



City of Hamilton
GENERAL ISSUES COMMITTEE
REVISED

Meeting #: 21-016
Date: August 9, 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

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

1. CEREMONIAL ACTIVITIES

2. APPROVAL OF AGENDA

(Added Items, if applicable, will be noted with *)

3. DECLARATIONS OF INTEREST

4. APPROVAL OF MINUTES OF PREVIOUS MEETING

4.1. July 5, 2021

5. COMMUNICATIONS

6. DELEGATION REQUESTS

*6.1. Mouna Bile, Hamilton Community Legal Clinic, respecting Item 10.7 - Report CM19006(f)-LS19031(e), Hate Flags and Symbols

- *6.2. Ruth Greenspan, No Hate in the Hammer, respecting Item 10.7 - Report CM19006(f)/LS19031(e), Hate Flags and Symbols
- *6.3. Kojo Dampsey, Hamilton Centre for Civic Inclusion, respecting Item 10.7 - Report CM19006(f)/LS19031(e), Hate Flags and Symbols
- *6.4. Kojo Dampsey, Hamilton Centre for Civic Inclusion, respecting Item 8.2 - Report CM19006(e), Hate Prevention and Mitigation Update
- *6.5. Lily Lumsden, Hamilton Immigration Partnership Council, respecting Item 8.2 - Report CM19006(e), Hate Prevention and Mitigation Update
- *6.6. Kim Martin, Social Planning and Research Council, respecting Item 8.2 - Report CM19006(e), Hate Prevention and Mitigation Update
- *6.7. Sandi Bell, Hamilton Anti Racism Resource Centre, respecting Item 8.2 - Report CM19006(e), Hate Prevention and Mitigation Update
- *6.8. Lyndon George, respecting Item 8.2 - Report CM19006(e), Hate Prevention and Mitigation Update

7. CONSENT ITEMS

- 7.1. Business Improvement Area Advisory Committee Minutes 21-006, June 8, 2021
- 7.2. International Village Business Improvement Area (BIA) Revised Board of Management (PED21150) (Ward 2)

8. STAFF PRESENTATIONS

- 8.1. COVID-19 Verbal Update
- *8.2. Hate Prevention and Mitigation Update (CM19006(e)) (City Wide)

9. PUBLIC HEARINGS / DELEGATIONS

- 9.1. Paven Bratch, Metro Partners Inc. respecting Item 10.1 - Report PED21109, Feasibility of Creating a Technology Hub on South City Hall Lands (no copy)

10. DISCUSSION ITEMS

- 10.1. Feasibility of Creating a Technology Hub on South City Hall Lands (PED21109) (Ward 2)
- 10.2. Environmental Remediation and Site Enhancement (ERASE) Redevelopment Grant Application, 260 and 276 Dunsmure Road, Hamilton ERG-18-04 (PED21148) (Ward 3)

- 10.3. Business Improvement Area Advisory Committee Report 21-007, July 13, 2021
- 10.4. Canada Community Revitalization Fund Initial Intake (FCS21077) (City Wide)
- 10.5. Farmers' Markets - Rent Relief and Governance Comparators (PED21158) (City Wide)
- 10.6. Advisory Committee for Persons with Disabilities Report 21-007, July 13, 2021
- 10.7. Hate Flags and Symbols (CM19006(f)/LS19031(e)) (City Wide)
- 10.8. 2021 Property and Liability Insurance Renewal Report (LS21027) (City Wide)
- *10.9. Canada Mortgage and Housing Corporation (CMHC) Rapid Housing Initiative (RHI) (HSC20056(a)) (City Wide)
- *10.10. Hamilton's Federal Election Priorities 2021 (CM21010) (City Wide)

11. MOTIONS

12. NOTICES OF MOTION

13. GENERAL INFORMATION / OTHER BUSINESS

13.1. Amendments to the Outstanding Business List

13.1.a. Proposed New Due Dates:

13.1.a.a. Potential Solutions to the Chedoke Creek Matter

Current Due Date: July 5, 2021

Proposed New Due Date: December 8, 2021

13.1.a.b. Budgetary Plan to Address the Chedoke Creek Matter

Current Due Date: July 5, 2021

Proposed New Due Date: September 22, 2021

13.1.a.c. Election Expense Reserve Needs related to consideration of Internet Voting for the 2026 Municipal Election

Current Due Date: August 9, 2021

Proposed New Due Date: September 22, 2021

14. PRIVATE AND CONFIDENTIAL

15. ADJOURNMENT



GENERAL ISSUES COMMITTEE MINUTES 21-014

9:30 a.m.

Monday, July 5, 2021

Due to COVID-19 and the closure of City Hall, this meeting was held virtually.

Present: Mayor F. Eisenberger, Deputy Mayor S. Merulla (Chair)
Councillors M. Wilson, J. Farr, N. Nann, C. Collins, T. Jackson,
E. Pauls, J. P. Danko, B. Clark, M. Pearson, B. Johnson,
L. Ferguson, A. VanderBeek, J. Partridge

Absent: Councillor T. Whitehead – Leave of Absence

THE FOLLOWING ITEMS WERE REFERRED TO COUNCIL FOR CONSIDERATION:

1. Assessing COVID Related Financial Impacts on Local Farmers' Markets (PED21141) (City Wide) (Item 7.2)

(Farr/Partridge)

That the Report PED21141, respecting Assessing COVID Related Financial Impacts on Local Farmers' Markets, be received.

Result: Motion CARRIED by a vote of 14 to 0, as follows:

Absent	-	Mayor Fred Eisenberger
Yes	-	Ward 1 Councillor Maureen Wilson
Yes	-	Ward 2 Councillor Jason Farr
Yes	-	Ward 3 Councillor Nrinder Nann
Yes	-	Ward 4 Councillor Sam Merulla, Deputy Mayor
Yes	-	Ward 5 Councillor Chad Collins
Yes	-	Ward 6 Councillor Tom Jackson
Yes	-	Ward 7 Councillor Esther Pauls
Yes	-	Ward 8 Councillor J. P. Danko
Yes	-	Ward 9 Councillor Brad Clark
Yes	-	Ward 10 Councillor Maria Pearson
Yes	-	Ward 11 Councillor Brenda Johnson
Yes	-	Ward 12 Councillor Lloyd Ferguson
Yes	-	Ward 13 Councillor Arlene VanderBeek
Absent	-	Ward 14 Councillor Terry Whitehead
Yes	-	Ward 15 Councillor Judi Partridge

**2. Chedoke Creek Order - Cootes Paradise Workplan (PW19008(m)) (City Wide)
(Item 8.2)**

(Wilson/Jackson)

That Report PW190098(m), respecting the Chedoke Creek Order - Cootes Paradise Workplan, be received.

Result: Motion CARRIED by a vote of 14 to 0, as follows:

Yes	-	Mayor Fred Eisenberger
Yes	-	Ward 1 Councillor Maureen Wilson
Yes	-	Ward 2 Councillor Jason Farr
Yes	-	Ward 3 Councillor Nrinder Nann
Yes	-	Ward 4 Councillor Sam Merulla, Deputy Mayor
Yes	-	Ward 5 Councillor Chad Collins
Yes	-	Ward 6 Councillor Tom Jackson
Yes	-	Ward 7 Councillor Esther Pauls
Yes	-	Ward 8 Councillor J. P. Danko
Yes	-	Ward 9 Councillor Brad Clark
Yes	-	Ward 10 Councillor Maria Pearson
Yes	-	Ward 11 Councillor Brenda Johnson
Yes	-	Ward 12 Councillor Lloyd Ferguson
Yes	-	Ward 13 Councillor Arlene VanderBeek
Absent	-	Ward 14 Councillor Terry Whitehead
Absent	-	Ward 15 Councillor Judi Partridge

3. City Manager's 2020 - 2021 Review (CM21006) (City Wide) (Item 8.3)

(Ferguson/Jackson)

That Report CM21006, respecting the City Manager's 2020 - 2021 Review, be received.

Result: Motion CARRIED by a vote of 15 to 0, as follows:

Yes	-	Mayor Fred Eisenberger
Yes	-	Ward 1 Councillor Maureen Wilson
Yes	-	Ward 2 Councillor Jason Farr
Yes	-	Ward 3 Councillor Nrinder Nann
Yes	-	Ward 4 Councillor Sam Merulla, Deputy Mayor
Yes	-	Ward 5 Councillor Chad Collins
Yes	-	Ward 6 Councillor Tom Jackson
Yes	-	Ward 7 Councillor Esther Pauls
Yes	-	Ward 8 Councillor J. P. Danko
Yes	-	Ward 9 Councillor Brad Clark
Yes	-	Ward 10 Councillor Maria Pearson
Yes	-	Ward 11 Councillor Brenda Johnson
Yes	-	Ward 12 Councillor Lloyd Ferguson

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Yes - Ward 13 Councillor Arlene VanderBeek
Absent - Ward 14 Councillor Terry Whitehead
Yes - Ward 15 Councillor Judi Partridge

**4. Hamilton Tax Increment Grant - 154 Main Street East, Hamilton (PED21115)
(Ward 2) (Item 10.1)**

(Jackson/Collins)

- (a) That a Hamilton Tax Increment Grant Program Application, submitted by 1970703 Ontario Inc. (Darko Vranich) for the property known as 154 Main Street East, Hamilton, estimated at \$1,211,018.67 over a maximum of a five (5) year period, based upon the incremental tax increase attributable to the development of 154 Main Street East, Hamilton, be authorized and approved, in accordance with the terms and conditions of the Hamilton Tax Increment Grant Program;
- (b) That the Mayor and City Clerk be authorized and directed to execute a Grant Agreement together with any ancillary documentation required, to give effect to the Hamilton Tax Increment Grant for 1970703 Ontario Inc. for the property known as 154 Main Street East, Hamilton, in a form satisfactory to the City Solicitor; and,
- (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 Hamilton Tax Increment Grant Program, as approved by City Council, are maintained.

Result: Motion CARRIED by a vote of 12 to 0, as follows:

Yes - Mayor Fred Eisenberger
Yes - Ward 1 Councillor Maureen Wilson
Yes - Ward 2 Councillor Jason Farr
Yes - Ward 3 Councillor Nrinder Nann
Conflict - Ward 4 Councillor Sam Merulla, Deputy Mayor
Yes - Ward 5 Councillor Chad Collins
Yes - Ward 6 Councillor Tom Jackson
Yes - Ward 7 Councillor Esther Pauls
Yes - Ward 8 Councillor J. P. Danko
Yes - Ward 9 Councillor Brad Clark
Conflict - Ward 10 Councillor Maria Pearson
Yes - Ward 11 Councillor Brenda Johnson
Yes - Ward 12 Councillor Lloyd Ferguson
Conflict - Ward 13 Councillor Arlene VanderBeek
Absent - Ward 14 Councillor Terry Whitehead
Yes - Ward 15 Councillor Judi Partridge

5. Capital Projects Work-in-Progress Sub-Committee Report 21-002, June 21, 2021 (Item 10.3)**(Danko/Nann)****(a) Capital Project Closing Report as of December 31, 2020 (FCS20079(b))
(City Wide) (Item 10.1)**

- (i) That the General Manager, Finance and Corporate Services, be authorized and directed to transfer \$221,437 to the Unallocated Capital Levy Reserve (108020) and \$97,064 from other sources, as outlined in Appendix "A" to Capital Projects Work-in-Progress Review Sub-Committee Report 21-002;
- (ii) That the General Manager, Finance and Corporate Services, be authorized and directed to close the completed and / or cancelled capital projects listed in Appendix "B" to Capital Projects Work-in-Progress Review Sub-Committee Report 21-002, in accordance with the Capital Projects Closing and Monitoring Policy;
- (iii) That Appendix "C" to Report FCS20079(b), Capital Projects Budget Appropriations for the period covering October 1, 2020 through December 31, 2020, be received for information;
- (iv) That Appendix "C" to Capital Projects Work-in-Progress Review Sub-Committee Report 21-002, Capital Projects Budget Appropriations of \$250,000 or greater and Capital Project Reserve Funding requiring Council authorization, be approved;
- (v) That the General Manager, Finance and Corporate Services, be authorized and directed to transfer \$2,234,783 from the Unallocated Capital Levy Reserve (108020) and return \$2,234,783 to the Federal Gas Tax Reserve (112213) for various projects, as outlined in Appendix "D" to Capital Projects Work-in-Progress Review Sub-Committee Report 21-002, for the purpose of funding ineligible expenditures, pursuant to the Federal Gas Tax Municipal Funding Agreement; and,
- (vi) That the projects listed in Appendix "E" to Capital Projects Work-in-Progress Review Sub-Committee Report 21-002, that were inadvertently closed during capital work-in-progress review, be re-opened.

