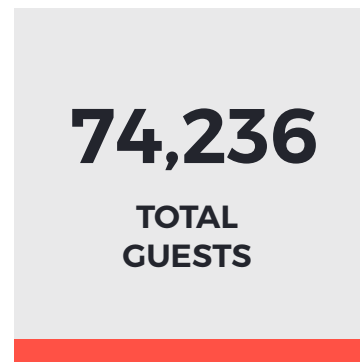
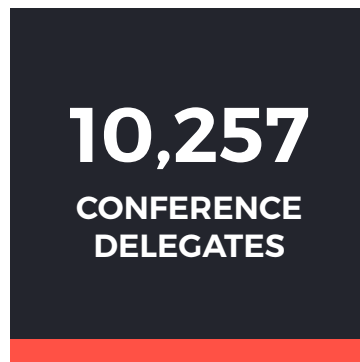
DELIVERING EXTRAORDINARY EXPERIENCES

- Achieved a Net Promoter Score of +65.
- Google Review Rating of 4.1

OPERATING SUSTAINABILITY, INCREASING THE PROFILE OF HAMILTON, DELIVERING COMMUNITY IMPACT

- Venue generated a \$20,000 cash surplus for the City of Hamilton
- Involved in over \$150,000 worth of direct sponsorship and in-kind donations for community initiatives.

2017 PERFORMANCE METRICS



FINANCIAL PERFORMANCE

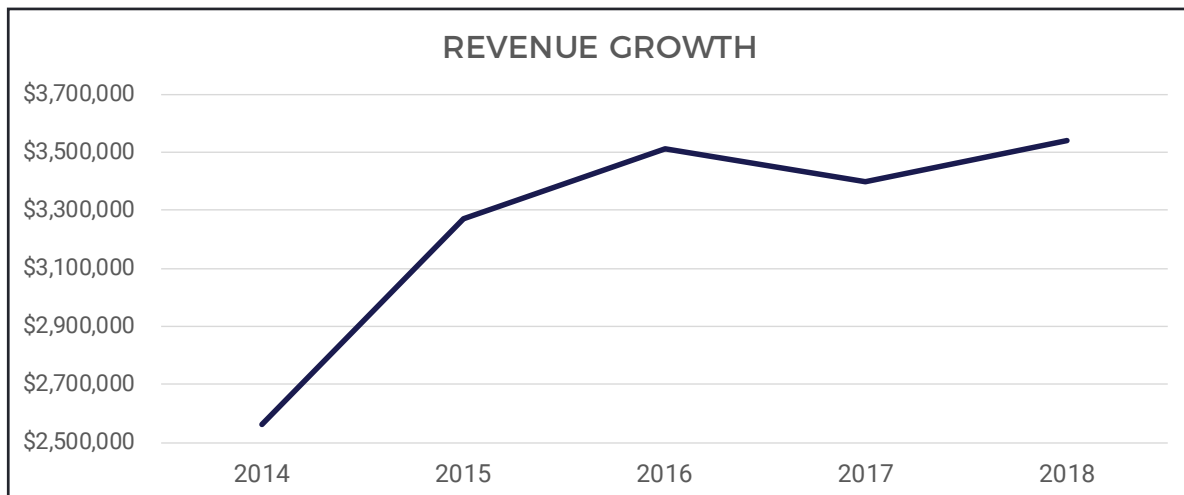
YEAR	REVENUE
2014	\$2.56M
2015	\$3.27M
2016	\$3.51M
2017	\$3.40M
2018	\$3.54M*

*revenue forecast

2014-2018

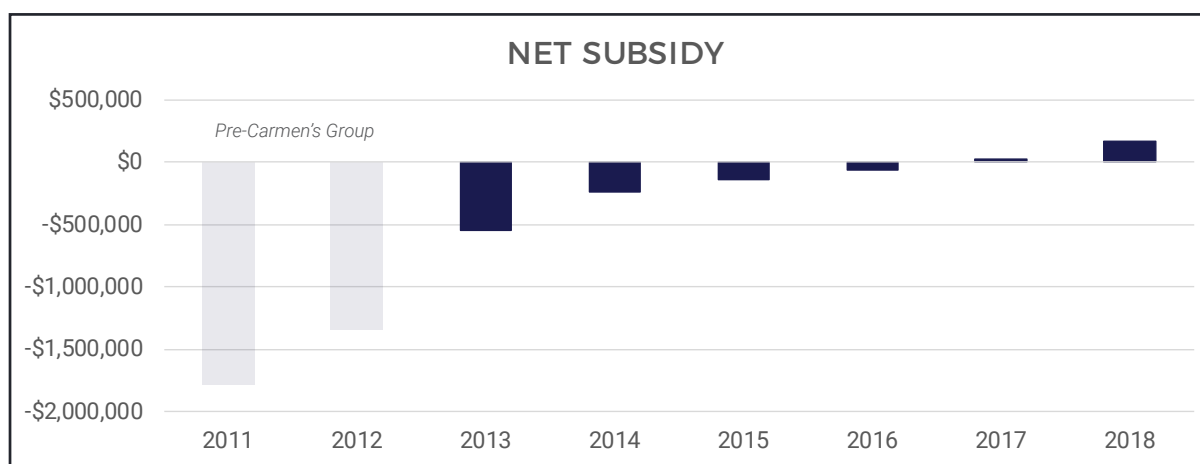
38%

INCREASE



HAMILTON CONVENTION CENTRE SUBSIDY REDUCTION

YEAR	OPERATING SUBSIDY	HCC UTILITY CONTRIBUTION	ACTUAL (NET) SUBSIDY
2011	-\$1,786,000		
2012	-\$1,344,000		
		<i>*Before Carmen's Group</i>	
2013	-\$650,000	\$105,000	-\$545,000
2014	-\$344,000	\$105,000	-\$239,000
2015	-\$250,000	\$115,000	-\$135,000
2016	-\$200,000	\$135,000	-\$65,000
2017	-\$125,000	\$145,000	\$20,000
2018	\$0	\$165,000	\$165,000



CAPITAL IMPROVEMENTS



CLOCKWISE Lobby, Chedoke Ballroom, Webster Ballroom & Lounge

2017 EVENTS

CONVENTIONS & CONFERENCES

- American Public Gardens Association
- Canadian Council for the Advancement of Education National Conference
- Canadian Society of Association Executives' Trillium Chapter Winter Summit
- Canadian Pediatric Review
- McMaster University Continuing Health Sciences Education
 - *Internal Medicine Program*
 - *Thromboembolism Program*
 - *Rheumatology Program*
- Hamilton Health Sciences
 - Life After Breast Cancer Conference
 - Neuro Rehabilitation Conference
- St. Joseph's Healthcare Leadership Conference
- Ontario Senior Games Association
- Canadian Condominium Institute Conference
- Hamilton Law Association Conference
- Aboriginal Health Care Conference
- New Democratic Party Caucus Services Convention

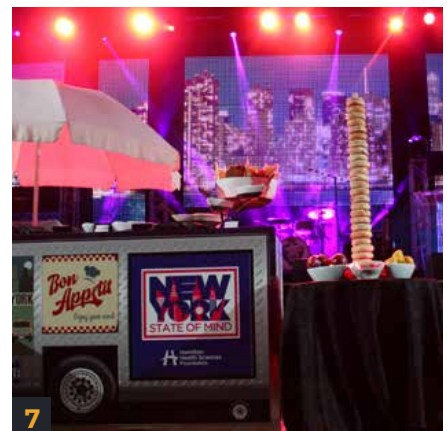
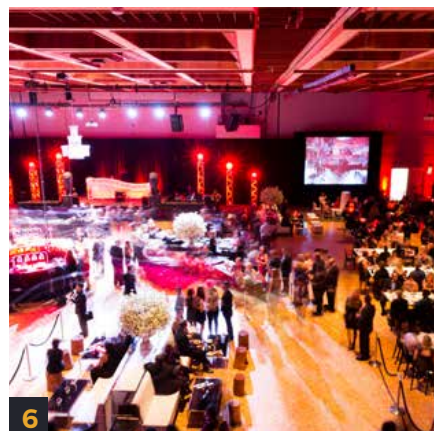
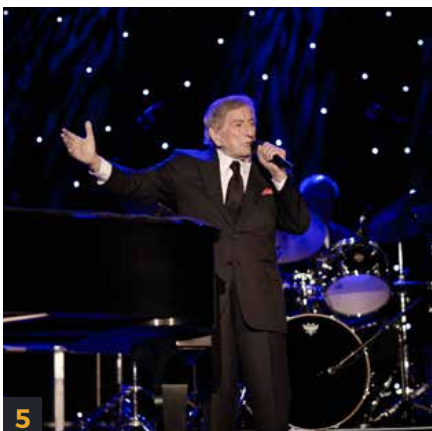
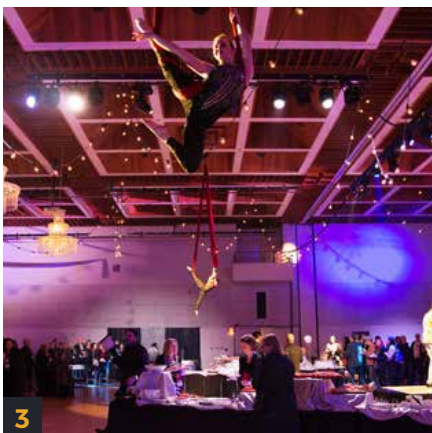
TRADE & CONSUMER SHOWS

- Mission to Seafarers of Southern Ontario
- I Heart Beer Festival Trade Show
- Lululemon Athletica Consumer Show
- Vintage Marketplace Consumer Show
- Prestige Winter Bridal Show
- Fall Wedding Show
- Bump, Baby, and Toddler Expo
- ConBravo!

SPECIAL EVENTS

- Living Rock Ministries Soupfest
- Hamilton Health Sciences Foundation Fundraising Gala
- YWCA Women of Distinction Awards Gala
- City Kidz Fundraising Gala
- Dreamcatcher Foundation Fundraising Gala
- CYO Sports Celebrity Dinner
- B'Nai Brith Sports Dinner
- Good Shepherd
 - *Glamour in the Hammer Fashion Show and Gala*
 - *Winter Wonderland*

NOTEWORTHY EVENTS



1 Dreamcatcher Foundation Gala 2 ConBravo! 3 CSAE Trillium Chapter Winter Summit 4 JUNO Awards Industry Night 5 An Evening with Tony Bennett 6 TDL Group 7 Hamilton Health Sciences Annual Gala

CARMEN'S GROUP**COMMUNITY
INITIATIVES****DESTINATION MARKETING PROGRAM**

PJ Mercanti, CEO of Carmen's Group, was the Co-Chair of the Hamilton Hospitality Partners Steering Committee (HHPSC). Over the past two years he worked with partners from Tourism Hamilton and the accommodation industry as well as the Ontario Restaurant Hotel and Motel Association (ORHMA) to help develop a new Destination Marketing Program. In November 2017 the HHPSC was disbanded and the newly formed Hamilton Tourism Development Investment Group was activated, which will see funds raised starting in January 2018 for tourism promotion. The 'Made in Hamilton' model is fully transparent, with funds held in trust with ORHMA, and where each of the participant partner properties vote on how the funds will be invested, with the advice and guidance of Tourism Hamilton.

CORPORATE HEADQUARTER RELOCATION

Carmen's Group Recently relocated its corporate headquarters into Downtown Hamilton at the historic City Centre. All of its sales and operations, finance and accounting, human resources, marketing and communication, information technology, process improvement and business development functions will be managed out of this new space.

CARMEN'S GROUP CARES

We are committed to creating a better future for our community by being involved and making a positive difference.

Hamilton is our home and we believe in being good citizens within the community that we live, work and play. Through our Carmen's Group Cares program, we actively pursue opportunities to better the lives of those who need a helping hand. Our team is committed to donating our time, resources, and knowledge to improving our community in a meaningful way.

We focus our support primarily at the community level in the areas of youth, education, social services & poverty reduction. We are particularly interested in providing support to organizations that focus on empowering children with the resources they need to live healthier and more successful lives.

CARMEN'S GROUP CARES HIGHLIGHTS

Charity of Hope Gala with Chantal Kreviazuk

\$125,000 Raised (\$1.3 Million Raised to Date)

Hamilton Sign

\$25,000 Donation, Assisted in Securing the fundraising goal of \$300,000

Amici Cup

\$10,000 Raised for CYO, Food 4 Kids, cystic fibrosis (Inaugural event)

Hamilton Tiger-Cat Kicks for Kids

\$5000 Raised (\$60,000 Raised to Date)

An Evening with The Great One

\$45,000 Raised for Hamilton Bulldogs Foundation, Food 4 Kids, Canadian Tire Jumpstart (\$1.2 Million to Date Raised at 'An Evening With' Events)

Project Concern: It's a Kids Christmas with Hamilton Police Services

500 Individuals served

Good Shepherd Winter Wonderland Christmas Dinner

3000 Individuals served





Hamilton

Downtown Entertainment Asset Operating Agreements



Downtown Entertainment Assets



First Ontario Centre (formerly Copps Coliseum)

Capacity: 17,400 Hockey, 19,000 Concerts

Opened: 1985

Operated by **Global Spectrum** since March 2013



First Ontario Concert Hall and Studio (formerly Hamilton Place)

Capacity: Great Hall 2193, 500 Studio

Opened: 1973

Operated by **Global Spectrum** since March 2013



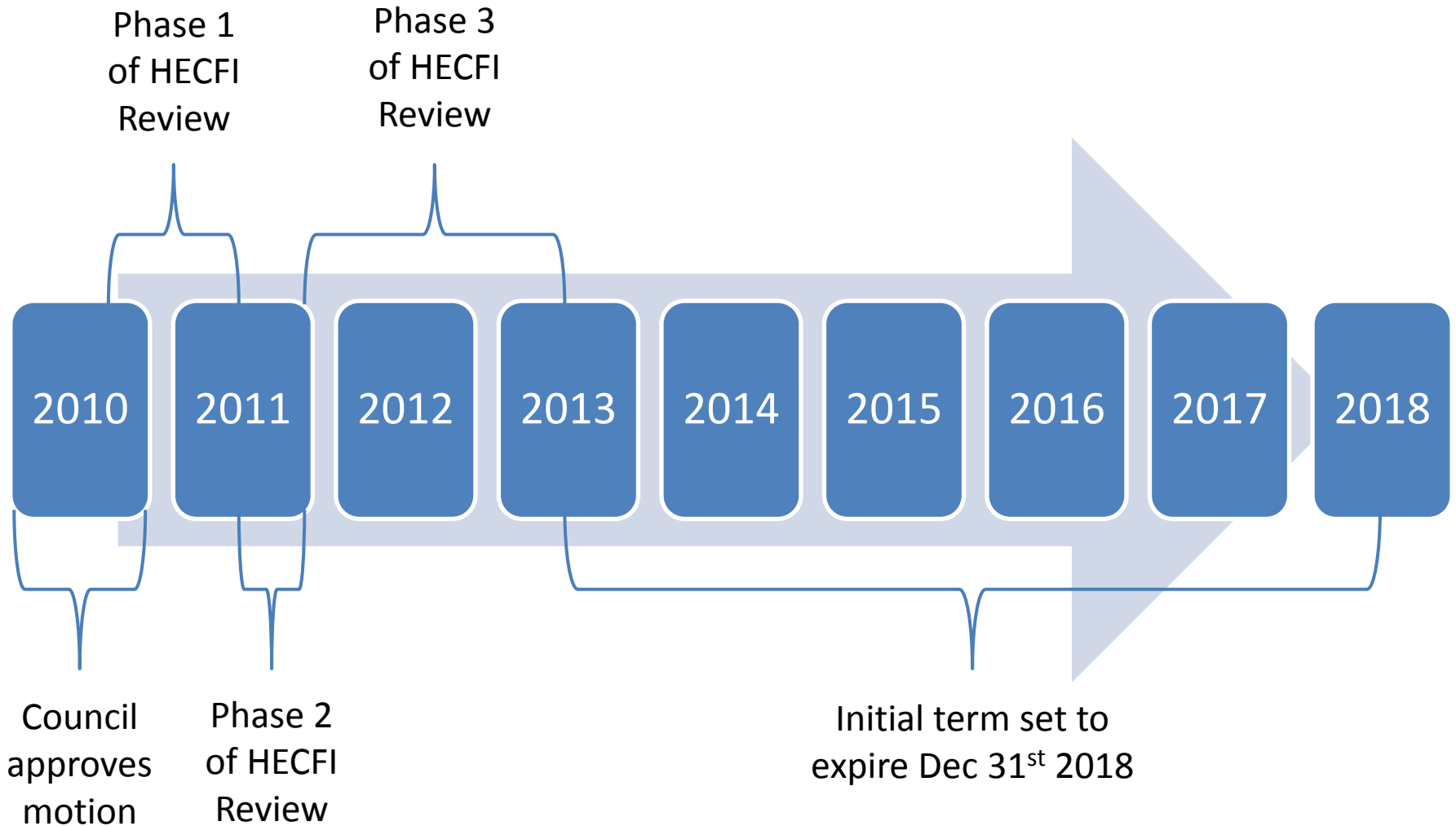
Hamilton Convention Centre

60,000 sq. ft. over 3 floors

Opened: 1981

Operated by **Carmen's Group** since March 2013

Historical Timeline



Outcome of HECFI Review



- 5 year + 5 year deal
- Flat subsidy + profit share



- 5 year + 5 year deal
- Declining Subsidy



Spectra Overview





Spectra Overview



\$2m

In savings vs.
HECFI model



203

Average number of
events per year



\$500k

Capital
contribution



470k

Average number of
guests per year

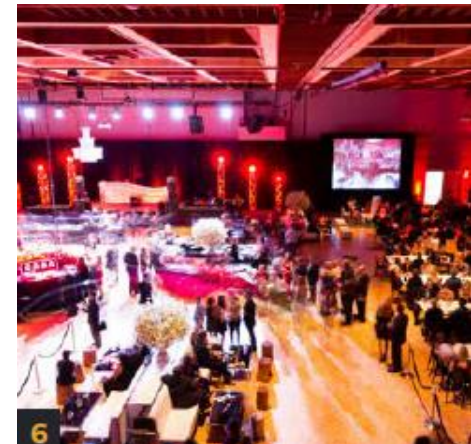
Agreement Year	Subsidy of Operating loss	Subsidy of Utility Cost	Total Net Operating Subsidy
2017	\$1,300,000	\$1,200,000	\$2,500,000
2016	\$1,400,000	\$1,200,000	\$2,600,000
2015	\$1,400,000	\$1,200,000	\$2,600,000
2014	\$1,400,000	\$1,200,000	\$2,600,000
2013*	\$1,166,667	\$1,000,000	\$2,166,667
Total	\$6,766,667	\$5,800,00	\$12,566,667

*From March 2013 until December 31st 2013



CARMEN'S GROUP

Carmen's Group Overview



1 Dreamcatcher Foundation Gala 2 ConBravo! 3 CSAE Trillium Chapter Winter Summit
4 JUNO Awards Industry Night 5 An Evening with Tony Bennett 6 TDL Group



Carmen's Group Overview



\$3m

In savings vs.
HECFI model



137

Total events
in 2017



\$700k

Capital
contribution



74k

Total guests
in 2017

Agreement Year	Subsidy of Operating loss	Less Carmen's Group Utility Contribution	Total Net Operating Subsidy/ (Contribution)
2017	\$125,000	(\$145,000)	(\$20,000)
2016	\$200,000	(\$135,000)	\$65,000
2015	\$250,000	(\$115,000)	\$135,000
2014	\$344,000	(\$105,000)	\$239,000
2013*	\$650,000	(\$105,000)	\$545,000
Total	\$1,569,000	(\$605,000)	\$964,000

*From March 2013 until December 31st 2013

Alternatives For Consideration

Alternative:	Pro's	Con's
1) Exercise both 5 year renewal's	<ul style="list-style-type: none"> • Locks in the existing savings over HECFI model • Honours the City's prior commitments • Would create certainty for the existing operators 	<ul style="list-style-type: none"> • It could leave a more favourable deal on the table
2) Issue a more formal RFP	<ul style="list-style-type: none"> • Results in a more open competition • It could result in a more favourable deal over time 	<ul style="list-style-type: none"> • It would prolong the process and impact the existing operations • It could send the wrong signals to the marketplace
3) Have the existing vendors compete for the most favourable renewal terms	<ul style="list-style-type: none"> • Honours the City's prior commitments • Would result in a more favourable deal • Would minimize impact on existing operations 	<ul style="list-style-type: none"> • It would prevent other vendors from participating

Staff Recommendation

- (a) That a 6-month extension of the existing Management Agreement between the City of Hamilton and Global Spectrum Facility Management, L.P. (Global Spectrum), which is set to expire on December 31, 2018, be approved;
- (b) That a 6-month extension of the existing Facility Operating Agreement between the City of Hamilton, the Hospitality Centre Corporation and Mercanti Banquet & Convention Centre Ltd. (Carmen's Group), which is set to expire on December 31, 2018, be approved;
- (c) That the Mayor and the City Clerk be authorized and directed to execute any documents required to give effect to a 6-month extension to the Management Agreement between the City of Hamilton and Global Spectrum Facility Management, L.P. (Global Spectrum);
- (d) That the Mayor and the City Clerk be authorized and directed to execute any documents required to give effect to a 6-month extension to the Facility Operating Agreement between the City of Hamilton, the Hospitality Centre Corporation and Mercanti Banquet & Convention Centre Ltd. (Carmen's Group);

Staff Recommendation

- (e) That staff be directed to invite Global Spectrum to submit two proposal(s):
 - i. A 5-year extension of the existing Management Agreement between the City of Hamilton and Global Spectrum Facility Management, L.P.; and,
 - ii. A second proposal which also includes the scope of work outlined in the Facility Operating Agreement between the City of Hamilton, the Hospitality Centre Corporation and Mercanti Banquet & Convention Centre Ltd. (Carmen's Group);
- (f) That staff be directed to invite Carmen's Group to submit two proposals:
 - i. A 5-year extension of the existing Facility Operating Agreement between the City of Hamilton, the Hospitality Centre Corporation and Mercanti Banquet & Convention Centre Ltd.; and,
 - ii. A second proposal which also includes the scope of work outlined the Management Agreement between the City of Hamilton and Global Spectrum Facility Management, L.P. (Global Spectrum);

Staff Recommendation

- (h) That staff be directed to evaluate any proposal(s) the City receives using the criteria and methodology used by KPMG during the HECFI review and outlined in Appendix “A” and report back to General Issues Committee with a staff recommendation on how best to proceed with the management of these entertainment assets;
- (i) j) That a contribution to an upset limit of \$100,000 from the Tax Stabilization Reserve (#110046) be used to fund an independent third party review of the staff recommendation.

Staff Recommendation



HECFI Alternative Service Delivery RFP City Objectives of the RFP Process

- In seeking ASD proposals from interested parties, the RFP document listed the following specific objectives of the City:
 1. **Reducing or eliminating the City's subsidization of HECFI's facilities.**
 2. Fostering spin-off private investment in the downtown core of Hamilton.
 3. Maintaining the core use of each of the three HECFI facilities.
 4. Attracting a larger mix of high calibre sports and entertainment events.
 5. Enhancing the quality of life of Hamiltonians



CITY OF HAMILTON
PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT
Economic Development Division

TO:	Mayor and Members General Issues Committee
COMMITTEE DATE:	July 9, 2018
SUBJECT/REPORT NO:	Environmental Remediation and Site Enhancement (ERASE) Redevelopment Grant Application, 107 MacNab Street North, Hamilton - ERG18-02 (PED18131) (Ward 2)
WARD(S) AFFECTED:	Ward 2
PREPARED BY:	Meredith Plant (905) 546-2424 Ext. 1219
SUBMITTED BY:	Glen Norton Director, Economic Development Division Planning and Economic Development Department
SIGNATURE:	

RECOMMENDATION

- (a) That Environmental Remediation and Site Enhancement (ERASE) Redevelopment Grant Application - ERG-18-02, submitted by City and Company Inc. (Bryan Dykstra), owner of the property at 107 MacNab Street North, Hamilton, for an Environmental Remediation and Site Enhancement (ERASE) Redevelopment Grant not to exceed \$784,074 for the actual cost of the remediation and eligible program costs 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 Mayor and City Clerk be authorized and directed to execute the ERASE Redevelopment Agreement, together with any ancillary documentation required, as outlined in Recommendation (a) of Report PED18131, in a form satisfactory to the City Solicitor;
- (c) That the General Manager of the Planning and Economic Development Department be authorized to approve and execute any grant amending agreements, together with any ancillary amending documentation, if required, provided that the terms and conditions of the ERASE Redevelopment Grant (ERG), as approved by City Council, are maintained.

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**SUBJECT: Environmental Remediation and Site Enhancement (ERASE)
Redevelopment Grant Application, 107 MacNab Street North,
Hamilton - ERG18-02 (PED18131) (Ward 2) - Page 2 of 7**

EXECUTIVE SUMMARY

An ERG Application was submitted by City and Company Inc. (Bryan Dykstra), the owner of the property located at 107 MacNab Street North, Hamilton on April 11, 2018, Location Map attached as Appendix "A" to Report PED18131.

The property is located at the southwest corner of the intersection of MacNab Street North and Cannon Street West, and has an area of about 0.3 ha. Development on the property, at the time of the environmental study, consisted of a two-story commercial (warehouse) building, with no basement. Exterior areas include asphalt and gravel surface parking. The current use of the property is commercial. The land use for the site will not change and a Record of Site Condition under O. Reg. 153/04 is not required. A peer reviewed due diligence risk assessment will be completed on the site as a requirement of the ERG Program, as the site will not require a record of site condition, but there is an interest in understanding the extent of contamination, liabilities or potential risk from a current property or past or current activities on the site which will be satisfied by the risk assessment.

A Phase One Environmental Site Assessment was undertaken on March 8, 2017 to determine if there were potentially contaminating activities on the site or in the Study Area that could result in an area of potential environmental concern. The Phase One Study Area consisted of the area including the Phase One Property and any other properties that are located, wholly or partly, within 250 m of the property, to identify PCA's that could potentially cause adverse impact on the property.

Resulting from the Phase One Environmental Site Association (ESA) Study a few APEC's associated with the historical use of the property and activities on adjacent properties have been identified: including, former use of the northeast portion of the property; as a retail gas station; former automobile wrecking facility on the south portion of the property; the presence of fill of unknown quality that was imported to restore the areas of the former underground fuel storage tanks; the basement of the former residences to grade level; and, a registered generator of halogenated solvent waste to the immediate north of the property. As a result of the APEC's related to the property a requirement for further investigation was identified.

Subsequently, Phase Two ESAs have been completed on May 25, 2017 and January 10, 2018 and a supplemental Phase Two ESA was completed in May 2, 2018. These Reports were undertaken in order to support the redevelopment of the site and the preparation of a risk assessment. Supplemental Phase Two ESA work was completed in 2018 in order to further assess the potential sources of contamination to the site and where possible, delineate known impacts, through the collection and analysis of the soil and groundwater samples.

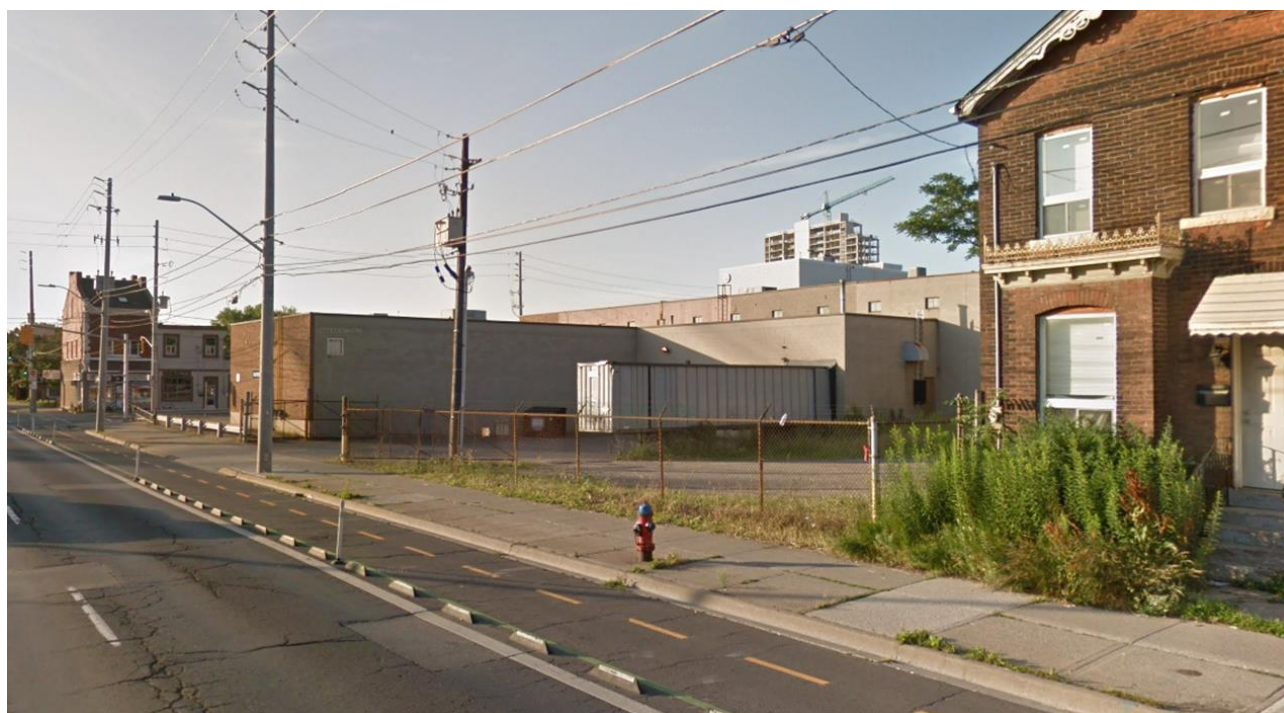
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SUBJECT: Environmental Remediation and Site Enhancement (ERASE) Redevelopment Grant Application, 107 MacNab Street North, Hamilton - ERG18-02 (PED18131) (Ward 2) - Page 3 of 7

The grant application is for \$725,709 K in eligible environmental site remediation plus \$58,365 to complete a peer reviewed due diligence risk assessment for a total of \$784,074. The proposed redevelopment of this site will retain and expand the existing use on-site as manufacturing/craftsperson shop by adding a three-story addition and expanding gross floor area to 6,822 M². Two loading spaces will be provided. Project construction costs are estimated at \$8 M. It is estimated that the proposed development will increase the Current Value Assessment (CVA) on the site from the pre-development value of \$742 K (CT-Commercial) to approximately \$8 M (JT-Industrial, New Construction). This will increase total annual property taxes generated by this property from \$24,183.04 to \$385,218.74, an increase of approximately \$361,035.70. The Municipal portion of this increase is \$281,976.11 of which 80% or approximately \$225,580.88 would be paid to the owner in the form of an annual grant over a maximum of ten years or up to an amount not to exceed total estimated eligible costs for an ERG of \$784,074.



