



## City of Hamilton

# AUDIT, FINANCE AND ADMINISTRATION COMMITTEE ADDENDUM

**Meeting #:** 21-006  
**Date:** April 22, 2021  
**Time:** 9:30 a.m.  
**Location:** Due to the COVID-19 and the Closure of City Hall (CC)

All electronic meetings can be viewed at:

City's Website:

<https://www.hamilton.ca/council-committee/council-committee-meetings/meetings-and-agendas>

City's YouTube Channel:

<https://www.youtube.com/user/InsideCityofHamilton> or Cable 14

Angela McRae, Legislative Coordinator (905) 546-2424 ext. 5987

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## 8. STAFF PRESENTATIONS

8.1. Tax and Rate Operating Budget Variance Report as at December 31, 2020 and Budget Control Policy (FCS20069(b)) (City Wide)

\*8.1.a. Staff Presentation

## 9. PUBLIC HEARINGS / DELEGATIONS

9.1. Public Meeting Respecting the 2019 Development Charge By-law Amendment and the 2021 Development Charges Background Study

\*9.1.a. Presentation

\*9.1.b. Registered Delegations:

(i) Karl Andrus, HCBN

\*9.1.c. Written Submissions:

(i) Lakewood Beach Community Council

(ii) Robert D. Aburto, Gowling WLG

## 10. DISCUSSION ITEMS

- \*10.2. Citizen Committee Report - Lesbian, Gay, Bisexual, Transgender and Queer (LGBTQ) Advisory Committee - Community Survey



# TAX AND RATE OPERATING BUDGET VARIANCE REPORT AS AT DECEMBER 31, 2020

**FCS20069(b)**

1. Summary of Tax and Rate Operating Budget Variance Forecasts  
(Unaudited)
2. Tax Supported Operating Budget Variance Forecast
3. Rate Supported Operating Budget Variance Forecast
4. Recommendations
  1. Surplus Disposition
  2. Other Budget Control Policy

<b>CONSOLIDATED CORPORATE SURPLUS/ (DEFICIT)</b>	<b>\$</b>
<b>Tax Supported Programs</b>	
Police	\$ 2,690,482
Library	\$ 3,333,841
Capital Financing	\$ 5,516,512
Other Tax Supported Programs	\$ 43,784,872
<b>Total Tax Supported Surplus</b>	<b>\$ 55,325,707</b>
<b>Rate Supported Programs</b>	<b>\$ (4,592,662)</b>
<b>Consolidated Corporate Surplus/ (Deficit)</b>	<b>\$ 50,733,045</b>

# 2020 YEAR-END VARIANCES (\$'000's) (Page 6 of 60)

	2020 Approved Budget	2020 Year-End Actuals	Pre-COVID Funding		Post-COVID Funding	
			Variance		Variance	
			\$	%	\$	%
<b>TAX SUPPORTED</b>						
Planning & Economic Development	29,143	30,699	(1,556)	(5.3)%	3,207	11.0%
Healthy and Safe Communities	246,916	262,136	(15,220)	(6.2)%	14,433	5.8%
Public Works	256,381	250,673	5,708	2.2%	21,187	8.3%
Legislative	5,095	4,662	433	8.5%	482	9.5%
City Manager	12,285	11,662	623	5.1%	872	7.1%
Corporate Services	34,663	32,986	1,677	4.8%	2,113	6.1%
Corporate Financials / Non Program Revenues	(26,242)	(21,465)	(4,777)	(18.2)%	2,355	9.0%
Hamilton Entertainment Facilities	4,097	5,790	(1,693)	(41.3)%	(903)	(22.0)%
<b>TOTAL CITY EXPENDITURES</b>	<b>562,338</b>	<b>577,143</b>	<b>(14,805)</b>	<b>(2.6)%</b>	<b>43,746</b>	<b>7.8%</b>
<b>TOTAL BOARDS &amp; AGENCIES</b>	<b>224,398</b>	<b>219,042</b>	<b>5,356</b>	<b>2.4%</b>	<b>6,062</b>	<b>2.7%</b>
<b>CAPITAL FINANCING</b>	<b>137,423</b>	<b>131,906</b>	<b>5,517</b>	<b>4.0%</b>	<b>5,517</b>	<b>4.0%</b>
<b>TOTAL TAX SUPPORTED</b>	<b>924,159</b>	<b>928,091</b>	<b>(3,932)</b>	<b>(0.4)%</b>	<b>55,325</b>	<b>6.0%</b>
<b>TOTAL RATE SUPPORTED</b>		<b>4,593</b>	<b>(4,593)</b>	<b>(2.0)%</b>	<b>(4,593)</b>	<b>(2.0)%</b>

( ) Denotes unfavourable variance

# 2020 YEAR-END VARIANCE (\$000's) Page 7 of 60

## BY COST CATEGORY

<b>COST CATEGORY</b>	<b>2020 Approved Budget</b>	<b>2020 Year-End Actuals</b>	<b>Pre-COVID Funding</b>		<b>Post-COVID Funding</b>	
			<b>Variance</b>		<b>Variance</b>	
			<b>\$</b>	<b>%</b>	<b>\$</b>	<b>%</b>
EMPLOYEE RELATED COST	795,501	770,435	25,066	3.2%	25,066	3.2%
MATERIAL AND SUPPLY	61,010	52,413	8,597	14.1%	8,597	14.1%
VEHICLE EXPENSES	39,131	35,580	3,551	9.1%	3,551	9.1%
BUILDING AND GROUND	45,293	41,280	4,012	8.9%	4,012	8.9%
CONSULTING	2,370	1,623	746	31.5%	746	31.5%
CONTRACTUAL	122,930	108,796	14,134	11.5%	14,134	11.5%
AGENCIES and SUPPORT PAYMENTS	274,033	251,839	22,194	8.1%	22,194	8.1%
RESERVES / RECOVERIES	44,573	98,982	(54,409)	(122.1)%	(54,409)	(122.1)%
COST ALLOCATIONS	(5,998)	(6,197)	199	3.3%	199	3.3%
FINANCIAL	41,190	247,984	(206,794)	(502.1)%	(206,794)	(502.1)%
CAPITAL FINANCING	147,594	135,133	12,461	8.4%	12,461	8.4%
CAPITAL EXPENDITURES	5	1,250	(1,245)	(24899.2)%	(1,245)	(24899.2)%
<b>TOTAL EXPENDITURES</b>	<b>1,567,631</b>	<b>1,739,118</b>	<b>(171,487)</b>	<b>(10.9)%</b>	<b>(171,487)</b>	<b>(10.9)%</b>
FEEES AND GENERAL	(214,628)	(172,976)	(41,652)	(19.4)%	(41,652)	(19.4)%
TAX AND RATES	(30,199)	(240,012)	209,813	694.8%	209,813	694.8%
GRANTS AND SUBSIDIES	(343,688)	(341,129)	(2,559)	(0.7)%	56,698	16.5%
RESERVES	(22,715)	(26,550)	3,835	16.9%	3,835	16.9%
RECOVERIES FROM CAPITAL	(32,242)	(30,360)	(1,882)	(5.8)%	(1,882)	(5.8)%
<b>TOTAL REVENUE</b>	<b>(643,472)</b>	<b>(811,027)</b>	<b>167,555</b>	<b>26.0%</b>	<b>226,813</b>	<b>35.2%</b>
<b>TOTAL TAX SUPPORTED</b>	<b>924,159</b>	<b>928,091</b>	<b>(3,932)</b>	<b>(0.4)%</b>	<b>55,325</b>	<b>6.0%</b>

# Tax Supported Operating Budget Variance Forecast



Net Gapping by Department	Gapping Target (\$000's)	Projected Gapping (\$000's)	Variance (\$000's)
Planning & Economic Development	\$ 853	\$ 3,030	\$ 2,177
Healthy and Safe Communities	\$ 952	\$ 13,069	\$ 12,117
Public Works	\$ 2,202	\$ 8,100	\$ 5,898
Legislative	\$ 84	\$ (279)	\$ (363)
City Manager	\$ 225	\$ 358	\$ 133
Corporate Services	\$ 633	\$ 1,918	\$ 1,285
<b>Consolidated Corporate Savings</b>	<b>\$ 4,950</b>	<b>\$ 26,196</b>	<b>\$ 21,246</b>