**(b) Capital Projects Status Report as of December 31, 2020 (FCS20078(b))
(City Wide) (Item 10.2)**

- (i) That the Capital Projects Status Report – Tax Supported, as of December 31, 2020, attached as Appendix “A” to Report FCS20078(b), be received;
- (ii) That the Capital Projects Status Report – Rate Supported, as of December 31, 2020, attached as Appendix “B” to Report FCS20078(b), be received; and,
- (iii) That the confidential Appendix “C” to Report FCS20078(b), respecting the Capital Projects Status Report as of December 31, 2020, be received and remain confidential.

Result: Motion CARRIED by a vote of 13 to 0, as follows:

Yes	-	Mayor Fred Eisenberger
Yes	-	Ward 1 Councillor Maureen Wilson
Absent	-	Ward 2 Councillor Jason Farr
Yes	-	Ward 3 Councillor Nrinder Nann
Yes	-	Ward 4 Councillor Sam Merulla, Deputy Mayor
Yes	-	Ward 5 Councillor Chad Collins
Yes	-	Ward 6 Councillor Tom Jackson
Yes	-	Ward 7 Councillor Esther Pauls
Yes	-	Ward 8 Councillor J. P. Danko
Yes	-	Ward 9 Councillor Brad Clark
Yes	-	Ward 10 Councillor Maria Pearson
Yes	-	Ward 11 Councillor Brenda Johnson
Yes	-	Ward 12 Councillor Lloyd Ferguson
Yes	-	Ward 13 Councillor Arlene VanderBeek
Absent	-	Ward 14 Councillor Terry Whitehead
Absent	-	Ward 15 Councillor Judi Partridge

6. School Board Properties Sub-Committee Report 21-002, June 22, 2021 (Item 10.5)

(Partridge/Clark)

(a) Hamilton-Wentworth District School Board Property at 350 Albright Road, Stoney Creek (PED21128) (Ward 5) (Item 10.1)

- (i) That staff be authorized and directed to advise the Hamilton-Wentworth District School Board (HWDSB) that the City of Hamilton has no interest in acquiring its property located at 350 Albright Road, Stoney Creek, as shown on Appendix “A” attached to Report PED21128; and,
- (ii) That staff be directed to advise the Hamilton-Wentworth District School Board of the City of Hamilton’s site development requirements, as identified in Appendix “B” attached to Report PED21128.

- (b) Hamilton-Wentworth District School Board Property at 140 Glen Echo Drive, Stoney Creek (PED21129) (Ward 5) (Item 10.2)**
- (i) That staff be authorized and directed to advise the Hamilton-Wentworth District School Board (HWDSB) that the City of Hamilton has no interest in acquiring its property located at 140 Glen Echo Drive, Stoney Creek, as shown on Appendix “A” attached to Report PED21129; and,
 - (ii) That staff be directed to advise the Hamilton-Wentworth District School Board of the City of Hamilton’s site development requirements, as identified in Appendix “B” attached to Report PED21129.
- (c) Hamilton-Wentworth District School Board Property at 45 Randall Avenue, Stoney Creek (PED21130) (Ward 5) (Item 10.3)**
- (i) That staff be authorized and directed to advise the Hamilton-Wentworth District School Board (HWDSB) that the City of Hamilton has no interest in acquiring its property located at 45 Randall Avenue, Stoney Creek, as shown on Appendix “A” attached to Report PED21130; and,
 - (ii) That staff be directed to advise the Hamilton-Wentworth District School Board of the City of Hamilton’s site development requirements, as identified in Appendix “B” attached to Report PED21130.
- (d) Hamilton-Wentworth District School Board Property at 630-640 Rymal Road East, Hamilton (PED21131) (Ward 7) (Item 14.1)**
- (i) That the Manager of Real Estate, or designate, be authorized and directed to advise the Hamilton-Wentworth District School Board (HWDSB) that the City of Hamilton may have an interest in the acquisition of the lands located at 630-640 Rymal Road East, Hamilton, as shown and legally described in Appendix “A” attached to Report PED21131;
 - (ii) That staff be authorized and directed to complete the due diligence work in preparation for the potential acquisition of the of the lands located at 630-640 Rymal Road East, Hamilton, to be funded from the Property Purchases and Sales Capital Account No. 3562850200;
 - (iii) That staff be directed to report back to the School Board Properties Sub-Committee, as to its due diligence findings, refined acquisition and post-acquisition cost estimates, funding model and its recommendations for the City to submit an Offer to Purchase the

Hamilton-Wentworth District School Board lands located at 630-640 Rymal Road East, Hamilton; and,

- (iv) That Report PED21131, respecting Hamilton-Wentworth District School Board Property at 630-640 Rymal Road East, Hamilton, remain confidential and not be released as a public document.

(e) Hamilton-Wentworth District School Board Property at 20 Lake Avenue South, Stoney Creek (PED21132) (Ward 5) (Item 14.2)

- (i) That the Manager of Real Estate, or designate, be authorized and directed to advise the Hamilton-Wentworth District School Board (HWDSB) that the City of Hamilton may have an interest in the acquisition of the lands located at 20 Lake Avenue South, Stoney Creek, as shown and legally described in Appendix "A" attached to Report PED21132;
- (ii) That staff be authorized and directed to complete the due diligence work in preparation for the potential acquisition of the Hamilton-Wentworth District School Board lands located at 20 Lake Avenue South, Stoney Creek;
- (iii) That staff be directed to establish a Capital Account Project I.D. to be funded from the Parkland Acquisition Reserve No. 108050, for use as the funding source for all costs related to the due diligence for the potential acquisition of the Hamilton-Wentworth District School Board lands located at 20 Lake Avenue South, Stoney Creek;
- (iv) That staff be directed to report back to the School Board Properties Sub-Committee, as to its due diligence findings, refined acquisition and post-acquisition cost estimates, funding model and its recommendations for the City to submit an Offer to Purchase the Hamilton-Wentworth District School Board lands located at 20 Lake Avenue South, Stoney Creek; and,
- (v) That Report PED21132, respecting the Hamilton-Wentworth District School Board Property at 20 Lake Avenue South, Stoney Creek, remain confidential and not be released as a public document.

Result: Motion CARRIED by a vote of 13 to 0, as follows:

- | | | |
|-----|---|---|
| Yes | - | Mayor Fred Eisenberger |
| Yes | - | Ward 1 Councillor Maureen Wilson |
| Yes | - | Ward 2 Councillor Jason Farr |
| Yes | - | Ward 3 Councillor Nrinder Nann |
| Yes | - | Ward 4 Councillor Sam Merulla, Deputy Mayor |
| Yes | - | Ward 5 Councillor Chad Collins |

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Yes	-	Ward 6	Councillor Tom Jackson
Yes	-	Ward 7	Councillor Esther Pauls
Conflict	-	Ward 8	Councillor J. P. Danko
Yes	-	Ward 9	Councillor Brad Clark
Yes	-	Ward 10	Councillor Maria Pearson
Yes	-	Ward 11	Councillor Brenda Johnson
Yes	-	Ward 12	Councillor Lloyd Ferguson
Absent	-	Ward 13	Councillor Arlene VanderBeek
Absent	-	Ward 14	Councillor Terry Whitehead
Yes	-	Ward 15	Councillor Judi Partridge

**7. Advisory Committee for Persons with Disabilities Report 21-006, June 8, 2021
(Item 10.6)**

(Collins/Partridge)

**(a) Correspondence from Mary Sinclair respecting Resignation from the
Advisory Committee for Persons with Disabilities (Item 4.2)**

- (i) That the Correspondence from Mary Sinclair respecting her resignation from the Advisory Committee for Persons with Disabilities (ACPD), be received;
- (ii) That the Selection Committee be reconvened to review the original applications submitted for the Advisory Committee for Persons with Disabilities (ACPD), during the initial 2018-2022 recruitment process; and,
- (iii) That the Committee Clerk be directed to prepare a letter and expression of gratitude to be sent to Mary Sinclair for her service on behalf of the Advisory Committee for Persons with Disabilities.

**(b) Appointment of Tom Manzuk to the Outreach Working Group of the
Advisory Committee for Persons with Disabilities (Item 6.3(c))**

That Tom Manzuk be appointed to the Outreach Working Group of the Advisory Committee for Persons with Disabilities for the remainder of the 2018 – 2022 Term of Council.

**(c) Advisory Committee for Persons with Disabilities Informational
Pamphlet (Item 6.3(d))**

WHEREAS, in an effort to educate the public regarding the role and function of the Advisory Committee for Persons with Disabilities (ACPD) with respect to City Council, the Outreach Working Group of ACPD has designed an informational pamphlet to be used in outreach efforts in the community; and,

WHEREAS, the Advisory Committee for Persons with Disabilities logo was approved by Council on May 12, 2021 (see Item 5(b) of Audit, Finance and Administration Committee Report 21-007 for reference) to be used in outreach efforts in the community alongside the City of Hamilton logo in accordance with the City of Hamilton Brand Guidelines;

THEREFORE, BE IT RESOLVED:

- (i) That the Advisory Committee for Persons with Disabilities informational pamphlet, attached as Appendix "A" to Advisory Committee for Persons with Disabilities Report 21-006, to be used in outreach efforts in the community, be approved; and,
- (ii) That the costs, to an upset limit of \$300, for printing 500 copies of the Advisory Committee for Persons with Disabilities informational pamphlet, to be funded from the Advisory Committee for Persons with Disabilities 2021 Budget, be approved.

(d) Invitation to Donna Skelly, MPP, to Discuss the Report Entitled "Listening to Ontarians with Disabilities: Report of the Third Review of the *Accessibility for Ontarians with Disabilities Act, 2005*" (Item 10.1)

WHEREAS, the Advisory Committee for Persons with Disabilities (ACPD) directed staff to prepare correspondence to a Member of Provincial Parliament respecting the report "Listening to Ontarians with Disabilities: Report of the Third Review of the *Accessibility for Ontarians with Disabilities Act, 2005*" (see Item (f)(i) of Advisory Committee for Persons with Disabilities Report 19-003 for reference);

THEREFORE, BE IT RESOLVED:

- (i) That correspondence from the Advisory Committee for Persons with Disabilities, attached as Appendix "B" to Advisory Committee for Persons with Disabilities Report 21-006, respecting an invitation to discuss the report "Listening to Ontarians with Disabilities: Report of the Third Review of the *Accessibility for Ontarians with Disabilities Act, 2005*", be emailed to Donna Skelly, MPP; and,
- (ii) That the Advisory Committee for Persons with Disabilities Outstanding Business List Item 2019-C, respecting Correspondence to a Member of Provincial Parliament respecting Listening to Ontarians with Disabilities: Report of the Third Review of the *Accessibility for Ontarians with Disabilities Act, 2005*, be identified as complete and removed from the Advisory Committee for Persons with Disabilities' Outstanding Business List.

Result: Motion CARRIED by a vote of 14 to 0, as follows:

Yes	-	Mayor Fred Eisenberger
Yes	-	Ward 1 Councillor Maureen Wilson
Yes	-	Ward 2 Councillor Jason Farr
Yes	-	Ward 3 Councillor Nrinder Nann
Yes	-	Ward 4 Councillor Sam Merulla, Deputy Mayor
Yes	-	Ward 5 Councillor Chad Collins
Yes	-	Ward 6 Councillor Tom Jackson
Yes	-	Ward 7 Councillor Esther Pauls
Yes	-	Ward 8 Councillor J. P. Danko
Absent	-	Ward 9 Councillor Brad Clark
Yes	-	Ward 10 Councillor Maria Pearson
Yes	-	Ward 11 Councillor Brenda Johnson
Yes	-	Ward 12 Councillor Lloyd Ferguson
Yes	-	Ward 13 Councillor Arlene VanderBeek
Absent	-	Ward 14 Councillor Terry Whitehead
Yes	-	Ward 15 Councillor Judi Partridge

8. 2022 Municipal Election: Communication Plan (FCS21071) (City Wide) (Item 10.7)

(Johnson/Ferguson)

- (a) That a one-time increase of \$56,000 be transferred to the Election Expense Reserve (112206) from the Tax Stabilization Reserve to support an enhanced communication plan for the 2022 municipal election;
- (b) That an annual increase of \$14,000 for the Election Expense Reserve (112206), to cover the increased costs to deliver an enhanced communications strategy regarding Municipal Elections for the City of Hamilton, be referred to the 2022 Operating Budget (GIC) deliberations for consideration;
- (c) That a one-time increase of \$40,000 to the Election Expense Reserve (112206) be funded through the Tax Stabilization Reserve to allow for the hiring of four summer students to support the Election communication and outreach plan; and.
- (d) That the Outstanding Business List Item requesting that the City Clerk establish a communications strategy to assist in ensuring residents check and are listed on the municipal elections voters list be considered complete and removed from the General Issues Committee's Outstanding Business List.