107 MacNab Street North, Existing Conditions

Alternatives for Consideration – See Page 7

FINANCIAL – STAFFING – LEGAL IMPLICATIONS

Financial: As per the ERG, the City will provide the Applicant with a grant equivalent to 80% of the increase in Municipal taxes up to the total eligible cost figure of \$784,074. Based on the annual grant in the amount of

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SUBJECT: Environmental Remediation and Site Enhancement (ERASE) Redevelopment Grant Application, 107 MacNab Street North, Hamilton - ERG18-02 (PED18131) (Ward 2) - Page 4 of 7

\$225,580.88, the ten-year grant will be \$2,255,808.80 which is above the maximum eligible grant of \$784,074. The City will realize the full tax increase after year four.

The City will retain 20% of the Municipal tax increment estimated at \$56,395.23 a year for the duration of the grant. These monies will be deposited into the Brownfield Pilot Project Account, Project No. 3620155102, to be used by the City for its Municipal Acquisition and Partnership Program. This Program, as approved in the ERASE Community Improvement Plan (CIP), involves the City acquiring key Brownfield sites, cleaning up and redeveloping property it already owns, or participating in public/private partnerships to redevelop Brownfield properties.

Staffing: Applications and loan/grant payments under the ERG are processed by the Economic Development Division and Taxation Division. There are no additional staffing requirements.

Legal: The provision of the ERG is authorized in the ERASE CIP which was adopted and approved in 2001 and the expansion of the original plan in 2005, 2010 and 2018 under Section 28 of the *Planning Act*. The ERASE Redevelopment Agreement will specify the obligations of the City and the Applicant and will be prepared in a form satisfactory to the City Solicitor.

HISTORICAL BACKGROUND

The property, located on the west side of MacNab Street North and the south side of Cannon Street West, was developed with an irregularly shaped, brick clad building, with associated parking areas and loading bay. The building was being used as a warehouse/distribution centre for men's clothing. Previously the property was in use as a gasoline service station with associated underground fuel storage tanks, and the south portion of the property was in use as an automobile wrecking yard and automobile supply.

Areas of Potential Environmental Concern associated with the historical use of the property include:

- The former use of the northeast portion of the property as a retail gas station;
- A former automobile wrecking facility on the south portion of the property;
- The presence of fill of unknown quality that was imported to restore the areas of the former underground fuel storage tanks and the basement of the former residences to grade level; and,

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SUBJECT: Environmental Remediation and Site Enhancement (ERASE) Redevelopment Grant Application, 107 MacNab Street North, Hamilton - ERG18-02 (PED18131) (Ward 2) - Page 5 of 7

- A registered generator of halogenated solvent water to the immediate north of the property

The approximate impacted area requiring soil remediation is 125-375 M² which amounts to approximately 500–1,500 M³ (1,000 to 3,000 metric tonnes) of PHC impacted soil. Petroleum hydrocarbon impacts, including F1 and F2 PHCs, ethylbenzene and xylene, were identified in soil at monitoring well MW106 at a depth of approximately–4 m bgs within the northeast portion of the site. A groundwater sample collected from this monitoring well, with a well screen located between 4.5-7.5 bgs and a water level at 4.9 m bgs also identified PHC F1 impacts.

POLICY IMPLICATIONS AND LEGISLATED REQUIREMENTS

Urban Hamilton Official Plan

The area designated Downtown Mixed-use is the historic downtown of Hamilton. Its boundaries coincide with the Downtown Hamilton Secondary Plan. It is intended to have a full range of retail, service commercial, institutional, cultural, entertainment, and office uses as well as a range of residential uses.

Downtown Secondary Plan (Updated)

The updated Secondary Plan for Downtown Hamilton was approved by City Council May 9, 2018 and is currently within the appeal period. The lands are designated Downtown Mixed-use. It is considered that within this designation, Downtown Hamilton shall continue to maintain its key role as the governmental, institutional, educational, cultural, and residential centre of the City. The Downtown Mixed-use policies of the Secondary Plan are intended to support intensive, urban-scale mixed-use development.

Hamilton Zoning By-law No. 05-200

Concurrent with the update to the Secondary plan, Zoning By-law 05-200 was updated. The subject lands were provided the following site specific permissions:

688. Notwithstanding Section 6.1.1 of this By-law within the lands zoned Downtown Central Business District (D1) Zone, identified on Map 910 of Schedule “A”–Zoning Maps and described as 107 MacNab Street North, clothing manufacturing shall also be permitted.

Currently the lands have a legal recognized use as clothing manufacturing.

Site Plan Control Application

The property is subject to site plan control and as such, any site works may be required to be reviewed through submission of a Site Plan Application.

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**SUBJECT: Environmental Remediation and Site Enhancement (ERASE)
Redevelopment Grant Application, 107 MacNab Street North,
Hamilton - ERG18-02 (PED18131) (Ward 2) - Page 6 of 7**

RELEVANT CONSULTATION

Staff from the Taxation Division, Corporate Services Department, Legal Services Division and the City Manager's Office was consulted and the advice received is incorporated into Report PED18131.

ANALYSIS AND RATIONALE FOR RECOMMENDATION

The 2018 assessed value is \$742 K and the property is classed as Commercial (CT).

The ERG will be calculated as follows:

Grant Level:		80%	
Total Eligible Costs (Maximum):		\$784,074	
Pre-project CVA: (CT - Commercial)	\$	742,000	Year: 2018
Municipal Levy:	\$	16,042.63	
Education Levy:	\$	<u>8,140.41</u>	
Pre-project Property Taxes	\$	24,183.04	
*Estimated Post-project: (JT – Industrial, New Construction)	\$	8,000,000	Year: TBD
**Estimated Municipal Levy:	\$	298,018.74	
**Estimated Education Levy:	\$	<u>87,200.00</u>	
**Estimated Post-project Property Taxes:	\$	385,218.74	

*The actual roll number(s), assessed values, tax classification(s) and value partitioning (where applicable) to be determined by the Municipal Property Assessment Corporation

**2018 tax rates used for calculation of estimated post-development property taxes.

Municipal Tax Increment = Post-project Municipal Taxes (actual) minus Pre-project Municipal Taxes.

“Grant Payment in Year One” (first full calendar year after re-valuation of the completed and occupied project by the Municipal Property Assessment Corporation) or the “Initial Grant Payment” = Municipal Tax Increment x 80%.

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**SUBJECT: Environmental Remediation and Site Enhancement (ERASE)
Redevelopment Grant Application, 107 MacNab Street North,
Hamilton - ERG18-02 (PED18131) (Ward 2) - Page 7 of 7**

ALTERNATIVES FOR CONSIDERATION

The Grant Application meets the eligibility criteria and requirements of the Program. In the event the project is not considered for the Program, the Application should be referred back to staff for further information on possible financial or legal implications.

ALIGNMENT TO THE 2016 – 2025 STRATEGIC PLAN

Economic Prosperity and Growth

Hamilton has a prosperous and diverse local economy where people have opportunities to grow and develop.

Healthy and Safe Communities

Hamilton is a safe and supportive city where people are active, healthy, and have a high quality of life.

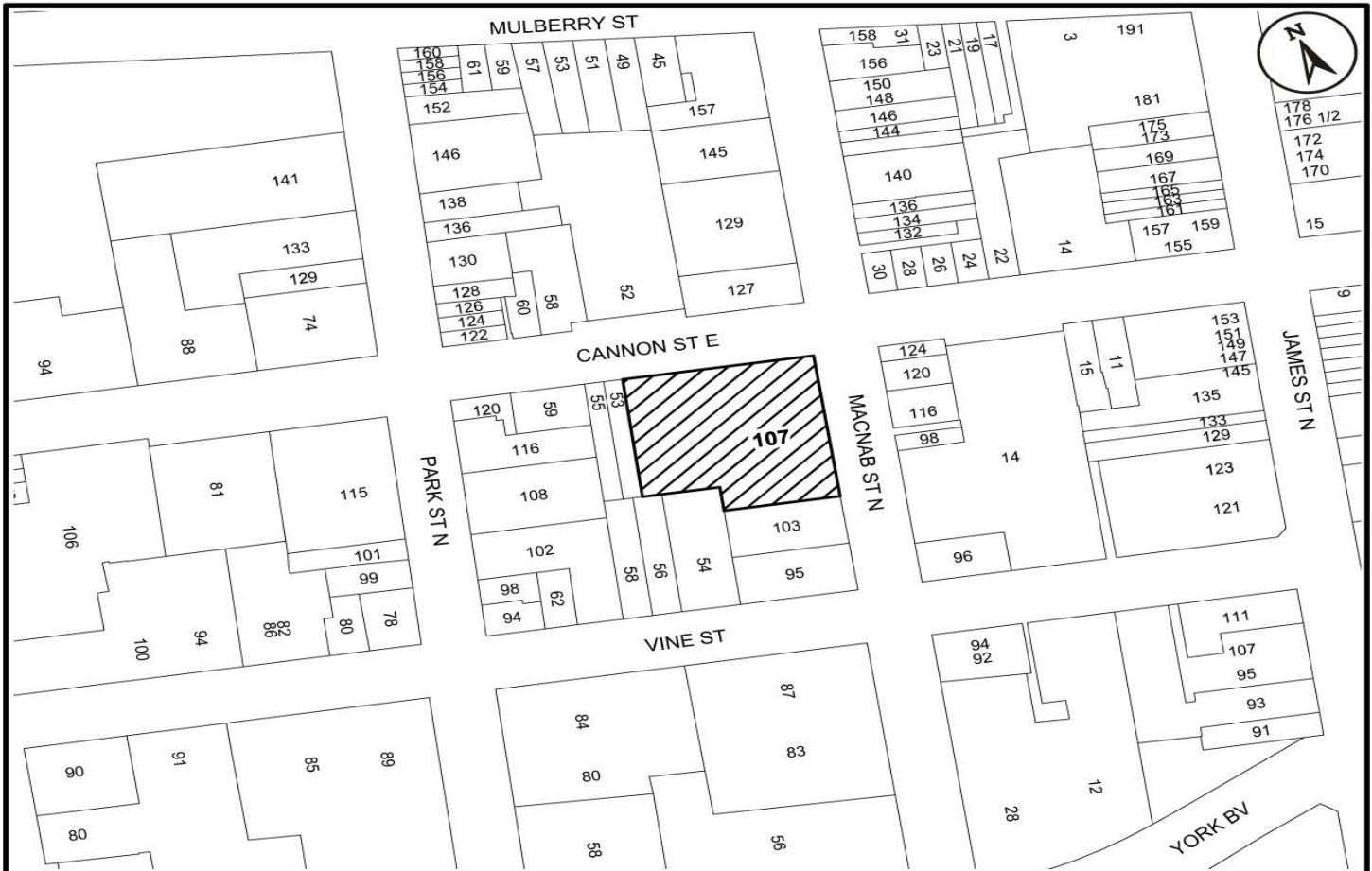
Our People and Performance

Hamiltonians have a high level of trust and confidence in their City government.

APPENDICES AND SCHEDULES ATTACHED

Appendix “A”-Location Map

MP:dt



● Site Location



Key Map - Ward 2

N.T.S.



Location Map



PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT

File Name/Number:
107 MacNab St N

Date:
May 30, 2018

Appendix "A"

Scale:
N.T.S.

Planner/Technician:
MP/AL

Subject Property

107 MacNab Street North



INFORMATION REPORT

TO:	Mayor and Members General Issues Committee
COMMITTEE DATE:	July 9, 2018
SUBJECT/REPORT NO:	City of Hamilton Estimated Costs for Implementation of Cannabis Legalization (FCS18052) (City Wide) (Outstanding Business List Item)
WARD(S) AFFECTED:	City Wide
PREPARED BY:	Vanessa Snelling (905) 546-2424 Ext. 6368
SUBMITTED BY:	Brian McMullen Director, Financial Planning, Administration and Policy Corporate Services Department
SIGNATURE:	

Council Direction:

City Council, at its meeting on January 24, 2018, directed:

“That City staff convene an inter-divisional working group led by Finance and including Planning and Economic Development, Legal Services, Hamilton Police Services, Public Health, Hamilton Fire Services, Licensing and By-law Services to identify municipal costs relating to the legalization of cannabis and funding needed by the City for its role within the legalized system.”

Information:

City of Hamilton staff and elected officials have been involved in discussions on Cannabis since the initial news about its legalization in early 2017. Prior to and since the request made by Council on January 24, 2018, City staff has been working with representatives from the Provincial Government, Federation of Canadian Municipalities (FCM), Association of Municipalities of Ontario (AMO) and other municipalities on the impact of the legalization of Cannabis.

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SUBJECT: City of Hamilton Estimated Costs for Implementation of Cannabis Legalization (FCS18052) (City Wide) – Page 2 of 4

On March 9, 2018, a news release, attached as Appendix “A” to Report FCS18052, was provided by the Ontario Ministry of Finance regarding the provincial support for municipalities to ensure a safe transition to Federal Cannabis Legalization. The news release reported that the Province will provide \$40M of its revenue from the federal excise duty on recreational cannabis over two years to help all municipalities with implementation costs related to the legalization of Cannabis.

The \$40M in funding will be distributed to municipalities on a per household basis, adjusted to ensure each municipal government receives no less than \$10K. If the Province’s portion of the revenue of federal excise duty on recreational Cannabis for the first two years exceeds \$100M, the Province will provide municipal governments with 50 percent of the surplus.

Based on 2016 census data, staff has estimated the City of Hamilton’s allocation of funding to be \$1.63M over the two-year period, as outlined in Table 1.

Table 1

Ontario Dwellings*	Hamilton Dwellings*	Hamilton %	Provincial Allocation	Hamilton Allocation
5,598,391	227,918	4.07%	\$40,000,000	\$1,628,000

* Based on 2016 census data for Dwellings

In addition to the \$40M funding approach, Ontario is taking on some of the costs municipal governments face. The costs indicated that will be covered are:

- Training cost of police officers on Standard Field Sobriety Testing (SFST)
- Creating a Cannabis Intelligence Co-ordination Centre to address the illicit market and organized crime
- Federal funding for police training of \$81M over five years to help the capacity in police forces
- Federal and provincial public health education campaigns to provide local public health units with support and resources to help address local needs

In March 2018, AMO released an AMO Member Q and A on Cannabis legalization. This document, attached as Appendix “C” to Report FCS18052, outlines some of the potential impacts and actions being taken by the Government of Ontario.

In spring 2018, FCM released “Municipal Guide to Cannabis Legalization – A roadmap for Canadian local governments”, attached as Appendix “D” to Report FCS18052, to be used by staff and elected officials.

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SUBJECT: City of Hamilton Estimated Costs for Implementation of Cannabis Legalization (FCS18052) (City Wide) – Page 3 of 4

FCM and AMO continue to provide updates on Cannabis legalization on their websites:

<https://fcm.ca/home/issues/emergency-preparedness-and-response/cannabis-legalization.htm>

<http://www.amo.on.ca/AMO-Content/Policy-Updates/2018/CannabisImplementation>

Estimated Costs Relating to the Legalization of Cannabis

Staff from City departments and boards have estimated that ongoing incremental costs of \$1,325,000 and one-time costs of \$100,000 are related to the legalization of Cannabis. City estimates identified in Appendix “D” to Report FCS18052 are based on anticipated costs from the proposed legislation and do not include estimated costs from the Hamilton Police Service who will be providing information through their Board.

Staff from Municipal Law Enforcement anticipates that the new legislation will have an impact on noise / public nuisance, zoning, property standards, court time, by-law reform, licensing of edibles, parks and CityHousing graffiti complaints. The costs to address the potential increase in enforcement are a one-time cost of \$26,000 for a new vehicle and annual cost of \$220,000 for two new officers.

Staff from Housing Services Division has estimated that the impact of new legislation will require one-time costs of \$24,000 to undertake a policy review and update the Social Housing Access Guide, as needed, with amended policies based on research and sector consultation. Ongoing costs based on best practice are estimated at \$5,000 for training of all social housing providers and staff regarding legislation and human rights. Ongoing costs are estimated at \$1.1M for rehabilitating or repairing units impacted by legalized Cannabis use for smoke restoration and mould remediation efforts based on the City’s contingent liability for the provision of social housing and protection of housing assets.

Staff in Planning and Zoning have identified there will be one-time costs of \$50,000 associated with developing a new Official Plan and Zoning By-law regulations.

Staff from Building Services Division has identified that any changes to the Building code will be enforced within existing staffing costs.

Staff in the Hamilton Fire Department has indicated that, at the present time, there is no indication that any additional costs will be incurred. This could change, however, if there is a legislation requirement for a Licensing Inspection of the respective premises that would include participation by Fire Department staff.

Staff from Hamilton Paramedic Service has not indicated there will be any additional costs. This could change if there is a change in need for services after legalization.

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OUR Mission: To provide high quality cost conscious public services that contribute to a healthy, safe and prosperous community, in a sustainable manner.

OUR Culture: Collective Ownership, Steadfast Integrity, Courageous Change, Sensational Service, Engaged Empowered Employees.

**SUBJECT: City of Hamilton Estimated Costs for Implementation of Cannabis
Legalization (FCS18052) (City Wide) – Page 4 of 4**

Staff from Public Health Services has not identified base or incremental cost projections in relation to the anticipated legalization of Cannabis and the provincial regulatory framework. Public Health Units across Ontario have no regulatory involvement or oversight concerning proposed legal Cannabis regarding proposed retail or public place, workplace prohibition regulations.

Estimates of one-time costs are ongoing of the legalization of Cannabis will be updated as more information becomes available.

Appendices and Schedules Attached

Appendix “A” – News Release March 9, 2018 – Ontario Supporting Municipalities to Ensure Safe Transition to Federal Cannabis Legalization

Appendix “B” – Cannabis Legalization Implementation Funding for Ontario Municipalities – AMO Member Q and A

Appendix “C” – Federation of Canadian Municipalities -Municipal Guide to Cannabis Legalization

Appendix “D” – City of Hamilton Legalization of Cannabis – Estimated Implementation Costs

VS/dt

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**NEWS**

Ministry of Finance

Ontario Supporting Municipalities to Ensure Safe Transition to Federal Cannabis Legalization

Province Also Investing in Police Training, Investigations, and Public Education

March 9, 2018 10:30 A.M.

Ontario is stepping up support for municipalities and law enforcement to help ensure communities and roads are safe in advance of the federal government's legalization of cannabis.

The province will provide \$40 million of its revenue from the federal excise duty on recreational cannabis over two years to help all municipalities with implementation costs related to the legalization of cannabis.

In addition, Ontario is taking further steps to ensure a safe and sensible transition for communities and people by:

- Increasing the capacity of local law enforcement, including the Ontario Provincial Police, by funding sobriety field test training for police officers to help detect impaired drivers
- Creating a specialized legal team to support drug-impaired driving prosecutions
- Increasing capacity at the province's Centre of Forensic Sciences to support toxicological testing and expert testimony
- Developing a program to divert youth involved in minor cannabis-related offences away from the criminal justice system
- Creating a Cannabis Intelligence Coordination Centre to shut down illegal storefronts and help fight the unsafe and illegal supply of cannabis products
- Providing public health units with support and resources to help address local needs related to cannabis legalization
- Raising awareness of the new provincial rules that will take effect when cannabis is legalized federally.

Ontario's plan to create fairness and opportunity during this period of rapid economic change includes a higher minimum wage and better working conditions, free tuition for hundreds of thousands of students, easier access to affordable child care, and free prescription drugs for everyone under 25 through the biggest expansion of medicare in a generation.

QUOTES

" Today marks an important step in our commitment to deliver a safe and sensible framework for the federal legalization of cannabis. Ontario's funding approach, developed in partnership with

Appendix "A" to Report FCS18052
Page 2 of 3

AMO and the City of Toronto, will provide municipalities with access to funding in advance of federal excise revenues. Ontario will work collaboratively with municipalities and the federal government to continue gathering data on the incremental costs of implementation."

- Charles Sousa

Minister of Finance

" Cannabis use and distribution will be strictly regulated after legalization by the federal government. This funding will ensure that Ontario's municipalities have dedicated resources for cannabis enforcement. Ontario will continue working with law enforcement agencies to protect our communities from illegal cannabis activity, and to keep impaired drivers off the road. "

- Marie-France Lalonde

Minister of Community Safety and Correctional Services

" As federal cannabis legalization approaches, we want to ensure Ontarians are protected from the dangers of drug-impaired driving and the sale of illegal, unregulated – and potentially unsafe cannabis. That is why it is so important that our municipal and enforcement partners have the tools they need to take down illegal cannabis stores, better detect impaired drivers and prosecute offenders."

- Yasir Naqvi

Attorney General of Ontario

" We know municipalities will play a key role as the federal government moves forward with the legalization of recreational cannabis. That is why we engaged with municipalities early in this process. The advice received from municipal partners helped inform our decision making. Our government respects the role of municipalities in the legalization of cannabis and we know we can rely on their valuable input as we continue to navigate this process together."

- Bill Mauro

Minister of Municipal Affairs

" Cannabis legalization will impact municipal governments across Ontario and AMO is pleased that the province is providing upfront funding to help local governments respond to local needs. Legalization is new for everyone and both the province and AMO recognize the need to monitor and measure the real costs as implementation unfolds."

- Lynn Dollin

President, Association of Municipalities of Ontario

Appendix “A” to Report FCS18052
Page 3 of 3**QUICK FACTS**

- Funding will be distributed to municipalities on a per household basis, adjusted to ensure that each municipal government receives no less than \$10,000.
- If the province’s portion of the revenue from federal excise duty on recreational cannabis for the first two years of legalization exceeds \$100 million, the province will provide municipal governments with 50 per cent of the surplus.
- The *Ontario Cannabis Act* includes strong deterrents to discourage illegal cannabis activities, including high fines for individuals or corporations convicted of illegal selling or distribution, tough provincial penalties for driving while impaired and zero tolerance for young, novice and commercial drivers who drive with cannabis in their system.

LEARN MORE

- [Preparing for Cannabis Legalization in Ontario](#)

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Cannabis Legalization Implementation Funding for Ontario Municipalities

AMO Member Q and A

Why is the Government of Ontario Providing Funding to Municipal Governments?

- Cannabis legalization experiences in other jurisdictions, while somewhat helpful, took place in different legal and social environments than Ontario's. This has made forecasting needs a challenging task for everyone.
- Ontario recognizes that legally available recreational cannabis (storefront and on-line retail) is likely to impact municipal services such as policing and bylaw enforcement, public health, paramedic, and other services that can deal with community impacts. This will increase municipal costs incrementally.
- New, upfront funds will help Ontario municipal governments manage costs brought by legal cannabis implementation and impacts on their communities for the next two years.

What is the funding approach developed between the Government of Ontario, AMO and the City of Toronto? The funding approach:

- Reflects a provincial estimate of \$100 million as Ontario's portion of the federal cannabis excise duty on recreational cannabis for the first two years. The Province will provide \$40 million over two years to all Ontario municipal government to support their incremental implementation costs.
- If Ontario's portion of the federal excise duty for the first two years of legalization exceeds \$100 million, the Province will provide 50% of the surplus to municipal governments.
- Involves provincial cost containment for some municipal activities that will bring a benefit.
- Half of the \$40 million to flow as soon as possible following federal Royal Assent and before legalization starts in 2018 so that municipal governments have upfront assistance and the second half will flow on the anniversary of that date in 2019.
- Funding will be allocated on a per household basis, adjusted to ensure that each municipality receives no less than \$10,000.
- In the case of counties and regions, funds will be shared equally between the tiers unless an alternate arrangement is made amongst the affected governments.
- Streamlined reporting and key data collection over two years to establish baseline data.
- Ontario, AMO, and the City of Toronto will re-engage in two years to revisit funding when there is a better understanding of implementation costs and impacts.

What are the 'cost avoidance' activities that will help contain municipal cannabis implementation costs?

- In addition to the funding approach, Ontario is taking on some of the costs municipal governments face.
- For example, Ontario is covering the training costs for police officers (OPP and own municipal forces) on Standard Field Sobriety Testing (SFST) certification. The number of officers certified is subject to police service standards and certification is not required for every officer.
- Ontario is also creating a Cannabis Intelligence Coordination Centre to address the illicit market and organized crime.
- Federal funding for police training of \$81 million/5 years will help the capacity in police forces; for example, the Canadian Association of Chiefs of Police is working with the federal government and the RCMP to train 65,000 officers across Canada on the cannabis legalization.
- Federal and provincial public health education campaigns will provide local public health units with support and resources to help address local needs related to cannabis legalization.

What impacts will municipal governments likely encounter from legal recreational cannabis?

Generally, impacts are in the areas of:

- Police services which will implement the drugged driving laws, requiring training and equipment including roadside testing kits (not available yet) to better detect drug impaired drivers.
- Police forces will continue to shut down and prosecute illegal cannabis storefronts.
- Municipal by-law officers may respond to an increase in nuisance complaints as residents adjust to legalization.
- By-law officers can be designated to respond to public consumption complaints instead of police personnel.
- Paramedic services could experience increased calls from cannabis users.
- A change in usage patterns in local communities may require a public health unit response.
- *Provincial Offences Act* (POA) prosecutions in municipal courts may also result from infractions under provincial cannabis legislation; fine revenue from these offences remains with municipal governments.

What else is the Government of Ontario undertaking?

In addition to the OPP and own force policing and public health supports, Ontario will:

- Increase capacity at the Province's Centre of Forensic Sciences to support toxicological testing and expert testimony.
- Develop a program to divert youth involved in minor cannabis-related offences away from the criminal justice system.
- Provide public health units with support and resources that will assist in meeting their mandate to address local needs related to cannabis legalization.
- Raise awareness of the new provincial rules that will take effect when cannabis is legalized federally.

What is the Federal-Provincial/Territorial Cannabis Excise Duty Agreement?

In brief:

In December 2017, federal, provincial, and territorial Finance Ministers agreed to:

- Share cannabis revenues 25/75 per cent for the federal and provincial/territorial governments respectively.
- Cap the federal portion at \$100 million maximum; anything above \$100 million would be distributed to the provinces/territories.
- Review the FPT Agreement at the end of two years post legalization.

As noted by Federation of Canadian Municipalities, the federal government reduced its originally proposed cannabis excise duty share of 50% to 25% in recognition of municipal government responsibilities and the federal expectation is that costs municipal governments across the country would incur see some benefit as a result.

https://www.canada.ca/en/department-finance/news/2017/12/canada_s_finance_ministers_reach_agreement_on_cannabis_taxation.html.

When will cannabis be legalized?

This will depend on the passage of the federal Bills that are before the Senate and when they receive Royal Assent and a date provided. AMO will monitor this and keep municipal governments informed.

What are the 'cost avoidance' activities that Ontario is undertaking to help contain municipal costs?

- Ontario is covering:
 - **Standard Field Sobriety Test (SFST)** certification training costs for police officers (OPP and own municipal forces). The number of officers certified for SFST is subject to police service standards and certification is not required for every officer;
 - **Drug Recognition Expert (DRE)** certification training costs for police officers (OPP and own municipal forces). DRE certification is only available to officers that are SFST certified and is subject to the available number of field assessment positions allocation to Ontario under the U.S.-based International Association of Chiefs of Police accredited program (travel and accommodation costs will remain the responsibility of the police service, only certification costs will be covered);
 - AMO believes that the creation of a Canadian/Ontario based facility for DRE training would further reduce municipal costs
- Ontario is also creating a **Cannabis Intelligence Coordination Centre** to address the illicit market and organized crime.
- Federal funding for police training of \$81 million/5 years will help the capacity in police forces; for example, the Canadian Association of Chiefs of Police and the RCMP developing a program to train 65,000 officers across Canada on the cannabis legalization laws.
- Federal and provincial **public health education campaigns** will provide local public health units with support and resources to help address education needs related to cannabis legalization and consumption, reducing the need to develop local resources.

How could cannabis policy evolve in the future?

- The Federal Government has indicated its intention to authorize the legal sale of cannabis edible products and concentrates no later than 12 months following the coming into force of their proposed cannabis legislation. Edible products would need to be accompanied by regulations to address the specific risks associated with these types of products.
- A possible future decision is the potential introduction of lounges and venues for the licensed and regulated consumption of cannabis. There are no immediate plans to make this change. The Province has undertaken consultation on its regulatory proposals to get early feedback on possible next steps after legalization. AMO has supported the consumption venues proposal subject to strict local authority respecting community needs.
- The Province is taking an approach with more control initially and adjustment as appropriate over time. Other Canadian jurisdictions are taking a more 'open market' approach, which generates other types of work and costs for municipal governments but also offers some local economy benefits.