# DEPARTMENT VARIANCES EXPLANATION SUMMARY

## MAIN DRIVERS

### Planning and Economic Development:

- **\$1.6M** deficit before COVID funding
- **\$3.2M** surplus after COVID funding
  - **Tourism and Culture** - **\$1.5M** surplus:
    - Closure of facilities and cancellation of special events
  - **Licensing and By-Law Services** - **\$0.7M** surplus:
    - Gapping and reductions in discretionary spending (supplies, training and conferences)
    - Lost revenues for animal tags, merchandise, shelter fees and other services offset by Safe Restart Agreement Funding
  - **Planning** - **\$0.5M** surplus:
    - Gapping and reductions in discretionary spending including supplies, training, conferences and consulting costs
  - **Remaining** surplus of **\$0.5M** is mainly due to gapping

# DEPARTMENT VARIANCES EXPLANATION SUMMARY

## MAIN DRIVERS

### Healthy and Safe Communities:

- **\$15.2M** deficit before COVID funding
- **\$14.4M** surplus after COVID funding
  - **Recreation - \$4.4M** surplus:
    - Closure of facilities and cancellation of programming
  - **Children's Services and Neighbourhood Development - \$3.3M** surplus:
    - Mainly the result of additional transition funding received from the Province
  - **Public Health Services - \$2.0M** surplus:
    - Additional Annual Service Plan (ASP) funding over budget
    - Gapping in Dental and Residential Care Facility
  - **Ontario Works - \$1.6M** surplus:
    - Mainly the result of additional transition funding received from the Province
  - **Housing - \$1.5M** surplus:
    - Due to \$1.1 M in savings resulting from the Social Housing prior year reconciliations

## MAIN DRIVERS

### Public Works:

- **\$5.7M surplus before COVID funding**
- **\$21.2M surplus after COVID funding**
  - **Transportation Operations & Maintenance - \$7.8M surplus:**
    - Winter Season Roads Maintenance Program (\$4.7M)
    - Gapping including the suspension in scheduling of seasonal and students (\$3.4M)
  - **Transit - \$5.1M surplus:**
    - \$25M lost revenues and \$1.4M in enhanced cleaning offset by fuel savings, commission savings, delay in Year 5 Transit Strategy, gapping, Safe Restart Funding and DARTS contract savings
  - **Environmental Services - \$4.6M surplus:**
    - Gapping resulting from freeze on hiring of student and seasonal staff (\$1.6M)
    - Increases in vehicle fee revenues for TS/CRC Operations (\$1.3M)
    - Waste collection savings due to inflation factor (\$1.1M)
  - **Energy, Fleet, and Facilities - \$3.1M surplus:**
    - Savings due to closed City facilities (\$1.6M)
    - Avoided costs at the Tim Hortons Field (\$1.4M)

# DEPARTMENT VARIANCES EXPLANATION SUMMARY

## Corporate Services:

- *\$1.7M surplus before COVID funding*
- *\$2.1M surplus after COVID funding*
  - Favourable combined gapping across several divisions

## City Manager's Office:

- *\$0.6M surplus before COVID funding*
- *\$0.9M surplus after COVID funding*
  - Favourable combined gapping across several divisions

## Corporate Financials / Non Program Revenues:

- *\$4.8M deficit before COVID funding*
- *\$2.3M surplus after COVID funding*
  - Supplementary taxes exceeded budgeted by \$3.1M
  - Lost revenues for OLGC and HUC dividends were recovered through Safe Restart Agreement Funding

# Rate Supported Operating Budget Variance Forecast

# 2020 RATE OPERATING BUDGET YEAR-END VARIANCE (\$000's)

	2020 Approved Budget	2020 Year End Actuals	2020 Year-End Variance	
			\$	%
TOTAL EXPENDITURES	233,012	238,030	(5,019)	(2.2%)
TOTAL REVENUES	(233,012)	(233,438)	426	(0.2%)
NET	-	4,593	(4,593)	(2.0%)

( ) Denotes unfavourable variance

# 2020 RATE OPERATING VARIANCE (\$000's) - BY COST CATEGORY

<b>Expenditure Type</b>	<b>Variance (\$000's)</b>
Contractual	(3,397)
Materials & Supplies / Buildings & Grounds	(2,426)
Financial Charges	(745)
Agencies & Support Payments	685
Reserve & Capital Recoveries	(671)
Consulting	(509)
Capital Financing / Capital Expenditures	(170)
Employee Related	110
<b>Total Operating Expenditures</b>	<b>(7,123)</b>
Debt Charges	5,573
DC Debt Charges Recoveries	(3,287)
Reserve Transfers	(182)
<b>Capital Financing</b>	<b>2,104</b>
<b>Total Expenditures</b>	<b>(5,019)</b>



# RATE VARIANCE MAIN DRIVERS SUMMARY

- **Operations** - **\$7.1M** deficit:
  - Contractual Expenditures - due to the new Biosolids facility, Chedoke Creek study, emergency flood response and the increased expenditures to meet Storm Program compliance
  - Materials and Supplies - increased fluids and chemical spending used in the water and wastewater treatment at the Woodward Plant and the increased usage of water distribution parts and supplies, such as post hydrants
  - Financial Charges due to the increase in insurance premiums and additional property taxes of new water and wastewater
- **Capital Financing** - **\$2.1M** surplus
- **Revenue** - **\$0.4M** surplus
  - Losses in ICI revenues (\$6.5M) were offset by increases in Residential sector

# BOARDS & AGENCIES SURPLUS RECOMMENDATION

<b>DISPOSITION / RECONCILIATION OF YEAR-END SURPLUS/ (DEFICIT)</b>	<b>\$</b>	<b>\$</b>
<b>Corporate Surplus from Tax Supported Operations</b>		<b>\$ 55,325,707</b>
<b>Disposition to/from Self-Supporting Programs &amp; Agencies</b>		<b>\$ (6,063,995)</b>
Less: Police (Transfer to Police Reserve)	\$ (2,690,482)	
Less: Library (Transfer to Library Reserve)	\$ (3,333,841)	
Less: Farmers Market (Transfer to Hamilton Farmers Market Reserve)	\$ (39,672)	
<b>Balance of Corporate Surplus</b>		<b>\$ 49,261,712</b>

# CORPORATE SURPLUS RECOMMENDATION

DISPOSITION / RECONCILIATION OF YEAR-END SURPLUS/ (DEFICIT)	\$
Less: Transfer to Tax Stabilization Reserve	\$ (2,000,000)
Less: Transfer to Early Years System Reserve	\$ (3,000,000)
Add: Transfer from HEF Capital Project Reserve	\$ 903,318
Less: Transfer to fund 2021 "Rent Ready" Program	\$ (1,000,000)
Less: Transfer to fund Menstrual Products Affordability Pilot Program	\$ (121,000)
Less: Transfer to Climate Change Reserve	\$ (1,500,000)
Less: Transfer to 2022 Capital Budget - Recreation Facilities Discretionary Block (Unallocated Capital Levy Reserve)	\$ (700,000)
Less: Transfer to ATS Reserve for PRESTO Agreement	\$ (162,872)
Less: Transfer to fund Red Hill Creek Inquiry	\$ (5,000,000)
Less: Transfer to Sick Leave Liability - General Reserve	\$ (1,300,000)
Less: Transfer to fund shortfall in Development Charge Exemptions	\$ (15,100,000)
Less: Hamilton Status of Women Advisory Committee - Donation of Remaining 2020 Budget Allocation	\$ (3,996)
Less: Transfer to COVID-19 Emergency Reserve	\$ (20,277,162)
<b>Balance of Tax Supported Operations</b>	<b>\$ -</b>