Result: Motion CARRIED by a vote of 15 to 0, as follows:

Yes	-	Mayor Fred Eisenberger
Yes	-	Ward 1 Councillor Maureen Wilson
Yes	-	Ward 2 Councillor Jason Farr
Yes	-	Ward 3 Councillor Nrinder Nann
Yes	-	Ward 4 Councillor Sam Merulla, Deputy Mayor
Yes	-	Ward 5 Councillor Chad Collins
Yes	-	Ward 6 Councillor Tom Jackson
Yes	-	Ward 7 Councillor Esther Pauls
Yes	-	Ward 8 Councillor J. P. Danko
Yes	-	Ward 9 Councillor Brad Clark
Yes	-	Ward 10 Councillor Maria Pearson
Yes	-	Ward 11 Councillor Brenda Johnson
Yes	-	Ward 12 Councillor Lloyd Ferguson
Yes	-	Ward 13 Councillor Arlene VanderBeek
Absent	-	Ward 14 Councillor Terry Whitehead
Yes	-	Ward 15 Councillor Judi Partridge

9. Investing in City Roads and Sidewalks Infrastructure with Canada Community-Building Funds (Item 11.1)

(Collins/Ferguson)

WHEREAS, Deputy Prime Minister Freeland announced Bill C-25, An Act to amend the *Federal-Provincial Fiscal Arrangements Act*, to authorize certain payments to be made out of the Consolidated Revenue Fund and to amend another Act, which would permanently rename the Federal Gas Tax Fund to the Canada Community-Building Fund and increase funding by \$2.2 billion in 2021, almost double the allocation for this year, totaling approximately \$4.5 billion;

WHEREAS, Bill C-25 has not yet been enacted by the House of Commons Canada;

WHEREAS, the City of Hamilton expects to receive \$32.7 million in one-time funding under Bill C-25 in 2021;

WHEREAS, Federal Gas Tax Funds must be spent within five years;

WHEREAS, highway infrastructure and infrastructure for local roads and bridges eligible projects under the Federal Gas Tax Agreements includes roads, bridges, tunnels, highways and active transportation infrastructure, referring to investments that support active methods of travel of cycling lanes and paths, sidewalks, hiking and walking trails;

WHEREAS, the City of Hamilton maintains roads related infrastructure with an estimated value of \$6 Billion, and,

WHEREAS, the City of Hamilton has a funding gap that does not maintain our current condition for Roads Related infrastructure;

THEREFORE, BE IT RESOLVED:

- (a) That \$30 million of the estimated \$32.7 million of the one-time funding under Bill C-25, be invested in sidewalk and road repairs (minor maintenance);
- (b) That the funds be allocated equally amongst 15 wards (\$2m per ward); and,
- (c) That staff be directed to report back to the Audit, Finance and Administration Committee with a procurement process that expedites the use of the funds to limit exposure to rising (inflationary) prices.

Result: Motion CARRIED by a vote of 12 to 2, as follows:

Yes	-	Mayor Fred Eisenberger
No	-	Ward 1 Councillor Maureen Wilson
Yes	-	Ward 2 Councillor Jason Farr
Absent	-	Ward 3 Councillor Nrinder Nann
Yes	-	Ward 4 Councillor Sam Merulla, Deputy Mayor
Yes	-	Ward 5 Councillor Chad Collins
Yes	-	Ward 6 Councillor Tom Jackson
Yes	-	Ward 7 Councillor Esther Pauls
No	-	Ward 8 Councillor J. P. Danko
Yes	-	Ward 9 Councillor Brad Clark
Yes	-	Ward 10 Councillor Maria Pearson
Yes	-	Ward 11 Councillor Brenda Johnson
Yes	-	Ward 12 Councillor Lloyd Ferguson
Yes	-	Ward 13 Councillor Arlene VanderBeeck
Absent	-	Ward 14 Councillor Terry Whitehead
Yes	-	Ward 15 Councillor Judi Partridge

10. Amendments to the Outstanding Business List (Item 13.1)

(Clark/Ferguson)

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

(a) Items to be Referred to the Planning Committee (Item 13.1.c.):

- (i) Draft Agreement - Biodiversity Action Plan (Item 13.1.c.a.)
- (ii) Update regarding the Progress of the Biodiversity Action Plan (Item 13.1.c.b.)
- (iii) All other matters related to the Biodiversity Action Plan (Item 13.1.c.c.)

Result: Motion CARRIED by a vote of 14 to 0, as follows:

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Yes	-	Mayor Fred Eisenberger
Yes	-	Ward 1 Councillor Maureen Wilson
Yes	-	Ward 2 Councillor Jason Farr
Absent	-	Ward 3 Councillor Nrinder Nann
Yes	-	Ward 4 Councillor Sam Merulla, Deputy Mayor
Yes	-	Ward 5 Councillor Chad Collins
Yes	-	Ward 6 Councillor Tom Jackson
Yes	-	Ward 7 Councillor Esther Pauls
Yes	-	Ward 8 Councillor J. P. Danko
Yes	-	Ward 9 Councillor Brad Clark
Yes	-	Ward 10 Councillor Maria Pearson
Yes	-	Ward 11 Councillor Brenda Johnson
Yes	-	Ward 12 Councillor Lloyd Ferguson
Yes	-	Ward 13 Councillor Arlene VanderBeek
Absent	-	Ward 14 Councillor Terry Whitehead
Yes	-	Ward 15 Councillor Judi Partridge

11. Disposition of City-Owned Industrial Land (PED21135) (Ward 11) (Item 14.1)

(Johnson/Clark)

- (a) That an Offer to Purchase and Sale for the sale of a portion of City-owned Industrial Land, as identified in Appendix "A" attached to Report PED21135, scheduled to close 60 days after the fulfilment of all conditions, be approved and completed, substantially on terms and conditions, outlined in Appendix "B" attached to Report PED21135, and on such other terms and conditions deemed appropriate by the General Manager, Planning and Economic Development Department, with the net proceeds to be credited to Account No. 5160507001 (North Glanbrook Industrial Business Park Servicing);
- (b) That \$329,820 from the proceeds of the sale of the City-owned Industrial Land, as identified in Appendix "A" attached to Report PED21135, be charged to Project ID Account No. 59806-5160507001 (North Glanbrook Industrial Business Park Servicing) and credited to Dept. ID Account No. 59806-812036 for recovery of expenses including real estate, appraisal, property management and legal fees;
- (c) That the Mayor and City Clerk be authorized and directed to execute any necessary documents respecting the sale of the City-owned Industrial Land, as identified in Appendix "A" attached to Report PED21135, in a form satisfactory to the City Solicitor;
- (d) That the City Solicitor be authorized and directed to complete the sale of the City-owned Industrial Land, as identified in Appendix "A" attached to Report PED21135, 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 he considers reasonable; and,

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- (e) That Report PED21135, respecting the Disposition of City-Owned Industrial Land, remain confidential and not be released as a public document until final completion of the real estate transaction.

Result: Motion CARRIED by a vote of 13 to 0, as follows:

Yes	-	Mayor Fred Eisenberger
Yes	-	Ward 1 Councillor Maureen Wilson
Yes	-	Ward 2 Councillor Jason Farr
Yes	-	Ward 3 Councillor Nrinder Nann
Yes	-	Ward 4 Councillor Sam Merulla, Deputy Mayor
Yes	-	Ward 5 Councillor Chad Collins
Yes	-	Ward 6 Councillor Tom Jackson
Yes	-	Ward 7 Councillor Esther Pauls
Yes	-	Ward 8 Councillor J. P. Danko
Yes	-	Ward 9 Councillor Brad Clark
Yes	-	Ward 10 Councillor Maria Pearson
Yes	-	Ward 11 Councillor Brenda Johnson
Absent	-	Ward 12 Councillor Lloyd Ferguson
Absent	-	Ward 13 Councillor Arlene VanderBeek
Absent	-	Ward 14 Councillor Terry Whitehead
Yes	-	Ward 15 Councillor Judi Partridge

12. Surplus and Disposition of City-Owned Land in Ward 12 (PED21124) (Ward 12) (Item 14.2)

(Johnson/VanderBeek)

- (a) That the City-owned land, as shown in Appendix "A" and described in Appendix "B" to attached to Report PED21124, be declared surplus for the purposes of disposition;
- (b) That an Offer to Purchase, for the sale of City-owned land, as shown in Appendix "A" and described in Appendix "B" attached to Report PED21124, substantially on terms and conditions, outlined in Appendix "B" attached to Report PED21124, and on such other terms and conditions deemed appropriate by the General Manager, Planning and Economic Development Department, be approved;
- (c) That the General Manager, Planning and Economic Development Department, or designate, acting on behalf of the City as land owner, be authorized and directed to provide any requisite consents, approvals and notices related to any applications for land use approval related to the sale of City-owned Lands, as shown in Appendix "A" attached to Report PED21124;
- (d) That staff be authorized and directed to transfer all net proceeds from the disposition of the City-owned Lands, as shown in Appendix "A" attached to Report PED21124, including \$37,500 for recovery of expenses including

appraisal, due diligence, property management and real estate and legal fees, to Dept. ID Account No. 47702-3561850200 (Property Purchases and Sales) and \$37,500 be further allocated to Dept. ID Account No. 59806-812036 (Real Estate – Admin Recovery;

- (e) That the City Solicitor be authorized and directed to complete the sale of City-owned Lands, shown in Appendix “A” and described in Appendix “B” attached to Report PED21124, 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 considered reasonable;
- (f) That the Mayor and City Clerk be authorized and directed to execute any necessary documents respecting the sale of City-owned Lands, as shown in Appendix “A” attached to Report PED21124, in a form satisfactory to the City Solicitor; and,
- (g) That Report PED21124, respecting the Surplus and Disposition of City-Owned Land in Ward 12, remain confidential until final completion of the real estate transaction.

Result: Motion CARRIED by a vote of 14 to 0, as follows:

Yes	-	Mayor Fred Eisenberger
Yes	-	Ward 1 Councillor Maureen Wilson
Yes	-	Ward 2 Councillor Jason Farr
Yes	-	Ward 3 Councillor Nrinder Nann
Yes	-	Ward 4 Councillor Sam Merulla, Deputy Mayor
Yes	-	Ward 5 Councillor Chad Collins
Yes	-	Ward 6 Councillor Tom Jackson
Yes	-	Ward 7 Councillor Esther Pauls
Yes	-	Ward 8 Councillor J. P. Danko
Yes	-	Ward 9 Councillor Brad Clark
Yes	-	Ward 10 Councillor Maria Pearson
Yes	-	Ward 11 Councillor Brenda Johnson
Absent	-	Ward 12 Councillor Lloyd Ferguson
Yes	-	Ward 13 Councillor Arlene VanderBeek
Absent	-	Ward 14 Councillor Terry Whitehead
Yes	-	Ward 15 Councillor Judi Partridge

13. Planning and Economic Development Realignments - Real Estate Section (PED21134) (City Wide) (Item 14.3)

(Jackson/VanderBeek)

- (a) That the direction provided to staff in Closed Session, respecting Report PED21134 - Planning and Economic Development Realignments – Real Estate Section, be approved; and,

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- (b) That Report PED21134, respecting the Planning and Economic Development Realignments – Real Estate Section, remain confidential until approved by Council.

Result: Motion CARRIED by a vote of 14 to 0, as follows:

Yes	-	Mayor Fred Eisenberger
Yes	-	Ward 1 Councillor Maureen Wilson
Yes	-	Ward 2 Councillor Jason Farr
Yes	-	Ward 3 Councillor Nrinder Nann
Yes	-	Ward 4 Councillor Sam Merulla, Deputy Mayor
Yes	-	Ward 5 Councillor Chad Collins
Yes	-	Ward 6 Councillor Tom Jackson
Yes	-	Ward 7 Councillor Esther Pauls
Yes	-	Ward 8 Councillor J. P. Danko
Yes	-	Ward 9 Councillor Brad Clark
Yes	-	Ward 10 Councillor Maria Pearson
Yes	-	Ward 11 Councillor Brenda Johnson
Absent	-	Ward 12 Councillor Lloyd Ferguson
Yes	-	Ward 13 Councillor Arlene VanderBeek
Absent	-	Ward 14 Councillor Terry Whitehead
Yes	-	Ward 15 Councillor Judi Partridge

**14. Planning and Economic Development Realignments (PED21151) (City Wide)
(Item 14.4)**

(Farr/Clark)

- (a) That the direction provided to staff in Closed Session, respecting Report PED21151 - Realignments in the Planning & Economic Development Department, be approved; and,
- (b) That Report PED21151, respecting Realignments in the Planning & Economic Development Department, remain confidential until approved by Council.