Municipal Guide to Cannabis Legalization

A roadmap for Canadian
local governments



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MUNICIPALITÉS

Spring 2018



Disclaimer

This guide provides general information only. It is not meant to be used as legal advice for specific legal problems. This guide should not be used as a substitute for obtaining legal advice from a lawyer licensed or authorized to practice in your jurisdiction.

Information about the law in this guide has been checked for legal accuracy at the time of its publication, but may become outdated as laws or policies change. Links to non-FCM resources are provided for the convenience of readers of this guide. FCM does not create or maintain these non-FCM resources, and is not responsible for their accuracy.

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Rising to the local challenge of cannabis legalization



To municipal leaders and staff across Canada,

The nationwide legalization of non-medical cannabis by the summer of 2018 presents major challenges for all orders of government.

And of course, municipalities form the order of government closest to daily life and commerce—building more livable communities, handling crises, and doing what it takes to keep residents safe and well-served. We are also very much on the front lines of implementing this new federal commitment. Our cities and communities, after all, are the places where non-medical cannabis will be legally sold and consumed.

Getting this right is a big job.

Local governments will face significant new enforcement and operational challenges in the months and years ahead. And those challenges don't end with policing. There is a world of bylaws to develop and business licensing rules to review. There are processes to adopt across as many as 17 municipal departments. And that's where this guide comes in.

FCM worked with legal, land-use planning and policy experts to develop a roadmap for how municipalities might choose to adapt and develop bylaws in domains ranging from land use management to business regulation to public consumption.

Building on last summer's [Cannabis Legalization Primer](#), this guide offers policy options and practical suggestions for local rules and by-laws. And this roadmap was strengthened by technical and financial contributions from your provincial and territorial municipal associations across the country.

As you forge ahead locally, FCM continues to advocate at the federal level for deeper engagement with municipalities. Municipalities also need new financial tools—and we're making progress on accessing a fair share of cannabis excise tax revenues. While local policing is largely outside the scope of this guide, its costs are inside the scope of many municipal budgets. Those costs, layered onto the new administrative costs you will face, need to be sustainable.

This work and this guide are designed to help you do what you do best: protect and strengthen your communities as sustainably and durably as possible. Legalizing non-medical cannabis across this country requires a strong partnership among orders of government. And your tireless efforts, in communities of all sizes, from coast to coast to coast, are central to getting the job done.

A handwritten signature in black ink that reads "J Gerbasi". The signature is fluid and cursive, with the first letter of each name being capitalized.

Jenny Gerbasi
Deputy Mayor of Winnipeg
President, FCM

Acknowledgements

This guide was made possible by the financial and technical contributions of FCM’s provincial and territorial municipal association partners:

Alberta Urban Municipalities Association
 Association francophone des municipalités du Nouveau-Brunswick
 Association of Manitoba Municipalities
 Association of Municipalities of Ontario
 Association of Yukon Communities
 Cities of New Brunswick Association
 Federation of Prince Edward Island Municipalities
 Fédération Québécoise des Municipalités
 Municipalities Newfoundland and Labrador
 Northwest Territories Association of Communities
 Nunavut Association of Municipalities
 Rural Municipalities of Alberta
 Saskatchewan Association of Rural Municipalities
 Saskatchewan Urban Municipalities Association
 Union des Municipalités du Québec
 Union of British Columbia Municipalities
 Union of Municipalities of New Brunswick
 Union of Nova Scotia Municipalities

This project’s Technical Advisory Group has worked tirelessly to keep it grounded in the realities of communities addressing all aspects of legalization:

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 Jerrod Riley, By-law Review Specialist, City of Ottawa
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 Rebecca Anderson, Solicitor, Law Branch, City of Edmonton
 Sara Brown, Chief Executive Officer, NWT Association of Communities

Sean McKenzie, Senior Policy Advisor, Saskatchewan Urban Municipalities Association
 Steven Dribnenki, Policy and Legal Advisor, Saskatchewan Urban Municipalities Association
 Sylvie Pigeon, Policy Advisor, Union des municipalités du Québec
 Terry Waterhouse, Director, Public Safety, City of Surrey
 Tracey Cook, Executive Director, Municipal Licensing and Standards, City of Toronto
 Wyatt Skovron, Policy Analyst, Rural Municipalities of Alberta

FCM acknowledges the expertise and professionalism provided by the legal team at Young Anderson Barristers and Solicitors who spearheaded the drafting of this guide. We specifically want to thank Stefanie Ratjen, Bill Buholzer and Alyssa Bradley for tackling this challenging assignment head-on with sharp research and analysis on a topic with little precedence to draw on.

Finally, FCM thanks its nearly 2,000 members—Canadian municipalities of all sizes and regions, from coast to coast to coast. These are the local governments on the front lines of implementing the federal commitment to legalize non-medical cannabis. They are the fuel that powers FCM’s policy and advocacy work.

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1 Federal framework

On April 13, 2017, the federal government tabled two bills to legalize and regulate cannabis in Canada:

- [Bill C-45](#), *An Act respecting cannabis and to amend the Controlled Drugs and Substances Act, the Criminal Code and other Acts (the "Cannabis Act")*.
- [Bill C-46](#), *An Act to amend the Criminal Code (offences relating to conveyances) and to make consequential amendments to other Acts*.

With a planned Summer 2018 adoption date, the *Cannabis Act* creates a regulatory framework for the production, distribution, sale, cultivation, and possession of cannabis across Canada. Bill C-46 addresses offences relating to cannabis trafficking, and focuses on strengthening impaired-driving measures.



1.1 Bill C-45, the proposed *Cannabis Act*

As outlined by the federal government, the *Cannabis Act* seeks to achieve the following objectives:

- ▶ Restrict youth access to cannabis.
- ▶ Regulate promotion or enticements to use cannabis.
- ▶ Enhance public awareness of the health risks associated with cannabis.
- ▶ Impose serious criminal penalties for those breaking the law, especially those who provide cannabis to young people.
- ▶ Establish strict product safety and quality requirements.
- ▶ Provide for the legal production of cannabis.
- ▶ Allow adults to possess and access regulated, quality-controlled, legal cannabis.
- ▶ Reduce the burden on the criminal justice system.

For local governments, the *Cannabis Act* has significant implications for local land use regulation, business regulation and licensing, and the regulation of public consumption and personal cultivation of cannabis. There will also be, to a certain extent, variations across provincial and territorial jurisdictions. The most significant variance will be whether these jurisdictions choose to distribute non-medical cannabis through a government or a privately run system.

When implementing a strategy to regulate cannabis locally, municipal governments should first consider and work within any existing or anticipated provincial/territorial and federal initiatives that affect the public consumption of cannabis. Under the *Cannabis Act*, the federal government proposed significant restrictions on the marketing

and promotion of cannabis products. We address this in [CHAPTER 2: LAND USE MANAGEMENT](#) and [CHAPTER 4: PUBLIC CONSUMPTION](#).

Public smoking and alcohol consumption legislation varies greatly across provinces and territories. We anticipate that many will extend existing legislation to public cannabis consumption.

Local governments should be attuned to where consumption of cannabis is, or is not, permitted in their province or territory. Local governments should also be aware of what cannabis consumption regulations the federal and provincial/territorial governments introduce. This will help them determine whether or how the local government wishes to contribute to and work within those regulations in their community.

1.2 Bill C-46, on impaired driving

While the *Cannabis Act* and Bill C-46 were proposed at the same time and relate to the regulation of cannabis, they have distinct focuses. Bill C-46 addresses offences relating to cannabis conveyancing and trafficking, as well as enhancing impaired-driving investigation and enforcement measures.

Bill C-46 has significant implications for law enforcement as well as individual rights protected by the Charter. A brief summary of the proposed legislation follows, but Bill C-46 is otherwise outside the scope of this guide.

- ▶ **Part 1 creates three new offences** for having specified levels of a drug in the blood within two hours of driving. The penalties would depend on the drug type and the levels of drug or the combination of alcohol and drugs, with the drug levels to be set by regulation.

► Federal framework



For THC, the main psychoactive compound in cannabis, a person found driving with a blood content of 2 or more nanograms of THC would be subject to a summary conviction criminal offence. A person found driving with higher THC blood content levels, or a combined alcohol and THC blood content level, would be subject to even more severe criminal penalties.

- **Part 2 replaces the current Criminal Code** regime dealing with transportation offences. It would allow for mandatory alcohol and drug screening by police at roadside stops, as well as increased minimum fines for impaired driving.

Under the proposed mandatory alcohol and drug screening provisions, law enforcement officers would

be able to demand an oral fluid sample at roadside if they suspect a driver has a drug, including THC, in their body. For alcohol, if law enforcement officers have an “approved screening device” at hand, they will be permitted to demand breath samples of any drivers they lawfully stop without first suspecting that the driver has alcohol in their body.

The proposed legislation would also allow for police officers to provide opinion evidence in court, as to whether they believe a driver was impaired by a drug at the time of testing. This is without the need for an expert witness in each trial.

▶ **Law enforcement practices by local police forces and the RCMP will be affected if Bill C-46 is enacted.**

Many of the legislative changes in Bill C-46 relate to amending the Criminal Code or involve policing and law enforcement practices. The focus of this Guide is to assist local governments in the regulation of cannabis under the *Cannabis Act*. If a local government is concerned about the impact of Bill C-46, consultation with local police forces and the RCMP is recommended.

1.3 Medical vs. non-medical cannabis regimes

The laws regarding cannabis do not change until the *Cannabis Act* has passed. Until such time, the [Access to Cannabis for Medical Purposes Regulations](#) (ACMPR), released August 2016, remain the authority for lawful cannabis production and possession. Currently, cannabis may be grown by registered persons and licensed producers for medical purposes only, unlicensed possession of any cannabis is illegal, and the retail distribution of cannabis in “dispensaries” and other storefront operations is also illegal.

Although the federal government has indicated it may revisit the ACMPR regime if the *Cannabis Act* becomes law, the current ACMPR regime continues under the Act. Medical practitioners will continue to be able to prescribe cannabis for medical purposes. Individuals with a prescription, including those under 18, will continue to

be able to access medical cannabis. The *Cannabis Act* also provides that those licensed under the ACMPR for commercial medical cannabis production will continue to be authorized to produce medical cannabis under the *Cannabis Act*, and be deemed to hold licenses for the production of non-medical cannabis.

Definitions: Cannabis vs marihuana

Cannabis is commonly used as a broad term to describe the products derived from the leaves, flowers and resins of the *Cannabis sativa* and *Cannabis indica* plants, or hybrids of the two. These products exist in various forms, such as dried leaves or oils. They are used for different purposes, including medical, non-medical, and industrial purposes. Under the *Cannabis Act*, cannabis is broadly defined and includes:

- ▶ Any part of the cannabis plant, other than mature stalks that do not contain leaves, flowers or seeds, the cannabis plant fibre, or the plant root.
- ▶ Any substance or mixture of substances that contains or has on it any part of a cannabis plant.
- ▶ Any substance that is identical to any phytocannabinoid produced by, or found in, such a plant, regardless of how the substance was obtained.

Marihuana (marijuana) is commonly used to refer to parts of a cannabis plant, such as the leaves or flowers. It not a defined term under the *Cannabis Act*. Under the *Controlled Drugs and Substances Act*, marihuana is referred to as a form of cannabis.

“Cannabis” is preferable to “marihuana” for the regulatory context. Furthermore, “marihuana” is often seen spelled two different ways: the “h” is common in federal communications, while the “j” is associated with a phonetic Mexican Spanish usage—which has also drawn critique for a xenophobic association. Although cannabis and marihuana have historically been used interchangeably, the definition for cannabis is broader, and better able to include cannabis products and other substances than marihuana.

1.4 Jurisdictional issues

Federal responsibilities

Under the *Cannabis Act*, the federal government is responsible for establishing and maintaining a comprehensive and consistent national framework for regulating production of cannabis. This also includes setting standards for health and safety and establishing criminal prohibitions. Under the *Cannabis Act*, the federal government is specifically responsible for:

- ▶ Individual adult possession of cannabis, including determining the maximum allowable cannabis possession and home cultivation quantities.
- ▶ Promotions and advertising, including regulating how cannabis or cannabis accessories can be promoted, packaged, labelled and displayed.
- ▶ Licensing commercial cannabis production.
- ▶ Industry-wide regulations on the quantities, potency, and ingredients in the types of products that will be allowed for sale.
- ▶ Registration and tracking of cannabis from seed to sale.
- ▶ Minimum conditions for provincial/territorial distribution and retail sale; and allowing for the federal government to license distribution and sale in any province/territory that does not enact such legislation.
- ▶ Law enforcement at the border.
- ▶ Criminal penalties for those operating outside the legal system.

Provincial and territorial responsibilities

Under the proposed federal legislation, the provinces and territories are authorized to license and oversee the distribution and sale of cannabis, subject to minimum federal conditions. Some of these minimum conditions are that cannabis, including cannabis accessories and other products, may only be sold if it:

- ▶ qualifies as fresh cannabis, cannabis oil, cannabis plants or seeds;
- ▶ does not have an appearance, shape or attribute that could be appealing to a young person;
- ▶ does not contain ingredients such as caffeine, alcohol, or nicotine; and
- ▶ has not been recalled.

Edibles, or foods such as candy and baked goods that have been infused with cannabis, are not currently authorized under the proposed federal regime. Although these additional forms of cannabis may be authorized and regulated in the future.

All retailers must be authorized to sell cannabis under the proposed federal Act, or by provincial legislation that meets the minimum federal conditions on retail sale. These minimum conditions are that an authorized retailer can only sell cannabis produced by a federally authorized producer that is sold:

- ▶ to a person older than 18;
- ▶ with appropriate record-keeping measures in place;
- ▶ under conditions to prevent diversion to an illegal market or activity; and
- ▶ not through a self-service display or vending machine.

Delegation of authority

Many of the activities involved in cannabis legalization fall within the exclusive jurisdiction of provinces. Federal enabling legislation may grant similar legislative powers to the territorial governments. In some circumstances, provincial or territorial governments have further delegated or recognized local government authority to address certain matters. As a general principle, a federal role does not necessarily oust provincial/territorial or local government jurisdiction. Throughout this guide, we examine how jurisdictional authority is applied in the context of non-medical cannabis.

Municipal governments should examine their enabling legislation, as well as federal legislation and regulations, to understand the full extent of their potential scope of action.

Summary of possible roles and responsibilities

Federal	Provincial/Territorial	Municipal
Cannabis production	Wholesale and retail distribution of cannabis	Zoning (density, location)
Cannabis possession limits	Selection of retail distribution model	Retail locations
Trafficking	Workplace safety	Home cultivation
Advertising	Discretion to set more restrictive limits for:	Business Licensing
Minimum age limits (18)	<ul style="list-style-type: none"> • minimum age for consumption • possession amount 	Building Codes
Oversight of medical cannabis regime, including personal cultivation registration		Nuisance
		Smoking restrictions
		Odours
		Municipal workplace safety
		Enforcement
		Regulations around public consumption
		Personal possession
		Municipal cost considerations related to local policing

Charter issues

Over the past few years, the *Controlled Drugs and Substances Act* provisions dealing with the possession of medical cannabis have been held to be contrary to the *Canadian Charter of Rights and Freedoms*. But there currently does not appear to be a basis in the Charter for a challenge on local government restrictions applying to the production, distribution, retail sale or consumption of cannabis for non-medical purposes. Neither the right to life, liberty and security of the person, nor any other right guaranteed by the Charter, would be infringed by such restrictions.

As an example, the Charter should not prevent local governments from enforcing building construction and safety standards in relation to home cultivation of cannabis. These would likely qualify as “reasonable limits” on any Charter right to access a supply of non-medical cannabis. We note other specific Charter considerations in subsequent sections of this guide.

2 Land use management

The location, scale and density of cannabis cultivation and retail facilities will have real impacts for local communities. Commercial cultivation presents challenges ranging from odours to use of public water and energy utilities. Retail facilities influence the social and economic character of neighbourhoods, and residents have concerns about proximity to parks and schools.

Local governments' ability to manage land use with tools like zoning will depend on the authority that provinces and territories delegate, as will as the retail models they choose to adopt. Personal cultivation of cannabis is an issue that will require extensive public consultation—and municipalities will face difficult decisions about whether to develop a regulatory response.



2.1 Jurisdictional issues

Planning and zoning regulations fall within the scope of matters for which the *Constitution Act, 1867* assigns exclusive jurisdiction to the provinces. This includes matters of a merely local and private nature, and property and civil rights. Federal enabling legislation grants similar legislative powers to the territorial governments.

In most circumstances, local government regulations addressing land use activities related to the cultivation, processing, retail sale and consumption of non-medical cannabis would fall within the scope of these provincial/territorial matters. They could fall to local governments, depending on the extent to which the relevant provincial or territorial government delegates appropriate powers.

If a business obtains a federal licence under the *Cannabis Act*, it will not mean that the company will not be subject to provincial/territorial or local government regulations dealing with land use management. Locally, this constitutional arrangement can provide municipalities with the authority to prohibit particular land uses. We recommend that municipalities consult their individual provincial/territorial enabling land use laws for specific direction. But generally, there is no obligation for municipalities to permit cannabis cultivation in specific areas.

Delegation of land use regulation

The provinces and territories have largely delegated their authority over planning and land use management to local and, in some cases, regional governments. The wording of the enabling legislation defines the precise scope of planning and land use management authority. This can be done through stand-alone legislation like Prince Edward Island’s

Planning Act, or through a more general statute like Alberta’s *Municipal Government Act*.

Local governments are entitled to interpret enabling legislation broadly enough to address emerging issues and respond effectively to community objectives. However, they cannot extend its scope beyond what the wording of the legislation can reasonably bear. Some enabling legislation across Canada may allow local governments to deal with particular uses on a “conditional use” or “direct control” basis, which might be particularly appropriate in the case of new land use activities (such as those associated with cannabis) whose impacts are not well-understood at the outset.

Note that a provincial or territorial government might choose to exercise its jurisdiction over planning and land use management to control cannabis-related activities directly. For example, as a matter of general policy, the government might not wish to allow the use of residential premises for the cultivation of cannabis plants for non-medical use, as is the case in Quebec. This is despite the federal government’s willingness to allow that type of private production under the *Cannabis Act*. Municipal governments should monitor the development of the relevant provincial or territorial regime before initiating their own regulations.

What does this mean for municipalities?

None of the land use activities that are expected to result from the legalization of cannabis are likely to diverge from the existing enabling legislation and interpretations noted above. The land use activities contemplated relative to the *Cannabis Act* are similar to activities associated with other consumable commodities such as food, beverages and tobacco.

► Land use management

Given the existing regulatory framework and role of municipal governments, there are several issues related to land use management that local governments may have to address.

2.2 Location and scale of commercial cultivation and processing

This section addresses commercial-scale cannabis production. For information on personal cultivation of cannabis for non-medical consumption, see [SECTION 2.4: PERSONAL CULTIVATION](#).

Typical land use impacts: agriculture and production

Producing cannabis for non-medical use at a commercial scale is an activity that has some similarities to certain agricultural uses carried out in greenhouses, usually but not necessarily in agricultural zones. Greenhouse agriculture is sometimes carried out in industrial zones and business parks as well.

Federal authorization for commercial cannabis cultivation under the *Cannabis Act* will address two scales of cultivation: standard cultivation and micro-cultivation. It will authorize activities typically associated with this type of land use, including research and development, product storage and transportation—but not packaging, labelling or retail sale to the public.

Whether local government regulations should distinguish between standard and micro-cultivation will depend, in part, on whether the distinction the federal licensing regime is making would be practical as a local government distinction. It might be if it is based on cultivation area, but might not be if it is based on product weight or volume. This issue is addressed in greater detail below.

Municipally-operated utilities

As a type of intensive agriculture, cannabis production needs a supply of water for irrigation, of electricity for lighting, and of energy for heating. The availability of adequate utilities is a basic land use management consideration.

As a result, zoning regulations whether for agricultural or industrial zones should always be in step with the capacity of utility systems to support the permitted land uses.

Cannabis production has some special impacts in relation to odour emissions and a need for heightened security that can be associated with high-value crops. All of these factors can reasonably inform locational criteria for land use management purposes.

There are currently around 90 commercial-scale facilities in Canada licensed by Health Canada for medical cannabis production, and many more worldwide. Municipalities may wish to examine these existing facilities to identify and evaluate likely land use impacts and assess the need for a local regulatory framework. Locations of licensed Canadian facilities can be found on the [Health Canada website](#).

Other considerations

Commercial-scale processing of cannabis may give rise to additional considerations. Extraction of cannabis oil, for example, can involve the use of butane, which is explosive at ordinary temperatures. This is an industrial-type activity, which may be appropriate only in industrial zones, or in buildings with particular design and construction characteristics.

The federal government is proposing to license cannabis processing separately from cultivation and retail sales. These authorizations will include research and development activities, product storage and transportation, and the sale of product to licensed retail distributors. Again, both standard-scale and micro-scale processing facilities might be authorized. This suggests that land use regulations should address cannabis production and cannabis processing as separate activities. In addition, local regulations could distinguish between different scales of processing reflecting the federal licensing regime, if such a distinction is practical to enforce.

Typical land use restrictions

As noted earlier, commercial-scale cannabis production is a form of agriculture. Most zoning bylaw definitions of agriculture would include it, unless the cultivation of this particular crop has been carved out of the permitted use category.

A carve-out for cannabis would have been rare prior to the enactment of federal legislation permitting the cultivation of

cannabis for medical use. In general, most zoning bylaws are designed to prohibit land uses in particular zones unless the regulations expressly permit the use.

For clarity, some bylaws also contain a list of expressly prohibited uses, to avoid any doubt. Explicitly forbidding a specific land use would provide more certainty than relying on an omission in the list of permitted activities.

The Land Use Bylaw of Grande Prairie, AB, is typical and defines an “agricultural operation” as *“An agricultural activity conducted for gain or reward or in the hope of expectation of gain or reward, and includes, but is not limited to ... the production of fruit, vegetables, sod, trees, shrubs and other specialty horticultural crops.”*

Municipalities can write land use regulations to make very fine distinctions, for example between manufacturing plants for furniture and manufacturing plants for automobiles, if the uses have different land use impacts and there is accordingly a policy reason for making the distinction. Likewise, a local government could distinguish between the cultivation of cannabis and the cultivation of other types of crops—prohibiting one but not others.

Similarly, regulations can reflect distinctions that the federal government may be making between standard-scale cannabis production and micro-production facilities run by small-scale growers. Enforcing such a distinction could be difficult, though, if the federal distinction is based on a revenue or production criterion rather than plant numbers or growing area. It is a good practice to establish a basis for such distinctions by documenting and analyzing a comparison between potential impacts.

Proximity and clustering restrictions

Once Health Canada began licensing commercial production facilities for medical cannabis, some local governments amended their land use regulations to address community concerns. This included clustering cannabis businesses in certain districts by imposing minimum distances between the facilities. In some cases, cities established minimum distances between the production facilities and land uses involving children, such as parks and schools. In

these cases, municipalities did not feel that the equivalent federal licensing criteria were sufficient.

To this extent, the facilities were being dealt with in the same manner as pawnshops and adult entertainment venues. Applying similar criteria should be considered carefully in the context of local considerations, including health, safety, and economic development. This is an example of an instance where the federal role does not necessarily oust provincial/territorial or local government’s jurisdiction.



What can municipalities do?

Policy options

- ▶ Simply allow the activities to occur within the rubric of existing land use regulations, as agricultural or industrial activities in the case of production and industrial or manufacturing activities in the case of processing.
- ▶ Carve the activities out from existing permitted use categories, to be permitted only at locations specified in the regulations or under the authority of a special use permit.
- ▶ Carve the activities out from existing permitted use categories, with an exception for existing cannabis production operations that were established under the medical cannabis regime.
- ▶ Prohibit the activities entirely, as activities that the local government simply does not wish to permit within its jurisdiction, if the enabling legislation permits prohibition of uses.

Regulatory options

- ▶ Make no regulatory change, or amend existing regulations to make it clear that activities related to the commercial production or processing of cannabis are included in permitted or permissible use categories.
- ▶ Amend existing permitted or permissible use categories to exclude commercial cannabis production or processing activities, except at specific locations or under the authority of a special permit.
- ▶ As immediately above, but limit production to the scale that is appropriate to supply cannabis for medical uses.

► Land use management

- Add these activities to a list of prohibited uses, or amend all permitted or permissible use categories that could conceivably include them, to specifically exclude the activities.

Possible regulatory language

A land use bylaw definition of “agriculture” usually refers to the cultivation of crops. A definition could be modified to reflect a local regulatory choice about cannabis cultivation, adding wording that excludes “the cultivation of cannabis, other than cultivation authorized under either Part 1 or Part 2 of the Access to Cannabis for Medical Purposes Regulations under the *Controlled Drugs and Substances Act* (Canada).”

The reference to the ACMPR would reflect a policy choice to allow this use only to the extent that it serves a medicinal market. The exclusion could be narrowed to refer to specific locations where cannabis cultivation or processing is allowed, or to a local conditional use permit or other discretionary authorization being obtained.

Under the *Cannabis Act*, Part 1, authorizations are for commercial-scale operations. Part 2 deals with personal use and designated person production as originally authorized under the [Medical Marijuana Access Regulations](#). Excluding cannabis production from permitted “agricultural” uses could either permit or forbid both types of production—or allow one of them but not the other.

2.3 Location and density of retail facilities

Anticipated land use impacts

One of the key variations in provincial/territorial frameworks is the type of retail model that will be implemented. There are exclusively public models where the province or territory takes control of the entire retail system. There are hybrid models where a mix of private retailers and government

run stores will be present. There is also the option of an exclusively private model where the province controls distribution but private businesses are responsible for retail sale.

Diverse retail sales models

At the time of writing, six provinces/territories are moving toward a Crown corporation (public) distribution model for cannabis retail sales. Four other jurisdictions signalled they will develop a private retail system. One territory will run a public retail system but with no bricks and mortar storefronts—online sales only. Another two provinces/territories will have a hybrid system with both private and public retail distribution.

Municipalities should consult their specific provincial/territorial cannabis legislation as well as general enabling land use planning legislation to better understand where their own municipal roles and responsibilities will originate on the issue of non-medical cannabis.

The storefront sale of cannabis for non-medical use is essentially a type of retail trade with similarities to the sale of other consumable commodities such as food and beverages. Cannabis is already being sold in Canada, in illegal storefront dispensaries that some local governments have tolerated in mixed-use neighbourhoods.

The use does not appear to have any unusual characteristics in relation to functional aspects such as deliveries of product, off-street parking or signage requirements. It has some similarity to pharmacy uses and banks in relation to the need for secure storage. Hours of operation may be different from other types of business, but would usually be addressed via business regulations. See [CHAPTER 3: BUSINESS REGULATION](#) for more information.

Local governments will have to consider what behaviours they wish to incent. And they may be limited in this regard by restrictions set out in a specific province or territory. For example, if a municipality wants to use the availability of non-medical cannabis to promote tourism, they may wish to focus on creating tourist commercial districts.

Local governments would benefit from speaking with municipal staff members from U.S. cities where retail cannabis sale is already permitted. Even some bigger Canadian cities have a good sense of the challenges associated with cannabis clientele, based on their experience with storefront dispensaries. This could help guide Canadian municipalities in deciding whether to enact special land use restrictions to either encourage or control the growth of cannabis-related businesses.

Commercial consumption facilities

Smoking tobacco is illegal in most enclosed public places in Canada. The legalization of cannabis use for non-medical purposes will mean that municipalities must clarify whether smoking laws automatically include cannabis. This would mean examining both provincial/territorial and municipal laws.

In Vancouver, for example, the Public Health Bylaw is drafted in such a way that cannabis is likely covered.

Vancouver’s Health Bylaw No. 9535 defines “smoking” as including *“burning a cigarette or cigar, or burning any substance using a pipe, hookah pipe, lighted smoking device or electronic smoking device.”*

Municipalities may have to amend smoking bylaws that contain narrower definitions restricting their scope to tobacco use. The same policy concerns that gave rise to this type of public health bylaw, including second-hand tobacco smoke, would presumably extend equally to cannabis.

Assuming that provincial/territorial health laws allow local governments the flexibility to consume publicly, local governments wishing to allow smoking in particular types of premises such as “cannabis cafés” may need to make an exception in their own smoking bylaws. This is in addition to addressing this land use category in zoning and business regulations.

Provincial and territorial occupational health and safety regulations that require employers to protect workers from second-hand smoke in the workplace may complicate the operation of such premises, or even make it impossible.

Alberta’s proposed Act to Control and Regulate Cannabis provides that: *“No person may smoke or vape cannabis ... in any area or place where that person is prohibited from smoking under the Tobacco and Smoking Reduction Act or any other Act or the bylaws of a municipality.”*

Proximity and clustering restrictions

Municipalities can use local land use regulations to prevent the clustering of too many of one kind of business. They can also keep similar types of businesses or activities in one place, and/or away from other land uses. Common candidates for such treatment are so-called “adult” businesses, arcades, pawnshops and thrift stores.

In terms of restrictions on cannabis consumption and sales or production, regulations about minimum distance from other facilities like schools should be specific. Does the distance requirement refer to a school site on which a school might be built? Or is a school scheduled to be built there? Does the regulation refer to an unused school building, or only a school that is actually in operation? Also, regulations should address what kind of school needs to be a minimum distance away from a cannabis business—public, private, commercial, technical or post-secondary.