DISPOSITION / RECONCILIATION OF YEAR-END SURPLUS/ (DEFICIT)	\$
<b>Corporate Deficit from Rate Supported Operations</b>	<b>\$ (4,592,662)</b>
Add: Transfer from the Rate Supported Water Reserve	\$ 10,211,949
Less: Transfer to the Rate Supported Wastewater Reserve	\$ (5,619,287)
Less: Transfer to the Rate Supported Stormwater Reserve	
<b>Balance of Rate Supported Operations</b>	<b>\$ -</b>

# COVID FUNDING AND OUTLOOK

	2021			2022					
	Available Funding	Forecasted Pressures	Surplus (Deficit)	Available Funding	Forecasted Pressures	Surplus (Deficit)	COVID-19 Recovery Funding for Municipalities Program	COVID-19 Emergency Reserve	Surplus (Deficit)
Transit		16,040,552	(16,040,552)		13,000,000	(13,000,000)		7,184,722	(5,815,278)
Safe Restart Agreement - Transit	43,390,806		43,390,806	5,815,278		5,815,278			5,815,278
<b>Transit Subtotal</b>	<b>43,390,806</b>	<b>16,040,552</b>	<b>27,350,254</b>	<b>5,815,278</b>	<b>13,000,000</b>	<b>(7,184,722)</b>	<b>-</b>	<b>7,184,722</b>	<b>0</b>
Housing Services		5,707,180	(5,707,180)		13,400,000	(13,400,000)	12,312,505		(1,087,495)
Social Services Relief Fund	23,875,911	23,875,911	-			-			-
CMHC Rapid Housing Initiative	10,760,585	10,760,585	-			-			-
Reaching Home Initiative	6,146,967		6,146,967	1,087,495		1,087,495			1,087,495
Mental Health and Addictions Support (inc. FCM)	647,708		647,708			-			-
<b>Housing Services Subtotal</b>	<b>41,431,171</b>	<b>40,343,676</b>	<b>1,087,495</b>	<b>1,087,495</b>	<b>13,400,000</b>	<b>(12,312,505)</b>	<b>12,312,505</b>	<b>-</b>	<b>-</b>
Children's Services		7,506,502	(7,506,502)		4,500,000	(4,500,000)		4,500,000	-
Children's Services - Federal Safe Restart Funding	7,506,502		7,506,502			-			-
<b>Children's Services Subtotal</b>	<b>7,506,502</b>	<b>7,506,502</b>	<b>-</b>	<b>-</b>	<b>4,500,000</b>	<b>(4,500,000)</b>	<b>-</b>	<b>4,500,000</b>	<b>-</b>
Long-Term Care		408,230	(408,230)		3,500,000	(3,500,000)		3,500,000	-
Prevention and Containment Funding	270,319		270,319			-			-
Infection Prevention and Control	317,491		317,491			-			-
<b>Subtotal Long-Term Care</b>	<b>587,810</b>	<b>408,230</b>	<b>179,580</b>	<b>-</b>	<b>3,500,000</b>	<b>(3,500,000)</b>	<b>-</b>	<b>3,500,000</b>	<b>-</b>
Hamilton Paramedic Service	498,277	1,792,020	(1,293,743)		1,800,000	(1,800,000)		1,800,000	-
Public Health - COVID Response	12,066,390	12,066,390	-	15,000,000	15,000,000	-			-
Public Health - COVID Vaccine	34,461,200	34,461,200	-			-			-
Other Social Services	1,518,919	3,277,390	(1,758,471)			-			-
Safe Restart Agreement - Municipal	3,052,214		3,052,214			-			-
<b>Subtotal Public Health &amp; Other Social Services</b>	<b>51,597,000</b>	<b>51,597,000</b>	<b>-</b>	<b>15,000,000</b>	<b>16,800,000</b>	<b>(1,800,000)</b>	<b>-</b>	<b>1,800,000</b>	<b>-</b>
Parking Revenues		4,839,260	(4,839,260)		3,000,000	(3,000,000)	3,000,000		-
Slot Revenues		1,000,000	(1,000,000)		2,600,000	(2,600,000)	2,600,000		-
POA Revenues		1,043,500	(1,043,500)		1,800,000	(1,800,000)	769,414	1,030,586	-
Recreation		7,293,470	(7,293,470)			-			-
ICIP - COVID-19 Resilience Infrastructure Stream	7,434,008	7,434,008	-			-			-
Safe Restart Agreement - Municipal	21,919,502		21,919,502			-			-
<b>Subtotal General Municipal</b>	<b>29,353,510</b>	<b>21,610,238</b>	<b>7,743,272</b>	<b>-</b>	<b>7,400,000</b>	<b>(7,400,000)</b>	<b>6,369,414</b>	<b>1,030,586</b>	<b>-</b>
<b>TOTAL</b>	<b>173,866,799</b>	<b>137,506,198</b>	<b>36,360,601</b>	<b>21,902,773</b>	<b>58,600,000</b>	<b>(36,697,227)</b>	<b>18,681,919</b>	<b>18,015,308</b>	<b>0</b>

Note: Assumes Public Health COVID response and vaccine program will be 100% funded by Province in 2021 and 2022

Available	18,681,919	20,277,162
Remaining		
Balance	-	2,261,854

## OTHER RECOMMENDATIONS

- 2020 budget transfer, transferring complement from one department / division to another, in addition to additions and removals of FTE (no levy impact), outlined in Appendix “C”, be approved;
- 2020 extensions of temporary positions with 24-month terms or greater (no levy impact), outlined in Appendix “D” to Report FCS20069(b), be approved.



THANK YOU







# City of Hamilton 2021 Development Charges Update Study

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Public Meeting  
April 22, 2021



# Agenda

- D.C.A. Public Meeting
  - Opening Remarks
  - Presentation of the Proposed Policies and Charges
  - Presentations by the Public
  - Questions from Council
  - Conclude Public Meeting

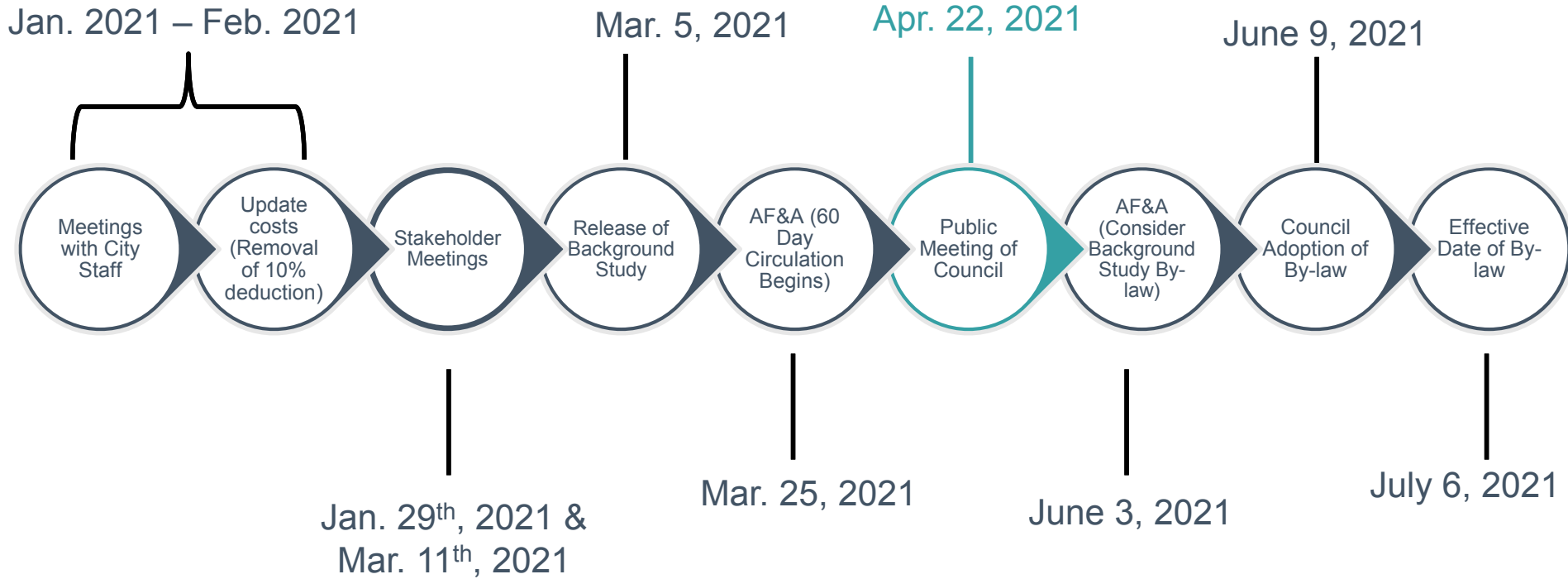


# Public Meeting Purpose

- The public meeting is to provide for an update to the existing D.C. By-law to:
  - Remove the Mandatory 10% deduction; and
  - Incorporate the policy changes as a result of Bills 108,197 and 213.
- The meeting is a mandatory requirement under the Development Charges Act (D.C.A.)
- Prior to Council's consideration of a by-law, a background study must be prepared and available to the public a minimum 60 days prior to the D.C. by-law passage