Result: Motion CARRIED by a vote of 14 to 0, as follows:

Yes	-	Mayor Fred Eisenberger
Yes	-	Ward 1 Councillor Maureen Wilson
Yes	-	Ward 2 Councillor Jason Farr
Yes	-	Ward 3 Councillor Nrinder Nann
Yes	-	Ward 4 Councillor Sam Merulla, Deputy Mayor
Yes	-	Ward 5 Councillor Chad Collins
Yes	-	Ward 6 Councillor Tom Jackson
Yes	-	Ward 7 Councillor Esther Pauls
Yes	-	Ward 8 Councillor J. P. Danko
Yes	-	Ward 9 Councillor Brad Clark

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Yes	-	Ward 10	Councillor Maria Pearson
Yes	-	Ward 11	Councillor Brenda Johnson
Absent	-	Ward 12	Councillor Lloyd Ferguson
Yes	-	Ward 13	Councillor Arlene VanderBeek
Absent	-	Ward 14	Councillor Terry Whitehead
Yes	-	Ward 15	Councillor Judi Partridge

15. Red Hill Valley Parkway Inquiry Update (LS19036(e)) (City Wide) (Item 14.5)

(Jackson/Collins)

- (a) That the direction provided to staff in Closed Session, respecting Report LS19036(e) - Red Hill Valley Parkway Inquiry Update, be approved; and,
- (b) That Confidential Appendix "A" attached to Report LS19036(e) - Red Hill Valley Parkway Inquiry Update, remain confidential.

Result: Motion CARRIED by a vote of 14 to 0, as follows:

Yes	-	Mayor Fred Eisenberger
Yes	-	Ward 1 Councillor Maureen Wilson
Yes	-	Ward 2 Councillor Jason Farr
Yes	-	Ward 3 Councillor Nrinder Nann
Yes	-	Ward 4 Councillor Sam Merulla, Deputy Mayor
Yes	-	Ward 5 Councillor Chad Collins
Yes	-	Ward 6 Councillor Tom Jackson
Yes	-	Ward 7 Councillor Esther Pauls
Yes	-	Ward 8 Councillor J. P. Danko
Yes	-	Ward 9 Councillor Brad Clark
Yes	-	Ward 10 Councillor Maria Pearson
Yes	-	Ward 11 Councillor Brenda Johnson
Absent	-	Ward 12 Councillor Lloyd Ferguson
Yes	-	Ward 13 Councillor Arlene VanderBeek
Absent	-	Ward 14 Councillor Terry Whitehead
Yes	-	Ward 15 Councillor Judi Partridge

FOR INFORMATION:

(a) APPROVAL OF AGENDA (Item 2)

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

5. ADDED COMMUNICATION ITEM

- 5.1. Correspondence from the Hamilton ACORN Tenant Union respecting Item 10.2 – Report PED21140, Vacant Homes Tax and Grant Application for 540 King Street East.

Recommendation: Be received and referred to the consideration of Item 10.2.

6. ADDED DELEGATION REQUESTS

- 6.2. Darlene Wesley, ACORN Hamilton, respecting Item 10.2 – Report PED21140, Vacant Homes Tax and Grant Application for 540 King Street East (For the July 5, 2021 GIC)
- 6.3. Elizabeth Ellis, ACORN Hamilton, respecting Item 10.2 – Report PED21140, Vacant Homes Tax and Grant Application for 540 King Street East (For the July 5, 2021 GIC)
- 6.4. Karl Andrus, Hamilton Community Benefits Network respecting Item 10.4 - Report FCS21017(a)/PED21114, Considerations to Implement a Vacant Home Tax in Hamilton (For the July 5, 2021 GIC)
- 6.5. Lynda Lukasik, Environment Hamilton respecting Item 10.4 - Report FCS21017(a)/PED21114, Considerations to Implement a Vacant Home Tax in Hamilton
- 6.6. Veronica Gonzalez, ACORN Hamilton, respecting Item 10.2 – Report PED21140, Vacant Homes Tax and Grant Application for 540 King Street East (For the July 5, 2021 GIC)
- 6.7. Dayna Sparkes, ACORN Hamilton, respecting Item 10.2 – Report PED21140, Vacant Homes Tax and Grant Application for 540 King Street East (For the July 5, 2021 GIC)
- 6.8. Kojo Dampsey, Hamilton Centre for Civic Inclusion, respecting Item 10.4 - Report FCS21017(a)/PED21114, Considerations to Implement a Vacant Home Tax in Hamilton (For the July 5, 2021 GIC)
- 6.9. Delegation Requests with Video Submissions:
 - 6.9.a. David Galvin, ACORN Hamilton, respecting Item 10.4 - Report FCS21017(a)/PED21114, Considerations to Implement a Vacant Home Tax in Hamilton (For the July 5, 2021 GIC)
 - 6.9.b. Rebecca Guzzo, ACORN Hamilton, respecting Item 10.2 – Report PED21140, Vacant Homes Tax and Grant Application for 540 King Street East (For the July 5, 2021 GIC)

- 6.9.c. Ally Shanner, ACORN Hamilton, respecting Item 10.2 – Report PED21140, Vacant Homes Tax and Grant Application for 540 King Street East (For the July 5, 2021 GIC)
- 6.9.d. Brigitte Huard respecting Items 10.2 – Report PED21140, Vacant Homes Tax and Grant Application for 540 King Street East; and, 10.4 - Report FCS21017(a)/PED21114, Considerations to Implement a Vacant Home Tax in Hamilton (for the July 5, 2021 GIC)

10. CHANGE TO DISCUSSION ITEMS

- 10.8 Chedoke Creek Order - Cootes Paradise Workplan (PW19008(m)) (City Wide)

As a presentation has been added to this report, this matter will now be heard under Item 8.2, and the balance of the presentations will be renumbered accordingly.

13. ADDED GENERAL INFORMATION / OTHER BUSINESS ITEMS

- 13.1. Amendments to the Outstanding Business List:

- 13.1.c. Items to be Referred to the Planning Committee:

- 13.1.c.a. Draft Agreement - Biodiversity Action Plan

- 13.1.c.b. Update regarding the Progress of the Biodiversity Action Plan *13.1.c.c. All other matters related to the Biodiversity Action Plan.

- 13.1.c.c. All other matters related to the Biodiversity Action Plan

14. ADDED PRIVATE AND CONFIDENTIAL ITEMS

- 14.4. Planning and Economic Development Realignment (PED21151) (City Wide)

Pursuant to Section 9.1, Sub-section (d) of the City's Procedural By-law 21-021 and Section 239(2), Sub-section (d) of the *Ontario Municipal Act*, 2001, as amended, as the subject matter pertains to labour relations or employee negotiations.

14.5. Red Hill Valley Parkway Inquiry Update (LS19036(e)) (City Wide)

Pursuant to Section 9.1, Sub-sections (e), (f) and (k) of the City's Procedural By-law 21-021 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 municipality or local board; 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.

As well, as there are many members of the City's external legal counsel in attendance, therefore, Item 14.5 will be considered prior to Item 14.1 in Closed Session.

(Farr/Clark)

That the agenda for the July 5, 2021 General Issues Committee meeting, be approved, as amended.

Result: Motion CARRIED by a vote of 13 to 0, as follows:

Yes	-	Mayor Fred Eisenberger
Yes	-	Ward 1 Councillor Maureen Wilson
Yes	-	Ward 2 Councillor Jason Farr
Yes	-	Ward 3 Councillor Nrinder Nann
Yes	-	Ward 4 Councillor Sam Merulla, Deputy Mayor
Yes	-	Ward 5 Councillor Chad Collins
Yes	-	Ward 6 Councillor Tom Jackson
Absent	-	Ward 7 Councillor Esther Pauls
Yes	-	Ward 8 Councillor J. P. Danko
Yes	-	Ward 9 Councillor Brad Clark
Yes	-	Ward 10 Councillor Maria Pearson
Yes	-	Ward 11 Councillor Brenda Johnson
Absent	-	Ward 12 Councillor Lloyd Ferguson
Yes	-	Ward 13 Councillor Arlene VanderBeek
Absent	-	Ward 14 Councillor Terry Whitehead
Yes	-	Ward 15 Councillor Judi Partridge

(b) DECLARATIONS OF INTEREST (Item 3)

- (i) Councillor S. Merulla declared an interest to Item 5.1, Correspondence from the Hamilton ACORN Tenant Union respecting Item 10.2 – Report PED21140, Vacant Homes Tax and Grant Application for 540 King Street East, as he and his wife are rental property landlords.

- (ii) Councillor S. Merulla declared an interest to Item 6.2, the Delegation Request from Darlene Wesley, ACORN Hamilton, respecting Item 10.2 – Report PED21140, Vacant Homes Tax and Grant Application for 540 King Street East, as he and his wife are rental property landlords.
- (iii) Councillor S. Merulla declared an interest to Item 6.3, the Delegation Request from Elizabeth Ellis, ACORN Hamilton, respecting Item 10.2 – Report PED21140, Vacant Homes Tax and Grant Application for 540 King Street East, as he and his wife are rental property landlords.
- (iv) Councillor S. Merulla declared an interest to Item 6.4, the Delegation Request from Karl Andrus, Hamilton Community Benefits Network respecting Item 10.4 - Report FCS21017(a)/PED21114, Considerations to Implement a Vacant Home Tax in Hamilton, as he and his wife are rental property landlords.
- (v) Councillor S. Merulla declared an interest to Item 6.5, the Delegation Request from Lynda Lukasik, Environment Hamilton respecting Item 10.4 - Report FCS21017(a)/PED21114, Considerations to Implement a Vacant Home Tax in Hamilton, as he and his wife are rental property landlords.
- (vi) Councillor S. Merulla declared an interest to Item 6.6, the Delegation Request from Veronica Gonzalez, ACORN Hamilton, respecting Item 10.2 – Report PED21140, Vacant Homes Tax and Grant Application for 540 King Street East, as he and his wife are rental property landlords.
- (vii) Councillor S. Merulla declared an interest to Item 6.7, the Delegation Request from Dayna Sparkes, ACORN Hamilton, respecting Item 10.2 – Report PED21140, Vacant Homes Tax and Grant Application for 540 King Street East, as he and his wife are rental property landlords.
- (viii) Councillor S. Merulla declared an interest to Item 6.8, the Delegation Request from Kojo Dampthey, Hamilton Centre for Civic Inclusion, respecting Item 10.4 - Report FCS21017(a)/PED21114, Considerations to Implement a Vacant Home Tax in Hamilton, as he and his wife are rental property landlords.
- (ix) Councillor S. Merulla declared an interest to Item 6.9.a., the video Delegation Request from David Galvin, ACORN Hamilton, respecting Item 10.4 - Report FCS21017(a)/PED21114, Considerations to Implement a Vacant Home Tax in Hamilton, as he and his wife are rental property landlords.
- (x) Councillor S. Merulla declared an interest to Item to Item 6.9.b., the video Delegation Request from Rebecca Guzzo, ACORN Hamilton, respecting Item 10.2 – Report PED21140, Vacant Homes Tax and Grant Application for 540 King Street East, as he and his wife are rental property landlords.

- (xi) Councillor S. Merulla declared an interest to Item to Item 6.9.c., the video Delegation Request from Ally Shanner, ACORN Hamilton, respecting Item 10.2 – Report PED21140, Vacant Homes Tax and Grant Application for 540 King Street East, as he and his wife are rental property landlords.
- (xii) Councillor S. Merulla declared an interest to Item 6.9.d., the video Delegation Request from Brigitte Huard respecting Items 10.2 – Report PED21140, Vacant Homes Tax and Grant Application for 540 King Street East; and, 10.4 - Report FCS21017(a)/PED21114, Considerations to Implement a Vacant Home Tax in Hamilton, as he and his wife are rental property landlords.
- (xiii) Councillor S. Merulla declared an interest to Item 10.1, Report PED21115, Hamilton Tax Increment Grant - 154 Main Street East, Hamilton, as he and his wife are rental property landlords.
- (xiv) Councillor S. Merulla declared an interest to Item 10.4, Report FCS21017(a)/PED21114, Considerations to Implement a Vacant Home Tax in Hamilton, as he and his wife are rental property landlords.
- (xv) Councillor J. P. Danko declared an interest to Item 10.5 – School Board Properties Sub-Committee Report 21-002, June 22, 2021, as his wife is currently the Chair of the Hamilton-Wentworth District School Board.
- (xvi) Councillor A. VanderBeek declared an interest to Item 5.1, Correspondence from the Hamilton ACORN Tenant Union respecting Item 10.2 – Report PED21140, Vacant Homes Tax and Grant Application for 540 King Street East, as she is a rental property landlord.
- (xvii) Councillor A. VanderBeek declared an interest to Item 6.2, the Delegation Request from Darlene Wesley, ACORN Hamilton, respecting Item 10.2 – Report PED21140, Vacant Homes Tax and Grant Application for 540 King Street East, as she is a rental property landlord.
- (xviii) Councillor A. VanderBeek declared an interest to Item 6.3, the Delegation Request from Elizabeth Ellis, ACORN Hamilton, respecting Item 10.2 – Report PED21140, Vacant Homes Tax and Grant Application for 540 King Street East, as she is a rental property landlord.
- (xix) Councillor A. VanderBeek declared an interest to Item 6.4, the Delegation Request from Karl Andrus, Hamilton Community Benefits Network respecting Item 10.4 - Report FCS21017(a)/PED21114, Considerations to Implement a Vacant Home Tax in Hamilton, as she is a rental property landlord.
- (xx) Councillor A. VanderBeek declared an interest to Item 6.5, the Delegation Request from Lynda Lukasik, Environment Hamilton respecting Item 10.4 - Report FCS21017(a)/PED21114, Considerations to Implement a Vacant Home Tax in Hamilton, as she is a rental property landlord.