In the case of spacing between retail cannabis sales outlets, local governments should consider several questions as they develop regulations:

- ▶ When exactly does a “cannabis sales use” start, and therefore become subject to proximity or clustering considerations?
- ▶ Is a building permit or business licence sufficient, or must the use actually be in operation?
- ▶ Is an application for a building permit or business licence sufficient?

In all cases, details on how the requisite distance is to be measured need to be defined and could include how the distance is calculated, and how variances will be approached.

► Land use management

Some local governments will be permitted by their land use management enabling legislation to deal with retail cannabis sales as a conditional use. This would allow them to use direct control as well as or in the place of zoning, taking clustering and spacing considerations into account when issuing site-specific land use approvals. In these cases, they will not need to address those matters in generally applicable regulations. The one-off nature of such approvals does not eliminate the need, though, for conditions to be grounded in an evidence-based land use impact analysis and for the clustering and spacing requirements to be communicated clearly to stakeholders.

Considerations for medical cannabis

Prohibitions and regulations regarding retail sales of cannabis will have to acknowledge that sales of cannabis for medical purposes will continue. Pre-legalization, pharmacists in some jurisdictions were allowed to dispense cannabis to patients with appropriate prescriptions, though most preferred not to stock or dispense the drug. This may change after legalization if the black market for cannabis is substantially reduced and having the drug in inventory no longer constitutes a special security risk. Local governments should therefore be careful not to restrict this type of cannabis sales with overly broad regulations.

Retail signs

Retail trade facilities require signage. Under the *Canadian Charter of Rights and Freedoms*, there is a right to freedom of commercial expression. Local government regulations that limit the types and sizes of signs that can be used in commercial areas are generally acceptable. Examples include prohibitions on large window signs and other types of signage that detract from the visual attractiveness of an area, or restrictions on temporary signage associated with the opening of a new business.

Sign regulations that attempt to directly control the message conveyed by a commercial sign could, however, potentially risk interfering with the right to freedom of commercial expression under the Charter.

The federal government intends to address the packaging and labelling of cannabis products with regulations under the *Cannabis Act*. These regulations will have to respect provincial and territorial jurisdiction over land use management, and are therefore unlikely to touch on retail signage.

For their part, provincial and territorial governments may choose to address advertising issues as they create their own cannabis distribution regimes. Neither of these regimes is likely to deprive local governments of their entire jurisdiction over the use of commercial signage.

Typically, local government signage regulations address the types of signs that are permitted on particular premises—whether freestanding or mounted on a building, for example. These regulations can also specify the extent of sign area permitted in relation to the size of the business premises. Business operators are often subject to landlord controls as well, such as those requiring a consistent signage format or theme in a retail mall.

Quebec’s proposed *Cannabis Regulation Act* contains the following: *“All direct or indirect advertising for the promotion of cannabis, a brand of cannabis, the Société québécoise du cannabis or a cannabis producer is prohibited where the advertising ... is disseminated otherwise than ... in printed newspapers and magazines that have an adult readership of not less than 85%; or ... by means of signage visible only from the inside of a cannabis retail outlet.”*

Another aspect of signage relates to public health and the desire to reduce public consumption through marketing and advertising. We address this in [CHAPTER 4: PUBLIC CONSUMPTION](#).



What can municipalities do?

Policy options

- ▶ Allow and issue authorization for cannabis shops. Permit this as you would any other business in a commercial district.
- ▶ Carve this type of retail sales out of existing permitted use categories. Only permit cannabis businesses at particular locations or under the authority of a special permit.
- ▶ Prohibit cannabis retail stores completely if the enabling legislation permits prohibition of uses.

Regulatory options

- ▶ Make no regulatory change, or amend existing regulations to make it clear that retail cannabis sales are included in permitted retail trade land use categories.
- ▶ Amend existing permitted use categories to exclude retail cannabis sales activities, except at specific locations or under the authority of a special permit, from all land use categories that could conceivably include the use.
- ▶ Add these activities to a list of prohibited uses.

Possible regulatory language

- ▶ “Retail trade” means the sale of consumer goods at retail, including retail trade in bakeries, but excludes the retail sale of cannabis other than in licensed pharmacies.

2.4 Personal cultivation

Personal use and designated personal cultivation

The use of residential premises for the cultivation of medical cannabis plants has caused major problems for Canadian municipalities over the past several decades. It has meant a significantly compromised housing stock, heavy demands on policing resources, local nuisance complaints, and erosion of the culture of compliance on which the effectiveness of local bylaws largely depends.

These problems were exacerbated because people holding Health Canada production licenses failed to adhere to the terms of their licence regarding plant quantities. Health Canada also failed to enforce those terms. And many of these licences actually authorized cannabis production at a scale (hundreds of plants) that is simply inappropriate for a typical residential dwelling.

Residential buildings are usually not designed or constructed to accommodate cannabis production. The mechanical systems in non-industrial buildings are usually not appropriate to support this kind of use without modifications (that are often carried out by unqualified persons and without permits). The location of dwellings where cannabis is being grown exposes neighbours to odours and other impacts. The federal government’s initiatives in commercial production of medical cannabis were, in part, an attempt to alleviate these problems by shifting cannabis production from residential premises to properly designed and constructed facilities.

Personal use under the *Cannabis Act*

The *Cannabis Act* permits people over 18 to grow up to four cannabis plants within a “dwelling-house.” Provincial and territorial governments will be able to exercise their own jurisdiction to prohibit or regulate this scale of production, although only Manitoba and Quebec have announced the intention to do so.



The relevant definition of “dwelling-house” makes no distinction between a detached dwelling and a dwelling in a multiple-unit building. It also includes any adjacent yard or garden where the plants could be grown outdoors. No federal permit or licence would be required.

The *Cannabis Act* prohibits the use of residential premises for the production of cannabis for non-medical use at a larger scale. Health Canada will continue to authorize,

however, the production of medical cannabis under Part 2 of the ACMPR, including production under up to four registrations per production site.

Local regulation of medical cannabis production in residential premises will continue to engage Charter issues. We suggest that you carefully consider these issues before attempting to further regulate medical cannabis production.

The courts have found that commercial-scale cannabis production facilities were not a complete answer, constitutionally, to patients’ needs for medical cannabis, and assumed that cannabis production, distribution and possession were otherwise illegal. Legalization profoundly undermines that assumption, and will likely result in broad availability of the drug across the country.

Ordinary land use regulations prohibiting cannabis production in residential premises may, over time, become a reasonable limit on access to medical cannabis, and therefore wholly constitutional, if there are plentiful alternative sources of supply.

Manitoba’s proposed *Safe and Responsible Retailing of Cannabis Act* provides that *“a person must not cultivate cannabis at his or her residence.”* The Act does not apply to the *“cultivation of cannabis for medical purposes that occurs in accordance with the requirements of the applicable federal law.”*

Land use impacts

Local governments in provinces and territories that have not prohibited this activity will need to consider whether personal use cannabis production in a dwelling, at the minor scale permitted by the *Cannabis Act*, will raise land use management issues.

Residence-based cannabis production under the federal medical cannabis regime did cause certain challenges from a municipal health and safety perspective. But this regime is likely not an accurate predictor of how non-medical personal cultivation will be taken up by the public at large.

Regardless, municipalities may be skeptical about whether or not people will comply with the four-plant limit and if federal government will enforce the rule. Personal-use cannabis production at the scale permitted by the *Cannabis Act* would seem to engage no different land use management issues than the cultivation of other types of domestic plants. Possible exceptions could be odour issues and those associated with the risks of outdoor cultivation to children and domestic pets.

This all assumes an adequate commercial supply of cannabis that will eliminate the black market. In an ideal world, an adequate legal supply would eliminate the security issues associated with cannabis production in residential premises. The incentive to obtain a licence to produce medical cannabis and then violate the terms of that licence, may significantly reduce after legalization.

Local governments might consider whether any of this could be addressed by requiring licences for personal home cultivation. A registration system could help identify where cannabis production is actually occurring—though it is worth evaluating whether citizens would be likely to comply with such a requirement.

In the land use management context, growing four cannabis plants either indoors or outdoors in residential premises would probably be like growing other types of domestic plants. It would constitute an ordinary incidental, accessory or ancillary use of the premises not requiring express authorization in the relevant land use regulations.

Local governments contemplating a regulatory response to this aspect of the *Cannabis Act* should examine their accessory or ancillary use regulations. If the regulations already address in detail the types of plant cultivation that is permitted and cannabis is not mentioned, the regulations might be interpreted, by implication, to prohibit the cultivation of this particular plant species.

The *Land Use Bylaw of the Town of Truro, NS* defines an *“accessory use”* as *“the use or uses which take place on the same site as the principal use, and of a nature customarily and clearly secondary and incidental to the principal use.”*

Nuisance regulation

An alternative approach to the issue would be to address the actual impacts of cannabis cultivation in residential areas. This would mean enacting regulations that deal directly with the physical impacts of the activity. A local government may have nuisance regulation and abatement powers that have already been, or could be, exercised in

► Land use management

relation to odour-producing activities. In that case, cannabis production would not need to be addressed at all via land use regulations. We examine nuisance regulations in greater detail in the [CHAPTER 6: ENFORCEMENT ISSUES](#).

B.C.’s *Community Charter* authorizes local governments, under their authority to deal with nuisances, to regulate, prohibit and impose requirements in relation to *“the emission of smoke.”*

Proprietary jurisdiction of other entities

Cultivation of cannabis in residential premises, while potentially subject to local government regulation, is also subject to supervision by other interested parties including landlords, condominium corporations and co-operative boards. They deal more directly with complaints from neighbours and may therefore seek to regulate its cultivation or use to some degree.

Saskatchewan’s *Condominium Property Act*, Section 47(1)(e), gives a condominium corporation the authority to pass bylaws *“governing the management, control, administration, use and enjoyment of the units, common property and common facilities.”*

Landlords, including local governments that manage their own rental housing portfolio, have an interest in ensuring that their premises are not used in a manner that is inherently damaging or unsafe. Boards composed of owners

have a similar interest in ensuring that multi-unit buildings are not used in such a way as to create nuisances or unsafe conditions. Local governments with concerns about this use in multiple-unit buildings might reasonably conclude that they can manage the four-plant scenario in their own rental housing portfolio via tenancy agreements. They may also choose to leave the management of home cannabis cultivation in other buildings for owners to deal with as they see fit.

Choosing to regulate

The issue of home cultivation of cannabis—even with a four-plant limit in place—is one that will require public consultation. It is also the issue that will be the most challenging for municipalities to decide on whether to develop a regulatory response. The impacts of cannabis cultivation at this scale are perhaps minor, and other actors may be likely to address them via separate mechanisms such as tenancy agreements and strata association bylaws.

Citizens expect governments to enforce regulations. The issue of how to regulate home cultivation of cannabis will apply to the greatest number of properties. Of all the regulations that might be considered in relation to the legalization of cannabis, this one has the potential to generate the greatest number of enforcement complaints.



What can municipalities do?

Policy options

- ▶ Accept minimum-scale plant cultivation (four plants) in residential premises without a local regulatory response.
- ▶ Require some type of permit for this scale of cannabis cultivation in residential premises. Clarify that this is not a commercial activity that would require a business licence. Local government permit records would be public.
- ▶ Regulate the activity by permitting indoor production only, or by permitting it only in certain areas such as detached-dwelling zones.
- ▶ Prohibit the activity in all residences. (Accepting that such a prohibition could be unenforceable in relation to individuals who hold a personal use production licence for medical cannabis.)

Regulatory options

- ▶ Do nothing.
- ▶ Amend the zoning regulations to require a land use permit for the cultivation of cannabis in residential premises, and establishing a permit application procedure.
- ▶ Amend the zoning regulations to specify that accessory cultivation of cannabis is permitted only in certain zones, or is only permitted indoors.
- ▶ Amend the zoning regulations by adding a prohibition on cannabis cultivation in residential premises generally, or by excluding cannabis cultivation from the “accessory use” category that is permitted in residential zones.

Possible regulatory language

This suggested language could support the options above. A definition of the term “cannabis” could be included, referring to its definition in the *Cannabis Act*, or it could be left undefined. Consider these options for amending the land use regulations:

- ▶ Add a regulation along these lines: “No person, other than a person who is authorized to do so under Part 2 of the Access to Cannabis for Medical Purposes Regulation under the *Controlled Drugs and Substances Act* (Canada), shall use any residential premises for the growing of a cannabis plant, unless the person has registered the premises with the [municipality] as a residential cannabis production site.”
- ▶ Establish a registration process that includes a registration fee sufficient to cover the costs of administering the process.
- ▶ Specify that the use of residential premises for the growing of a cannabis plant is permitted only if the premises are [a detached dwelling] [located in a single-family residential (RS1) or two-family residential (RS2) zone].
- ▶ Specify that the use of residential premises for the growing of a cannabis plant is permitted only if the plant is located within a dwelling unit.
- ▶ Specify that the use of residential premises for the growing of a cannabis plant is prohibited, except in the case of premises in respect of which a registration has been issued by Health Canada under Part 2 of the Access to Cannabis for Medical Purposes Regulation under the *Controlled Drugs and Substances Act* (Canada).

3 Business regulation

Local governments expect to have some scope to regulate cannabis cultivation, processing and retail businesses in their communities. Once again, that scope will depend on the specific regulatory authority that individual provinces and territories choose to delegate to municipalities in their enabling legislation.

Local governments may use tools like business licensing to protect public health and safety, to protect youth and restrict their access to cannabis, to deter illicit activities, to mitigate public nuisances, and more. In doing so, it will be essential to strike an effective balance between empowering legal cannabis businesses to operate and addressing legitimate community concerns.



3.1 Jurisdictional issues

Constitution Act

Business regulations are exclusively the domain of provinces. According to the [*Constitution Act, 1867*](#), provinces have 1) the power to regulate particular trades or callings under “property and civil rights”; and 2) the power to make laws in relation to “shop, saloon, tavern, auctioneer and other licences in order to the raising of a revenue for provincial, local, or municipal purposes.”

Federal enabling legislation grants similar legislative powers to territorial governments. In many cases, provinces or territories have delegated this authority to local governments. In these cases, municipalities are free to regulate business activities related to the cultivation, processing, retail sale and consumption of non-medical cannabis.

Provincial/territorial delegation of regulation

The extent to which provinces and territories delegate their authority over business regulation to local governments will depend on the wording of the enabling legislation. For example, in British Columbia, local governments but not regional governments have been delegated the authority to regulate businesses. The authority does not include the authority to prohibit businesses. It also requires that before council adopts a business regulation bylaw, it give notice and provide an opportunity for people who say they are affected to make representations to council.

In New Brunswick, local governments do not have the broad general powers to make business licensing bylaws but do have the power to regulate and license only certain businesses. In Winnipeg, the municipal charter states that a bylaw passed under the general authority to regulate businesses must not require a licence to be obtained for “selling agricultural produce grown in Manitoba if the sale is made by the individual who produced it, a member of the immediate family of the individual or another individual employed by the individual.”

Conflicts with legislation

Business regulations would only be rendered inoperative if there is a conflict with federal or provincial/territorial legislation regulating the same subject matter. In this regard, a conflict may arise where one enactment says “yes” and the other says “no.” In these cases, citizens are being told to do inconsistent things. The exception is in cases in where the relevant provincial/territorial legislation specifies a different legal test.

This is another example where the mere existence of federal or provincial/territorial legislation does not oust local government jurisdiction to regulate the same subject matter. Thus, as discussed in [CHAPTER 2: LAND USE MANAGEMENT](#), a federal licence does not automatically mean a business is immune from local business regulations.

Local government business regulations may, for example, enhance the statutory scheme by complementing or filling in certain gaps in the federal or provincial/territorial legislation. They may also impose higher standards of control than those in related federal or provincial/territorial legislation.

Federal and provincial lands and cannabis businesses

One restriction on a local government’s delegated authority in relation to business regulation is in relation to any cannabis businesses operated by the federal government or on land owned by the federal government. The *Constitution Act* gives exclusive jurisdiction over the use of federal lands to the federal government. As a result, neither the provincial/territorial governments nor local governments may regulate in relation to the use of federal lands.

A further restriction in some provinces/territories is in relation to cannabis businesses operated by the provincial/territorial government or on land owned by the provincial/territorial government. As noted in [CHAPTER 2: LAND USE MANAGEMENT](#), at least six provinces/territories will run public retail distribution models, meaning there is likely to be legislation that grants provincial/territorial governments immunity from some or all local government regulations. In most cases this will mean a limited role on the land management and business licensing aspects of retail cannabis sales in jurisdictions with government run stores as the exclusive retail distributor.

In Ontario, the *Legislation Act* is broadly worded such that no Act or regulation binds or affects the provincial Crown unless it expressly states an intention to do so. This would include local government business regulations. In contrast, in British Columbia, the *Interpretation Act* only makes local government regulations inapplicable to the provincial Crown in its use and development of land.

3.2 Business regulation power

Scope and municipal purpose

To the extent that a province or territory has delegated business regulation powers to local governments, local governments may place restrictions on businesses. This is true even if those restrictions may adversely affect the

profitability of the business in some circumstances. Local governments should ensure, however, that such regulations are enacted for a proper municipal purpose.

There are several “municipal purposes” that support regulating cannabis businesses. For example, a local government may wish to regulate such businesses to protect public health and safety, to protect youth and restrict their access to cannabis, to deter illicit activities, and to mitigate nuisances.

Types of business regulations

One of the most common business regulations is a requirement that people obtain a licence from the local government in order to run a business. The local government may establish in the bylaw terms and conditions that must be met for obtaining, continuing to hold or renewing a business licence. It can also designate someone to impose these terms and conditions. The bylaw may suspend or cancel a business licence for failing to comply with the terms and conditions.

The local government may set out in the bylaw specific regulations for certain types of businesses. Types of regulations may include, for example: the days and hours of operation of the business, the age of individuals on the premises, the keeping of records, or the display and advertising of products at the premises.

The City of Whitehorse’s Business Licence Bylaw

requires every person who offers adult books, adult magazines or adult videos for sale where such items are on display to the public to place such items:

- at a distance not less than 1.5 meters above the floor;
- in display cases in such a manner that only the title is displayed; and
- in display cases that are within clear view of the area
- where payment is made for purchased items.

Another common type of business regulation is a requirement in the bylaw that the business comply with all applicable federal and provincial laws. In British Columbia,

local governments have been successful in enforcing such a provision in their business licence bylaws against storefront medical cannabis retailers. The business licence applications were rejected on the basis that the retail sale of cannabis was unlawful under the federal law.

In this regard, the business bylaw may be a helpful tool to address any ongoing issues with cannabis retail businesses that are operating without a business licence.

Business bylaws may also require that the business comply with all applicable municipal bylaws such as zoning and building bylaws. Local governments should be careful, however, not to use their business regulation powers to prevent, for land use management reasons, a particular type of business that is permitted by the applicable zoning regulations.

It is usually also a general requirement in the bylaw for people to pay a fee to obtain a business licence. Such a fee should be calculated to correspond with the cost of administering and enforcing the regulatory scheme, to preserve its constitutionality as a regulatory charge.

3.3 Cannabis retail businesses

Typical business regulations

As noted in [CHAPTER 2: LAND USE MANAGEMENT](#), storefront cannabis retailers have been lawful in some U.S. states for several years now. Despite their illegal status in Canada, these storefront operations have proliferated under many local governments. To manage these businesses, some jurisdictions have enacted specific regulations. Others may choose to do so before cannabis becomes legal in 2018.

Many of these regulations parallel alcohol and tobacco related regulations. For example, Alberta, Manitoba and Newfoundland and Labrador are proposing to amend their

liquor legislation to impose a licensing regime for the sale of cannabis with some similarities to liquor sales. These provinces are considering allowing private retailers to sell cannabis administered through the applicable liquor commission or corporation.

The manner and extent to which the applicable provincial/territorial government intends to regulate such businesses may prevent or influence a local government’s decision whether to implement its own regulations. An example is how the LCBO in Ontario will have the exclusive right to sell cannabis.

Typical business regulations for cannabis retail businesses might include:

- ▶ Requiring the applicant to submit certain documents such as a security plan, proof of a security alarm contract, 24/7 contact information, a list of employees and a police information check.
- ▶ Prohibiting minors on the premises, limiting the hours of operation and requiring security measures.
- ▶ Prohibiting consumption on the premises.
- ▶ Restricting the sale of other products on the premises.
- ▶ Prohibiting the display and advertising to minors.
- ▶ Prohibiting online sales and home delivery.
- ▶ Requiring business owners to keep records of all business activities.
- ▶ Restricting the number of licences that may be issued to each person and the total number of licences that may be issued in the jurisdiction.
- ▶ Requiring that a minimum number of employees with specific qualifications be on the premises when open.
- ▶ Restricting the advertising and signs visible from the outside of the premises.
- ▶ Requiring a transparent storefront.
- ▶ Requiring measures to prevent nuisances.

The City of Vancouver’s Licence Bylaw requires the following security measures to be installed and maintained on the business premises of a medical marijuana-related retail business:

- Video surveillance cameras that monitor all entrances and exits and the interior of the business premises at all times.
- Video camera data must be retained for at least 21 days after it is gathered.
- A security and fire alarm system must be monitored at all times.
- Valuables must be removed from the business premises or locked in a safe on the business premises at all times when the business is not in operation.

Local governments should monitor the development of the relevant provincial or territorial regime and may wish to seek legal advice before initiating their own business regulations.



What can municipalities do?

Policy options

- ▶ Simply allow the activities to occur within existing business regulations as business activities, which may or may not require a business licence under the applicable regime and which are not subject to any particular regulations.
- ▶ Specifically regulate cannabis retail businesses to address issues related with these types of businesses, if the provincial/territorial enabling legislation permits this.

Regulatory options

- ▶ Make no regulatory change, or amend existing regulations to specify the applicable business licence fee for this category of business, if the enabling legislation permits this.
- ▶ Amend existing regulations to set out specific business regulations for cannabis retail businesses, if the enabling legislation permits this.

3.4 Commercial cultivation and processing facilities

Typical business regulations

Most municipal governments have yet to enact specific regulations for cannabis-related businesses. It could be because the [Access to Cannabis for Medical Purposes Regulations](#) (ACMPR) already addresses the commercial cultivation and processing of cannabis for medical purposes. Regulations under ACMPR include:

- ▶ Requiring a criminal record check.
- ▶ Security features such as video surveillance cameras and an intrusion detection system.
- ▶ Detailed record-keeping.
- ▶ Air filter equipment to prevent the escape of odours.

At the time of writing, the proposed Health Canada *Cannabis Act* regulations have established similar licensing requirements related to location, physical and personal security, record keeping and good production practices.

This does not mean local governments cannot also manage such businesses. Some of the types of business regulations for cannabis retailers noted above may be equally

applicable to cannabis cultivation and processing businesses. In the U.S., some states and local governments have enacted specific regulations to manage these businesses, including:

- ▶ Prohibiting minors on the premises.
- ▶ Prohibiting consumption on the premises.
- ▶ Restricting the advertising and signs on the premises.

Local governments may also wish to enact specific regulations in relation to cannabis cultivation and processing businesses to:

- ▶ Prevent nuisances by requiring the annual maintenance and documentation of odour control equipment.
- ▶ Support community aesthetics by prohibiting the outdoor storage of production or processing equipment.



What can municipalities do?

Policy options

- ▶ Allow the activities to occur within the existing regulations as business activities, which may or may not require a business licence under the applicable regime and which are not subject to any particular regulations.
- ▶ Specifically regulate cannabis cultivation and processing businesses to address any related issues.

Regulatory options

- ▶ Make no regulatory change, or amend existing regulations to specify the applicable business licence fee for this category of business.
- ▶ Amend existing regulations to set out specific business regulations for cannabis cultivation and processing businesses.



4 Public consumption

The public consumption of cannabis is associated with a range of potential public harms, from health impacts of second-hand smoke to behavioural modelling effects for children and youth. The tools and options available to municipalities to mitigate potential harms will depend on the space of authority that provinces and territories choose to delegate.

Established practices in regulating tobacco and alcohol consumption offer a foundation for developing a strategy that reflects local priorities. Many factors other than the law influence how and when people consume cannabis—from social customs to product availability—and no single regulatory approach eliminate all harmful public impacts.



4.1 Jurisdictional issues

As with most local governance matters, municipalities must consider the extent to which they are authorized to regulate cannabis consumption. This chapter addresses how local governments can regulate public consumption through bylaws and policies. As the factors influencing public consumption of cannabis are diverse, we recommend that municipalities consider a combination of these approaches, alongside consultation with legal counsel.

Public consumption cannot be regulated by a local government on the moral grounds that cannabis consumption should be considered a criminal activity. Under the constitutional division of powers, the federal government has the exclusive authority to regulate with respect to criminal law matters. Local bylaws or regulations that are based on a moral position, or perceptions and stereotypes about people who consume cannabis, are unlikely to withstand a challenge before the courts.

Many aspects of cannabis consumption, such as possession, advertising and smoking, are regulated by the federal and provincial/territorial orders of government. Most local governments are able to regulate cannabis only as it relates to a power that has been granted to the local government by the provincial or territorial government.

In assessing how to effectively address issues associated with public cannabis consumption, local governments must first consider the aspects of public cannabis consumption it intends to regulate, and determine whether it is authorized, or necessary, to do so.

4.2 Provincial smoking restrictions

Across Canada, provincial and territorial governments have regulated, or indicated they will regulate, aspects of public consumption of cannabis. They plan to use a combination of cannabis-specific legislation, tobacco smoking legislation, as well as occupational health and safety regulations.

Smoking is the most common form of cannabis consumption, and most provincial/territorial governments have sought to incorporate cannabis into the legislation addressing tobacco smoking. Some provinces have done so through expanding the definition of “smoke” to include cannabis as well as tobacco and other vapour products. This approach results in existing tobacco smoke restrictions also applying to cannabis.

New Brunswick’s *Smoke-Free Places Act* contains a broad definition for smoking that extends to cannabis. Specifically, “smoke” means:

- (a) to smoke, hold or otherwise have control over an ignited tobacco product or another ignited substance that is intended to be smoked, or
- (b) to inhale or exhale vapour from, or to hold or otherwise have control over, (i) an activated electronic cigarette, (ii) an activated water pipe, or (iii) another activated device containing a substance that is intended to be inhaled or exhaled.

► Public consumption

In addition to including cannabis in the relevant definitions under the smoking legislation, many provincial/territorial governments have enacted specific legislation or regulations to restrict the places in which cannabis may be consumed.

In some cases, these prohibitions on the public consumption of cannabis are broader than the prohibitions on smoking tobacco. In Ontario’s *Cannabis Act*, for example, consuming cannabis for non-medical purposes is specifically prohibited in all public places in the province. This applies in workplaces under the *Occupational Health and Safety Act*, as well as in vehicles or boats. By comparison, the prohibitions under the *Smoke-Free Ontario Act*, establish that tobacco smoking is prohibited in enclosed public places and enclosed workplaces, and that no person shall smoke tobacco in a vehicle while another person who is less than 16 years old is present in the vehicle.

Put simply, someone accustomed to walking through an Ontario town smoking a tobacco cigarette will not be able to do the same with non-medical cannabis. But how local rules will be enforced remains to be clarified (see [CHAPTER 6: ENFORCEMENT ISSUES.](#))

In other regions, occupational health and safety regulations address the public consumption of cannabis by limiting the places in which a person may smoke any substance. In the Northwest Territories, smoking in public is primarily regulated in this way. Under those regulations, smoking is prohibited in almost all enclosed workplaces, within a buffer zone around those workplaces, as well as in outdoor bus shelters.

Ontario’s *Cannabis Act, 2017*, Section 11, prohibits the non-medical consumption of cannabis in public places, workplaces, vehicles or boats, or any other place prescribed by the regulations. A “public place” is defined as “any place to which the public has access as of right or by invitation, whether express or implied, and whether or not a fee is charged.” These prohibitions are broader than those in the provincial tobacco smoking legislation.

New Brunswick’s *Cannabis Control Act* (Bill 16)

proposes restrictions on the places in which cannabis may be consumed in addition to those in the provincial smoking legislation:

- 17 (1) No person who is 19 years of age or older shall consume cannabis unless the person is in lawful possession of the cannabis and
- a) is in a private dwelling and has obtained the consent of the occupant,
 - b) is on vacant land and has obtained the consent of the owner or occupant, or
 - c) is in a place prescribed by regulation and in the circumstances prescribed by regulation, if any
- (2) For greater certainty, no person who is 19 years of age or older shall consume cannabis in a place to which the public has access as of right or by express or implied invitation, or any other place prescribed by regulation.

[...]

19 Despite any other provision of this Act or the regulations, no person shall smoke cannabis or medical use cannabis in a place where smoking is prohibited under the *Smoke-free Places Act*.

4.3 Public health and welfare

Where a local government has been empowered to regulate the public health or welfare of its community, it may be able to further regulate the public areas in which cannabis may be consumed.

In British Columbia and Ontario, many of the municipal bylaws regulating the areas in which smoking is permitted

have been enacted through such authority. Generally, the understanding that tobacco consumption can be harmful to respiratory health and contribute to cancers, and that second-hand smoke can have similar negative health impacts, has qualified as health-related reasons for municipal restrictions on tobacco consumption. Local governments are likely to be able to draw on a similar approach for cannabis consumption where authorized.