# Study Process & Timelines

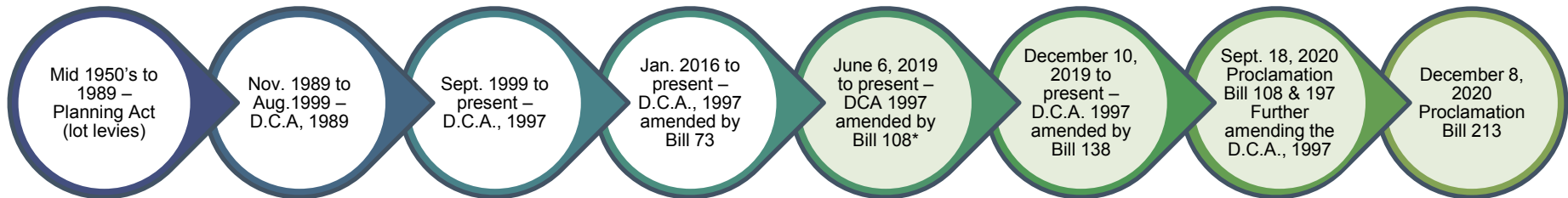




# Development Charges

## Purpose:

- To recover the capital costs associated with residential and non-residential growth within a municipality.
- The capital costs are in addition to what costs would normally be constructed as part of a subdivision (i.e. internal roads, sewers, watermains, roads, sidewalks, streetlights, etc.).
- Municipalities are empowered to impose these charges via the Development Charges Act (D.C.A.).





# Changes to the D.C. Legislation since 2019

There has been changes to the D.C.A. since the previous background study in 2019:

- Bill 108: More Homes, More Choice Act, 2019
- Bill 138: Plan to Build Ontario Together Act, 2019
- Bill 197: COVID-19 Economic Recovery Act, 2020
- Bill 213: Better for People, Smarter for Business Act, 2020



# Services Being Updated

The following services are being updated to remove the 10% mandatory deduction:

1. Parkland Development and Indoor Recreation Services (Now “Parks and Recreation Services”);
2. Library Services;
3. Paramedics (Now “Ambulance Services”);
4. Long-Term Care Services;
5. Health Services (Now “Public Health Services”);
6. Social & Child Services (Now “Childcare and Early Years Services”);
7. Social Housing (Now “Housing Services”);
8. Provincial Offences Act Services;
9. Airport;
10. Parking Services;
11. Waste Diversion Services; and
12. Administrative Studies (Now a Class of Service: “Growth Studies”).



# Classes of Services Being Created

As per Bill 197 Classes of Services may be established for components of a service or a combination of services. As such, the City is creating the following “Classes of Services”:

1. Public Works (Operations Facilities, Vehicles & Equipment); and
2. Growth Studies





# By-Law Amendments

- By-Law 19-142 is being amended to allow the City to continue to collect for the below services until September 18, 2022 (due to Bill 197 the following services become ineligible):
  - Parking Services;
  - Airport; and
  - Growth Studies – related to ineligible services.
- D.C. policies in the By-Law are being updated, with respect to:
  - D.C. instalment payments;
  - D.C. rate freeze;
  - Interest policies;
  - Mandatory exemption for new ancillary units; plus an expanded exemption so semis and towns are treated the same as singles
  - Mandatory exemption for universities receiving operating funds from the Government; and
  - Additional & refined definitions, where required.



# Calculated Rates (2019\$)

Service/Class of Service	RESIDENTIAL					NON-RESIDENTIAL
	Single-Detached Dwelling & Semi-Detached Dwelling (per dwelling unit)	Townhouses & Other Multiple Unit Swellings (per dwelling unit)	Apartments & Stacked Townhouses & Mobile Homes 2-Bedrooms+ (per dwelling unit)	Apartments & Stacked Townhouses & Mobile Homes Bachelor & 1-Bedrooms+ (per dwelling unit)	Residential Facility Dwelling & Lodging House & Garden Suite (per bedroom)	(per sq.ft. of Gross Floor Area)
<b>Municipal Wide Services/Classes:</b>						
Services Related to a Highway	10,769	7,708	6,306	4,314	3,479	8.05
Police Services	524	375	307	210	169	0.26
Fire Protection Services	462	331	271	185	149	0.23
Transit Services	1,917	1,372	1,123	768	619	0.98
Public Works	805	576	471	322	260	0.41
Ambulance Services	148	106	87	59	48	0.02
Waste Diversion	730	522	427	292	236	0.13
Parks and Recreation Services	7,528	5,388	4,408	3,016	2,432	0.35
Library Services	1,145	819	671	459	370	1.00
Long Term Care	182	130	107	73	59	0.02
Public Health	3	2	2	1	1	-
Child Care and Early Years	15	11	9	6	5	-
Housing Services	752	538	440	301	243	-
Provincial Offences Act	40	29	23	16	13	0.02
Growth Studies	404	289	237	162	131	0.21
Municipal Parking	559	400	327	224	181	0.30
Airport Lands	471	337	276	189	152	0.24
<b>Total Municipal Wide Services/Classes</b>	<b>26,454</b>	<b>18,933</b>	<b>15,492</b>	<b>10,597</b>	<b>8,547</b>	<b>12.21</b>
<b>Urban Services</b>						
Wastewater Facilities	4,048	2,897	2,371	1,622	1,308	1.95
Wastewater Linear Services	5,415	3,876	3,171	2,169	1,749	2.61
Water Services	4,767	3,412	2,792	1,910	1,540	2.29
<b>Combined Sewer System</b>						
Stormwater Drainage and Control Services	3,948	2,826	2,312	1,582	1,275	-
<b>Separated Sewer System</b>						
Stormwater Drainage and Control Services	10,462	7,488	6,127	4,191	3,380	2.16
<b>Total Urban Services - Combined Sewer System</b>	<b>18,178</b>	<b>13,011</b>	<b>10,646</b>	<b>7,283</b>	<b>5,872</b>	<b>6.85</b>
<b>Total Urban Services - Separated Sewer System</b>	<b>24,692</b>	<b>17,673</b>	<b>14,461</b>	<b>9,892</b>	<b>7,977</b>	<b>9.01</b>
<b>GRAND TOTAL CITY WIDE</b>	<b>26,454</b>	<b>18,933</b>	<b>15,492</b>	<b>10,597</b>	<b>8,547</b>	<b>12.21</b>
<b>GRAND TOTAL URBAN AREA (COMBINED SEWER SYSTEM)</b>	<b>44,632</b>	<b>31,944</b>	<b>26,138</b>	<b>17,880</b>	<b>14,419</b>	<b>19.06</b>
<b>GRAND TOTAL URBAN AREA (SEPARATED SEWER SYSTEM)</b>	<b>51,146</b>	<b>36,606</b>	<b>29,953</b>	<b>20,489</b>	<b>16,524</b>	<b>21.22</b>