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- (xxi) Councillor A. VanderBeek declared an interest to Item 6.6, the Delegation Request from Veronica Gonzalez, ACORN Hamilton, respecting Item 10.2 – Report PED21140, Vacant Homes Tax and Grant Application for 540 King Street East, as she is a rental property landlord.
- (xxii) Councillor A. VanderBeek declared an interest to Item 6.7, the Delegation Request from Dayna Sparkes, ACORN Hamilton, respecting Item 10.2 – Report PED21140, Vacant Homes Tax and Grant Application for 540 King Street East, as she is a rental property landlord.
- (xxiii) Councillor A. VanderBeek declared an interest to Item 6.8, the Delegation Request from Kojo Dampthey, Hamilton Centre for Civic Inclusion, respecting Item 10.4 - Report FCS21017(a)/PED21114, Considerations to Implement a Vacant Home Tax in Hamilton, as she is a rental property landlord.
- (xxiv) Councillor A. VanderBeek declared an interest to Item 6.9.a., the video Delegation Request from David Galvin, ACORN Hamilton, respecting Item 10.4 - Report FCS21017(a)/PED21114, Considerations to Implement a Vacant Home Tax in Hamilton, as she is a rental property landlord.
- (xxv) Councillor A. VanderBeek declared an interest to Item to Item 6.9.b., the video Delegation Request from Rebecca Guzzo, ACORN Hamilton, respecting Item 10.2 – Report PED21140, Vacant Homes Tax and Grant Application for 540 King Street East, as she is a rental property landlord.
- (xxvi) Councillor A. VanderBeek declared an interest to Item to Item 6.9.c., the video Delegation Request from Ally Shanner, ACORN Hamilton, respecting Item 10.2 – Report PED21140, Vacant Homes Tax and Grant Application for 540 King Street East, as she is a rental property landlord.
- (xxvii) Councillor A. VanderBeek declared an interest to Item 6.9.d., the video Delegation Request from Brigitte Huard respecting Items 10.2 – Report PED21140, Vacant Homes Tax and Grant Application for 540 King Street East; and, 10.4 - Report FCS21017(a)/PED21114, Considerations to Implement a Vacant Home Tax in Hamilton, as she is a rental property landlord.
- (xxviii) Councillor A. VanderBeek declared an interest to Item 10.1, Report PED21115, Hamilton Tax Increment Grant - 154 Main Street East, Hamilton, as she is a rental property landlord.
- (xxix) Councillor A. VanderBeek declared an interest to Item 10.4, Report FCS21017(a)/PED21114, Considerations to Implement a Vacant Home Tax in Hamilton, as she is a rental property landlord.
- (xxx) Councillor M. Pearson declared an interest to Item 5.1, Correspondence from the Hamilton ACORN Tenant Union respecting Item 10.2 – Report

PED21140, Vacant Homes Tax and Grant Application for 540 King Street East, as she is a rental property landlord.

- (xxxi) Councillor M. Pearson declared an interest to Item 6.2, the Delegation Request from Darlene Wesley, ACORN Hamilton, respecting Item 10.2 – Report PED21140, Vacant Homes Tax and Grant Application for 540 King Street East, as she is a rental property landlord.
- (xxxii) Councillor M. Pearson declared an interest to Item 6.3, the Delegation Request from Elizabeth Ellis, ACORN Hamilton, respecting Item 10.2 – Report PED21140, Vacant Homes Tax and Grant Application for 540 King Street East, as she is a rental property landlord.
- (xxxiii) Councillor M. Pearson declared an interest to Item 6.4, the Delegation Request from Karl Andrus, Hamilton Community Benefits Network respecting Item 10.4 - Report FCS21017(a)/PED21114, Considerations to Implement a Vacant Home Tax in Hamilton, as she is a rental property landlord.
- (xxxiv) Councillor M. Pearson declared an interest to Item 6.5, the Delegation Request from Lynda Lukasik, Environment Hamilton respecting Item 10.4 - Report FCS21017(a)/PED21114, Considerations to Implement a Vacant Home Tax in Hamilton, as she is a rental property landlord.
- (xxxv) Councillor M. Pearson declared an interest to Item 6.6, the Delegation Request from Veronica Gonzalez, ACORN Hamilton, respecting Item 10.2 – Report PED21140, Vacant Homes Tax and Grant Application for 540 King Street East, as she is a rental property landlord.
- (xxxvi) Councillor M. Pearson declared an interest to Item 6.7, the Delegation Request from Dayna Sparkes, ACORN Hamilton, respecting Item 10.2 – Report PED21140, Vacant Homes Tax and Grant Application for 540 King Street East, as she is a rental property landlord.
- (xxvii) Councillor M. Pearson declared an interest to Item 6.8, the Delegation Request from Kojo Dampthey, Hamilton Centre for Civic Inclusion, respecting Item 10.4 - Report FCS21017(a)/PED21114, Considerations to Implement a Vacant Home Tax in Hamilton, as she is a rental property landlord.
- (xxxviii) Councillor M. Pearson declared an interest to Item 6.9.a., the video Delegation Request from David Galvin, ACORN Hamilton, respecting Item 10.4 - Report FCS21017(a)/PED21114, Considerations to Implement a Vacant Home Tax in Hamilton, as she is a rental property landlord.
- (xxxix) Councillor M. Pearson declared an interest to Item to Item 6.9.b., the video Delegation Request from Rebecca Guzzo, ACORN Hamilton, respecting Item 10.2 – Report PED21140, Vacant Homes Tax and Grant Application for 540 King Street East, as she is a rental property landlord.

- (xl) Councillor M. Pearson declared an interest to Item to Item 6.9.c., the video Delegation Request from Ally Shanner, ACORN Hamilton, respecting Item 10.2 – Report PED21140, Vacant Homes Tax and Grant Application for 540 King Street East, as she is a rental property landlord.
- (xli) Councillor M. Pearson declared an interest to Item 6.9.d., the video Delegation Request from Brigitte Huard respecting Items 10.2 – Report PED21140, Vacant Homes Tax and Grant Application for 540 King Street East; and, 10.4 - Report FCS21017(a)/PED21114, Considerations to Implement a Vacant Home Tax in Hamilton, as she is a rental property landlord.
- (xlii) Councillor M. Pearson declared an interest to Item 10.1, Report PED21115, Hamilton Tax Increment Grant - 154 Main Street East, Hamilton, as she is a rental property landlord.
- (xlili) Councillor M. Pearson declared an interest to Item 10.4, Report FCS21017(a)/PED21114, Considerations to Implement a Vacant Home Tax in Hamilton, as she is a rental property landlord.

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

(i) June 16, 2021 (Item 4.1)

(Jackson/Johnson)

That the Minutes of the June 16, 2021 General Issues Committee meeting be approved, as presented.

Result: Motion CARRIED by a vote of 13 to 0, as follows:

Yes	-	Mayor Fred Eisenberger
Yes	-	Ward 1 Councillor Maureen Wilson
Yes	-	Ward 2 Councillor Jason Farr
Yes	-	Ward 3 Councillor Nrinder Nann
Yes	-	Ward 4 Councillor Sam Merulla, Deputy Mayor
Yes	-	Ward 5 Councillor Chad Collins
Yes	-	Ward 6 Councillor Tom Jackson
Absent	-	Ward 7 Councillor Esther Pauls
Yes	-	Ward 8 Councillor J. P. Danko
Yes	-	Ward 9 Councillor Brad Clark
Yes	-	Ward 10 Councillor Maria Pearson
Yes	-	Ward 11 Councillor Brenda Johnson
Absent	-	Ward 12 Councillor Lloyd Ferguson
Yes	-	Ward 13 Councillor Arlene VanderBeek
Absent	-	Ward 14 Councillor Terry Whitehead
Yes	-	Ward 15 Councillor Judi Partridge

(d) COMMUNICATION ITEMS (Item 5)

- (i) Correspondence from the Hamilton ACORN Tenant Union respecting Item 10.2 – Report PED21140, Vacant Homes Tax and Grant Application for 540 King Street East, Hamilton (Item 5.1)**

(Nann/Ferguson)

That the correspondence from the Hamilton ACORN Tenant Union respecting Item 10.2 – Report PED21140, Vacant Homes Tax and Grant Application for 540 King Street East, Hamilton, be received and referred to the consideration of Item 10.2.

Result: Motion CARRIED by a vote of 11 to 0, as follows:

Yes	-	Mayor Fred Eisenberger
Yes	-	Ward 1 Councillor Maureen Wilson
Yes	-	Ward 2 Councillor Jason Farr
Yes	-	Ward 3 Councillor Nrinder Nann
Conflict	-	Ward 4 Councillor Sam Merulla, Deputy Mayor
Yes	-	Ward 5 Councillor Chad Collins
Yes	-	Ward 6 Councillor Tom Jackson
Absent	-	Ward 7 Councillor Esther Pauls
Yes	-	Ward 8 Councillor J. P. Danko
Yes	-	Ward 9 Councillor Brad Clark
Conflict	-	Ward 10 Councillor Maria Pearson
Yes	-	Ward 11 Councillor Brenda Johnson
Yes	-	Ward 12 Councillor Lloyd Ferguson
Conflict	-	Ward 13 Councillor Arlene VanderBeek
Absent	-	Ward 14 Councillor Terry Whitehead
Yes	-	Ward 15 Councillor Judi Partridge

For disposition of this matter, please refer to Information Item (h)(i).

(e) DELEGATION REQUESTS (Item 6)**(Eisenberger/Jackson)**

That the following Delegation Requests, be approved, as shown below:

- (i) Paven Bratch, Metro Partners Inc., respecting the proposed Downtown TechHub (For a future meeting) (Item 6.1)
- (ii) Darlene Wesley, ACORN Hamilton, respecting Item 10.2 – Report PED21140, Vacant Homes Tax and Grant Application for 540 King Street East (For the July 5, 2021 GIC) (Item 6.2)

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- (iii) Elizabeth Ellis, ACORN Hamilton, respecting Item 10.2 – Report PED21140, Vacant Homes Tax and Grant Application for 540 King Street East (For the July 5, 2021 GIC) (Item 6.3)
- (iv) Karl Andrus, Hamilton Community Benefits Network respecting Item 10.4 - Report FCS21017(a)/PED21114, Considerations to Implement a Vacant Home Tax in Hamilton (For the July 5, 2021 GIC) (Item 6.4)
- (v) Lynda Lukasik, Environment Hamilton respecting Item 10.4 - Report FCS21017(a)/PED21114, Considerations to Implement a Vacant Home Tax in Hamilton (For the July 5, 2021 GIC) (Item 6.5)
- (vi) Veronica Gonzalez, ACORN Hamilton, respecting Item 10.2 – Report PED21140, Vacant Homes Tax and Grant Application for 540 King Street East (For the July 5, 2021 GIC) (Item 6.6)
- (vii) Dayna Sparkes, ACORN Hamilton, respecting Item 10.2 – Report PED21140, Vacant Homes Tax and Grant Application for 540 King Street East (For the July 5, 2021 GIC) (Item 6.7)
- (viii) Kojo Dampsey, Hamilton Centre for Civic Inclusion, respecting Item 10.4 - Report FCS21017(a)/PED21114, Considerations to Implement a Vacant Home Tax in Hamilton (For the July 5, 2021 GIC) (Item 6.8)
- (ix) Video Submission - David Galvin, ACORN Hamilton, respecting Item 10.4 - Report FCS21017(a)/PED21114, Considerations to Implement a Vacant Home Tax in Hamilton (For the July 5, 2021 GIC) (Item 6.9.a.)
- (x) Video Submission - Rebecca Guzzo, ACORN Hamilton, respecting Item 10.2 – Report PED21140, Vacant Homes Tax and Grant Application for 540 King Street East (For the July 5, 2021 GIC) (Item 6.9.b.)
- (xi) Ally Shanner, ACORN Hamilton, respecting Item 10.2 – Report PED21140, Vacant Homes Tax and Grant Application for 540 King Street East (For the July 5, 2021 GIC) (Item 6.9.c.)
- (xii) Brigitte Huard respecting Items 10.2 - Vacant Homes Tax and Grant Application for 540 King Street East; and, 10.4 - Report FCS21017(a)/PED21114, Considerations to Implement a Vacant Home Tax in Hamilton (for the July 5, 2021 GIC) (Item 6.9.d.)