In Vancouver, the Parks Board was delegated authority to enact bylaws to regulate smoking in parks to protect and promote public health—adopting language like the following:

- 3.1 A person must not smoke:
- (a) in a park;
 - (b) on a sea wall or beach in a park;
 - (c) in a building in a park, except in a caretaker’s residence;
 - (d) in a customer service area in a park;
 - (e) in a vehicle for hire in a park;
 - (f) on public transit in a park; or
 - (g) in an enclosed or partially enclosed shelter in a park where people wait to board a vehicle for hire or public transit.
- 3.2 Except as permitted by Section 3.1, a responsible person must not suffer or allow a person to smoke in:
- (a) a building in a park;
 - (b) customer service area in a park; or
 - (c) a vehicle for hire in a park.

4.4 Municipally-owned or managed property

Local governments can also regulate the locations in which cannabis may be consumed as owners or operators of property. In the event that provincial/territorial smoking legislation does not already prohibit cannabis consumption in a park, a local government may be able to enact such a prohibition through its authority as the owner of that park. A similar approach can be taken to municipally-operated property, such as community centres or recreational facilities.

Community events and municipal alcohol policies

The approach many municipalities have taken in developing a municipal alcohol policy could be adapted to apply to cannabis. For example, an agreement for the use of municipal property for special events, such as festivals or sporting events, could also be used to manage the public consumption of cannabis. This could also apply to community centre and arena rentals.



The City of Ottawa’s **Municipal Alcohol Policy** applies to all City Staff, volunteers, community partners who either manage or have control over City property, rental clients, and organizers of events, on City property, at which alcohol will be sold, served or consumed. This Policy applies to the sale, serving and consumption of alcohol on City property, or at locations or for events under the City’s control (collectively “City Property”), whether or not a facility is operating under a liquor licence issued by the Alcohol and Gaming Commission of Ontario (AGCO), a Special Occasion Permit, a liquor licence with a Catering Endorsement, or any other approval that has been issued by the AGCO.

City Property includes the following:

- All City-owned properties,
- All properties leased by the City,
- City Highways (including the travelled portion of the Highway (roadway), boulevards, sidewalks or other areas of the Highway),
- Properties controlled by local boards over which City Council may require that general policies be followed,
- Events held by the City at partner or third-party premises, and,
- City Properties under a Public-Private Partnership Agreement, as determined on a case-by-case basis by the General Manager of Recreation, Cultural and Facility Services

Special challenges for municipalities

Regulating cannabis consumption presents multiple challenges and options for local governments. Their authority to regulate smoking cannabis in public depends on provincial or territorial legislation. Their authority, and need, to regulate smoking also varies greatly across the provinces and territories.

Regulating the public consumption of cannabis that is not smoked presents further challenges as identifiable markers of consumption, such as smoke or odours, are not as easy to detect. The health risks associated with smoking are also less present.

In regulating public consumption, local governments should be aware that cannabis may be consumed in many different forms. The *Cannabis Act* allows the production of cannabis as fresh, dried or oil-based products. While smoking remains the most common, consumption methods that do not produce smoke, including herbal vaporizers or e-cigarettes, or other cannabis-oil based products such as skin creams, are also available.

“Edibles,” or foods such as candy and baked goods that have been infused with cannabis, are not currently authorized under the proposed federal regime, although such additional forms of cannabis may be authorized and regulated in the future.

Public consumption exceptions for the use of cannabis for medical purposes, or for traditional ceremonial practices, must also be considered.



What can municipalities do?

Policy options

- Allow cannabis smoking within the framework of the existing provincial and federal regulations.
- Regulate the conditions under which the smoking of cannabis may occur in public places.
- Prohibit the locations in which the smoking of cannabis may occur in public places.

Regulatory options

- ▶ Make no regulatory changes to public place policies or bylaws.
- ▶ Amend existing bylaws and policies to clarify that smoking cannabis is only permitted in accordance with the regulations and policies.
- ▶ Specifically regulate conditions under which the smoking of cannabis may occur in public places, or specific public places.
- ▶ Prohibit the smoking of cannabis on specific public places, such as parks, community centres, and sports arenas.
- ▶ For special events, develop policies regarding an event host’s responsibility to control and be accountable for the smoking of cannabis.

- ▶ Uses testimonials or endorsements.
- ▶ Uses depictions of real or fictional characters.
- ▶ Presents cannabis brand elements as glamorous, risky, exciting or daring.
- ▶ Induces the purchase of cannabis through monetary incentives, lotteries, or contests.
- ▶ Is misleading about the characteristics, safety, and health effects of cannabis.

The federal government has also proposed restrictions on the venues in which advertising for cannabis may occur. The *Cannabis Act* prohibits the use of cannabis branding elements in locations where people under the age of 18 are permitted, in sponsorships for people, events and facilities, as well as in foreign media.

4.5 Promotions, advertising and signage

Local governments should also be aware of how other orders of government have responded to concerns relating to public consumption of cannabis. Similar to the *Tobacco Act*, the federal government has set standards on how cannabis can be marketed across Canada, as well as minimum standards for the packaging of cannabis products. When a local government is concerned about how promotion and advertising may influence public consumption, an important first step is to be aware of the federal regulations on these matters.

Federal regulation of cannabis promotions

Under the *Cannabis Act*, the federal government has prohibited cannabis products from being promoted in a manner that:

- ▶ Refers to its price or distribution.
- ▶ Is appealing to young people.

Marketing regulation and content

Local governments may have the authority to regulate business and public health regulations and business marketing options when it comes to cannabis. But the rules must be consistent with the federal *Cannabis Act* and any related federal or provincial enactments.

Awareness of the impact of cannabis consumption on human functioning and development can influence and reduce the consumption of cannabis. Some local governments may have the ability to regulate aspects of how cannabis is promoted, which may indirectly affect cannabis consumption levels.

In considering this approach, municipal governments should be aware that regulating expressive content, which includes advertising, has the potential to conflict with the right to freedom of expression under the *Canadian Charter of Rights and Freedoms*.

Any content-related signage regulations must be connected to a proper municipal purpose and should not infringe on this right. This is an area where it is extremely important to consult legal counsel familiar with the applicable municipal regulatory framework and expression rights.

5 Cannabis in the workplace

As employers, municipalities have a duty to ensure safe workplaces—and a cannabis-impaired employee can pose safety risks to co-workers and the public. This duty may sometimes collide with an employer's duty to accommodate people with medical needs or disabilities. Achieving the right balance is vital.

Municipalities will face practical and policy challenges here. Cannabis impairment remains difficult to establish objectively. Banning cannabis use among all employees is problematic because some may be using it as prescribed by a doctor. Fundamentally, human resources policies and interventions need to be based on an employee's ability to do their job, rather than stereotypes or moral judgements about cannabis use.



5.1 Maintaining safe municipal workplaces

Employers are required to ensure a safe workplace, and an impaired employee can pose a safety risk to themselves, their co-workers, or the public. Whether an employee consumes a substance that may cause impairment for medical or non-medical purposes, the basic principles around impairment in the workplace continue to apply.

It is generally acceptable to maintain a policy that all employees arrive at work fit for duty and to conduct themselves in a safe and lawful manner while on duty.

When considering changes to human resource policies with respect to non-medical cannabis, municipal employers should not make any decisions about impairment based on assumptions about cannabis use and its impact on an employee’s ability to do their job. Employers must rely on their observations to establish reasonable grounds to determine whether an employee is impaired or not.

5.2 Existing medical cannabis regime

Access to medical cannabis is currently permitted only under the terms and conditions set out in the Access to Cannabis for Medical Purposes Regulations (ACMPR). Although the federal government has indicated it will revisit the ACMPR regime if and once the *Cannabis Act* becomes law, the current ACMPR regime would continue under the *Cannabis Act*.

An employer should treat medically prescribed cannabis similar to other prescription medication. As outlined below, there are additional considerations for cannabis consumption for non-medical purposes.

5.3 Determining impairment

The legalization of non-medical cannabis does not affect an employer’s duty to ensure a safe workplace—as well as to accommodate employees with disabilities who are being prescribed medical cannabis or employees with disabilities stemming from an addiction to cannabis. These duties to accommodate are addressed in [SECTION 5.8](#).

If an employer suspects that an employee is impaired, they must observe that the employee’s conduct in the workplace and their ability to perform their work-related duties are compromised.

Employers must not make decisions based on assumptions about the use of cannabis and its impact on an employee’s ability to do their jobs. On its own, information about the consumption of an impairment-causing substance, or whether it has been consumed for non-medical or medical purposes, will not determine whether an employee is impaired or not.

Accurately assessing whether a person is impaired as a result of consuming cannabis is difficult. There are limited methods to determine impairment from cannabis through testing. The effects of an average dose of cannabis for an average user will vary. And unlike the use of a blood-content level to determine impairment from alcohol, THC levels in bodily fluids cannot reliably indicate the degree of current impairment.

► Cannabis in the workplace

As it stands, blood-content levels for THC (the main psychoactive compound in cannabis) are considered under Bill C-46 in the context of impaired driving offences. Bill C-46 proposes to create three new Criminal Code offences for having specified levels of THC within two hours of driving.

However, there is no universally agreed-upon standard of measurement to determine whether a person is impaired as a result of consuming cannabis. The proposed blood content thresholds under Bill C-46 are of limited relevance

for employers, as a determination of impaired driving requires different considerations than determining that an employee is impaired in the performance of their job duties.

In considering whether an employee is impaired, a supervisor of the employee should be able to respond to the issues outlined in the following table.

Reasonable grounds for impairment: Five factors to consider

<p>1 Impairment</p>	<ul style="list-style-type: none"> • Are there facts to indicate that the employee has shown a form of impairment? • Is there a change in physical appearance, behaviour, actions or work performance? • Observations may include: slurred speech, tardiness, unsteadiness, yelling, odours, admissions of use.
<p>2 Reliable facts</p>	<ul style="list-style-type: none"> • Are the facts reliable? • Did you witness a situation personally, or are you sure that the witness(es) are reliable and have provided first-hand information?
<p>3 Reasonable facts</p>	<ul style="list-style-type: none"> • Can you explain the facts? • Would you be able to describe the observations to another person who does not know the people involved?
<p>4 Documentation</p>	<ul style="list-style-type: none"> • Are the facts capable of documentation? • Can the dates, times, names and locations be documented?
<p>5 Timeliness</p>	<ul style="list-style-type: none"> • Is the impairment situation current, today, while on the job or company property? • Is this a repeated or ongoing situation?

– Adapted from the City of Edmonton ‘Drug and Alcohol Operating Procedures’, March 2016

Once a supervisor can reasonably demonstrate that an employee may be impaired, an employer should consider the following questions:

- ▶ Is there a safety risk, or a risk of injury, illness or incident in the workplace?
- ▶ Is the safety risk based on an employee’s change in behaviour or ability?
- ▶ Is the change in the employee’s behaviour or ability related to the consumption of cannabis?

As the effects of cannabis will vary among consumers, employers must assess people on a case-by-case basis. The specific performance requirements of a position, as well as the individual’s capacity to fulfill those requirements, must be taken into consideration.

In evaluating whether there is a safety risk as a result of an employee’s consumption of cannabis, the Canadian Centre for Occupational Health and Safety has recommended employers consider additional questions such as:

- ▶ Does the person have the ability to perform the job or task safely while impaired? For instance, is the employee driving, operating machinery or equipment, or using of sharp objects?
- ▶ Is there an impact on cognitive ability or judgment while impaired?
- ▶ Are there other side effects of the medical condition or the treatment that need to be considered?

5.4 Zero-tolerance policies

A zero-tolerance policy on the use of a substance in the workplace can result in discrimination against employees who are prescribed that substance. A person who has a medical prescription for a substance, including cannabis, is generally entitled to consume that substance in accordance with their prescription.

Whether the prescribed substance is available for non-medical or medical purposes does not affect an employee’s entitlement to use it in accordance with their prescription.

Zero tolerance: alcohol vs. cannabis

In most cases, the non-medical use of cannabis and alcohol can be regulated similarly in the workplace. However, the history of cannabis as a medically prescribed substance provides context for why implementing a zero-tolerance policy toward cannabis is not as straightforward as a similar prohibition on alcohol.

In developing a regulatory framework for the non-medical use of alcohol, its treatment as a medical necessity has been given significantly less attention than it has for cannabis. The regulation of alcohol has largely been developed from the perspective that it is a non-medical substance. Alcohol regulation has taken place without comparable judicial commentary on the right to access it for medical purposes, or a comparable legislative regime to enable such access.

When alcohol became regulated for non-medical consumption, the existence of a right to access it for medical purposes was unclear, and there were significantly fewer people who were prescribed alcohol for medical purposes in the first place.

Workplace policies that include a prohibition on alcohol consumption are generally justified on workplace health and safety considerations. As outlined below, a policy that is *prima facie* discriminatory may be justified on the basis of being a bona fide occupational requirement (BFOR).

An actual safety risk as a result of impairment from a substance can justify a prohibition on the use of that substance in the workplace. With alcohol, there are generally accepted methods and standards—such as a blood alcohol content and a *per se* limit—for determining an impairment threshold. As there is an accepted correlation between alcohol consumption and impairment, as well as

► Cannabis in the workplace

established thresholds to determine impairment, a specific prohibition on the use of alcohol in the workplace may be justified with regard to those standards and workplace safety considerations.

Comparable methods or norms to determine impairment do not yet exist for cannabis. It is generally accepted that the effects of cannabis consumption differ from person to person. If two people consume the same amount of cannabis within the same time frame, there is the potential that this would result in one person not being impaired and other being significantly impaired. This environment underlines the need for an observation-based approach to determining impairment.

Bona fide occupational requirements

A zero-tolerance policy may be relevant in a workplace where the employer can demonstrate that sobriety is a bona fide occupational requirement (BFOR). A BFOR is a requirement that is essential to the safe and proper performance of the job.

As a BFOR is an exception to the general prohibition against discrimination, whether a policy meets the standard of a BFOR will be given very close consideration by the courts, human rights tribunals, and labour arbitrators. A BFOR will only be valid where the employer is able to demonstrate that the requirement meets three conditions:

- It was adopted for a purpose rationally connected to the performance of the job.
- It was adopted in an honest and good faith belief that it was necessary to the fulfillment of that legitimate work-related purpose.
- It is reasonably necessary to the accomplishment of the legitimate work-related purpose, in the sense that the employer cannot accommodate the affected employee without incurring undue hardship.

A BFOR must clearly relate to the needs and performance of the job. A requirement to be able to lift a certain amount of weight may discriminate against people who have a physical disability, but may qualify as a BFOR in the context of a care home where staff are required to assist people with mobility issues. Similarly, minimum eyesight

and hearing requirements can discriminate on the basis of physical disability but may qualify as a BFOR in the context of a position as a vehicle driver.

In establishing a job requirement as a BFOR, an employer should be able to demonstrate, with credible evidence, they have considered the specific requirements of the job, and have explored alternatives to fulfill these requirements that did not result in a discriminatory effect.

5.5 Disclosure of cannabis consumption

Non-medical cannabis use

The general rule is that employers have no authority over what employees do outside working hours, unless it can be shown that an employer’s legitimate business interests are affected in some way. An employee’s decision to frequent a particular pub on a Monday night, for example, should not affect their employment, unless their Monday night activities impaired the employee’s ability to do their job when they reported for work on Tuesday morning.

General practice suggests that a workplace standard of requiring employees to show up fit for work is acceptable. A requirement that employees self-disclose to their supervisor, or not attend work, if they believe they are impaired as a result of consuming a substance is also consistent with an employer’s duty to maintain a safe workplace.

An employer is generally not entitled to request information about an employee’s use of substances while off-duty. An important consideration in dealing with employees who use cannabis is to not make decisions based on assumptions about the use of cannabis and its impact on an employee’s ability to do their job. An employer may, however, investigate an employee’s off-duty conduct if the employer has reasonable grounds to believe that the employee’s off-duty conduct is negatively affecting their ability to fulfill the requirements of their job. An employer’s reasonable grounds must be based on observations of the employee in the workplace, and a connection between the alleged off-conduct impairing the employee while on-duty.

Medical cannabis use

Employers may be able to require that employees disclose their use of medical cannabis in the same manner as other prescription drugs that cause impairment. In obtaining this information, an employer’s right to medical information does not typically extend to the right to learn about specific illness or conditions for which an employee may have a drug prescription.

The focus of any employer enquiries should be on the impact on the ability of the employee’s ability to perform their job duties. Questions about the likelihood of the prescribed medication causing impairment while on duty are more likely to be acceptable than those that ask for information about why the medication was prescribed.

If there are reasonable concerns about impairment, employers may be able to request confirmation from the doctor that the prescribed cannabis usage does not impair an employee’s ability to perform their job duties safely. Depending on the requirements of an employee’s position, the employer may also be able to request medical information about the amount and type of cannabis that has been prescribed, as well as the frequency of use. The more safety-sensitive the workplace or position is, the more medical information an employer will be able to justify requesting.

If an employer has reasonable concerns that an employee is impaired while at work, even if as a result of consuming cannabis for medical purposes, the employer may be able to require the employee to provide medical information about their consumption of impairment-causing substances. Decisions on any further actions should be based on the nature of the job duties and appropriate medical evidence.

5.6 Substance use policies

Employers should update their substance use policies to address any changes to the legal status of cannabis possession and consumption. Any substance use policy must focus on impairment, and what it means to be fit for duty.

At a minimum, substance use policies should address:

- ▶ Employee conduct standards.
- ▶ Guidelines for the use of substances that may cause impairment.
- ▶ Standards and procedures for supervisors and managers to address impairment.
- ▶ Consequences of violating the policy.

Employee conduct standards

A workplace standard requiring employees to show up fit for work is acceptable. Similar to alcohol or smoking, employers may be able to prohibit the consumption of cannabis for non-medical purposes while in the performance of one’s employment duties or on a worksite.

Employer policies prohibiting alcohol consumption in the workplace and during work hours can be amended to include the use of non-medical cannabis once it is legal. Anti-smoking laws will likely apply to cannabis as they do to tobacco, in that smoking in most enclosed workplaces is likely to be prohibited.

Local governments should review such legislation from their province/territory to evaluate the extent to which, if at all, cannabis smoking may be permissible in the workplace.

Guidelines for employee use of substances

A substance use policy should identify the circumstances in which an employee should report the use of substances that may cause impairment. It should also specify any requirements to provide appropriate medical information. A standard that employees self-disclose to their supervisor—or not attend work—if they believe they are impaired as a result of consuming a substance is consistent with an employer’s duty to maintain a safe workplace.

Addressing substance-related impairment

Guidelines for supervisors and managers to assist in evaluating whether an employee is impaired in the workplace should be included in a substance use policy ([SEE REASONABLE GROUNDS FOR IMPAIRMENT: FIVE FACTORS](#)). Employers may wish to establish a documentation or

► Cannabis in the workplace

reporting procedure, such as a checklist, to help determine whether indicators of impaired behaviour are present in the workplace.

Where an employer has reasonable grounds to believe that an employee is impaired in the workplace, they may request additional information from that employee. The level of information that can be requested, including medical documents where appropriate, will depend on the circumstances and must be assessed case-by-case. Policies will need to incorporate flexibility and focus on impairment and safety, not the use of cannabis or other substances.

Employers are also required to accommodate employees with disabilities. Substance use policies should provide managers and supervisors with guidelines for situations where an employee may be misusing substances in connection with a substance dependence.

The policy should outline any consequences of a policy violation, including disciplinary action, or assessment and rehabilitation measures. For unionized workplaces, consultation with the union regarding any proposed changes to the current substance use policies is recommended.

5.7 Substance testing

We strongly suggest that municipalities consult with legal counsel if they are considering a workplace substance testing policy.

Workplace safety concerns vs. privacy interests

Privacy and safety are highly sensitive and significant workplace interests that are occasionally in conflict. The right to privacy and the related right to security of the person are fundamental individual rights protected by the *Canadian Charter of Rights and Freedoms*. A workplace substance testing policy will often infringe on some aspect of these individual rights. This is because substance testing typically involves some

form of bodily intrusion and surrender of bodily substances in a coercive environment, and can result in disciplinary consequences or public embarrassment.

Employer substance testing policies tend to be motivated by employer perceptions of workplace safety risks. Any substance testing policy must balance an employee’s privacy and human rights with an employer’s ability to require personal information to achieve worksite safety.

The courts, arbitrators and tribunals have overwhelmingly rejected employer-imposed substance testing policies, particularly those involving mandatory random testing of employees. The only exception is if there is evidence of enhanced safety risks, including evidence of workplace substance misuse problems.

Employers should also be aware there is a growing body of research questioning the efficacy of drug testing programs for establishing impairment. Drug testing indicates the presence of a substance, not how the body interacts with it. With cannabis, it is recognized that a standard dose will affect individuals differently. Technology to establish a standard mechanism to determine impairment from cannabis consumption is being researched and developed, particularly in the context of tools to assist law enforcement in determining impaired driving in a roadside stop. But at this point, there is no reliable measurement on which employers can rely.

In considering any workplace substance testing policy, the onus is on the employer to establish the reasonableness of its policy. The evidence to demonstrate that the extent of the safety risk justifies the imposition of a substance testing policy will depend on the circumstances of the specific case. The jurisprudence has outlined that, where a substance testing policy is motivated by safety concerns, those concerns must be real and tangible. Uncertain or speculative health and safety risks, including those based on stereotypes or perceptions of substances or disabilities, will not justify such an invasion of employee privacy.

When substance testing policies may be permitted

Substance testing policies have been upheld by the courts in situations where they represent a proportionate response to legitimate safety concerns as well as privacy interests. In those cases, evidence of the following factors has supported the implementation of a substance testing policy:

- ▶ The workplace or industry is safety-sensitive.
- ▶ There are known problems involving impaired employees in the workplace.
- ▶ The procedures for and methods of testing for substance are minimally invasive.
- ▶ Affected employees are given advance notice of the substance testing policy, including prior to the commencement of their employment.

Workplace substance testing for individual employees may be justifiable for individual employees as part of a post-incident response. A post-incident substance test should only be conducted when the employee’s actions or lack of actions have contributed to the cause of the incident, a “near-miss” or a potentially dangerous situation.

Prior to any testing, an employer should have a post-incident substance testing protocol in place that identifies the specific circumstances in which testing will take place. Language should not be retaliatory, or discourage the reporting of illnesses or injuries.

Workplace substance testing may also be permissible as part of a return-to-work program, including a last-chance agreement or a contingency behaviour contract. For example, substance testing may be part of return-to-work conditions for an individual employee who is returning to a safety-sensitive job after treatment for a substance addiction.

In safety-sensitive worksites, reasonable cause testing may be permitted. Individual employees may be required to undergo substance testing where the employer believes on reasonable grounds that an employee is impaired while on duty or their actions are in contravention of an established workplace substance use policy.

In all cases, the onus is on the employer to establish the reasonableness of any workplace substance testing policy, and employers must ensure that any substance testing procedures and methods are reasonable, not onerous, and minimally invasive.

The Halifax Regional Municipality’s Substance Abuse Prevention Policy specifies that alcohol and drug testing is appropriate for employees working in safety sensitive positions and are subject to testing for alcohol and drugs, as funded by the applicable business unit, under the following situations:

- Post-accident, near miss, or potentially dangerous incidents;
- Reasonable grounds;
- Return to work program after primary treatment;
- Return to work program while in aftercare.

The policy contains checklists to assist in documenting observations about the potential impairment of an employee, as well as procedures for testing based on reasonable grounds or post-incidents.

Whether a particular risk is sufficient to justify an employer’s drug-testing policy will depend on a variety of circumstances and considerations, including the employer’s evidence to demonstrate these factors. Legal counsel is strongly encouraged if an employer is considering a workplace substance testing policy.

5.8 Duty to accommodate

Employers are required to accommodate employees with disabilities. With cannabis, this duty is likely to arise in two ways in the workplace:

- ▶ The employee is addicted to cannabis, which is a disability in and of itself under the *Canadian Human Rights Act*.
- ▶ An employee is not addicted to cannabis, but uses cannabis to treat a disability.

The laws in regard to employees who are addicted to cannabis will not necessarily change when it is legalized, as employers already have the duty to accommodate employees addicted to substances like alcohol and prescription drugs. Where an employee has a legal prescription for medical cannabis, there are three requirements to trigger an employer’s duty to accommodate:

- ▶ the employee has a disability;
- ▶ the employee has been legally prescribed cannabis by a medical practitioner in accordance with the relevant regulations to treat the disability; and
- ▶ the employee is using cannabis in accordance with the prescription.

Accommodations for the use of medical cannabis will need to be treated in the same manner as when other employees are prescribed medication that could cause impairment. That the prescribed medication is cannabis as opposed to another type of prescription medication does not change the employer’s obligations in the consideration of whether an employee can be accommodated. This is the case even for employees in safety-sensitive positions, though the duty to accommodate may be different than for employees who are not in safety-sensitive positions.



6 Enforcement issues

For years, local governments have faced enforcement issues arising from illegal cannabis production and sale. While enforcing federal law on controlled substances falls to local police and the RCMP, municipalities have also developed by-laws to address community impacts. Though the former is beyond this guide's scope, we explore interplays between local police and bylaw services.

With legalization, municipal enforcement roles will include inspection and compliance with provincial building codes and municipal bylaws, including regulating neighbourhood disputes over nuisance issues. Critically, in designing new bylaws and tools, municipalities must carefully weigh how practical they will be to enforce, and how well they can align with the work of police services.



6.1 Cultivation: Building code and bylaw enforcement

Building code compliance issues related to illegal cannabis production are well known to local governments. Cannabis production in residential premises has been associated with shoddy construction, overloaded or bypassed electrical wiring, and private security measures that block required fire exits. Other dangers include unauthorized municipal water connections that risk back-flow into municipal water services, and mould and air quality issues that endure even after cannabis production has ended.

Local governments have had a role to play in inspecting such operations, and enforcing building codes and other construction standards. Some local governments have passed bylaws specifically aimed at addressing these building code, fire, health and safety issues—recovering investigation and enforcement costs from building owners.

Context: medical cannabis

With the advent of the Access to Cannabis for Medical Purposes Regulations (ACMPR) and predecessor federal regulations, some cannabis cultivation for medical purposes within residences became legal under federal law. Under the ACMPR, a registered person is permitted to grow up to five indoor cannabis plants for each daily gram of dried cannabis they have been prescribed for medical purposes.

A registered person may grow cannabis plants themselves, or assign a designated person to do so. A designated person may grow plants for up to two registered persons, and any particular civic address can be used for production under up to four registrations. This can result in a significant number of cannabis plants being cultivated by one or more designated people, including within residential premises. While the ACMPR regime may be amended or replaced at some point, there has been no indication that these arrangements will change once non-medical cannabis is legalized.

As this level of cannabis cultivation is completely legal under federal law, there is no reason (other than avoiding costs) for those engaged in the activity not to comply with applicable building construction and safety standards. They don't need to stay “under the radar” of law enforcement. Nevertheless, building code compliance issues in relation to such matters as electrical safety and air quality may continue to arise in these lawful production sites, as owners and tenants attempt to alter their premises to accommodate activities for which they were not originally designed or constructed.

If the *Cannabis Act* has its desired effect, the commercial availability of an adequate, quality supply of cannabis will reduce the need for people to grow the plants themselves. Local governments may, however, wish to consider how they will inspect for and properly enforce building code requirements in relation to large scale indoor operations that the ACMPR allows in residential premises.

Provincial/territorial or municipal building construction and safety laws could be found to infringe a person's right under

► Enforcement issues

the *Canadian Charter of Rights and Freedoms* to a reasonable supply of medical cannabis. But this infringement would have a good chance of being found to be a justifiable limit of that right under Section 1 of the Charter, given the compelling rationale for building safety requirements. Local governments have little reason to be timid about enforcing these types of standards.

Non-medical cannabis

The non-medical cannabis regime will authorize a maximum of four plants per household for personal cultivation, which may be indoors or outdoors. Provincial and territorial regimes may further restrict or prohibit this type of cannabis production, which may pose risks for young children and domestic pets, particularly if carried on outdoors.

This minor scale of production may not ordinarily create health or safety issues or lead to contraventions of building safety standards. There are no *Charter of Rights and Freedoms* issues with laws restricting or prohibiting the production of cannabis that has no medical purpose.

The extent to which federal officials will police and enforce the four-plant limit is unknown. For the same reasons that federal officials may have little inclination to enforce this limit, local governments should carefully consider whether they have the resources to monitor compliance with any overlapping local limit, whether enacted in a zoning bylaw or some other regulatory bylaw.

Unlawful production operations

One of the goals of the legalization of non-medical cannabis is to undermine its unlawful production. However, local governments may still be called upon to inspect illegal cannabis production facilities operating without federal permits or at a scale that exceeds the federal authorization.

Municipalities should take care both to protect the safety of inspectors and to act within the authority they have to inspect and enforce bylaws, without allowing the inspection to become an unlawful search and seizure for the purposes of enforcing federal law. However, these operations may be unlawful under applicable local government land use and/or business regulations, or may involve contraventions of building construction or fire safety standards. Inspections are wholly appropriate for those purposes.

Many local governments have found it helpful to coordinate inspections of known or suspected unlawful cannabis production operations with police and provincial health inspectors. While police cannot participate in inspections for enforcement of federal law without a warrant, they can accompany other inspectors for the purposes of ensuring their safety. In some cases, a warrant may also be advisable. This is an example of the interplay between local police and municipal bylaw services that will need to drive successful enforcement approaches.

The Coordinated Safety Response Team (CSRT) in Calgary

provides a coordinated approach to identifying potentially unsafe conditions on construction sites or buildings and conducts comprehensive joint reviews, inspections and investigations of these sites. CSRT members include:

- City of Calgary: Safety Response Unit, Calgary Community Standards, Calgary Police Service
- Occupational Health and Safety Alberta
- ALERT: Green Team South and Safer Communities and Neighbourhoods
- Alberta Health Services

The team is designed to quickly respond to incidents and help ensure public safety. It also builds strategies to help the construction industry decrease risk, including through the remediation and demolition of cannabis grow-op sites.