# Comparison of Rates – Residential Single Detached (2019\$)

Service	Current (By-law 19-142) (2019\$)	D.C. Update (2019 \$)
<b>Municipal Wide Services:</b>		
Services Related to a Highway	10,769	10,769
Police Services	524	524
Fire Protection Services	462	462
Transit Services	1,917	1,917
Ambulance Services	137	148
Public Works	784	805
Waste Diversion	657	730
Parks and Recreation Services	6,782	7,528
Library Services	1,045	1,145
Long Term Care	125	182
Public Health	1	3
Child Care and Early Years	15	15
Housing Services	648	752
Provincial Offences Act	40	40
Growth Studies	496	404
Municipal Parking	490	559
Airport Lands	419	471
<b>Total Municipal Wide Services</b>	<b>25,311</b>	<b>26,454</b>
<b>Water and Wastewater Urban Area Charges:</b>		
Wastewater Facilities	4,048	4,048
Wastewater Linear Services	5,415	5,415
Water Services	4,767	4,767
<b>Total Water and Wastewater Urban Area Services</b>	<b>14,230</b>	<b>14,230</b>
<b>Stormwater Charges:</b>		
Stormwater Drainage and Control Services (Combined Sewer System)	3,948	3,948
Stormwater Drainage and Control Services (Separated Sewer System)	10,462	10,462
<b>GRAND TOTAL CITY WIDE</b>	<b>25,311</b>	<b>26,454</b>
<b>GRAND TOTAL URBAN AREA COMBINED SEWER SYSTEM</b>	<b>43,489</b>	<b>44,632</b>
<b>GRAND TOTAL URBAN AREA SEPARATED SEWER SYSTEM</b>	<b>50,003</b>	<b>51,146</b>

Calculated rate in 2019\$



# Comparison of Rates – Non-Residential Per Sq. Ft. (2019\$)

Service	Current (By-law 19-142) (2019\$)	D.C. Update (2019 \$)
<b>City Wide Services:</b>		
Services Related to a Highway	8.05	8.05
Police Services	0.26	0.26
Fire Protection Services	0.23	0.23
Transit Services	0.98	0.98
Ambulance Services	0.03	0.02
Public Works	0.41	0.41
Waste Diversion	0.13	0.13
Parks and Recreation Services	0.31	0.35
Library Services	0.05	1.00
Long Term Care	0.01	0.02
Public Health	-	-
Child Care and Early Years	-	-
Housing Services	-	-
Provincial Offences Act	0.02	0.02
Growth Studies	0.25	0.21
Municipal Parking	0.25	0.30
Airport Lands	0.21	0.24
<b>Total City Wide Services</b>	<b>11.18</b>	<b>12.21</b>
<b>Water and Wastewater Urban Area Charges:</b>		
Wastewater Facilities	1.95	1.95
Wastewater Linear Services	2.61	2.61
Water Services	2.29	2.29
<b>Total Water and Wastewater Urban Area Services</b>	<b>6.85</b>	<b>6.85</b>
<b>Stormwater Charges:</b>		
Stormwater Drainage and Control Services (Combined Sewer System)	-	0%
Stormwater Drainage and Control Services (Separated Sewer System)	2.16	216%
<b>GRAND TOTAL CITY WIDE</b>	<b>11.18</b>	<b>12.21</b>
<b>GRAND TOTAL URBAN AREA COMBINED SEWER SYSTEM</b>	<b>18.03</b>	<b>19.06</b>
<b>GRAND TOTAL URBAN AREA SEPARATED SEWER SYSTEM</b>	<b>20.19</b>	<b>21.22</b>

Calculated rate in 2019\$

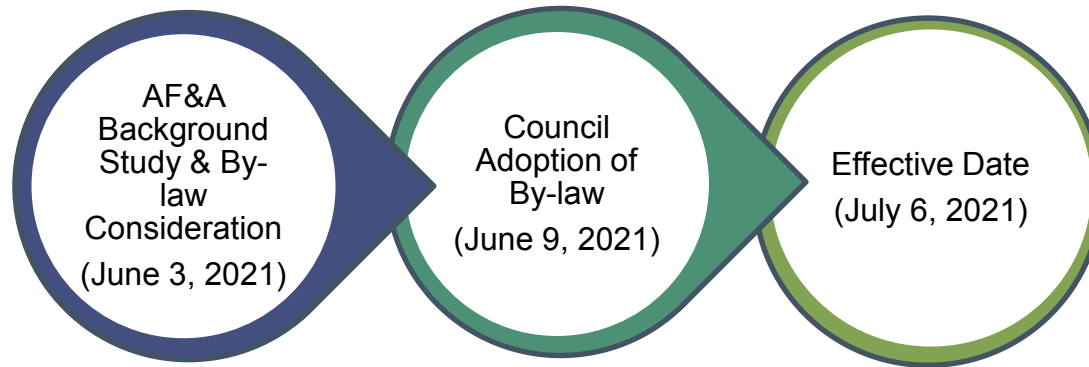


# Anticipated Implementation

- Effective date of July 6, 2021
  - To align with 2021 annual indexing
  - The 2019\$ amounts presented will be indexed to 2021\$
  - The increase in D.C.'s will not be realized through collections immediately due to the City's D.C. rate transition policy and the legislated requirement that freeze's D.C. rates at the date of a complete site plan application or application for zoning amendment

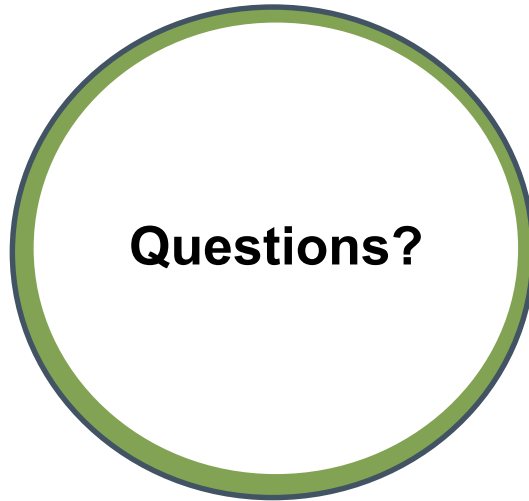


# Next Steps





# Questions









# HAMILTON COMMUNITY BENEFITS NETWORK

**building capacity through building communities**

## Change and Opportunity

9.1 [Public Meeting Respecting the 2019 Development Charge By-law Amendment and the 2021 Development Charges Background Study](#)

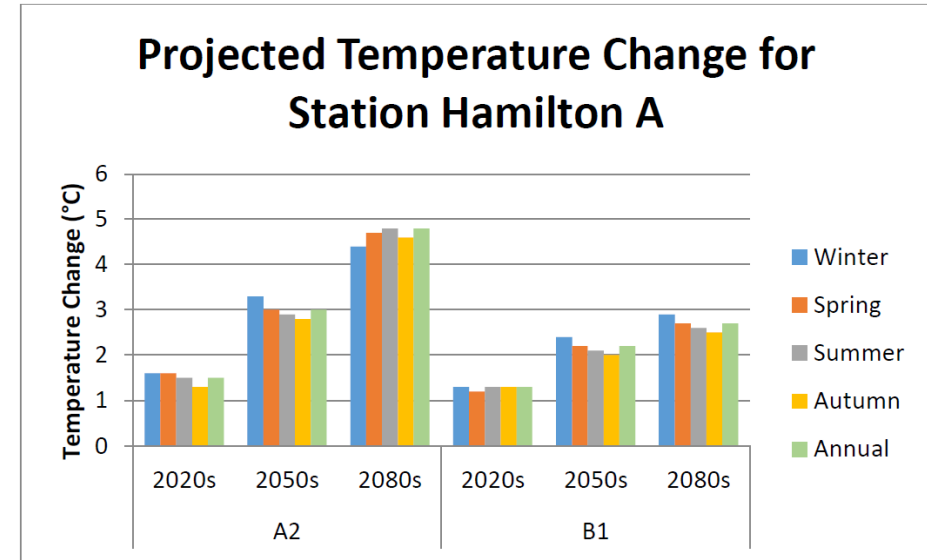
Thank  
you!!!  
...