Result: Motion CARRIED by a vote of 12 to 0, as follows:

Yes	-	Mayor Fred Eisenberger
Yes	-	Ward 1 Councillor Maureen Wilson
Yes	-	Ward 2 Councillor Jason Farr
Yes	-	Ward 3 Councillor Nrinder Nann
Conflict	-	Ward 4 Councillor Sam Merulla, Deputy Mayor

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Yes	-	Ward 5	Councillor Chad Collins
Yes	-	Ward 6	Councillor Tom Jackson
Yes	-	Ward 7	Councillor Esther Pauls
Yes	-	Ward 8	Councillor J. P. Danko
Yes	-	Ward 9	Councillor Brad Clark
Conflict	-	Ward 10	Councillor Maria Pearson
Yes	-	Ward 11	Councillor Brenda Johnson
Yes	-	Ward 12	Councillor Lloyd Ferguson
Conflict	-	Ward 13	Councillor Arlene VanderBeek
Absent	-	Ward 14	Councillor Terry Whitehead
Yes	-	Ward 15	Councillor Judi Partridge

For disposition of these matters, please refer to Information Items (h)(i) and (h)(ii).

(f) CONSENT ITEMS (Item 7)

(i) Business Improvement Area (BIA) Advisory Committee Minutes 21-005, May 11, 2021 (Item 7.1)

(Farr/Pauls)

That the Business Improvement Area (BIA) Advisory Committee Minutes 21-005, May 11, 2021, be received.

Result: Motion CARRIED by a vote of 15 to 0 , as follows:

Yes	-	Mayor Fred Eisenberger
Yes	-	Ward 1 Councillor Maureen Wilson
Yes	-	Ward 2 Councillor Jason Farr
Yes	-	Ward 3 Councillor Nrinder Nann
Yes	-	Ward 4 Councillor Sam Merulla, Deputy Mayor
Yes	-	Ward 5 Councillor Chad Collins
Yes	-	Ward 6 Councillor Tom Jackson
Yes	-	Ward 7 Councillor Esther Pauls
Yes	-	Ward 8 Councillor J. P. Danko
Yes	-	Ward 9 Councillor Brad Clark
Yes	-	Ward 10 Councillor Maria Pearson
Yes	-	Ward 11 Councillor Brenda Johnson
Yes	-	Ward 12 Councillor Lloyd Ferguson
Yes	-	Ward 13 Councillor Arlene VanderBeek
Absent	-	Ward 14 Councillor Terry Whitehead
Yes	-	Ward 15 Councillor Judi Partridge

(g) PRESENTATIONS (Item 8)

(i) COVID-19 Verbal Update (Item 8.1)

Paul Johnson, General Manager, Healthy & Safe Communities Department; and, Dr. Elizabeth Richardson, Medical Officer of Health, provided the update regarding COVID-19.

(Farr/Johnson)

That the presentation, respecting the COVID-19 Verbal Update, be received.

Result: Motion CARRIED by a vote of 14 to 0, as follows:

Yes	-	Mayor Fred Eisenberger
Yes	-	Ward 1 Councillor Maureen Wilson
Yes	-	Ward 2 Councillor Jason Farr
Yes	-	Ward 3 Councillor Nrinder Nann
Yes	-	Ward 4 Councillor Sam Merulla, Deputy Mayor
Yes	-	Ward 5 Councillor Chad Collins
Yes	-	Ward 6 Councillor Tom Jackson
Yes	-	Ward 7 Councillor Esther Pauls
Absent	-	Ward 8 Councillor J. P. Danko
Yes	-	Ward 9 Councillor Brad Clark
Yes	-	Ward 10 Councillor Maria Pearson
Yes	-	Ward 11 Councillor Brenda Johnson
Yes	-	Ward 12 Councillor Lloyd Ferguson
Yes	-	Ward 13 Councillor Arlene VanderBeek
Absent	-	Ward 14 Councillor Terry Whitehead
Yes	-	Ward 15 Councillor Judi Partridge

(ii) Chedoke Creek Order - Cootes Paradise Workplan (PW19008(m)) (City Wide) (Item 8.2)

Andrew Grice, Director of Hamilton Water, provided the presentation respecting Report PW190089(m) - Chedoke Creek Order - Cootes Paradise Workplan.

(Wilson/Jackson)

That the presentation, respecting Report PW190089(m) - Chedoke Creek Order - Cootes Paradise Workplan, be received.

Result: Motion CARRIED by a vote of 14 to 0, as follows:

Yes	-	Mayor Fred Eisenberger
Yes	-	Ward 1 Councillor Maureen Wilson
Yes	-	Ward 2 Councillor Jason Farr
Yes	-	Ward 3 Councillor Nrinder Nann

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Yes	-	Ward 4	Councillor Sam Merulla, Deputy Mayor
Yes	-	Ward 5	Councillor Chad Collins
Yes	-	Ward 6	Councillor Tom Jackson
Yes	-	Ward 7	Councillor Esther Pauls
Yes	-	Ward 8	Councillor J. P. Danko
Yes	-	Ward 9	Councillor Brad Clark
Yes	-	Ward 10	Councillor Maria Pearson
Yes	-	Ward 11	Councillor Brenda Johnson
Yes	-	Ward 12	Councillor Lloyd Ferguson
Yes	-	Ward 13	Councillor Arlene VanderBeek
Absent	-	Ward 14	Councillor Terry Whitehead
Absent	-	Ward 15	Councillor Judi Partridge

For disposition of this matter, please refer to Item 2.

(iii) City Manager's 2020-2021 Review (CM21006) (City Wide) (Item 8.3)

Janette Smith, City Manager, provided a presentation respecting the City Manager's 2020-2021 Review.

(Jackson/Ferguson)

That the presentation, respecting the City Manager's 2020-2021 Review, be received.

Result: Motion CARRIED by a vote of 15 to 0, as follows:

Yes	-	Mayor Fred Eisenberger
Yes	-	Ward 1 Councillor Maureen Wilson
Yes	-	Ward 2 Councillor Jason Farr
Yes	-	Ward 3 Councillor Nrinder Nann
Yes	-	Ward 4 Councillor Sam Merulla, Deputy Mayor
Yes	-	Ward 5 Councillor Chad Collins
Yes	-	Ward 6 Councillor Tom Jackson
Yes	-	Ward 7 Councillor Esther Pauls
Yes	-	Ward 8 Councillor J. P. Danko
Yes	-	Ward 9 Councillor Brad Clark
Yes	-	Ward 10 Councillor Maria Pearson
Yes	-	Ward 11 Councillor Brenda Johnson
Yes	-	Ward 12 Councillor Lloyd Ferguson
Yes	-	Ward 13 Councillor Arlene VanderBeek
Absent	-	Ward 14 Councillor Terry Whitehead
Yes	-	Ward 15 Councillor Judi Partridge

For disposition of this matter, please refer to Item 3.

(g) PUBLIC HEARINGS / DELEGATIONS (Item 9)

(i) Darlene Wesley, ACORN Hamilton, respecting Item 10.2 – Report PED21140, Vacant Homes Tax and Grant Application for 540 King Street East (Item 9.1)

Darlene Wesley, ACORN Hamilton, addressed Committee respecting Item 10.2 – Report PED21140, Vacant Homes Tax and Grant Application for 540 King Street East.

(Ferguson/Nann)

That the presentation, provided by Darlene Wesley, ACORN Hamilton, respecting Item 10.2 – Report PED21140, Vacant Homes Tax and Grant Application for 540 King Street East, be received.

Result: Motion CARRIED by a vote of 11 to 3, as follows:

Yes	-	Mayor Fred Eisenberger
Yes	-	Ward 1 Councillor Maureen Wilson
Absent	-	Ward 2 Councillor Jason Farr
Yes	-	Ward 3 Councillor Nrinder Nann
Conflict	-	Ward 4 Councillor Sam Merulla, Deputy Mayor
Yes	-	Ward 5 Councillor Chad Collins
Yes	-	Ward 6 Councillor Tom Jackson
Yes	-	Ward 7 Councillor Esther Pauls
Yes	-	Ward 8 Councillor J. P. Danko
Yes	-	Ward 9 Councillor Brad Clark
Conflict	-	Ward 10 Councillor Maria Pearson
Yes	-	Ward 11 Councillor Brenda Johnson
Yes	-	Ward 12 Councillor Lloyd Ferguson
Conflict	-	Ward 13 Councillor Arlene VanderBeek
Absent	-	Ward 14 Councillor Terry Whitehead
Yes	-	Ward 15 Councillor Judi Partridge

For disposition of this matter, please refer to Information Item (h)(i).

(ii) Elizabeth Ellis, ACORN Hamilton, respecting Item 10.2 – Report PED21140, Vacant Homes Tax and Grant Application for 540 King Street East (Item 9.2)

Elizabeth Ellis, ACORN Hamilton, addressed Committee respecting Item 10.2 – Report PED21140, Vacant Homes Tax and Grant Application for 540 King Street East.

(Ferguson/Nann)

That the presentation provided by Elizabeth Ellis, ACORN Hamilton, respecting Item 10.2 – Report PED21140, Vacant Homes Tax and Grant Application for 540 King Street East, be received.

Result: Motion CARRIED by a vote of 11 to 3, as follows:

Yes	-	Mayor Fred Eisenberger
Yes	-	Ward 1 Councillor Maureen Wilson
Absent	-	Ward 2 Councillor Jason Farr
Yes	-	Ward 3 Councillor Nrinder Nann
Conflict	-	Ward 4 Councillor Sam Merulla, Deputy Mayor
Yes	-	Ward 5 Councillor Chad Collins
Yes	-	Ward 6 Councillor Tom Jackson
Yes	-	Ward 7 Councillor Esther Pauls
Yes	-	Ward 8 Councillor J. P. Danko
Yes	-	Ward 9 Councillor Brad Clark
Conflict	-	Ward 10 Councillor Maria Pearson
Yes	-	Ward 11 Councillor Brenda Johnson
Yes	-	Ward 12 Councillor Lloyd Ferguson
Conflict	-	Ward 13 Councillor Arlene VanderBeek
Absent	-	Ward 14 Councillor Terry Whitehead
Yes	-	Ward 15 Councillor Judi Partridge

For disposition of this matter, please refer to Information Item (h)(i).

(iii) Karl Andrus, Hamilton Community Benefits Network, respecting Item 10.4 - Report FCS21017(a)/PED21114, Considerations to Implement a Vacant Home Tax in Hamilton (Item 9.3)

Karl Andrus, Hamilton Community Benefits Network, addressed Committee respecting Item 10.4 - Report FCS21017(a)/PED21114, Considerations to Implement a Vacant Home Tax in Hamilton.

(Ferguson/Nann)

That the presentation provided by Karl Andrus, Hamilton Community Benefits Network, respecting Item 10.4 - Report FCS21017(a)/PED21114, Considerations to Implement a Vacant Home Tax in Hamilton, be received.

Result: Motion CARRIED by a vote of 11 to 3, as follows:

Yes	-	Mayor Fred Eisenberger
Yes	-	Ward 1 Councillor Maureen Wilson
Absent	-	Ward 2 Councillor Jason Farr
Yes	-	Ward 3 Councillor Nrinder Nann
Conflict	-	Ward 4 Councillor Sam Merulla, Deputy Mayor
Yes	-	Ward 5 Councillor Chad Collins

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Yes	-	Ward 6	Councillor Tom Jackson
Yes	-	Ward 7	Councillor Esther Pauls
Yes	-	Ward 8	Councillor J. P. Danko
Yes	-	Ward 9	Councillor Brad Clark
Conflict	-	Ward 10	Councillor Maria Pearson
Yes	-	Ward 11	Councillor Brenda Johnson
Yes	-	Ward 12	Councillor Lloyd Ferguson
Conflict	-	Ward 13	Councillor Arlene VanderBeek
Absent	-	Ward 14	Councillor Terry Whitehead
Yes	-	Ward 15	Councillor Judi Partridge

For disposition of this matter, please refer to Item (h)(ii).

(iv) Lynda Lukasik, Environment Hamilton, respecting Item 10.4 - Report FCS21017(a)/PED21114, Considerations to Implement a Vacant Home Tax in Hamilton (Item 9.4)

Lynda Lukasik, Environment Hamilton, addressed Committee respecting Item 10.4 - Report FCS21017(a)/PED21114, Considerations to Implement a Vacant Home Tax in Hamilton.

(Ferguson/Nann)

That the presentation provided by Lynda Lukasik, Environment Hamilton, respecting Item 10.4 - Report FCS21017(a)/PED21114, Considerations to Implement a Vacant Home Tax in Hamilton, be received.