Local government permits and licences

Permit and licence issuance remains an important part of the bylaw enforcement function for many local governments. Its application will vary across provinces and territories depending on the regulations and authorities they

provide to local governments. Broadly speaking, building permit and business licence applications are a significant opportunity for local governments to review bylaw compliance. This includes a review of zoning, provincial and local building and fire safety standards. In the case of business licences, local governments may review any federal and provincial/territorial authorizations that may be required.

6.2 Nuisance bylaws and enforcement issues

Local governments are key regulators when it comes to neighbourhood disputes over nuisance issues. Many local governments have special powers in this regard, and may even be able to make nuisance abatement orders. As a starting point, though, local governments should be cognizant of all nuisance management aspects of regulations from other orders of government.

As noted in [CHAPTER 3: BUSINESS REGULATION](#), federal government authorizations for medical cannabis production facilities have, from the outset, required the installation of odour control equipment. This suggests that local governments might wish to focus efforts on proper use and operation of the equipment—a matter that the federal government may tend to leave unaddressed.

Odours

As local governments anticipate an increase in nuisance complaints with legalized cannabis, odour issues rank among their top concerns—and these are notoriously difficult to regulate and remediate.

Because odours are hard to quantify objectively in terms of strength or character, setting regulatory standards is challenging. While some odour testing labs exist in Canada, their usefulness for regulatory purposes is questionable, and testing can be onerous and expensive. Even if and when the quantification of odour can be satisfactorily addressed, an odour’s source can be challenging to prove to the standard needed in court.

Proactive approaches to cannabis-related odour and nuisance abatement are therefore preferable. For example,

odour impact assessments and control plans might be included in requirements for rezoning applications or development approvals in circumstances where these are authorized and warranted.

Zoning setbacks, landscaping, buffer or similar requirements may be considered for certain types of facilities that are anticipated to cause odour or other nuisances. This is in addition to the basic locational criteria that have traditionally restricted problem activities to their own special zones.

Municipalities may also want to set business licence conditions that could reduce nuisance concerns around cannabis production and retail facilities. For more on this, see [CHAPTER 3: BUSINESS REGULATION](#). In addition, public consumption regulations, where authorized, may be used to contain or limit public exposure to odours and smoke. For more on this, see [CHAPTER 4: PUBLIC CONSUMPTION](#).

6.3 Potential liability and non-enforcement

Given the potential nuisance, health and safety issues that might arise, responsibility for cannabis-related regulation and enforcement has led to some concern over potential liability issues for local governments. However, the liability potential in this area is no more significant than any other area of local government regulation.

It is sometimes alleged in lawsuits against local governments that failure to enforce local regulations in relation to a nuisance has depressed the value of adjacent properties. These lawsuits claim that the local government is under a legal duty to enforce its regulations to prevent the nuisance, and that it must therefore compensate property owners for the reduced value. Generally, this legal proposition is not sound. (The property owner may have a good claim in nuisance against their neighbour, however.)

Local governments can decide, for *bona fide* reasons, not to enforce particular regulations in relation to particular factual circumstances, even if non-enforcement might cause financial harm to affected neighbours or owners. *Bona fide* reasons include such factors as the severity, scale or duration of the contravention and the cost to the local government of securing compliance with the regulation.

Further, enforcement is sometimes suspended while a regulation is under review or in the process of being amended or repealed. However, the position of any citizen complainant must also be considered. Good governance suggests that the maker of a valid complaint is entitled to an explanation of any local government decision not to investigate or enforce.

Building inspection is an established area where local governments owe a duty of care to those who may occupy or purchase property. Ensuring a consistent level of care in monitoring building code compliance will be important once non-medical cannabis is legalized. No local government is required to establish any particular type of regime for inspection and enforcement of building standards, except in some jurisdictions in relation to fire safety inspections. However having established a particular regime, such as one based on complaints from tenants or neighbours, local governments should be diligent about following that regime in relation to each individual complaint.

6.4 Enforcement tools and policies

Bylaw drafting

Residents will likely expect enforcement of any regulations that have been adopted with regard to the legalization of cannabis. This expectation should be kept in mind as regulations are drafted and considered for enactment. Enacting regulations that the local government has no realistic intention or ability to enforce is not a good governance practice. It can lead to reduced voluntary compliance with respect to that regulation as well as other enforcement areas.

Having elected to regulate, local governments should keep enforcement practicalities in mind when drafting the regulations, consulting with legal counsel as to the elements of any offence that will have to be proven to obtain a conviction or fine.

Enforcement practices

Enforcement policies are an important tool for managing expectations and resources. Local governments should consider whether to implement proactive enforcement and investigations, or only to investigate where complaints have been made.

Any complaints made under a complaint-based enforcement policy should be documented. Proactive enforcement practices should also be documented so staff, elected officials and the public know what they can expect, and the extent of resources that may be invested.

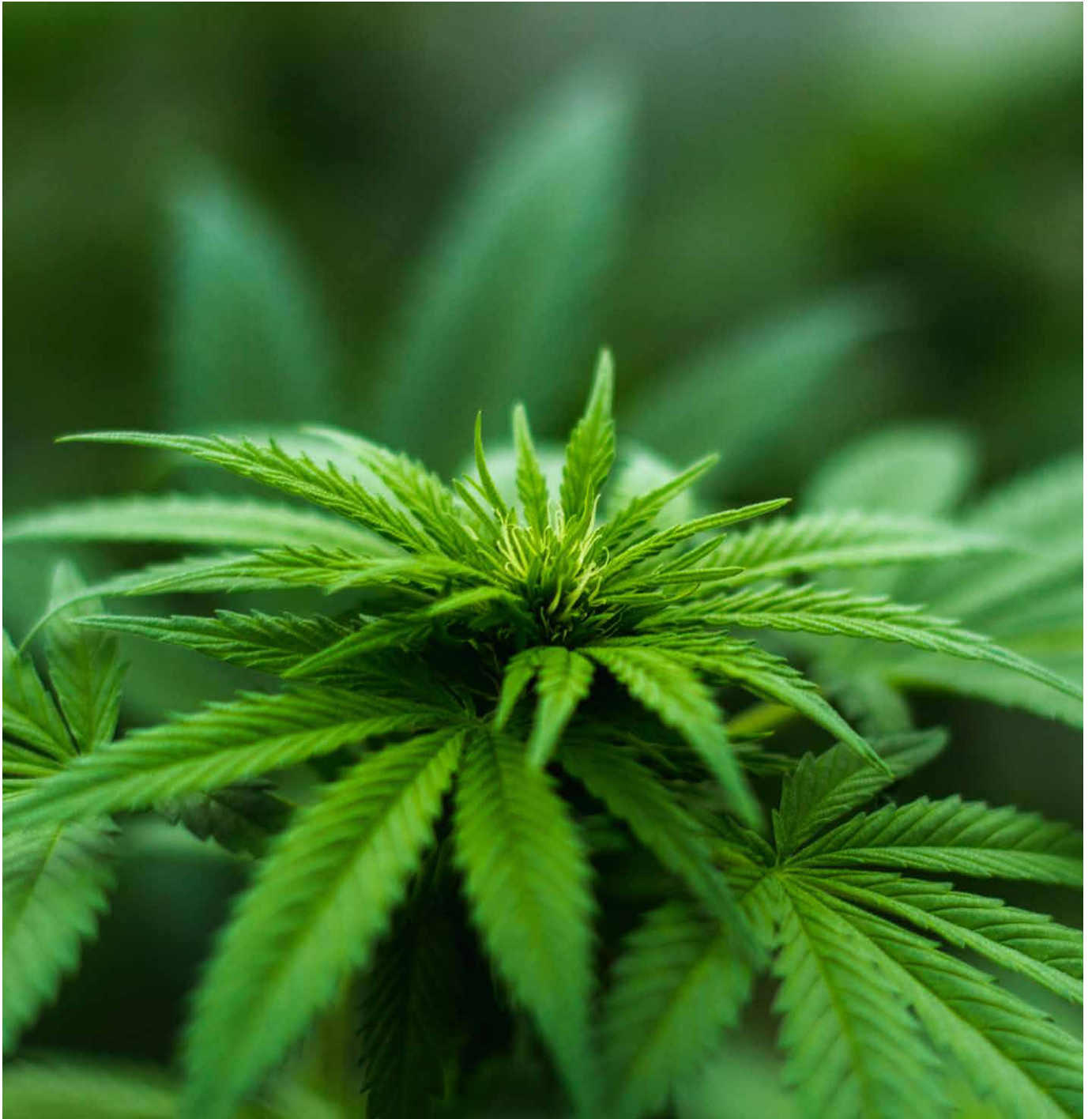
Generally speaking, prompt attention to bylaw contraventions once discovered, whether by complaint or proactive investigation, will result in better compliance rates overall.

Enforcement remedies for cannabis-related complaints and contraventions may vary greatly, depending on the enactment that has been breached. Self-help remedies are often attempted first.

Businesses breaching zoning or business licensing conditions, or even federal or provincial/territorial enactments—depending on how the business licensing regulations have been drafted—may be subject to licence suspension or revocation.

Building permits may be withheld or stop-work orders issued if proposed or actual construction does not respect applicable building codes or bylaw standards—including those pertaining to signage on retail premises. Remedial action orders can be considered for existing buildings in which contraventions are detected, such as bypassed electrical breaker panels or barricaded exit doors.

Municipal ticketing, injunctions and other court proceedings are usually a last resort. These remedies are almost always more expensive, and to some degree take the matter out of the local government’s hands, exposing it to procedural delays.



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City of Hamilton Legalization of Cannabis
Estimated Implementation Costs

Area of Municipal Impact	Description	One-time Cost Estimate	Ongoing Cost Estimate	Rationale for Inclusion	FTE Impact	Mandatory (Yes/No)	Discretionary/ Best Practice	Unknown but Anticipated (Yes/No)
Planning	Develop new OP and Zoning By-law regulations	\$50,000	\$0	The land use policies and regulations for medical marijuana from 2014/2015 need to be revised to address industry changes	n/a	No	Best Practice	Yes
Planning	If necessary, modify regulations to deal with the introduction of recreational marijuana	\$0	\$0	There may be additional policy and Zoning By-law regulations that are required or are different than the regulations for medical marijuana	n/a	No	Best Practice	Yes
Social Housing	Unit/Project repairs		\$1,100,000	Costs associated with rehabilitating or repairing units impacted by legalized cannabis use (e.g. personal cultivation, use); could range from smoke restoration (e.g. painting) to mould remediation efforts; \$2000 average per unit * 13.8K units = \$27.6M * 20% smoker rate * 5 year unit turnover rate = \$1.1M annually;	n/a	Yes. Municipality has contingent liability for all social housing through Housing Services Act	Best Practice	Yes
Social Housing	Policy Review	\$24,000		Undertake policy review and update Social Housing Access Guide as needed with amended policies based on research and sector consultation	0.25	No	Best Practice	Yes
Social Housing	Human Rights		\$5,000	Training for all social housing providers and staff regarding legislation and human rights; Human rights lawyer specializing in social housing provided an estimate of 10 hrs annually at \$500/hr and recommended annual training due to staff turnover and ongoing changes in common law	n/a	No	Best Practice	Yes
Licensing and Bylaw Services	Vehicle for Officers	\$26,000		MLEO transportation to calls	n/a	Yes	Best Practice	Yes
Licensing and Bylaw Services	MLE Officers		\$220,000	Salary and Benefits, vehicle maintenance, overhead for Officers to Enforce: <ul style="list-style-type: none"> Noise/Public Nuisance Zoning, Property Standards/Yard Court time By-Law Reform (any new By-laws) Licensing of Edibles Parks, City Housing, Graffiti complaints 	2	Yes	Best Practice	Yes

Note: Staff with Fire and Paramedics indicate there are no estimated additional costs at this time. Estimates from Hamilton Police Service are being provided separately to the Hamilton Police Service Board.



CITY OF HAMILTON
PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT
Economic Development Division

TO:	Mayor and Members General Issues Committee
COMMITTEE DATE:	July 9, 2018
SUBJECT/REPORT NO:	Further Funding of Hamilton Heritage Property Grant Program and Extension of Certain Other Financial Incentive Programs (PED18162) (City Wide)
WARD(S) AFFECTED:	(City Wide)
PREPARED BY:	Carlo Gorni (905) 546-2424 Ext. 2755 Lisa Browett (905) 546-2424 Ext. 7519
SUBMITTED BY:	Glen Norton Director, Economic Development Planning and Economic Development Department
SIGNATURE:	

RECOMMENDATION

- (a) That the amended Barton-Kenilworth Commercial Corridor Building Improvement Grant Program (BKCCBIGP) as set out as Appendix "A" in Report PED18162 be enacted;
- (b) That the amended Barton-Kenilworth Tax Increment Grant Program (BKTIGP), as set out in Appendix "B" to Report PED18162 be enacted;
- (c) That the Hamilton Heritage Conservation Grant Program (HHCGP) as set out in Appendix "C" to Report PED18162 be deemed to have been extended from April 9, 2017 and that all applications approved by staff subsequent to April 9, 2017 be retroactively approved;
- (d) That funding for the Barton-Kenilworth Commercial Corridor Building Improvement Grant Program (BKCCIGP) and the Hamilton Heritage Conservation Grant Program (HHCGP) be considered as part of the 2019 Capital Budget process;
- (e) That funds be transferred as required to the Hamilton Heritage Property Grant Capital Project Account No. 8201641800 to process and fund applications received to-date as well as additional applications anticipated in 2018.

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OUR Culture: Collective Ownership, Steadfast Integrity, Courageous Change, Sensational Service, Engaged Empowered Employees.

SUBJECT: Further Funding of Hamilton Heritage Property Grant Program and Extension of Certain Other Financial Incentive Programs (PED18162) (City Wide) - Page 2 of 12

EXECUTIVE SUMMARY

The Barton-Kenilworth Commercial Corridor Building Improvement Grant Program (BKCCBIGP) provides a matching grant to a maximum of \$50 K per deeded property towards the redevelopment of the property as well as the maintenance, functionality, viability, accessibility and aesthetics of the existing building stock used for commercial, multi-residential and institutional uses. This Program is currently scheduled to expire on December 31, 2018. A continuation of this Program will assist in the continuing improvements to buildings within the eligible areas. Such improvements will result in updated space for both commercial and residential purposes while also providing an increase in Municipal tax revenue to the City of Hamilton.

The Barton Kenilworth Tax Increment Grant Program (BKTIGP) provides a nine-year grant in an amount not exceeding the increase in the Municipal portion of the realty taxes attributable to the redevelopment of residential or commercial land and buildings. This Program is currently scheduled to expire on December 31, 2018. A continuation of this Program will assist in the continuing improvements to buildings within the eligible areas. Such improvements will result in updated space for both commercial and residential purposes while also providing an increase in Municipal tax revenue to the City of Hamilton.

The Hamilton Heritage Property Grant Program (HHPGP) offers grants towards structural/stability work as well as work required to preserve heritage features on designated properties.

As a result of an increasing appreciation of heritage properties and greater awareness of the Program, the number of applications, as well as the dollar value of the grant requests has increased. At December 31, 2017 the remaining uncommitted balance in the Hamilton Heritage Property Grant Project Account No. 8201641800 was \$32,349.52.

Transfer of funding from several Reserves and Capital Projects to the HHPGP is necessary to continue to process applications received to date as well as additional applications anticipated in 2018.

The Hamilton Heritage Conservation Grant Program (HHCGP) is intended to provide financial assistance in the form of matching grants for the conservation and restoration of cultural heritage resources. The objective of the HHCGP is to assist in the ongoing conservation of heritage properties designated under the *Ontario Heritage Act* that are not eligible for funding from the HHPGP. The HHCGP was approved and implemented on April 9, 2014, Report PED14055, on a three-year trial basis with funding in the amount of \$250,138.90. Staff was to provide an update on the Program and report back to Council for further direction in 2017. Staff has provided updates on the Program

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SUBJECT: Further Funding of Hamilton Heritage Property Grant Program and Extension of Certain Other Financial Incentive Programs (PED18162) (City Wide) - Page 3 of 12

in the 2015 and 2016 Annual Reports and most recently in the 2017 Annual Report. Available funding in the amount of \$80,373.90 remains. Due to a misunderstanding/oversight staff continued to process applications beyond April 9, 2017.

Since April 9, 2017, ten applications have been received and three of them have been paid out. The total value of these approved paid out applications is \$9,427.59. Of the remaining seven applications, two are currently undergoing due diligence and five have been approved but not yet paid out. The grant commitment for these seven applications is \$21,214.75.

Staff is recommending that the applications they approved be also approved retroactively by Council and that the Program become permanent.

Alternatives for Consideration – See Page 11

FINANCIAL – STAFFING – LEGAL IMPLICATIONS

Financial: There will be no levy increase required in 2018 for the purposes of administering the financial incentives detailed in Report PED18162.

Funding for the HHCGP is contained in the Community Heritage Reserve Account No. 102047. The available balance within the reserve is \$80,373.90. Sufficient monies are contained in the reserve to fund the Program in 2018. A request for additional funding will be made during the 2019 Capital Budget process.

Grants approved under the HHPGP are funded from the Main Street Reserve Account No. 102048 and the Hamilton Heritage Property Grant Program Project Account No. 8201641800. The uncommitted balance remaining in the Capital and Reserve funds totals \$32,349.42.

Funds to be transferred as required from the Economic Development Investment Fund Reserve Account No. 112221 in an amount not to exceed \$200 K; the Economic Development Initiatives Capital Project Account No. 3621708900 in an amount not to exceed \$100 K; the Downtown Hamilton Residential Loan Program Reserve Account No. 108036 in an amount not to exceed \$250 K; the Community Heritage Fund Loan Reserve Account No. 102049 in an amount not to exceed \$50 K; the Barton Kenilworth Rebate Project Account No. 8201703701 in an amount not to exceed \$100 K; the King Street West Business Improvement Area (BIA) Gateway Project Account No. 8201703707 in an amount not to exceed \$137,549.59; the 2016 Commercial Property Improvement Grant (CPIG) Project Account No.

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SUBJECT: Further Funding of Hamilton Heritage Property Grant Program and Extension of Certain Other Financial Incentive Programs (PED18162) (City Wide) - Page 4 of 12

8201603510 in an amount not to exceed \$46,410; and, the Hamilton Technology Centre Capital Project Account No. 8121741301 in an amount not to exceed \$16,040.41. Approval of the recommendation would not impact the levy.

Staffing: There are no staffing implications. Grants will continue to be administered by staff within the Urban Renewal and Development Planning, Heritage and Design Sections of the Planning and Economic Development Department, as well as within the Finance and Administration Section of the Corporate Services Department.

Legal: The *Planning Act* (Section 28) allows Municipalities that have provisions in their Official Plan relating to community improvement, such as the City of Hamilton, to designate by by-law a community improvement project area, and then to prepare a Community Improvement Plan (CIP) for the project area. A Municipality may then make grants and loans, in conformity with the approved CIP, that would otherwise be prohibited under the *Municipal Act* (Section 106(1)), to the registered/assessed owners or tenants of land and buildings, or their respective assignees, within the designated project area.

By-law No. 07-346, attached as Appendix “D” to Report PED18162 approved by Council at its meeting held on December 12, 2007, authorizes the Municipality to offer loans and grants to owners of a property designated under the *Ontario Heritage Act*.

HISTORICAL BACKGROUND

The BKCCBIGP and the BKTIGP were approved by Council on May 11, 2016 as part of the revisions which were made to the Downtown and Community Renewal Community Improvement Plan.

The HHPGP was approved by Council at its meeting held August 8, 2007, Report PED07123(b)/FCS07068. It focused on heritage designated industrial, commercial, institutional and multi-residential heritage properties located within the lower City between Highway 403 and the Red Hill Valley Parkway or properties located within the Hamilton Downtown Community Improvement Project Area (CIPA), Community Downtowns or an active Business Improvement Area (BIA). It was expanded in 2016 to include the Commercial Corridors as identified in the Downtown and Community Renewal CIPA By-law in recognition of the expense of specialized trades and stability work required when preserving heritage properties and to provide an added incentive to preserve privately-owned heritage properties within the Commercial Corridors.

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The HHCGP was approved by Council on April 9, 2014, Report PED14055, on a three-year trial basis.

The objective of the HHCGP is to assist in the on-going conservation of designated heritage properties that are not eligible for the HHPGP and to ensure that the integrity of the City's cultural heritage resources is maintained. In other words, many of the heritage properties are situated outside of the boundaries that are used for the HHPGP and many are residential (single detached, row houses etc.).

POLICY IMPLICATIONS AND LEGISLATED REQUIREMENTS

Planning Act

The *Planning Act* (Section 28) allows Municipalities that have provisions in their Official Plan relating to community improvement, such as the City of Hamilton, to designate by by-law a community improvement project area, and then to prepare a Community Improvement Plan (CIP) for the project area. A Municipality may then make grants and loans, in conformity with the approved CIP, that would otherwise be prohibited under the *Municipal Act* (Section 106(1)), to the registered/assessed owners or tenants of land and buildings, or their respective assignees, within the designated project area.

Urban Hamilton Official Plan

F.1.15.1 Community Improvement shall be carried out through the designation, by Council, of CIPAs and through the preparation and implementation of Community Improvement Plans (CIP) pursuant to the *Planning Act*. It is the intent of Council that the entire urban area or any part of the urban area as defined in this Plan, and as subsequently amended, may by by-law be designated as a CIPA.

F.1.15.3 CIPs shall provide direction regarding the application of one or more of the following:

- a) allocation of public funds such as grants, loans or other financial instruments for the physical rehabilitation, redevelopment or improvement of land and/buildings;
- b) municipal acquisition of land or buildings and subsequent land clearance, rehabilitation, redevelopment or resale of these properties or other preparation of land or buildings for community improvement;
- c) encouragement of infill and rehabilitation where feasible;

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- d) promotion of historic preservation through the appropriate local, provincial and federal legislation;
- e) promotion of the viability of Commercial areas through the establishment and support of BIAs;
- f) other Municipal actions, programs or investments for the purpose of strengthening and enhancing neighbourhood stability, stimulating production of a variety of housing types, facilitating local economic growth, improving social or environmental conditions, or promoting cultural development; and,
- g) identification of cultural heritage resources which shall be, wherever possible, conserved through appropriate adaptive reuse and alterations. Demolition of heritage structures shall be discouraged.

F.1.15.7 Council shall be satisfied that community improvements are within the financial capability of the City.

The Downtown and Community Renewal Community Improvement Plan provides the framework for City programs and initiatives in a manner that meets the legislative requirements of the *Planning Act* intended to stimulate private sector investment and redevelopment and, to focus Municipal action and investment that promotes and enhances Hamilton's various downtowns, commercial districts, mixed use corridors and neighbourhoods targeted for community development.

The Plan provides the legal framework for the financial incentives administered by the Urban Renewal Section. Downtown Hamilton, the Community Downtowns of Ancaster, Binbrook, Dundas, Stoney Creek and Waterdown, the Mount Hope/Airport Gateway, the Business Improvement Areas and other Commercial Corridors within the City, as well as certain heritage-designated properties, are collectively designated in the Downtown and Community Renewal CIPA By-law.

Applications processed under the financial incentives authorized under the Downtown and Community Renewal Community Improvement Plan must be in compliance with the Official Plan, all applicable City by-laws, zoning regulations, design guidelines and site plan approvals.

RELEVANT CONSULTATION

Staff from the Corporate Services Department and the Planning and Economic Development Department were consulted and concur with the recommendations in this

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Report. Legal Services was consulted in respect of those sections of the Report which address the Hamilton Heritage Conservation Grant Program.

ANALYSIS AND RATIONALE FOR RECOMMENDATION

Barton/Kenilworth Commercial Corridor Building Improvement Grant Program

The creation of the BKCCBIGP was approved by Council in May 11, 2016. The Program supports the development of property and the maintenance, functionality, viability, accessibility and aesthetics of existing building stock used for commercial, multi-residential or institutional uses within the boundaries of the Barton Village BIA, the Barton and Kenilworth Commercial Corridors and the properties that front on Barton Street between James Street North and Victoria Avenue North as identified in the Downtown and Community Renewal Community Improvement Project Area By-law. Successful applicants are awarded grants on a matching basis to a maximum of \$50 K per deeded property.

Barton/Kenilworth Commercial Corridor Building Improvement Grant Program June 2016–May 31, 2018	
Number of Grant Commitments	11
Total Grant Commitments	\$414,963
Grants Advanced	\$242,064
Grants Approved to be Advanced	\$172,899
Conservation Value of Projects	\$1,597,839
Grants as a Percentage of Construction	26%

Although the Program has only been in existence for two years, it is expected to leverage approximately \$1.6 M of construction value from the \$414,963 that has been approved in grant funding from the City.

In order to maintain the positive interest and continuing investment in the Barton-Kenilworth area, staff is of the opinion that more time is needed for greater awareness and uptake of this Program to occur. As more properties in the area are improved, assessments will increase and the City will realize increases in Municipal taxes. Improvements to the existing housing stock and commercial properties should entice more residents and businesses to locate in the area.

Barton-Kenilworth Tax Increment Grant Program

The creation of the BKTIGP was approved by Council in May 2016. The Program provides for a nine-year grant based on the increase in the Municipal portion of the realty taxes attributed to the redevelopment of residential or commercial lands and buildings located within the boundaries of the Barton Village BIA, the Barton Street East

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and Kenilworth Avenue North Commercial Corridors and the properties that front on Barton Street between James Street North and Victoria Avenue North as identified in the Downtown and Community Renewal CIPA By-law. The grant is at 100% of the Municipal realty tax increase during the first five years, 80% in year six, 60% in year seven, 40% in year eight and 20% in year nine.

Barton/Kenilworth Tax Increment Grant Program Inception (2016 to May 31, 2018)	
Number of Grants Approved	4
Estimated Total Grants	\$2,482,154
Construction Value	\$16,825,000
Ratio of Total Grants to Construction Value	1:7

The Program is expected to leverage approximately \$16.8 M of construction value from the \$2.5 M that has been approved in grant funding by the City.

As with the BKCCBIGP listed above, staff is of the opinion that greater uptake of the Program will occur if it is extended and greater awareness of it continues to take place. There continues to be positive interest in the potential of the area.

At the same time, staff also believes that a development proponent's ability to realize the allowable tax grants provides a further and needed incentive to pursue improvements to properties in the area while allowing the City of Hamilton to begin receiving an increase in Municipal taxes resulting from any improvements in year ten following reassessment.

Hamilton Heritage Property Grant Program

The majority of heritage resources are owned by the private sector. The HHPGP was created to assist private property owners with the greater financial burden of restoring and re-using heritage properties. The HHPGP provides financial assistance for structural/stability work required to conserve and restore heritage features and for heritage reports/assessments/studies for designated heritage properties.

Eligible properties must be located within Downtown Hamilton, a Community Downtown, an active Business Improvement Area, the Mount Hope/Airport Gateway, a commercial corridor as identified in the Downtown and Community Renewal Community Improvement Project Area By-law or be a designated heritage property used or to be used for commercial, institutional, industrial or multi-residential purposes and situated within the older, lower City between the Niagara Escarpment and Lake Ontario, between Highway 403 and the Red Hill Valley Parkway.

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The Program offers a grant of up to \$150 K per Municipal address for structural/stability work required to conserve and restore heritage features of properties designated under Parts IV or V of the *Ontario Heritage Act*. For projects valued at \$40 K or less, the grant is based upon 50% of the total project cost to a maximum grant of \$20 K for eligible work under the Program. For projects valued over \$40 K, the grant includes \$20 K plus an additional grant based on 25% of the total project cost over \$40 K, to a maximum additional grant of \$130 K. The Program also offers an additional \$20 K grant for heritage-related reports/assessments/studies.

Since its inception in 2008, grant commitments in the amount of \$1,839,406 have been approved. City Council has also approved conditional grants in the amount of \$850 K for 18-28 King Street East.

As of May 31, 2018 a total of \$1,345,327 has been advanced in grants and \$494,079 will be advanced upon the Applicant meeting the terms and conditions of the Program, not including the \$850 K for 18-28 King Street East.

The grant funds are not advanced until the work has been completed, the invoices paid in full by the Applicant and staff has completed due diligence checks to ensure that there are no property standards, building code or fire code violations on the property and taxes are up-to-date.

As the grant only covers a portion of the total cost, the Applicants' financial contribution to the project demonstrates their commitment to the preservation of the heritage features of the property.

Over the past few years there has been an increase in interest in the Program. The increase in the number of applications and the dollar value of the individual requests was however, greater than anticipated. As a result the amount of available funding for this Program has been depleted. At June 4, 2018, the remaining uncommitted balance in the Hamilton Heritage Property Grant Project Account No. 8201641800 was \$32,349.52.

Hamilton Heritage Property Grant Program Since Inception 2008–May 31, 2018	
Number of Grant Commitments	38
Total Grant Commitments	\$1,839,406
Total Conditional Grant Commitments (for 18-28 King Street East)	\$850,000
Grants Advanced	\$1,345,327
Grants Approved to be Advanced (not including 18-28 King Street East)	\$494,079
Conservation Value of Projects (not including 18-28 King Street East)	\$10,355,281
Grants as a Percentage of Construction (not including 18-28 King Street East)	13%

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The estimated grant request on applications received in 2018 totals \$370 K. Based on inquiries received by Heritage Planning and Urban Renewal staff, a further \$510 K in grant requests is anticipated in 2018. This amount is based on three properties seeking a maximum grant from this Program in the amount of \$150 K and three requests for grant of \$20 K for heritage related reports/assessments or studies.