Exhibit 8: Projected Temperature Change for Station *Hamilton A* (43.17N 79.93W)  
 AR4 (2007) - GCGCM3T47 (Mean) - SR-B1 & A2 (baseline: 1971-2000; projection start: 2011)

- Water Services – 11.15%
- Wastewater Services – 22.13%
- Stormwater Services – 17.06%
- Services Related to a Highway – 30.68%
- Policing Services – 1.26%
- Fire Protection Services – 1.11%
- Ambulance Services – 0.19%
- Transit Services – 3.54%
- Waste Diversion – 1.02%
- Parks and Recreation – 9.24%
- Library Services – 1.4%
- Long-Term Care – 0.23%
- Public Health – 0.00%
- Child Care and Early Years – 0.02%
- Housing Services – 0.87%
- P.O.A. 0.07%



### Hamilton Historical Climate Change Work and Milestones



### 2.3.2 Community Benefit Charges (C.B.C.)

While a Community Benefit Charge is not being considered within this report, a summary of the legislated changes is provided herein for information purposes.

#### C.B.C. Eligibility

- The C.B.C. is limited to lower-tier and single tier municipalities, whereas upper-tier municipalities will not be allowed to impose this charge.
- O.Reg. 509/20 was filed on September 18, 2020. This regulation provides for the following:
  - A maximum rate will be set as a percentage of the market value of the land the day before building permit issuance. The maximum rate is set at 4%. The C.B.C may only be imposed on developing or redeveloping buildings which have a minimum height of five stories and contain no less than 10 residential units.



**From:** [clerk@hamilton.ca](mailto:clerk@hamilton.ca)  
**To:** [McRae, Angela](#)  
**Cc:**  
**Subject:** FW: AF&A Meeting - April 22, 2021 - 2021 Development Charges Background Study  
**Date:** April 19, 2021 8:37:38 AM

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**From:** Lakewood Beach Community Council <LakewoodBeachCC@hotmail.com>  
**Sent:** April 17, 2021 8:38 AM  
**To:** Pearson, Maria <Maria.Pearson@hamilton.ca>  
**Cc:** clerk@hamilton.ca; Johnson, Brenda <Brenda.Johnson@hamilton.ca>; Collins, Chad <Chad.Collins@hamilton.ca>; Ferguson, Lloyd <Lloyd.Ferguson@hamilton.ca>; Clark, Brad <Brad.Clark@hamilton.ca>; VanderBeek, Arlene <Arlene.VanderBeek@hamilton.ca>; Wilson, Maureen <Maureen.Wilson@hamilton.ca>  
**Subject:** AF&A Meeting - April 22, 2021 - 2021 Development Charges Background Study

Good Morning Maria,

Great to see that the Winona Community Centre & Cherry Beach future work (trail) will now be 100% DC recoverable! We do however have a few questions/observations in regards to DC funding and projects:

1. Can you please advise why the \$32M Saltfleet Multi-Use Recreation Complex isn't showing up in our DC Background Studies? The capital project is in our latest budget with a start date of 2026. A similar project (Elfrida Rec Centre) however, with the same start date, is in the 2021 Study. Is the Stoney Creek one not eligible for any DC funding?
2. Can you please confirm that this change to 100% recovery for some capital projects only applies to future expenses? In other words, even if the project doesn't have shovels in the ground, such as Cherry Beach, the previous expenditures already funded via operating (property taxes) are not eligible for recapturing like is done when a completed project goes overbudget.

Although this Study doesn't include Road projects,

3. Can you please advise why transportation infrastructure for vehicles (like the \$26M Fifty Road Grade Separation) is in the 2019 Study; yet transportation infrastructure for pedestrians (like the \$600K sidewalks on the Fifty Road overpass) is not in the previous 2019 Study?
4. And with respect to the \$26M Fifty Road Grade Separation, can you please advise why this isn't 100% DC recoverable (in comparison to the Community Centre) and ~ \$6M is a 'benefit to existing'? Is the need for this project not clearly due to the growth in that

area? And why it is only showing up now in our 2019 DC Bylaws - should it not have shown up 10 years ago which would have resulted in some build up in DC reserves to this point in time?

Thank you,

Lakewood Beach Community Council





April 21, 2021

Legislative Coordinator  
 Audit, Finance & Administration Committee  
 City of Hamilton  
 71 Main Street West, 1st Floor  
 Hamilton, ON L8P 4Y5

**Roberto D. Aburto**  
 Direct +1 613 786 8679  
 Direct Fax +1 613 788 3528  
 roberto.aburto@gowlingwlg.com  
 File no. H216207

Dear Legislative Coordinator:

**Re: Comments on the City of Hamilton’s Proposed 2021 Amending Development Charges By-law and 2021 Development Charges Update Study – Public Meeting, April 22, 2021**

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In light of recent provincial legislative changes, Gowling WLG has been asked by McMaster University (“**McMaster**”) to provide insight and analysis of the City of Hamilton’s (“**City**”) proposed 2021 Amending Development Charges By-law (“**Amending By-law**”) and 2021 Development Charges Update Study (“**Update Study**”).

McMaster is committed to working with the City constructively on changes to the Amending By-Law and future developments moving forward. It is in this spirit that Gowling WLG submits the following analysis on behalf of McMaster.

### **Background**

The stated purpose of the Update Study is to update development charge By-law No. 19-142 (“**Current By-law**”) in order to meet the requirements of the *Development Charges Act, 1997*, S.O. 1997, c. 27 (“**DCA**”), as amended by various bills:

- i. Bill 108 – *More Homes, More Choice Act, 2019*;
- ii. Bill 138 – *Plan to Build Ontario Act, 2019*;
- iii. Bill 197 – *COVID-19 Economic Recovery Act*, and
- iv. Bill 213 – *Better for People, Smarter for Business Act, 2020*.<sup>1</sup>

The Current By-law was passed in June of 2019 and remains under appeal by various parties, including McMaster. The Amending By-law does not propose to amend several aspects of the Current By-law that were raised as issues for appeal. To the extent that these provisions are maintained through the City’s Amending By-law, McMaster continues to raise its prior objections.

With respect to the legislative amendments, as a university and major institutional developer in the City, McMaster is primarily concerned with ensuring that the Update Study and Amending By-law accurately reflect the legislative amendments introduced through Bill 138 which requires a differential treatment for

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<sup>1</sup> Update Study, p. 1-2.



institutional developments, and Bill 213 which creates an exemption from development charges for university developments through section 6.1 of the *Ministry of Training, Colleges and Universities Act*, R.S.O. 1990, c. M.19.

While the Update Study accurately describes these legislative amendments, the City's proposed Amending By-law does not sufficiently revise the Current By-law. Sections 27 and 41 of the Current By-law are *ultra vires*, yet remain unchanged by the Amending By-law. Further, the Amending By-law does not propose to include the language of section 6.1 of the *Ministry of Training, Colleges and Universities Act*, which fails to clearly demarcate this new development charge exemption and complicates the process for City staff and stakeholders to navigate the by-law.

### 1. The Amending By-law does not sufficiently reflect Bill 108

The proposed Amending By-law does not sufficiently reflect the legislative changes brought in through Bill 108. As acknowledged in the Update Study, the *DCA* now distinguishes rental housing, institutional and non-profit housing development from other types of development, providing that these are payable at different times, payable in installments, and that the amount of the charge is determined under the by-law on the date of an application for site plan approval (or other dates, as the case may be), rather than at the time of a building permit application.<sup>2</sup>

However, the Amending By-law fails to address provisions of the Current By-law that are presently *ultra vires*. It is necessary to amend sections 27 and 41 of the Current By-law to come into compliance with Bill 108.

#### Section 27

27. Notwithstanding any other provision of this By-law, the Development Charges payable under this By-law respecting all Development, other than Class A Office Development, within the boundaries of the Downtown CIPA shall:

(a) be reduced by the following percentages, after all other credits are applied, under this By-law for only the portion of the Building that is within the height restrictions as shown in Schedule "F" based on the later of the date on which Development Charges are payable or the date all applicable Development Charges were actually paid:

Table 2: Downtown Hamilton CIPA Partial Exemption

Date	Percentage of reduction (%)	Percentage of development charge payable (%)
June 13, 2019 to July 5, 2019	70	30
July 6, 2019 to July 5, 2020	60	40
July 6, 2020 to July 5, 2021	50	50
July 6, 2021 to July 5, 2022	40	60
July 6, 2022 to July 5, 2023	40	60

<sup>2</sup> Update Study at p. 1-3.