Result: Motion CARRIED by a vote of 11 to 3, as follows:

Yes	-	Mayor Fred Eisenberger
Yes	-	Ward 1 Councillor Maureen Wilson
Absent	-	Ward 2 Councillor Jason Farr
Yes	-	Ward 3 Councillor Nrinder Nann
Conflict	-	Ward 4 Councillor Sam Merulla, Deputy Mayor
Yes	-	Ward 5 Councillor Chad Collins
Yes	-	Ward 6 Councillor Tom Jackson
Yes	-	Ward 7 Councillor Esther Pauls
Yes	-	Ward 8 Councillor J. P. Danko
Yes	-	Ward 9 Councillor Brad Clark
Conflict	-	Ward 10 Councillor Maria Pearson
Yes	-	Ward 11 Councillor Brenda Johnson
Yes	-	Ward 12 Councillor Lloyd Ferguson
Conflict	-	Ward 13 Councillor Arlene VanderBeek
Absent	-	Ward 14 Councillor Terry Whitehead
Yes	-	Ward 15 Councillor Judi Partridge

For disposition of this matter, please refer to Information Item (h)(ii).

- (v) **Veronica Gonzalez, ACORN Hamilton, respecting Item 10.2 – Report PED21140, Vacant Homes Tax and Grant Application for 540 King Street East (Item 9.5)**

Veronica Gonzalez, ACORN Hamilton, addressed Committee respecting Item 10.2 – Report PED21140, Vacant Homes Tax and Grant Application for 540 King Street East.

(Ferguson/Nann)

That the presentation provided by Veronica Gonzalez, ACORN Hamilton, respecting Item 10.2 – Report PED21140, Vacant Homes Tax and Grant Application for 540 King Street East, be received.

Result: Motion CARRIED by a vote of 11 to 3, as follows:

Yes	-	Mayor Fred Eisenberger
Yes	-	Ward 1 Councillor Maureen Wilson
Absent	-	Ward 2 Councillor Jason Farr
Yes	-	Ward 3 Councillor Nrinder Nann
Conflict	-	Ward 4 Councillor Sam Merulla, Deputy Mayor
Yes	-	Ward 5 Councillor Chad Collins
Yes	-	Ward 6 Councillor Tom Jackson
Yes	-	Ward 7 Councillor Esther Pauls
Yes	-	Ward 8 Councillor J. P. Danko
Yes	-	Ward 9 Councillor Brad Clark
Conflict	-	Ward 10 Councillor Maria Pearson
Yes	-	Ward 11 Councillor Brenda Johnson
Yes	-	Ward 12 Councillor Lloyd Ferguson
Conflict	-	Ward 13 Councillor Arlene VanderBeek
Absent	-	Ward 14 Councillor Terry Whitehead
Yes	-	Ward 15 Councillor Judi Partridge

For disposition of this matter, please refer to Information Item (h)(i).

- (vi) **Dayna Sparkes, ACORN Hamilton, respecting Item 10.2 – Report PED21140, Vacant Homes Tax and Grant Application for 540 King Street East (Item 9.6)**

Dayna Sparkes, ACORN Hamilton, addressed Committee respecting Item 10.2 – Report PED21140, Vacant Homes Tax and Grant Application for 540 King Street East.

(Ferguson/Nann)

That the presentation provided by Dayna Sparkes, ACORN Hamilton, respecting Item 10.2 – Report PED21140, Vacant Homes Tax and Grant Application for 540 King Street East, be received.

Result: Motion CARRIED by a vote of 11 to 3, as follows:

Yes	-	Mayor Fred Eisenberger
Yes	-	Ward 1 Councillor Maureen Wilson
Absent	-	Ward 2 Councillor Jason Farr
Yes	-	Ward 3 Councillor Nrinder Nann
Conflict	-	Ward 4 Councillor Sam Merulla, Deputy Mayor
Yes	-	Ward 5 Councillor Chad Collins
Yes	-	Ward 6 Councillor Tom Jackson
Yes	-	Ward 7 Councillor Esther Pauls
Yes	-	Ward 8 Councillor J. P. Danko
Yes	-	Ward 9 Councillor Brad Clark
Conflict	-	Ward 10 Councillor Maria Pearson
Yes	-	Ward 11 Councillor Brenda Johnson
Yes	-	Ward 12 Councillor Lloyd Ferguson
Conflict	-	Ward 13 Councillor Arlene VanderBeek
Absent	-	Ward 14 Councillor Terry Whitehead
Yes	-	Ward 15 Councillor Judi Partridge

For disposition of this matter, please refer to Information Item (h)(i).

(vii) Kojo Dampthey, Hamilton Centre for Civic Inclusion, respecting Item 10.4 - Report FCS21017(a)/PED21114, Considerations to Implement a Vacant Home Tax in Hamilton (Item 9.7)

Kojo Dampthey, Hamilton Centre for Civic Inclusion, addressed Committee respecting Item 10.4 - Report FCS21017(a)/PED21114, Considerations to Implement a Vacant Home Tax in Hamilton.

(Ferguson/Nann)

That the presentation provided by Kojo Dampthey, Hamilton Centre for Civic Inclusion, respecting Item 10.4 - Report FCS21017(a)/PED21114, Considerations to Implement a Vacant Home Tax in Hamilton, be received.

Result: Motion CARRIED by a vote of 11 to 3, as follows:

Yes	-	Mayor Fred Eisenberger
Yes	-	Ward 1 Councillor Maureen Wilson
Absent	-	Ward 2 Councillor Jason Farr
Yes	-	Ward 3 Councillor Nrinder Nann
Conflict	-	Ward 4 Councillor Sam Merulla, Deputy Mayor
Yes	-	Ward 5 Councillor Chad Collins
Yes	-	Ward 6 Councillor Tom Jackson
Yes	-	Ward 7 Councillor Esther Pauls
Yes	-	Ward 8 Councillor J. P. Danko
Yes	-	Ward 9 Councillor Brad Clark
Conflict	-	Ward 10 Councillor Maria Pearson

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Yes	-	Ward 11	Councillor Brenda Johnson
Yes	-	Ward 12	Councillor Lloyd Ferguson
Conflict	-	Ward 13	Councillor Arlene VanderBeek
Absent	-	Ward 14	Councillor Terry Whitehead
Yes	-	Ward 15	Councillor Judi Partridge

For disposition of this matter, please refer to Information Item (h)(ii).

(viii) David Galvin, ACORN Hamilton, respecting Item 10.4 – Report FCS21017(a)/PED21114, Considerations to Implement a Vacant Home Tax in Hamilton (Item 9.8.a.)

The video presentation provided by David Galvin, ACORN Hamilton, respecting Item 10.4 – Report FCS21017(a)/PED21114, Considerations to Implement a Vacant Home Tax in Hamilton, was presented to Committee.

(Ferguson/Nann)

That the video presentation provided by David Galvin, ACORN Hamilton, respecting Item 10.4 – Report FCS21017(a)/PED21114, Considerations to Implement a Vacant Home Tax in Hamilton, be received.

Result: Motion CARRIED by a vote of 11 to 3, as follows:

Yes	-	Mayor Fred Eisenberger
Yes	-	Ward 1 Councillor Maureen Wilson
Absent	-	Ward 2 Councillor Jason Farr
Yes	-	Ward 3 Councillor Nrinder Nann
Conflict	-	Ward 4 Councillor Sam Merulla, Deputy Mayor
Yes	-	Ward 5 Councillor Chad Collins
Yes	-	Ward 6 Councillor Tom Jackson
Yes	-	Ward 7 Councillor Esther Pauls
Yes	-	Ward 8 Councillor J. P. Danko
Yes	-	Ward 9 Councillor Brad Clark
Conflict	-	Ward 10 Councillor Maria Pearson
Yes	-	Ward 11 Councillor Brenda Johnson
Yes	-	Ward 12 Councillor Lloyd Ferguson
Conflict	-	Ward 13 Councillor Arlene VanderBeek
Absent	-	Ward 14 Councillor Terry Whitehead
Yes	-	Ward 15 Councillor Judi Partridge

For disposition of this matter, please refer to Information Item (h)(ii).

(ix) Rebecca Guzzo, ACORN Hamilton, respecting Item 10.2 – Report PED21140, Vacant Homes Tax and Grant Application for 540 King Street East (Item 9.8.b)

The video presentation provided by Rebecca Guzzo, ACORN Hamilton, respecting Item 10.2 – Report PED21140, Vacant Homes Tax and Grant Application for 540 King Street East, was presented to Committee.

(Ferguson/Nann)

That the video presentation provided by Rebecca Guzzo, ACORN Hamilton, respecting Item 10.2 – Report PED21140, Vacant Homes Tax and Grant Application for 540 King Street East, be received.

Result: Motion CARRIED by a vote of 11 to 3, as follows:

Yes	-	Mayor Fred Eisenberger
Yes	-	Ward 1 Councillor Maureen Wilson
Absent	-	Ward 2 Councillor Jason Farr
Yes	-	Ward 3 Councillor Nrinder Nann
Conflict	-	Ward 4 Councillor Sam Merulla, Deputy Mayor
Yes	-	Ward 5 Councillor Chad Collins
Yes	-	Ward 6 Councillor Tom Jackson
Yes	-	Ward 7 Councillor Esther Pauls
Yes	-	Ward 8 Councillor J. P. Danko
Yes	-	Ward 9 Councillor Brad Clark
Conflict	-	Ward 10 Councillor Maria Pearson
Yes	-	Ward 11 Councillor Brenda Johnson
Yes	-	Ward 12 Councillor Lloyd Ferguson
Conflict	-	Ward 13 Councillor Arlene VanderBeek
Absent	-	Ward 14 Councillor Terry Whitehead
Yes	-	Ward 15 Councillor Judi Partridge

For disposition of this matter, please refer to Information Item (h)(i).

(x) Ally Shanner, ACORN Hamilton, respecting Item 10.2 – Report PED21140, Vacant Homes Tax and Grant Application for 540 King Street East (Item 9.8.c.)

The video presentation provided by Ally Shanner, ACORN Hamilton, respecting Item 10.2 – Report PED21140, Vacant Homes Tax and Grant Application for 540 King Street East, was shown for Committee.

(Ferguson/Nann)

That the video presentation provided by Ally Shanner, ACORN Hamilton, respecting Item 10.2 – Report PED21140, Vacant Homes Tax and Grant Application for 540 King Street East, be received.

Result: Motion CARRIED by a vote of 11 to 3, as follows:

Yes	-	Mayor Fred Eisenberger
Yes	-	Ward 1 Councillor Maureen Wilson
Absent	-	Ward 2 Councillor Jason Farr
Yes	-	Ward 3 Councillor Nrinder Nann
Conflict	-	Ward 4 Councillor Sam Merulla, Deputy Mayor
Yes	-	Ward 5 Councillor Chad Collins
Yes	-	Ward 6 Councillor Tom Jackson
Yes	-	Ward 7 Councillor Esther Pauls
Yes	-	Ward 8 Councillor J. P. Danko
Yes	-	Ward 9 Councillor Brad Clark
Conflict	-	Ward 10 Councillor Maria Pearson
Yes	-	Ward 11 Councillor Brenda Johnson
Yes	-	Ward 12 Councillor Lloyd Ferguson
Conflict	-	Ward 13 Councillor Arlene VanderBeek
Absent	-	Ward 14 Councillor Terry Whitehead
Yes	-	Ward 15 Councillor Judi Partridge

For disposition of this matter, please refer to Information Item (h)(i).

(xi) Brigitte Huard respecting Items 10.2 – Report PED21140, Vacant Homes Tax and Grant Application for 540 King Street East; and, 10.4 - Report FCS21017(a)/PED21114, Considerations to Implement a Vacant Home Tax in Hamilton (Item 9.8.d.)

The video presentation provided by Brigitte Huard respecting Items 10.2 – Report PED21140, Vacant Homes Tax and Grant Application for 540 King Street East; and, 10.4 - Report FCS21017(a)/PED21114, Considerations to Implement a Vacant Home Tax in Hamilton, was presented to Committee.

(Ferguson/Nann)

That the video presentation provided by Brigitte Huard respecting Items 10.2 – Report PED21140, Vacant Homes Tax and Grant Application for 540 King Street East; and, 10.4 - Report FCS21017(a)/PED21114, Considerations to Implement a Vacant Home Tax in Hamilton, be received.

Result: Motion CARRIED by a vote of 11 to 3, as follows:

Yes	-	Mayor Fred Eisenberger
Yes	-	Ward 1 Councillor Maureen Wilson
Absent	-	Ward 2 Councillor Jason Farr
Yes	-	Ward 3 Councillor Nrinder Nann
Conflict	-	Ward 4 Councillor Sam Merulla, Deputy Mayor
Yes	-	Ward 5 Councillor Chad Collins
Yes	-	Ward 6 Councillor Tom Jackson
Yes	-	Ward 7 Councillor Esther Pauls

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Yes	-	Ward 8	Councillor J. P. Danko
Yes	-	Ward 9	Councillor Brad Clark
Conflict	-	Ward 10	Councillor Maria Pearson
Yes	-	Ward 11	Councillor Brenda Johnson
Yes	-	Ward 12	Councillor Lloyd Ferguson
Conflict	-	Ward 13	Councillor Arlene VanderBeek
Absent	-	Ward 14	Councillor Terry Whitehead
Yes	-	Ward 15	Councillor Judi Partridge

For disposition of this matter, please refer to Information Items (h)(i) and (h)(ii).