Transfer of funding to the HHPGP is necessary such that these important cultural heritage resources can be preserved and restored for future generations. The funds will be used to process applications received to date as well as the additional applications anticipated in 2018.

Funding for the Program in 2019 will be requested from Council through the 2019 Capital Budget Process.

Hamilton Heritage Conservation Grant Program

Well-maintained heritage properties attract businesses and residents. They are valued by communities. Staff recognize that, over time, the need for rehabilitation or a desire to restore identified heritage attributes may require significant investment.

The HHCGP was created to assist in the on-going conservation of heritage properties designated under the *Ontario Heritage Act* that are not eligible for the HHPGP.

The HHCGP provides financial assistance in the form of matching grants between \$1 K to \$5 K for the conservation and restoration of cultural heritage resources. The grant funds are not advanced until the work has been completed and the invoices paid in full by the Applicant. Requiring the property owner to match the grant amount demonstrates a financial commitment on behalf of the owner.

The HHCGP was approved by Council on April 9, 2014, Report PED14055, on a three-year trial basis with funding in the amount of \$250,138.90. Staff was to provide an update on the Program and report back to Council for further direction. Staff has provided updates on the Program in the 2015 and 2016 Annual Reports and most recently in the 2017 Annual Report. Available funding in the amount of \$80,373.90 remains. Due to a misunderstanding/oversight staff continued to process applications beyond April 9, 2017. Since April 9, 2017, ten applications have been received and three of them have been paid out. The total value of these paid out applications approved is \$9,427.59. The construction value of these paid out applications is \$18,855.19. Of the remaining seven applications, two are currently undergoing due diligence and five have been approved but not yet paid out. The grant commitment for these seven applications is \$21,214.75. The construction value of these applications is \$112,063.50.

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Staff is recommending that the applications they approved be also approved retroactively by Council.

As shown in the table below, the Program is expected to leverage approximately \$635 K of conservation related construction value from approximately \$170 K that has been approved in grant funding by the City.

Staff concludes that this Program is having a positive effect on the continuing efforts to conserve heritage resources.

Staff recommends that the HHCGP becomes a permanent Program providing property owners with the financial assistance necessary for the continued conservation or restoration of identified heritage features, to ensure that the integrity of the City's cultural heritage resources is maintained.

Hamilton Heritage Conservation Grant Program Since Inception (2014–May 31, 2018)	
Number of Grant Commitments	40
Total Grant Commitments	\$169,765
Grants Advanced	\$138,550
Conservation Value of Projects	\$635,246
Grants as a Percentage of Construction	27%

ALTERNATIVES FOR CONSIDERATION

Council could decide to not extend the availability of the BKCCBIGP and the BKTIGP. This is not recommended as these programs can continue to play a role in encouraging improvements to the building stock in these areas.

Council could decide to not allow the transfer of funding for the HHPGP for 2018. This is not recommended since the funding is necessary to safeguard the heritage properties such that their cultural value is retained for future generations.

Council could decide to not make the HHCGP a permanent Program. This is not recommended since this Program plays an important role in assisting owners to restore and conserve the heritage features on their properties for the benefit of the community for now and into the future.

Regarding this same Program, Council could decide to not retroactively approve applications that were approved by staff since April 9, 2017. Staff does not recommend this alternative as some monies have been paid out and other funds have been committed. The expectation of those who have submitted applications is that the

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funding would be available to assist them to conserve/restore the heritage attributes on their properties.

It should be noted that all of the Programs above could to varying degrees lead to an increase in the assessed value of the subject properties thereby resulting in increasing levels of tax revenue for the City.

ALIGNMENT TO THE 2016 – 2025 STRATEGIC PLAN

Economic Prosperity and Growth

Hamilton has a prosperous and diverse local economy where people have opportunities to grow and develop.

Built Environment and Infrastructure

Hamilton is supported by state of the art infrastructure, transportation options, buildings and public spaces that create a dynamic City.

Culture and Diversity

Hamilton is a thriving, vibrant place for arts, culture, and heritage where diversity and inclusivity are embraced and celebrated.

APPENDICES AND SCHEDULES ATTACHED

Appendix “A”-Program Description-The Barton/Kenilworth Commercial Corridor Building Improvement Grant Program.

Appendix “B”-Program Description-Barton/Kenilworth Tax Increment Grant Program.

Appendix “C”-Program Description-Hamilton Heritage Conservation Grant Program.

Appendix “D”-By-law No. 07-346- Being a By-law to Authorize the Making of Loans and Grants to the Owners of Properties Designated Under the *Ontario Heritage Act*.

CG:dt

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Appendix “A” to Report PED18162

Planning and Economic Development Department
 Urban Renewal Section
 71 Main Street West, 7th Floor
 Hamilton, Ontario L8P 4Y5
 Phone: (905) 546-2424 Ext. 2755
 Fax: (905) 546-2693

THE BARTON / KENILWORTH COMMERCIAL CORRIDOR BUILDING IMPROVEMENT GRANT PROGRAM

PROGRAM DESCRIPTION

The Barton / Kenilworth Commercial Corridor Building Improvement Grant Program (the “Program”) was created to support the development of property and the maintenance, functionality, viability, accessibility and aesthetics of existing building stock used for commercial, multi-residential or institutional uses within the boundaries of the Barton Village Business Improvement Area (BIA), the Barton and Kenilworth commercial corridors and the properties that front on Barton Street between James Street North and Victoria Avenue North as identified in the Downtown and Community Renewal Community Improvement Project Area By-law.

The Program supports the “Barton and Kenilworth Commercial Corridors Final Recommendations Report” received by City Council at its meeting held September 10, 2014.

PROGRAM TERMS

1. Property owners, and tenants authorized in writing by the owner, are eligible to apply for a grant under the Program.
2. Grants will be paid on a matching basis up to a maximum of \$50 K for eligible work under the Program.
3. Grants will be based on one grant per deeded property.
4. Eligibility requirements for the Program relating to the work to be funded will be specifically identified. Two separate cost estimates for the work are to be provided. Please note a contractor licensed with the City of Hamilton may be required to undertake the work. For more information on work that requires a licensed contractor please refer to the Application Form or contact Building Department at (905) 546-2424 Ext. 2720.

An owner may present an estimate based on material only.

In the case where the applicant is the owner of a contracting company and wishes to utilize their company to undertake the improvements, one cost estimate from an arms-length contractor will also be required.

Grants will be calculated based upon lowest cost estimate.

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- A Building Inspector will review all estimates provided for the purpose of ensuring competitiveness.
5. Applicants will be required to provide a business case that identifies how the development / improvements will improve the marketability of the property for prospective tenants and / or improve the business vitality and / or utilize formerly under-utilized properties.
 6. Relative to the proposed improvements, a building inspector will perform an initial and final inspection / investigation to confirm compliance with various Acts, Regulations and City Bylaws including the Ontario Building Code, Property Standards By-Law, Trade Licencing By-Law, Sign By-law etc.
 7. Approval of the grant is at the sole discretion of the General Manager of Planning and Economic Development and subject to the availability of funds.
 8. Proposed improvements to be completed within one year to be eligible for payment. A one year extension can be authorized by the Manager of Urban Renewal if an applicant has extenuating circumstances which would warrant an extension.
 9. Work completed must be consistent with estimates, and work proposed and identified within the application unless previously discussed and approved by the Urban Renewal Section.
 10. The Applicant shall provide to the City's Urban Renewal Section copies of paid invoices for all work undertaken on the property for which the grant is applicable. This documentation is to be provided prior to the final inspection.
 11. A City Building Inspector's final inspection report confirming all works have been carried out satisfactorily will be provided prior to release of any grant monies.
 12. At the sole discretion of the Manager of Urban Renewal, partial payments for works completed can be processed consistent with the payment process described above.
 13. At the sole discretion of the Manager of Urban Renewal, the grant cheque can be made jointly payable to the applicant and the contractor if such a request has been received from the applicant.
 14. The grant is not transferable upon sale of the property.
 15. The Program may also be received by an owner in conjunction with any other available City program in support of the building improvements / development of the property. However grants for specific work will be

Appendix “A” to Report PED18162

contingent on the total grants not exceeding 50% of the total cost of the specific work.

16. An application fee of \$406.80 for grants greater than \$12.5 K, or \$259.90 for grants less than or equal to \$12.5 K must be submitted at the time of application. The fee will be authorized through a by-law passed by City Council. The rate of the fee may be changed from time to time as approved by City Council.
17. Without limiting the discretion as set out in paragraph seven, herein, City Council, whether or not an Applicant satisfies the requirements of the Program, may reject any application received from an applicant where, in the opinion of Council, the commercial relationship between the City and the Applicant has been impaired by, but not limited to, the applicant being involved in litigation with the City. Applicants shall include but not be limited to the following: the Applicant identified on the application form and if a corporation any person or entity with an interest in the corporation as determined by the City in its sole, absolute and unfettered discretion.
18. Without limiting the discretion as set out in paragraph seven, herein, City Council, whether or not an Applicant satisfies the requirements of the Program, may reject any application received from an applicant where there are property tax arrears owed on the subject property or on other properties owned by the Applicant within the City of Hamilton.
19. Without limiting the discretion as set out in paragraph seven, herein, the City Council or its delegate, whether or not an Applicant satisfies the requirements of the Program, may reject any application received from an applicant where there is credible information that an applicant has been involved recently or repeatedly in illegal activity supporting the conclusion that he or she will not conduct himself or herself with honesty and integrity in undertaking the activity, operation or business for which the loan/grant is sought. For corporate applicants, it will be the corporation and the principals of the corporation whose illegal activity will be considered.
20. A successful applicant will enter into an agreement with the City containing the terms and conditions (but not limited to) set out in the program description.

ELIGIBILITY REQUIREMENTS

- Property owners and authorized tenants are eligible;
- Property taxes must be paid current;
- The improvements shall be in accordance with Property Standards and the Ontario Building Code and in compliance with all applicable City by-laws, official plans, zoning regulations, design guidelines and site plan approvals;

Appendix “A” to Report PED18162

- Improvements commenced prior to submitting an application are ineligible. Improvements commenced after submitting an application but prior to application approval do so at the applicant’s risk;
- Properties must be located within the boundaries of the Barton Village BIA, the Barton or Kenilworth commercial corridors or, properties that front on Barton Street between James Street North and Victoria Avenue North as identified in the Downtown and Community Renewal Community Improvement Project Area By-law;
- Existing use must be in conformity with the applicable Zoning By-law regulations, and other relevant planning controls; and,
- Works commenced prior to submitting an application are ineligible for funding under the Program. Works commenced after submitting an application but prior to approval of an application may be eligible for funding under the Program and eligibility will be determined by the General Manager of Planning and Economic Development, in his sole, absolute and unfettered discretion. An applicant shall assume the risk of paying for work commenced after an application has been submitted but prior to approval.

ELIGIBLE IMPROVEMENTS

Note: New development and façade improvements are required to be in compliance with the Barton / Kenilworth Urban Design Guidelines that form part of the Application Form.

- Construction of new building;
- Façade improvements;
- Reinforcement of floors, walls, ceilings and foundations;
- Construction or alteration of stairs, guardrails, handrails;
- Roofing;
- Improvements or installation to electrical, ventilation, heating, cooling and plumbing supply systems;
- Installation or alteration of required window openings;
- Installation or alteration of fire protection systems; fire separations; fire doors, fire shutters and other fire protection devices;
- Improvements for barrier-free accessibility including elevators;
- Installation or improvement of signage (Signage must comply with Sign By-law 10-197); and,
- Trees, shrubs, soil, mulch, grass on private property to improve the street edge conditions (to a maximum of \$3 K per application as part of the total grant awarded).

Fees: Architectural, engineering, lawyer’s, BCIN designer, landscape architect, building permit, site plan application, road occupancy permit, street occupancy

Appendix “A” to Report PED18162

permits, and encroachment agreement application fees may be eligible for up to 100% of the cost to a maximum of \$3 K per application as part of the total grant awarded for completed construction.

Other improvements deemed health, safety and accessible issues eligible at the sole discretion of the General Manager of Planning and Economic Development.



Planning and Economic Development Department
 Urban Renewal Section
 71 Main Street West, 7th Floor
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 Phone: (905) 546-2424 Ext. 2755
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BARTON / KENILWORTH TAX INCREMENT GRANT PROGRAM

PROGRAM DESCRIPTION

The intent of the Barton / Kenilworth Tax Increment Grant Program (the Program) is to provide an economic catalyst for developing, redeveloping or renovating residential / commercial lands and buildings located within the boundaries of the Barton Village Business Improvement Area (BIA), the Barton and Kenilworth commercial corridors and the properties that front on Barton Street between James Street North and Victoria Avenue North as identified in the Downtown and Community Renewal Community Improvement Project Area By-law.

This Program authorizes for each approved grant application, a nine-year grant, the amount of which is subject to Council approval, in an amount not exceeding the increase in municipal realty taxes. The increase in municipal realty taxes (City portion only) will be based on either the year in which the building permit that initiated the development / redevelopment was issued or, for properties where the proposed development / redevelopment does not require a building permit, the year in which City Council approved the grant amount, and, the first full year in which the property is reassessed. The grant shall be an amount which does not exceed 100% of the municipal realty tax increase during the first, second, third, fourth and fifth year, 80% in year six, 60% in year seven, 40% in year eight, and 20% in year nine. For purposes of determining the eligible amount of the increase in municipal realty taxes, special charges including BIA levies shall be excluded from the calculation. The grant would reduce the effect of an increase in municipal realty taxes attributable to the differential between the pre-renovation assessment and the post-renovation assessment.

1. Before any grant is provided to the Applicant for a property for which a satisfactory grant application has been received and approved, realty taxes are required to have been paid as billed each year and, the property shall be in compliance with the Program's requirements and conditions as set out in the Grant Payment Agreement the Applicant will be required to enter into with the City. Conditions in the Agreement include but are not limited to:
 - a) The total value of the eligible grant provided under the Program will be reduced by: (i) the amount by which property taxes have been cancelled or reduced for the subject property pursuant to any other City programs (i.e. vacancy rebates) or tax appeals under Sections 357 and 358 of the *Municipal Act*; (ii) the amount

by which property taxes have been cancelled or reduced for the subject property pursuant to a Request for Reconsideration, and (iii) the amount by which property taxes have been reduced or cancelled for the property pursuant to any relief or reduction permitted under any legislation or order of any court or the Assessment Review Board; and,

- b) If the Applicant, third party or the municipality has appealed the change in the property assessment, the grant will not be advanced until the appeal has been finally determined through the Assessment Review Board or Courts and revised property taxes have been calculated and adjusted.
2. The first year of the grant is payable at the end of the calendar year in the first full year of reassessment, post completion, of the redevelopment / development (subject to taxes being paid in full and no pending appeal or confirmation that the assessment will not be appealed). An Applicant has the option of receiving the grant at the end of the first year of reassessment, however they will forfeit the grant for the months of the year the reassessment does not apply i.e. if reassessment occurs on the 1st of March of a year, the first year of the grant will be based on March-December (ten months) of the year only. (Calculation is based on **actual** taxes, therefore the post development taxes in year one would include the first part of the year at a lower assessment and the remaining part of the year at the higher assessment – which would result in minimal to no grant for the period January 1 to the reassessment date.)
 3. For commercial projects, the first year of the grant is payable at the end of the first full year of reassessment, post completion, of the redevelopment / development regardless of the number of commercial units occupied.
 4. For residential condominium projects, the first year of the grant is payable by the end of the calendar year in which 75% of the residential condominium units within the project are fully assessed, and is calculated on a ratable per unit basis. In years previous to 75% of the residential condominium units being fully assessed within the project, taxes are to be paid as billed and no grants will be payable.
 5. For mixed-use projects (commercial and residential), the first year of the grant is payable by the end of the calendar year in which 75% of the residential condominium units within the project are fully assessed, and is calculated on a ratable per unit basis. In years previous to 75% of the residential condominium units being fully assessed within the project, taxes are to be paid as billed and no grants will be payable.

Exception for residential condominium projects that are fully or partially assigned – the grant will be paid by the end of the first quarter of the following year (i.e. the grant for 2016 will be paid by March 31, 2017). This will allow the City time to verify ownership and appeal status for each condominium unit, prior to issuing the grant. For year one of the grant only, the grant may be paid after the first quarter of the following year, if one-year following the date of registration on title of condominium

status for the project expires after December 31 of the year in which 75% of the residential condominium units within the project are fully assessed.

For residential condominium projects, the units must be assessed as residential condominiums. If the development is assessed as multi-residential or new-multi-residential, no grant will be payable.

6. The grants may be received by an Applicant in conjunction with any other available municipal program (with the exception of the Hamilton Tax Increment Grant Program, the ERASE Redevelopment Grant and the LEED Grant) in support of redevelopment / development, including the municipality's loan and heritage programs. The approved grants are not assignable by the Applicant to anyone except to the initial purchaser of a residential condominium in a residential project, the initial purchaser of a residential or commercial condominium unit within a mixed-use project, or to the City of Hamilton. The total of each property's nine years of approved grants shall not exceed the costs of the property's development / redevelopment.
7. A limited assignment of the grant under the terms of the Program may be made from an Applicant to the initial purchaser of each new residential condominium unit within a residential project or to the initial purchaser of each new residential or commercial condominium unit within a mixed-use project. The assignment of the grant shall not apply to any subsequent re-sale of any such unit. The first year of the grant is the year in which at least 75% of the residential condominium units within the project are fully assessed.

The Applicant must confirm if they are proposing to assign the grant to the first purchasers of residential condominiums within a residential project or the first purchasers of residential or commercial condominium units within a mixed-use project, at the time of application otherwise the grant will not be assignable. Also, the Applicant has one-year following the date of registration on title of condominium status for the project to assign the individual grants to the first purchasers of each unit. The grant for units not assigned within the one-year period will be advanced to the Applicant and will not be assignable in the future.

For grants that are for a project that is fully / partially assigned, the pre-project municipal taxes are apportioned amongst each condominium unit based on, or with reference to, the MPAC's "Condominium Plan Information Form" (CPIF) and in adherence to section 19.1(3) of the *Assessment Act*. The CPIF apportions the pre-development assessment amongst the newly created assessment roll numbers for the units. This allows the annual grant to be calculated on a per unit basis (difference between the post-project municipal taxes of each unit and the pre-project municipal taxes for each respective unit). The grant is further pro-rated based on the closing date of the sale to the first condominium purchaser of each of the fully assessed units (less the administration fee). For partially assigned projects, the grant for the units not assigned by the Applicant is calculated in the same manner, whereby the Applicant's grant will be pro-rated based on the date each unassigned unit was reassessed (less the administration fee).

For residential condominium projects and mixed-use projects that are not assigned, the grant will not be calculated on a per unit basis. The annual grant will be calculated by taking the difference between the sum of the post-project municipal taxes (for each year the grant is payable) and the pre-project municipal taxes.

If one-year following the date of registration on title of condominium status for the project expires after December 31 of the year in which 75% of the residential condominium units within the project are fully assessed, and the Applicant:

- a) has elected to assign the grant to the first purchaser, the unit must be sold to the first purchaser within one-year following the date of registration on title of condominium status. If the unit is sold to the first purchaser after December 31 of the year in which 75% of the residential condominium units within the project are fully assessed, yet still within one-year following the date of registration on title of condominium status, the first year of the grant is forfeited. The first purchaser will be entitled to the remaining years of the annual grant. If the unit is not sold within one-year following the date of registration on title of condominium status, the Applicant can no longer assign the grant and the grant will be deemed not assigned and shall be payable to the Applicant.
- b) has elected not to assign the grant to the first purchaser, the grant will be payable to the Applicant by the end of the first quarter of the year following the year in which 75% of the residential condominium units within the project are fully assessed.

The grant will cease if the first condominium purchaser subsequently sells the condominium unit within the term of the grant (if the grant was assigned) or if the Applicant subsequently sells the condominium unit within the term of the grant (if the grant was not assigned either because the Applicant did not meet the deadline to assign the grant or because the Applicant continues to own the unit). The grant in the year of the sale will be pro-rated based on the date of closing, whereby the first condominium purchaser (if the grant was assigned) or the Applicant (if the grant was not assigned either because the Applicant did not meet the deadline to assign the grant or because the Applicant continues to own the unit) will receive a reduced grant based on the number of days the first condominium purchaser (if the grant was assigned) or the Applicant (if the grant was not assigned either because the Applicant did not meet the deadline to assign the grant or because the Applicant continues to own the unit) was the owner in the year of the sale. No grant will be provided to the second or subsequent condominium purchasers.

There is a one-time \$887.05 application fee for grants greater than \$12.5 K or \$259.90 for grants \$12.5 K or less. When Applicants choose to assign grants to the first purchasers of residential condominium units in a residential project, or residential and commercial condominium units in a mixed-use project, there is also a one-time administration fee of \$446.35 per unit and the fee shall be deducted from the initial grant payment. Fees will be authorized through a by-law passed by City Council. The rate of the fees may be changed from time to time as approved by City Council. The administration fee charged will be the fee in affect in the first year of the

grant, regardless of when the grant is actually paid. Applicants that choose to assign the grant to the first purchasers of each residential or commercial condominium unit will receive the grant for units they continue to own (units that have not been assigned either because the Applicant did not meet the deadline to assign the grant or because the Applicant continues to own the unit) and are subject to the aforementioned one-time application fee being deducted from the initial grant payment.

8. For Applicants who choose not to assign the grant to the initial purchasers of each condominium unit, the grant will be earned by the Applicant if they have met all terms and conditions of the Program including payment of taxes and all building permits having been signed-off by Building Services.

The annual grant to the Applicant will be reduced by 25% if an appeal has been filed with MPAC by any of the condominium unit owners, whether such owner is the initial purchaser or a subsequent purchaser. The 25% hold-back will not be released until the appeals are finally determined through the Assessment Review Board or Courts, and the revised property taxes have been calculated. The first year of the grant is payable during the calendar year in which 75% of the residential condominium units within the project are fully assessed. The grant is calculated by taking the difference between the post and pre-project municipal taxes. The post-project municipal taxes are calculated by taking the sum of the municipal taxes of each of the condo units within the project. The grant is calculated as a whole, and not calculated on a per condominium unit basis (as is the case if it were assigned or partially assigned).

9. An Applicant and any assignees, can assign the grant to the City of Hamilton as payment of their loan under the Hamilton Downtown / West Harbourfront Remediation Loan Program.
10. The Applicant will be required to enter into a Grant Payment Agreement with the City of Hamilton that sets out the conditions of the annual grant. When assigning the grant to the first-purchasers of residential condominium units in a residential project or residential and commercial condominium units in a mixed-use project, the Applicant and the assignee have to enter into an Agreement that would assign the payment of the grant to the assignee and also obligate the Applicant to the terms and conditions contained in the Grant Payment Agreement and, if the Applicant is in default of the Grant Payment Agreement, the grant payment to the assignee ceases.
11. Redevelopment / development will commence no longer than two years following City Council's approval of the grant or the grant will be cancelled. The two year period may be extended by City Council at its absolute discretion.
12. In the event of the sale, conveyance, transfer or entering into of any agreement of sale or transfer of the title of the Property (for projects other than residential condominium projects or mixed-use projects), any future grants will be terminated.
13. Change of Corporate Control:

Where the Applicant is a corporation the Applicant covenants and agrees that in the event that:

- a) the Applicant fails to supply the City, in a form satisfactory to the City such information relating to the ownership of its shares as the City may from time to time require or;
- b) without the written consent of the City first had and obtained:
 - i) the Applicant issues or redeems any of its shares or transfers any of its shares;
 - ii) there is a sale or sales of the shares of the Applicant which result in the transfer of the legal or beneficial interest of any of the shares of the Applicant or;
 - iii) the Applicant amalgamates, merges or consolidates with any other Corporation;

and, the result of any of the foregoing is a change in the effective control of the majority of the voting shares of the Applicant, or the requested information is not provided, then future grant payments under the Program shall cease at the absolute discretion of the City.

- 14. Approval of the grant application is at the absolute discretion of the City and subject to the availability of funds.
- 15. Without limiting the discretion as set out in paragraph 14 herein, the City Council, whether or not an Applicant satisfies the requirements of the Program, may reject any application received from an Applicant where, in the opinion of Council, the commercial relationship between the City and the Applicant has been impaired by, but not limited to, the Applicant being involved in litigation with the City. Applicants shall include but not be limited to the following: the Applicant identified on the application form and if a Corporation any person or entity with an interest in the Corporation as determined by the City in its sole, absolute and unfettered discretion.
- 16. Without limiting the discretion as set out in paragraph 14 herein, City Council, whether or not an Applicant satisfies the requirements of the Program, may reject any application received from an Applicant where there are property tax arrears owed on the subject property or other properties owned by the Applicant within the City of Hamilton.
- 17. Without limiting the discretion as set out in paragraph 14, herein, the City Council or its delegate, whether or not an Applicant satisfies the requirements of the Program, may reject any application received from an applicant where there is credible information that an applicant has been involved recently or repeatedly in illegal activity supporting the conclusion that he or she will not conduct himself or herself with honesty and integrity in undertaking the activity, operation or business for which the loan/grant is sought. For corporate applicants, it will be the corporation and the principals of the corporation whose illegal activity will be considered.

18. Works commenced prior to submitting an application are ineligible for funding under the Program. Works commenced after submitting an application but prior to approval of an application may be eligible for funding under the Program and eligibility will be determined by the General Manager of Planning and Economic Development in his sole, absolute and unfettered discretion. An Applicant shall assume the risk of paying for work commenced after an application has been submitted but prior to approval.
19. If an applicant is redeveloping a portion of their property only, the grant will be based on that portion of the property. The Applicant will be required to provide a copy of the annual property assessment valuation from the MPAC for grant calculation purposes.

GRANT CRITERIA

Projects that include developing, redeveloping or renovating residential/ commercial lands and buildings within the boundaries of the Barton Village Business Improvement Area (BIA), the Barton and Kenilworth commercial corridors and the properties that front on Barton Street between James Street North and Victoria Avenue North as identified in the Downtown and Community Renewal Community Improvement Project Area By-law.

Approval of the application and estimated grant amount is subject to City Council approval. Such application shall be submitted and only received if it is prior to the Applicant’s commencement of improvements / rehabilitation to their property and shall include plans, estimates, contracts and other details as may be required to satisfy the City as to the cost of the project and as to the conformity of the project with the objectives of the Downtown and Community Renewal Community Improvement Plan.

Such project is also required to be in compliance with the City’s Official Plan policies, other by-laws and policies, including but not limited to zoning, site plan approval, design guidelines, heritage matters including preservation of historical buildings. The compliance of each application with the criteria of this Program and the estimated amount of the Property’s grants (within the permitted terms of this Program) is at the discretion of and subject to Council approval.

All parking lots and vacant sites are eligible. Properties upon which commercial, residential or industrial buildings are cleared and demolished are eligible, with the exception of designated heritage buildings.

This program shall not apply to an existing or proposed Adult Entertainment Parlour, Body Rub Establishment, Correction Facility, Corrections Residence, Emergency Shelter, Lodging House or Residential Care Facility as defined in the Zoning By-law.

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Planning and Economic Development Department
 Urban Renewal Section
 71 Main Street West, 7th Floor
 Hamilton, Ontario L8P 4Y5
 Phone: (905) 546-2424 Ext. 2755
 Fax: (905) 546-2693

HAMILTON HERITAGE CONSERVATION GRANT PROGRAM

PROGRAM DESCRIPTION

The Hamilton Heritage Conservation Grant Program (HHCGP) is intended to provide financial assistance in the form of matching grants between \$1,000 to \$5,000 for the conservation and restoration of cultural heritage resources. The objective of the Hamilton Heritage Conservation Grant Program is to assist in the on-going conservation of heritage properties designated under the *Ontario Heritage Act* that are not eligible for the Hamilton Heritage Property Grant Program (HHPGP).

TERMS OF THE PROGRAM

1. The grant is contingent on properties being designated under Parts IV or V of the *Ontario Heritage Act*.
2. An application fee of \$96.05 is to accompany the application. The rate of the fee may be changed from time to time as approved by City Council.
3. The grant is conditional upon a Heritage Permit; or easement approval; or other City approval, being issued for the heritage component.
4. The grant is conditional upon all required planning and building code approvals.
5. Improvements commenced prior to submitting an application are ineligible. Improvements commenced after submitting an application, but prior to application approval, are undertaken at the applicant's risk, as funding may be refused.
6. The Urban Renewal Section, in consultation with Planning staff, reserves the right to recommend works that are integral to the preservation of the building required to preserve/conservate the heritage features.
7. The grant amount will total a minimum of \$1,000 to a maximum \$5,000 per municipal address, identifying multiple and separate units and entranceways per year, subject to available funding. The awarded grant amount will total one half the lesser of either the actual eligible project cost (cost as outlined in the final invoices for the completed project) or the estimated eligible project cost

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(estimated cost as identified on the Hamilton Heritage Conservation Grant Program application form).

8. Work completed must comply with estimates, and work proposed and identified within the application unless previously approved by the Urban Renewal Section. City staff will visit the site to ensure that the work has been completed in conformity with the conditions of the grant approval.
9. At the sole discretion of the Manager of Urban Renewal, partial payments for works completed can be processed consistent with the payment process described above.
10. At the sole discretion of the Manager of Urban Renewal, the grant cheque can be made jointly payable to the applicant and the contractor if such a request has been received from the applicant.
11. The grant is not transferable upon sale of the property.
12. Properties eligible for the Hamilton Heritage Property Grant Program are not eligible for this grant program.
13. The grant may be received by an owner in conjunction with approval of a loan under the Hamilton Community Heritage Fund Loan Program, provided that funding under these programs will not fund the same work.
14. Approval of the grant application is at the absolute discretion of the City and subject to the availability of funds.
15. Without limiting the discretion as set out in paragraph 14 herein, the City Council, whether or not an Applicant satisfies the requirements of the Program, may reject any application received from an applicant where, in the opinion of Council, the commercial relationship between the City and the Applicant has been impaired by, but not limited to, the applicant being involved in litigation with the City. Applicants are individuals, corporate entities and individuals behind the corporation (Officers/Directors/Shareholders).
16. A successful applicant will enter into an agreement with the City containing, but not limited to, the terms and conditions set out in the program description.