July 6, 2023 to June 12, 2024	40	60
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Section 27 of the Current By-law calculates the value of the Downtown CIPA partial exemption based on the later of the date on which development charges are payable, or the date on which all development charges are actually paid. For rental housing, institutional and non-profit housing, development charges are payable at the time of occupancy, but the amount is to be calculated at the time of a site plan application (or zoning by-law amendment, etc. as the case may be). This creates a contradiction in section 27 of the Current By-law, as it is contrary to the *DCA* to provide that the value of an exemption for institutional development will be different on the date the development charge is payable, than it was on the date of an application for site plan approval.

### Sections 40-41

40. The Development Charge rates payable are the rates in effect at the time of building permit issuance subject to any exceptions in Section 41 of this By-law.

41. The Development Charge rates payable are the rates in effect on the date a complete building permit application is received and accepted by the City's Chief Building Official, provided that the permit is issued within 6 months of the effective date of the first Development Charge rate increase following said building permit application. Where the said building permit is lawfully revoked by the Chief Building Official on or after the date of the said Development Charge rate increase, any subsequent application for a building permit on the lands or site will be subject to the Development Charge rate in effect on the date of building permit issuance. For the purposes of this Section, a "complete application" shall mean an application with all information and plans required as per the Ontario Building Code.

Sections 40-41 of the Current By-law state that the development charge rates payable are those in effect on the date of a complete building permit application or at building permit issuance. This contradicts section 26.2(1) of the *DCA* which specifies, that for rental housing, institutional and non-profit housing development, development charges are determined according to the rates in effect at the time of site plan application (or zoning by-law amendment, etc. as the case may be). The *DCA* further provides that this applies regardless of whether the by-law under which the amount of the development charge would be determined is no longer in effect on the date the development charge is payable.<sup>3</sup>

## **2. The Amending By-law does not sufficiently address Bill 213**

Section 6.1 of the *Ministry of Training, Colleges and Universities Act* creates an exemption from development charges for land vested in or leased to a university if the development is intended to be occupied and used by the university:

### **Exemption, development charges**

**6.1** (1) Land vested in or leased to a university that receives regular and ongoing operating funds from the government for the purposes of post-secondary education is exempt from development charges imposed under the *Development Charges Act, 1997* if the development in respect of which development charges

<sup>3</sup> Section 26.2(2) of the *DCA*.



would otherwise be payable is intended to be occupied and used by the university. 2020, c. 34, Sched. 10, s. 1.

**Same**

(2) For greater certainty, the exemption from development charges referred to in subsection (1) applies with respect to land described in that subsection regardless of whether an application referred to in clause 26.2 (1) (a) or (b) of the *Development Charges Act, 1997* has been made with respect to that land on or before the day section 1 of Schedule 10 to the *Better for People, Smarter for Business Act, 2020* comes into force. 2020, c. 34, Sched. 10, s. 1.

**Same**

(3) Nothing in this section limits the application of an exemption from development charges provided in any other Act with respect to a university described in subsection (1). 2020, c. 34, Sched. 10, s. 1.

The Amending By-law does not propose to include this language into the body of the Current By-law, or to otherwise explicitly acknowledge the exemption for universities from development charges that is now in force pursuant to section 6.1 of the *Ministry of Training, Colleges and Universities Act*. This omission fails to clearly demarcate this new development charge exemption and will complicate the process for City staff and stakeholders to navigate the by-law.

In the interest of clarity at the stage of enforcement of the City's by-law, sections 6.1(1) and (2) of the *Ministry of Training, Colleges and Universities Act* should be added among the listed exemptions in the Current By-law.

Further, various sections of the Current By-law improperly impose development charges on land vested in or leased to a university as specified in section 6.1 of the *Ministry of Training, Colleges and Universities Act*, and should be reframed to explicitly exclude any development that meets this statutory exemption.

Sections 12-16

**Approvals for Development**

12. The Development of land is subject to a Development Charge where the Development requires the following:

- (a) the passing of a zoning by-law or an amendment thereto under section 34 of the Planning Act;
- (b) the approval of a minor variance under section 45 of the Planning Act;
- (c) a conveyance of land to which a by-law passed under sub-section 50(7) of the Planning Act applies;
- (d) the approval of a plan of subdivision under section 51 of the Planning Act;
- (e) a consent under section 53 of the Planning Act;
- (f) the approval of a description under section 9 of the Condominium Act 1998, S.O. 1998, c.19; or



(g) the issuance of a permit under the Building Code Act, 1992, S.O. 1992, c.23, as amended, or successor legislation, in relation to a building or structure.

13. Where two or more of the actions described in Section 12 of this By-law occur at different times, or a second or subsequent building permit is issued resulting in increased, additional or different Development, then additional Development Charges shall be imposed in respect of such increased, additional, or different Development permitted by that action.

14. Where a Development requires an approval described in Subsections 12(a) to 12(f) of this By-law after the issuance of a building permit and no Development Charges have been paid, then the Development Charges shall be paid prior to the granting of any approval required under Subsections 12(a) to 12(f) of this By-law.

15. Where a Development does not require a building permit but does require one or more of the approvals described in Subsection 12(a) to 12(f) of this By-law, then, notwithstanding Section 33 of this By-law, Development Charges shall be payable and paid prior to the granting of any approval required under Subsections 12(a) to 12(f) of this By-law.

16. Nothing in this By-law prevents Council from requiring, in a condition of an approval or an agreement respecting same under Section 51 of the Planning Act or as a condition of consent or an agreement respecting same under Section 53 of the Planning Act that the owner, at his or her own expense, shall install such local services related to or within a plan of subdivision, as Council may require, in accordance with the City's applicable local services policies in effect at this time.

Sections 12-16 of the Current By-law purport to impose development charges any time that certain planning approvals are required for the development of land. This language is overly broad and would inadvertently and inaccurately impose development charges on the development of land that is statutorily exempt pursuant to section 6.1 of the *Ministry of Training, Colleges and Universities Act*, contrary to that Act. The Amending By-law should explicitly provide that sections 12-16 of the Current By-law do not apply to development that falls within the statutory exemption provided by section 6.1 of the *Ministry of Training, Colleges and Universities Act*.

### **3. Prior Objections to the Current By-law**

McMaster continues to maintain its objections to various aspects of the Current By-law, which the Amending By-law does not propose to address. In particular, McMaster has concerns with the substantial modification of the Student Residence Exemption, the lack of adequate transition provisions in the Current By-law, and the discriminatory treatment of McMaster as an institution, as well as its developments at 1190 Main Street and 191 King Street West in the Current By-law.

#### **Student Residence Exemption**

Section 1(ttt) defines a "Student Residence", and section 29(c) provides an exemption, as follows:



1. (ttt) Residential Development that is solely owned by a university, college of applied arts and technology or other accredited post-secondary institution, designed or intended to be used for sleeping and living accommodations by students of the university, college of applied arts and technology or other accredited post-secondary institution that owns the Residential Development.

29. (c) Until June 30, 2020 Development of a Student Residence is exempt from 50% of the Development Charge otherwise payable pursuant to this Bylaw according to the type of Residential Development. After June 30, 2020 no exemption shall be provided for Development of a Student Residence and the Development of a Student Residence will be subject to the payment of Development Charges payable pursuant to this By-law.

We reiterate that this definition of “Student Residence” in the Current By-law is not reasonable or appropriate. It does not correspond with commonly accepted definitions of the term. For example, the *Residential Tenancies Act* allows for full or partial exemptions to educational institutions providing housing to students or staff, with no ownership requirement, in addition to privileges extended to residential complexes owned, operated or administered by or on behalf of post-secondary educational institutions.