SUBMISSION REQUIREMENTS

Prospective applicants must consult with Planning staff as early as possible in the process of planning a project. This pre-consultation is required to determine eligibility, avoid delays in the processing of an application, and determine if a Heritage Permit is required.

Prospective applicants should also discuss their proposal with representatives from Building Services and the Planning Division to determine if there are regulations that require additional permits or approvals.

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Prospective applicants shall then submit a Hamilton Heritage Conservation Grant Program application form, as well as other required information. The types of information required with each grant submission include, but are not limited to:

- A Heritage Permit application form and/or a Heritage Permit approval letter;
- Photographs of the project site and of the features showing what and where the work will take place;
- Copies of any relevant historical documentation, including historical photographs or illustrations;
- Drawings, specifications or descriptions (as necessary) that adequately illustrate the scope, type of work and location as proposed. Depending on the scope of the work, drawings prepared by the property owner may be acceptable. However, should an architect or consultant be retained, detailed drawings are requested;
- A brief summary of the overall project budget, with eligible conservation work clearly itemized;
- At least two (2) competitive cost estimates for all labour and materials involved in the proposed work unless there is only one local specialized supplier of a particular product, trade or service. Although it is not mandatory, applicants are encouraged to select suppliers, contractors and/or trades people with demonstrated experience with heritage properties. Please note a contractor licensed with the City of Hamilton may be required to undertake the works; and,
- A statement detailing other grants or funding sought for the proposed work, where applicable.

FREQUENCY OF GRANT

Funding for eligible applications will be awarded on a first-come-first-served basis. A property owner may receive one grant per municipal address per calendar year. Applications will either be conditionally approved or refused.

COMPLETION OF WORK

Work must be completed within **one** year of receiving a conditionally approved grant. Invoices for costs of the completed project shall be submitted to Urban Renewal staff to verify the eligible amount of the grant. Invoices must be submitted within one year of receipt of the conditionally approved grant, unless the deadline is extended by Urban Renewal staff. An applicant with a conditionally approved grant who is deemed to have failed to comply with the terms of the Hamilton Heritage Conservation Grant Program shall not be awarded that grant and is prohibited from making a grant application for the same work in the following calendar year.

NOTE: Work that was approved, but done in a poor or defective manner or in a manner contrary to the conditions of the grant approval or the Heritage Permit (if required), will not be funded.

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ELIGIBILITY REQUIREMENTS

- The eligible property must not be in arrears or default of any municipal taxes.
- The eligible property must not be the subject to any outstanding Fire Code, Building Code or Property Standards orders. Any outstanding violations on the property for which the grant is sought must be addressed prior to any grant monies being advanced.
- The existing use of the eligible property must be in compliance with applicable Zoning By-law regulations and other relevant planning regulations.
- Owners and tenants of eligible properties may apply for assistance. Tenants are required to provide documentation of the property owner’s consent to the improvements with their application.
- Eligible properties owned by any level of government are not eligible for the Program, except in the following cases:
 - a) where the property is under long-term lease to an individual and the tenant or lessee is the applicant; or,
 - b) where a non-profit community group has assumed, by long-term lease or legal agreement, responsibility for the building and the non-profit community group is the applicant.

ELIGIBLE CONSERVATION WORK

Eligible conservation work includes any work that conserves, restores and/or enhances elements identified and described in the relevant heritage designation By-law, Heritage Conservation District Plan and/or Heritage Easement Agreement.

All work must be executed in such a manner as to not detract from or diminish the cultural heritage value of the property or Heritage Conservation District.

All work should conform to relevant municipal heritage policy, such as Heritage Conservation District Plan guidelines, as well as best practices for heritage conservation, including [Eight Guiding Principles in the Conservation of Built Heritage Properties](#) (Ministry of Culture, 2007) and the [Standards and Guidelines for the Conservation of Historic Places in Canada](#) (Parks Canada, Second Edition, 2010).

The types of eligible conservation work include, but are not limited to:

- The **conservation** of significant architectural features. This may include the conservation or restoration of: doors, windows, verandahs, cupolas, chimneys, bargeboard or other decorative trim, parapets, cornices, hood mouldings and any other features important to the overall composition of the structure as specified in the *Reasons for Designation*, the *Statement of Cultural Heritage Value of Interest* or, a description of the *Heritage Attributes* accompanying the designating by-law under the *Ontario Heritage Act*.

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- The **reconstruction** of former and significant architectural features for which the appearance can be clearly determined from documentary sources (photographs, drawings, etc.).
- The **conservation** or renewal of original siding and roofing materials including repair and replacement, where necessary, of wood clapboard or board-and-batten, repair and repointing of masonry buildings, stucco repair, repair or replacement of original roofing materials (slate, wood shingles, tile, etc.). Eligible work also includes removal of a modern material (synthetic siding, asphalt shingles, etc.) and replacement with documented original materials.
- Cleaning of masonry buildings may be eligible if it is necessary for the building's conservation. **Under no circumstances will grants be paid for any form of abrasive cleaning, (e.g., sandblasting or sodablasing) or high-pressure water cleaning. Planning staff approval is required as to cleaning method to be employed before work is undertaken.**
- Exterior painting in documented original colours. Colours must be documented for the individual building or be proved to have been a common contemporary colour in the area. **Painting of unpainted masonry is not eligible.**

INELIGIBLE WORK

Ineligible work includes any work or projects of a non-heritage nature, works that focus on non-heritage attributes, new additions, spaces, features and finishes, new construction, or any works that may diminish the cultural heritage value of the property.

Repair, maintenance, reconstruction or improvements to the following are ineligible for grant assistance, unless specifically identified and described in the *Reasons for Designation*, the *Statement of Cultural Heritage Value of Interest* or, a description of the *Heritage Attributes*:

- Repair of non-original siding or roofing materials (aluminum siding, asphalt shingles, etc.).
- Landscaping.
- Work on modern additions.
- Work on sheds or outbuildings.
- Installation of modern doors and windows, unless replicas of the original.
- Installation of new storm or screen doors and windows.
- Chimney repairs other than restoration of a significant chimney.
- Repair of eavestrough unless its nature is such that it is significant to the heritage of the structure.
- Repairs to or renewal of modern materials.
- Painting previously unpainted masonry.

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- Interior Work.
- Abrasive cleaning (e.g. sandblasting or sodablasting) or high-pressure water cleaning.

The final determination of what constitutes eligible and ineligible work is at the discretion of Planning staff.

ELIGIBLE COSTS

Eligible costs shall be the costs of materials, equipment and contracted labour to complete eligible conservation, restoration or preservation work, documented by invoices to the satisfaction of Planning and Urban Renewal staff. Labour provided by the applicant or tenant of the property will not be an eligible cost.

The grant is paid, subject to compliance with these terms and conditions of the Program, upon completion of the conditionally approved work.

Appendix "D" to Report PED18162

Authority: Item 5, Economic Development
and Planning Committee
Report 07-021(PED07217)
CM: December 12, 2007

Bill No. 346

CITY OF HAMILTON

BY-LAW NO. 07-346

**BEING A BY-LAW TO AUTHORIZE THE MAKING OF LOANS AND GRANTS
TO THE OWNERS OF PROPERTIES DESIGNATED UNDER THE
ONTARIO HERITAGE ACT**

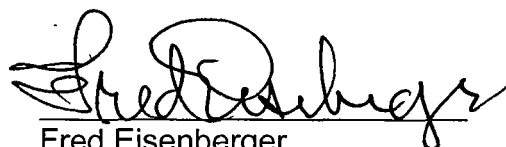
WHEREAS Sub-Section 39 (1) of the Ontario Heritage Act authorizes the City of Hamilton to pass by-laws providing for the making of a grant or loan to the owner of a property designated under the Ontario Heritage Act for the purpose of paying for the whole or any part of the cost of alteration of such designated property on such terms and conditions as the Council may prescribe;

AND WHEREAS the Council of the City of Hamilton deems it advisable and in the public interest to provide financial assistance to owners of properties designated under the Ontario Heritage Act as set-out in program terms and conditions approved by Council from time to time.

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. That the City of Hamilton may make loans and grants to the owners of properties designated under the Ontario Heritage Act for the purpose of paying for the whole or any part of the cost of alternation of such designated property on such terms and conditions as may be approved by Council.

PASSED and ENACTED this 12th day of December, 2007



Fred Eisenberger
Mayor



Kevin C. Christenson
City Clerk



CITY OF HAMILTON
PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT
Economic Development Division

TO:	Mayor and Members General Issues Committee
COMMITTEE DATE:	July 9, 2018
SUBJECT/REPORT NO:	Temporary Delegated Authority-Financial Incentive Programs Administered by Urban Renewal Section and Real Estate Transactions (PED18135) (City Wide)
WARD(S) AFFECTED:	City Wide
PREPARED BY:	Carlo Gorni (905) 546-2424 Ext. 2755
SUBMITTED BY:	Glen Norton Director, Economic Development Planning and Economic Development Department
SIGNATURE:	

RECOMMENDATION

- (a) That notwithstanding the delegation powers provided as found in the following bylaws:
- (i) By-law 10-052 enacts a By-law to delegate authority to the General Manager, Planning and Economic Development Department, for certain grants and loans under the Downtown and Community Renewal Community Improvement Plan and the following amendments to it;
 - (ii) By-law 11-274 amends By-law 10-052 authorizing the General Manager of the Planning and Economic Development Department to also approve grants under the Gore Building Improvement Grant Program and the Commercial Façade Property Improvement Grant Program;
 - (iii) By-law 14-085 amends By-law 10-052 authorizing the General Manager of the Planning and Economic Development Department to approve grants under the Hamilton Heritage Conservation Grant Program;
 - (iv) By-law-16-127 amends By-law 10-052 authorizing the General Manager of the Planning and Economic Development Department to approve grants under the Barton/Kenilworth Commercial Corridor Building Improvement Grant Program;

OUR Vision: To be the best place to raise a child and age successfully.

OUR Mission: To provide high quality cost conscious public services that contribute to a healthy, safe and prosperous community, in a sustainable manner.

OUR Culture: Collective Ownership, Steadfast Integrity, Courageous Change, Sensational Service, Engaged Empowered Employees.

SUBJECT: Temporary Delegated Authority-Financial Incentive Programs Administered by the Urban Renewal Section and Real Estate Transactions (PED18135) (City Wide) - Page 2 of 11

- (v) By-law 17-142 amends By-law 10-052 authorizing the General Manager of the Planning and Economic Development Department to approve rebates under the Barton/Kenilworth Planning and Building Fee Rebate Program.

That the General Managers of Corporate Services Department, and Planning and Economic Development Department, be authorized to approve loans/grants under the following Financial Incentive Programs administered by the Urban Renewal Section on a temporary basis from October 1, 2018 until the inaugural meeting of the newly elected Council:

- (i) Hamilton Downtown Barton and Kenilworth Multi-Residential Property Investment Program;
 - (ii) Hamilton Tax Increment Grant Program;
 - (iii) Office Tenancy Assistance Program;
 - (iv) Commercial Corridor Housing Loan and Grant Program;
 - (v) Hamilton Community Heritage Fund Loan Program;
 - (vi) ERASE Redevelopment Grant Program;
 - (vii) LEED Grant Program;
 - (viii) Downtown Hamilton/West Harbourfront Remediation Loan Program;
 - (ix) Barton Kenilworth Tax Increment Grant Program.
- (b) That the City Manager in cooperation with the General Manager of the Planning and Development Department and the General Manager of Finance and Corporate Services Department be authorized to approve real estate transactions that have values in excess of existing delegations (\$250 K) on a temporary basis from October 1, 2018, until the inaugural meeting of the newly elected Council, subject to any transaction being in conformity with the City's Portfolio Management Strategy and confirmation of an approved budget by the General Manager of Finance and Corporate Services Department for any acquisition;
- (c) That the City Manager and the City Clerk be appointed as the authorized signing officers for the City of Hamilton for approved real estate transactions that have values in excess of existing delegations (\$250 K) on a temporary basis from October 1, 2018 until the inaugural Meeting of the newly elected Council;
- (d) That staff of the Planning and Economic Development Department, Economic Development Division, be directed to report back to the newly elected Council in February 2019 on details of the financial incentives that were approved by the General Managers of the Finance and Corporate Services Department, Planning and Economic Development Department and real estate transactions approved by the City Manager.

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SUBJECT: Temporary Delegated Authority-Financial Incentive Programs Administered by the Urban Renewal Section and Real Estate Transactions (PED18135) (City Wide) - Page 3 of 11

EXECUTIVE SUMMARY

Urban Renewal Incentives

In order to ensure that investment in property redevelopment in the City of Hamilton is not interrupted subsequent to the final meeting of the General Issues Committee and the inaugural meeting of the newly elected Council, staff are recommending that the General Managers of the Corporate Services Department and Planning and Economic Development Department be temporarily delegated the authority to approve loans and grants under the Hamilton Downtown Barton and Kenilworth Multi-Residential Property Investment Program, the Hamilton Tax Increment Grant Program, the Office Tenancy Assistance Program, the Commercial Corridor Housing Loan and Grant Program, the Hamilton Community Heritage Fund Loan Program, the ERASE Redevelopment Grant Program, the LEED Grant Program, the Downtown Hamilton/West Harbourfront Remediation Loan Program and the Barton Kenilworth Tax Increment Grant Program.

This temporary delegated authority was approved by the General Issues Committee Report PED14131 on July 7, 2014 for the previous Municipal election and approved by Council on July 11, 2014.

Real Estate Transactions

In order that the City can continue to complete real estate transactions, such as the acquisition of properties for road and other infrastructure projects, or disposition of surplus City-owned property, for example, subsequent to the final meeting of City Council up to the inaugural meeting of the newly elected Council, staff are recommending that the City Manager be temporarily delegated the authority to approve real estate transactions that have values in excess of existing delegations (\$250 K).

In accordance to Item 21, Committee of the Whole Report 01-029 adopted by Council on September 18, 2001, as amended by Item 9, Corporate Administration Committee Report 05-011 adopted by Council on June 29, 2005, City Council approved the Delegation of Authority to staff for routine real estate matters.

Alternatives for Consideration – See Page 10

FINANCIAL – STAFFING – LEGAL IMPLICATIONS

Financial: **Urban Renewal Incentive Programs**
Not applicable since all approved spending limits remain in place.

Real Estate Transactions

Acquisition of real property interests by the City are funded by approved capital budgets, reserves and/or debt. Each project requiring property acquisition requires an established capital budget and account. Proceeds

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from the disposition of property and revenue from licenses and leases are distributed in accordance with the City's recently adopted Guideline on the Distribution of Proceeds from the Sale of Land.

Staffing: Administration of the Financial Incentive Programs can be accommodated within the Urban Renewal Section, Planning and Economic Development Department as well as the Taxation and the Finance and Administration Divisions of the Corporate Services Department.

All real estate transactions are currently undertaken by staff of the Real Estate Section of the Economic Development Division.

Legal: Legal Services Division, Corporate Services Department will continue to provide counsel to staff, when required, on applications received under the Financial Incentive Programs. Relevant loan/grant documentation will also continue to be developed in consultation with staff from the Legal Services Division.

Legal Services Division provides support to the preparation and acceptance of all legal real estate documents, and completes all real estate transactions.

A By-law authorizing the delegation is not required. The confirming by-law of the City Council wherein Council authorizes the temporary delegation is sufficient.

HISTORICAL BACKGROUND

The Urban Renewal Section, Economic Development Division administers 17 Financial Incentive Programs, namely:

1. Hamilton Downtown Barton Kenilworth Multi-Residential Property Investment Program;
2. Hamilton Tax Increment Grant Program;
3. Office Tenancy Assistance Program;
4. Business Improvement Area Commercial Property Improvement Grant Program;
5. Hamilton Heritage Property Grant Program;
6. Commercial Corridor Housing Loan and Grant Program;
7. Gore Building Improvement Grant Program;
8. Commercial Façade Property Improvement Grant Program
9. Hamilton Community Heritage Fund Loan Program;
10. Hamilton Heritage Conservation Grant Program;
11. ERASE Redevelopment Grant Program;

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12. ERASE Study Grant Program;
13. LEED Grant Program;
14. Downtown Hamilton/West Harbourfront Remediation Loan Program;
15. Barton/Kenilworth Commercial Corridor Building Improvement Grant Program;
16. Barton/Kenilworth Tax Increment Grant Program; and,
17. Barton/Kenilworth Planning and Building Fee Rebate Program.

City Council, at its meeting held January 27, 2010, authorized the General Manager of the Planning and Economic Development Department to approve loans and grants to a maximum of \$200 K under the Business Improvement Area Commercial Property Improvement Grant Program, the Commercial Corridor Housing Loan and Grant Program, and the Hamilton Heritage Property Grant Program, directing staff to report back on a quarterly basis on details of the loans/grants that the General Manager approves. By-law 10-052, enacted by City Council at its meeting held March 10, 2010, delegates the aforementioned authority.

City Council, at its meeting held November 16, 2011, enacted By-law 11-274 that amends By-law 10-052 authorizing the General Manager of the Planning and Economic Development Department to also approve grants under the Gore Building Improvement Grant Program and the Commercial Façade Property Improvement Grant Program.

City Council, at its meeting held April 9, 2014, enacted By-law 14-085 that amends By-law 10-052 authorizing the General Manager of the Planning and Economic Development Department to approve grants under the Hamilton Heritage Conservation Grant Program.

City Council, at its meeting held May 11, 2016, enacted By-law 16-127 that amends By-law 10-052 authorizing the General Manager of the Planning and Economic Development Department to approve grants under the Barton/Kenilworth Commercial Corridor Building Improvement Grant Program.

City Council, at its meeting held July 17, 2017, enacted By-law 17-142 that amends By-law 10-052 authorizing the General Manager of the Planning and Economic Development Department to approve rebates under the Barton/Kenilworth Planning and Building Fee Rebate Program.

Approval of loans, grants and rebates under the Financial Incentive Programs contained in By-law 10-052 as amended will not be interrupted during the pending Municipal election period with the exception of loan commitments in excess of \$200 K under the Commercial Corridor Housing Loan and Grant Program.

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Hamilton Downtown Barton and Kenilworth Multi-Residential Property Investment Program

Development projects in Downtown Hamilton that convert existing commercial space into residential units, renovate existing residential units, or create new residential units, may be eligible for this Program. It provides an interest free loan calculated on the basis of 25% of the cost to construct budget (to a maximum of \$4 M) including uses accessory to the residential development. The maximum loan amount outstanding under the Program to a single developer or related group will not exceed \$10 M at one time.

City funds are advanced in three stages, upon completion of 60%, 80% and substantial completion of the project. The loan is interest-free for the first five years of a maximum term of five years and six months from the date of the final advance. Repayments commence one year following the final advance. However, if the project contains condominium units, the loan is repaid at 25% of the sale price of each unit at time of sale until the City's loan has been paid in full.

Hamilton Tax Increment Grant Program

The Program provides a tax increment equivalent grant to projects that develop or renovate residential and/or commercial land and buildings. Based on pre-development and post-development assessments, the five-year grant is equivalent to 100% of the Municipal realty tax increase during the first year, 80% in year two, 60% in year three, 40% in year four, and 20% in year five. Grants are not assignable by the property owner to anyone except purchasers of new condominium units. The grant may also be applied to the repayment of a City loan issued under the Hamilton Downtown/West Harbourfront Remediation Loan Program.

Office Tenancy Assistance Program

The Program provides a low interest loan to building owners or tenants to support eligible leasehold improvements to office buildings. The amount of the loan depends on the square foot area and term of lease or owner-occupied status of the office space, to a maximum of \$450 K per application. City funds begin to flow upon 50% completion of the work. The maximum loan term is the term of the lease and/or shall not exceed five years from the date of the final advance. Loan repayments commence one month following the final advance.

Commercial Corridor Housing Loan and Grant Program

The Program offers financial assistance for the construction of new residential units, renovation of residential units, or conversion of existing commercial space into residential units. The loan is calculated on the basis of \$20 K per dwelling unit, to a maximum of \$600 K per property. The grant provides up to \$5 K per property for professional fees and City of Hamilton fees paid. A minimum of 50% of the loan per unit must be spent on the dwelling unit while the remaining 50% can cover the cost of

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common elements of the property such as roofing, fire escapes, furnaces and entranceways.

Hamilton Community Heritage Fund Loan Program

The Program offers a 0% interest loan to a maximum of \$50 K for the restoration and conservation of heritage features of properties designated under Parts IV or V of the *Ontario Heritage Act*. Repayment of the loan is repayable monthly up to a maximum of ten years or, repayable in annual amounts of 10% of the original loan amount. Payments will commence one year following completion of construction. The balance outstanding will be paid by a balloon payment at the end of the five-year term.

ERASE Redevelopment Grant Program

The Program provides a financial incentive in the form of a grant to help off-set the cost of environmental remediation and rehabilitation of Brownfield properties where redevelopment results in a re-valuation and tax increase on these properties. The grant is calculated at 80% of the increase in the Municipal portion of property taxes and is paid on an annual basis for up to ten years, commencing once the redevelopment is complete and reassessed by the Municipal Property Assessment Corporation. The grant may also be applied to the repayment of a City loan issued under the Hamilton Downtown/West Harbourfront Remediation Loan Program.

LEED Redevelopment Grant Program

The purpose of the Program is for the City to share (50/50) the incremental construction cost (to a maximum) of consultation, energy modelling and certification fees with the Applicant to achieve LEED certification. Grants are calculated on the basis of the rating of official certification under the LEED rating system by the Canadian Green Building Council. The Program offers a five-year grant, in an amount not exceeding the increase in Municipal realty taxes as a direct result of the re-development of land and/or building. The grant shall not exceed 75% of the Municipal realty tax increase during the term of the grant.

Downtown Hamilton/West Harbourfront Remediation Loan Program

The Program provides financial assistance through a low interest loan equal to 80% of the cost of remediating a property to a maximum of \$400 K per property/project within Downtown Hamilton or the West Harbourfront. The loan is to be a “bridge” until such time as the property owner receives their ERASE Re-Development Grant or their Hamilton Tax Increment Grant.

Barton/Kenilworth Tax Increment Grant Program

The Program provides a tax increment equivalent grant to projects that develop or renovate residential and/or commercial land and buildings. Based on pre-development and post-development assessments, the nine-year grant is equivalent to 100% of the

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Municipal realty tax increase during the first, second, third, fourth and fifth year, 80% in year six, 60% in year seven, 40% in year eight, and 20% in year nine.

The grants may be received by an Applicant in conjunction with any other available Municipal Program (with the exception of the Hamilton Tax Increment Grant Program, the ERASE Redevelopment Grant and the LEED Grant) in support of re-development/development, including the Municipality's Loan and Heritage Programs. The approved grants are not assignable by the Applicant to anyone except to the initial purchaser of a residential condominium in a residential project, the initial purchaser of a residential or commercial condominium unit within a mixed-use project, or to the City of Hamilton.

POLICY IMPLICATIONS AND LEGISLATED REQUIREMENTS

The Hamilton Downtown Barton and Kenilworth Multi-Residential Property Investment Program, the Hamilton Tax Increment Grant Program, the Office Tenancy Assistance Program, the Commercial Corridor Housing Loan and Grant Program and the Barton/Kenilworth Tax Increment Grant Program are contained within the City's Downtown and Community Renewal Community Improvement Plan.

The ERASE Redevelopment Grant Program, the ERASE Study Grant Program, the LEED Grant Program and the Downtown Hamilton/West Harbourfront Remediation Loan Program are contained within the ERASE Community Improvement Plan.

The Hamilton Community Heritage Fund Loan Program supports the restoration/conservation of heritage properties which is important to the urban revitalization and regeneration of Hamilton. Volume 1, Section 3.4 - Cultural Heritage Resources Policies of the Urban Hamilton Official Plan states that the City shall "protect and conserve the tangible cultural heritage resources of the City, including archaeological resources, built heritage resources, and cultural heritage landscapes" (Volume 1, 3.4.2.1(a)), and "identify cultural heritage resources through a continuing process of inventory, survey, and evaluation, as a basis for the wise management of these resources" (Volume 1, 3.4.2.1(b)). The policies also provide that the "City may, by by-law, designate individual and groups of properties of cultural heritage value under Parts IV and V, respectively, of the *Ontario Heritage Act*" (Volume 1, 3.4.2.3). These policies demonstrate Council's commitment to the identification, protection, and conservation of the cultural heritage resources.

City Council, at its meeting of November 24, 2004, adopted the City's Portfolio Management Strategy Plan, which established a formalized process to be consistently applied across all areas of the City to guide the management of the City's real property owned, leased, to be sold and acquired.

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RELEVANT CONSULTATION

The following were consulted on the drafting of this Report and the advice received is incorporated in Report PED18135:

1. The General Manager of Finance and Corporate Services Department;
2. Staff from Legal Services Division, Corporate Services Department;
3. Real Estate Section, Planning and Economic Development Department; and,
4. Office of the City Clerk, Corporate Services Department.

ANALYSIS AND RATIONALE FOR RECOMMENDATION

In order that there are no interruptions in the delivery of loan and grant approvals under the Financial Incentive Programs during the Municipal election campaign, temporary delegated authority to the General Managers of Finance and Corporate Services and Planning and Economic Development is required. Delaying loan or grant approvals for redevelopment projects within the City could cause significant uncertainty in a project's feasibility and overall costs.

Staff will continue to undertake due diligence on each application received including: a financial risk analysis; confirmation of compliance with zoning; determination of outstanding Work Orders, Fire Code Orders and Property Standards Infractions, status of taxes. Upon confirmation that all terms and conditions have been met, staff will recommend approval of the loan/grant to the General Managers.

For real estate transactions, current delegated authority limits staff to a maximum of \$250 K. In addition to the Portfolio Management Strategy requirements for transactions to be based on an approved program and/or suitable due diligence and an approved business case, the following conditions are adhered to:

- For acquisitions (including leasehold interest), demonstration of sufficient funds from identified sources;
- For dispositions (including leasehold interest), surplus declaration protocol completed;
- Fair market consideration or better for the City; and,
- Terms and conditions satisfactory to Director, Legal Services Division.

In order to ensure that there are no interruptions in the acquisition of land for approved programs and disposition of surplus properties at values that exceed the current delegated authority limits during the Municipal election campaign, temporary lifting of limits on the delegated authority to the City Manager is required. While staff will attempt to limit the number of transactions, this exception will apply to instances when an

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expedited approval for a transaction is required. Examples of this necessity would include:

1. A land owner approaches the City to offer a desirable parcel of land (such as would be suitable for industrial park land development in accordance with the Economic Development Action Plan);
2. Offers have been received for a surplus property that has been offered into the marketplace;
3. A strategic parcel of land, based on approved program or initiative, is advertised for sale;
4. A settlement of a dispute respecting value of a transaction for which a project or development is dependent; and,
5. An opportunity for a strategic partnership or development opportunity arises, where City real estate interests can affect a favourable outcome, consistent with approved direction.

Each of these examples is predicated on a limited time opportunity – otherwise staff would delay until Council could consider the matter – and a value that exceeds current delegated authority limits. In most instances, failure to undertake a transaction would lead to a significantly higher cost or lower revenue to the City, or a missed opportunity for creative City building or achievement (or diminution thereof) of longer-term objectives.

Staff will report back on all loans and grants approved by the General Managers of Finance and Corporate Services Department and Planning and Economic Development Department to the General Issues Committee and any real estate transactions approved by the City Manager, in February 2019.

ALTERNATIVES FOR CONSIDERATION

An alternative is not to delegate temporary authority to the General Managers of Finance and Corporate Services Department and Planning and Economic Development Department which could cause the delay or cancellation of a redevelopment project. In order to provide a seamless service, this alternative is not recommended.

An alternative is not to delegate temporary authority which could cause the delay or cancellation of a redevelopment project, or cause significant increase in the cost of an initiative due to delay or having to take an alternative course of action respecting real estate development opportunities. In order to provide a seamless service, this alternative is not recommended.

Financial: N/A

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Staffing: N/A

Legal: N/A

ALIGNMENT TO THE 2016 – 2025 STRATEGIC PLAN

Community Engagement and Participation

Hamilton has an open, transparent and accessible approach to City government that engages with and empowers all citizens to be involved in their community.

Economic Prosperity and Growth

Hamilton has a prosperous and diverse local economy where people have opportunities to grow and develop.

Our People and Performance

Hamiltonians have a high level of trust and confidence in their City government.

APPENDICES AND SCHEDULES ATTACHED

N/A

CG:dt

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9.1

CITY OF HAMILTON

MOTION

General Issues Committee Date: July 9, 2018

MOVED BY COUNCILLOR C. COLLINS.....

SECONDED BY MAYOR / COUNCILLOR

Waiver of City Facility and Park Rental Fees for 2019 Winterfest Events

WHEREAS, Winterfest is a community-driven event that is funded by the City of Hamilton;

WHEREAS, community Winterfest event organizers are mostly volunteers with access to minimal budgets; and,

WHEREAS, the City of Hamilton would like to encourage broad community participation in the 2019 Winterfest events;

THEREFORE, BE IT RESOLVED:

That all City facility and park rental fees for community organizers, for the 2019 Winterfest events, be waived.