Further, Bill 213 has since provided a statutory exemption at section 6.1 of the *Ministry of Training, Colleges and Universities Act* which does not require sole ownership of a student residence development by a university, but rather that the land be vested in the university and the development be intended to be used by the university.

The language of the definition of “Student Residence” in the Current By-law should be revised to exclude the requirement for sole ownership.

### Transition Provisions

Section 6, paragraph 2 of the *Development Charges Act* states that a development charges by-law must set out an express statement indicating how, if at all, the rules provide for exemptions, for the phasing in of Development Charges and for the indexing of Development Charges. Section 29(c) of the Current By-law includes an arbitrary date of June 30, 2020 to end the Student Residences Exemption (which cut-off date is maintained by the Amending By-law). The new student residence definition and the arbitrary exemption cut-off date greatly threaten the viability of two of McMaster’s existing, planned student residences in the City at 1190 Main Street and 191 King Street West, as well as any future student residence developments.

In the alternative to the legislative changes in Bill 108, the absence of sufficient transitional provisions in the Current By-Law (and maintained through the Amending By-law), raise serious issues of fairness. It is common and appropriate for development charge by-laws to include appropriate transition provisions for the benefit of those whose planning was well advanced and whose financial pro formas were based on by-laws in existence at the time that the municipal approval process was commenced. In particular, McMaster held various public consultations, design meetings, and undertook various planning applications associated with its developments at 1190 Main Street and 191 King Street West, beginning as early as 2016. McMaster requested the City implement transition dates that would accommodate these projects but the City ultimately refused without reasons. The Amending By-law should be revised to address the insufficiency of transitional provisions in the Current By-law to ensure



that planning applications that were subject to the City's planning approval process prior to the passage of the Current By-law are not inappropriately and abruptly barred from prior exemptions.

### **Conclusion**

The Amending By-law does not meet the fair and reasonable test. In particular, sections 27 and 40-41 of the Current By-law should be amended to comply with the requirements of the *DCA*, relating to rental housing, institutional and non-profit housing development, and sections 6.1(1) and (2) of the *Ministry of Training, Colleges and Universities Act* should be added to the existing list of exemptions in the Current By-law. Further, sections 12-16 of the Current By-law must explicitly exclude development that falls within the statutory exemption provided by section 6.1 of the *Ministry of Training, Colleges and Universities Act*.

The definition of "Student Residence" should be modified to reflect common understanding of the term by removing the requirement for sole ownership, and that the Current By-law be modified to include appropriate transition provisions.

We trust that these proposed revisions will assist the City in bringing the Current By-law into compliance with recent legislative amendments. McMaster is committed to working constructively with the City on these revisions and looks forward to partnering with the City on future developments. Should you have any questions or concerns, please contact the undersigned.

Sincerely,

A handwritten signature in blue ink, appearing to read "RDA", written over a light blue circular stamp.

Roberto D. Aburto

RDA





## CITIZEN COMMITTEE REPORT

<b>To:</b>	Audit, Finance and Administration Committee; General Issues Committee; and City Council
<b>From:</b>	LGBTQ Advisory Committee  <div style="text-align: right;">_____ Cameron Kroetsch, Chair</div>
<b>Date:</b>	April 20, 2021
<b>Re:</b>	Community Survey

### **Recommendation**

That the City of Hamilton approve the attached Community Survey and distribute it through the Engage Hamilton platform or, if there is something that unexpectedly prevents the timely use of that platform, that it be distributed using SurveyMonkey by the members of the LGBTQ Advisory Committee themselves.

That the survey be released no later than April 29, 2021 and that it be up for no less than 2 weeks, until May 13, 2021, with results sent to the LGBTQ Advisory Committee no later than May 14, 2021 so that members of the Committee, and the public, will have time to review them before the next meeting of the LGBTQ Advisory Committee on May 18, 2021.

### **Background**

The City of Hamilton's LGBTQ Advisory Committee has held an event at City Hall to recognize Pride for many years. In 2019, the Committee recommended to the City that it not hold a flag raising ceremony. Since that time, and since the events of Pride 2019, there have been many conversations in Two Spirit and LGBTQIA+ communities about this and other related issues.

## **Analysis / Rationale**

The LGBTQ Advisory Committee is seeking feedback from members of Two Spirit and LGBTQIA+ communities about the City of Hamilton's recognition of Pride in our city and the role that our Committee should play in it.

The LGBTQ Advisory Committee hopes to make a recommendation to City Council about a potential event commemorating Pride and would like your feedback.

The answers to the questions in the survey will inform our feedback and the recommendation we make to City Council for this year and in future years. No identifying information is being collected and the feedback will remain anonymous.

The LGBTQ Advisory Committee will be presenting the results of this survey at its meeting on Tuesday, May 18, 2021.

When the data has been collected through the survey, and as we present it to the Committee in May, we will also look to [Mapping the Void](#) to help inform our recommendation.

**NOTE** - We ask that the LGBTQAC Chair be updated as to when and at what Committee the recommendation(s) in this Citizen Committee Report will be addressed so that they can speak to the matter formally at that time.



## Draft Community Survey

### History

The City of Hamilton's Lesbian, Gay, Bisexual, Transgender and Queer (LGBTQ) Advisory Committee has held an event at City Hall to recognize Pride for many years. In 2019, the Committee recommended to the City that it not hold a flag raising ceremony. Since that time, and since the events of Pride 2019, there have been many conversations in Two Spirit and LGBTQIA+ communities about this and other related issues.

### Preamble

The LGBTQ Advisory Committee is seeking feedback from members of Two Spirit and LGBTQIA+ communities about the City of Hamilton's recognition of Pride in our city and the role that our Committee should play in it.

The LGBTQ Advisory Committee hopes to make a recommendation to City Council about a potential event commemorating Pride and would like your feedback.

The answers to the questions below will inform our feedback and the recommendation we make to City Council for this year and in future years. No identifying information is being collected and your feedback will remain anonymous.

The LGBTQ Advisory Committee will be presenting the results of this survey at its meeting on **Tuesday, May 18, 2021**. Please visit the [Committee's page](#) on the City of Hamilton's website closer to that date for a report on the results.

When the data has been collected through the survey, and as we present it to the Committee in May, we will also look to [Mapping the Void](#) to help inform our recommendation.

You can follow the LGBTQ Advisory Committee on [Twitter](#) and [Facebook](#) to find out how you may participate in the meeting where the results will be shared.

## Questions

1. Do you live, work, or play in Hamilton (answer yes if any of these apply to you)?

Yes  
No  
Not sure

2. Have you ever attended an event put on by the City of Hamilton that recognized Pride?

Yes  
No  
Not sure

3. If yes, what was your experience like?

<long answer>

4. Do you think that the City of Hamilton should plan an annual event to recognize Pride?

Yes  
No  
Not sure

5. If yes, do you think that the LGBTQ Advisory Committee should be responsible for planning the event?

Yes  
No  
Not sure

6. Do you think an event to recognize Pride should include a flag raising ceremony?

Yes

No

Not sure

7. Why or why not?

<long answer>

8. What other things do you think might be important as part of an event to recognize Pride?

<long answer>

9. Please let us know if there is anything else you would like the LGBTQ Advisory Committee to know in order to help them make a recommendation to City Council about an event to recognize Pride, this year and in future years.

<long answer>

10. How do you identify your sexual orientation? Please check all that apply.

Ace/Asexual

Bisexual

Gay

Heterosexual/Straight

Lesbian

Man who has sex with men (msm)

Pansexual

Polysexual

Queer

Questioning

Two-spirit

Woman who has sex with women (wsw)

Not Sure

Prefer to self-identify, please specify:

Prefer not to answer

11. Which of the following best describes your gender? Please check all that apply.

Agender/Non-gender  
Androgynous  
Bigender  
Boi  
Butch  
Femme  
FTM (female-to-male)  
Gender Fluid  
Gender Non-Conforming  
Gender variant  
Genderqueer  
Intersex  
Man (Trans)  
Man (Cis)  
Non-binary  
Questioning  
Woman (Trans)  
Woman (Cis)  
Transgender/trans person  
Transsexual  
Prefer to self identify, please specify:  
Prefer not to answer