(h) DISCUSSION ITEMS (Item 10)

(i) Hamilton Tax Increment Grant - 540 King Street East, Hamilton (PED21140) (Ward 3) (Item 10.2)

(Nann/Wilson)

That Report PED21140, respecting the Hamilton Tax Increment Grant - 540 King Street East, Hamilton, be referred back to staff to meet with ACORN Hamilton and the applicant, as well as to provide a legal analysis, and policy revisions to address any potential loopholes of this program, which may result in displacement of tenants and report back to the General Issues Committee.

Result: Motion CARRIED by a vote of 12 to 0, as follows:

Yes	-	Mayor Fred Eisenberger
Yes	-	Ward 1 Councillor Maureen Wilson
Yes	-	Ward 2 Councillor Jason Farr
Yes	-	Ward 3 Councillor Nrinder Nann
Conflict	-	Ward 4 Councillor Sam Merulla, Deputy Mayor
Yes	-	Ward 5 Councillor Chad Collins
Yes	-	Ward 6 Councillor Tom Jackson
Yes	-	Ward 7 Councillor Esther Pauls
Yes	-	Ward 8 Councillor J. P. Danko
Yes	-	Ward 9 Councillor Brad Clark
Conflict	-	Ward 10 Councillor Maria Pearson
Yes	-	Ward 11 Councillor Brenda Johnson
Yes	-	Ward 12 Councillor Lloyd Ferguson
Conflict	-	Ward 13 Councillor Arlene VanderBeek
Absent	-	Ward 14 Councillor Terry Whitehead
Yes	-	Ward 15 Councillor Judi Partridge

(Farr/Ferguson)

That the General Issues Committee recess for 30 minutes until 1:30 p.m.

Result: Motion CARRIED by a vote of 15 to 0, as follows:

Yes	-	Mayor Fred Eisenberger
Yes	-	Ward 1 Councillor Maureen Wilson
Yes	-	Ward 2 Councillor Jason Farr
Yes	-	Ward 3 Councillor Nrinder Nann
Yes	-	Ward 4 Councillor Sam Merulla, Deputy Mayor
Yes	-	Ward 5 Councillor Chad Collins
Yes	-	Ward 6 Councillor Tom Jackson
Yes	-	Ward 7 Councillor Esther Pauls
Yes	-	Ward 8 Councillor J. P. Danko
Yes	-	Ward 9 Councillor Brad Clark
Yes	-	Ward 10 Councillor Maria Pearson
Yes	-	Ward 11 Councillor Brenda Johnson
Yes	-	Ward 12 Councillor Lloyd Ferguson
Yes	-	Ward 13 Councillor Arlene VanderBeek
Absent	-	Ward 14 Councillor Terry Whitehead
Yes	-	Ward 15 Councillor Judi Partridge

**(ii) Considerations to Implement a Vacant Home Tax in Hamilton
(FCS21017(a) / PED21114) (City Wide) (Item 10.4)**

(Nann/Wilson)

That staff be directed to report back to the General Issues Committee with a draft by-law, guidelines and framework for a Vacant Homes and Residential Units Tax program for public consultation and consideration.

Result: Motion CARRIED by a vote of 10 to 2, as follows:

Yes	-	Mayor Fred Eisenberger
Yes	-	Ward 1 Councillor Maureen Wilson
Yes	-	Ward 2 Councillor Jason Farr
Yes	-	Ward 3 Councillor Nrinder Nann
Conflict	-	Ward 4 Councillor Sam Merulla, Deputy Mayor
No	-	Ward 5 Councillor Chad Collins
No	-	Ward 6 Councillor Tom Jackson
Yes	-	Ward 7 Councillor Esther Pauls
Yes	-	Ward 8 Councillor J. P. Danko
Yes	-	Ward 9 Councillor Brad Clark
Conflict	-	Ward 10 Councillor Maria Pearson
Yes	-	Ward 11 Councillor Brenda Johnson
Yes	-	Ward 12 Councillor Lloyd Ferguson
Absent	-	Ward 13 Councillor Arlene VanderBeek
Absent	-	Ward 14 Councillor Terry Whitehead
Yes	-	Ward 15 Councillor Judi Partridge

(i) NOTICES OF MOTION (Item 12)

(i) Investing in City Roads and Sidewalks Infrastructure with Canada Community-Building Funds (Item 12.1)

(Collins/Ferguson)

That the Rules of Order be waived to allow for the introduction of a Motion respecting Investing in City Roads and Sidewalks Infrastructure with Canada Community-Building Funds.

Result: Motion CARRIED by a vote of 13 to 0, as follows:

Yes	-	Mayor Fred Eisenberger
No	-	Ward 1 Councillor Maureen Wilson
Yes	-	Ward 2 Councillor Jason Farr
No	-	Ward 3 Councillor Nrinder Nann
Yes	-	Ward 4 Councillor Sam Merulla, Deputy Mayor
Yes	-	Ward 5 Councillor Chad Collins
Yes	-	Ward 6 Councillor Tom Jackson
Yes	-	Ward 7 Councillor Esther Pauls
Yes	-	Ward 8 Councillor J. P. Danko
Yes	-	Ward 9 Councillor Brad Clark
Yes	-	Ward 10 Councillor Maria Pearson
Yes	-	Ward 11 Councillor Brenda Johnson
Yes	-	Ward 12 Councillor Lloyd Ferguson
Yes	-	Ward 13 Councillor Arlene VanderBeek
Absent	-	Ward 14 Councillor Terry Whitehead
Yes	-	Ward 15 Councillor Judi Partridge

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

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

(a) Amendments to the Outstanding Business List (Item 13.1)

(Clark/Ferguson)

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

(1) Proposed New Due Dates (Item 13.1.a.):

(aa) CityLAB Pilot Update (Item 13.1.a.a.)

Current Due Date: July 5, 2021

Proposed New Due Date: September 8, 2021

(bb) Communications Strategy to assist in ensuring residents on the Municipal Elections Voters List (Item 13.1.a.b.)

Current Due Date: July 5, 2021
Proposed New Due Date: August 9, 2021

- (cc) Election Expense Reserve Needs related to consideration of Internet Voting for the 2026 Municipal Election (Item 13.1.a.c.)
Current Due Date: July 5, 2021
Proposed New Due Date: August 9, 2021

(2) Items to be Removed (Item 13.1.b.):

- (aa) Downtown Entertainment Precinct Master Agreement (Item 13.1.b.a.) (Addressed as Item 14.2 at the June 2, 2021 GIC - Report PED18168(g))
- (bb) Downtown Entertainment Precinct Master Agreement (Item 13.1.b.b.) (Addressed as Item 14.2 at the June 2, 2021 GIC - Report PED18168(g))

Result: Motion CARRIED by a vote of 14 to 0, as follows:

Yes	-	Mayor Fred Eisenberger
Yes	-	Ward 1 Councillor Maureen Wilson
Yes	-	Ward 2 Councillor Jason Farr
Absent	-	Ward 3 Councillor Nrinder Nann
Yes	-	Ward 4 Councillor Sam Merulla, Deputy Mayor
Yes	-	Ward 5 Councillor Chad Collins
Yes	-	Ward 6 Councillor Tom Jackson
Yes	-	Ward 7 Councillor Esther Pauls
Yes	-	Ward 8 Councillor J. P. Danko
Yes	-	Ward 9 Councillor Brad Clark
Yes	-	Ward 10 Councillor Maria Pearson
Yes	-	Ward 11 Councillor Brenda Johnson
Yes	-	Ward 12 Councillor Lloyd Ferguson
Yes	-	Ward 13 Councillor Arlene VanderBeek
Absent	-	Ward 14 Councillor Terry Whitehead
Yes	-	Ward 15 Councillor Judi Partridge

For further disposition of this matter, please refer to Item 10.

(k) PRIVATE & CONFIDENTIAL (Item 14)

(Farr/Johnson)

That Committee move into Closed Session to discuss Items 14.1 to 14.6, pursuant to Section 9.1, Sub-sections (c), (d), (e), (f) and (k) of the City's Procedural By-law 21-021; and, Section 239(2), Sub-sections (c), (d), (e), (f) and (k) of the *Ontario Municipal Act*, 2001, as amended, as the subject matter pertains to a proposed or

**General Issues Committee
Minutes 21-014**

**July 5, 2021
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pending acquisition or disposition of land by the municipality or local board; labour relations or employee negotiations; litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board; 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.

Result: Motion CARRIED by a vote of 13 to 0, as follows:

Yes	-	Mayor Fred Eisenberger
Yes	-	Ward 1 Councillor Maureen Wilson
Yes	-	Ward 2 Councillor Jason Farr
Absent	-	Ward 3 Councillor Nrinder Nann
Yes	-	Ward 4 Councillor Sam Merulla, Deputy Mayor
Yes	-	Ward 5 Councillor Chad Collins
Yes	-	Ward 6 Councillor Tom Jackson
Yes	-	Ward 7 Councillor Esther Pauls
Yes	-	Ward 8 Councillor J. P. Danko
Yes	-	Ward 9 Councillor Brad Clark
Yes	-	Ward 10 Councillor Maria Pearson
Yes	-	Ward 11 Councillor Brenda Johnson
Yes	-	Ward 12 Councillor Lloyd Ferguson
Absent	-	Ward 13 Councillor Arlene VanderBeek
Absent	-	Ward 14 Councillor Terry Whitehead
Yes	-	Ward 15 Councillor Judi Partridge

(i) City Manager's 2020 – 2021 Review (Item 14.6)

There was nothing to report in Open Session respecting this matter.

For further disposition of this matter, please refer to Item 3.

(II) ADJOURNMENT (Item 14)

(Partridge/Pearson)

That there being no further business, the General Issues Committee be adjourned at 4:28 p.m.

Result: Motion CARRIED by a vote of 14 to 0, as follows:

Yes	-	Mayor Fred Eisenberger
Yes	-	Ward 1 Councillor Maureen Wilson
Yes	-	Ward 2 Councillor Jason Farr
Yes	-	Ward 3 Councillor Nrinder Nann
Yes	-	Ward 4 Councillor Sam Merulla, Deputy Mayor

**General Issues Committee
Minutes 21-014**

**July 5, 2021
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Yes	-	Ward 5	Councillor Chad Collins
Yes	-	Ward 6	Councillor Tom Jackson
Yes	-	Ward 7	Councillor Esther Pauls
Yes	-	Ward 8	Councillor J. P. Danko
Yes	-	Ward 9	Councillor Brad Clark
Yes	-	Ward 10	Councillor Maria Pearson
Yes	-	Ward 11	Councillor Brenda Johnson
Absent	-	Ward 12	Councillor Lloyd Ferguson
Yes	-	Ward 13	Councillor Arlene VanderBeek
Absent	-	Ward 14	Councillor Terry Whitehead
Yes	-	Ward 15	Councillor Judi Partridge

Respectfully submitted,

Sam Merulla, Deputy Mayor
Chair, General Issues Committee

Stephanie Paparella
Legislative Coordinator,
Office of the City Clerk

Submitted on Thursday, August 5, 2021 - 11:10am Submitted by anonymous user: 162.158.74.104
Submitted values are:

==Committee Requested==

Committee: General Issues Committee

==Requestor Information==

Name of Individual: Mouna Bile

Name of Organization: Hamilton Community Legal Clinic

Contact Number: 289-489-8429

Email Address: Bilem@lao.on.ca

Mailing Address:

171 Haddon Avenue North,

Hamilton ON L8S 4A7

Reason(s) for delegation request:

I would speak to the Discussion Item 10.7 Hate Flags and Symbols

(CM19006(f)/LS19031(e)) (City Wide)

and the hate prevention and mitigation initiative.

Will you be requesting funds from the City? No

Will you be submitting a formal presentation? No

-----Original Message-----

From: no-reply@hamilton.ca <no-reply@hamilton.ca>

Sent: August 5, 2021 11:22 AM

To: clerk@hamilton.ca

Subject: Form submission from: Request to Speak to Committee of Council Form

Submitted on Thursday, August 5, 2021 - 11:21am Submitted by anonymous user: 162.158.74.170

Submitted values are:

==Committee Requested==

Committee: General Issues Committee

==Requestor Information==

Name of Individual: Ruth Greenspan

Name of Organization: No Hate in the Hammer

Contact Number: 905-572-0014

Email Address: REG3consulting@gmail.com

Mailing Address:

100 Main Street East

Suite 203

Hamilton ON L8N 3W4

Reason(s) for delegation request:

I would speak to the Discussion Item 10.7 Hate Flags and Symbols

(CM19006(f)/LS19031(e)) (City Wide)

and the hate prevention and mitigation initiative.

Will you be requesting funds from the City? No

Will you be submitting a formal presentation? No

Submitted on Thursday, August 5, 2021 - 12:12pm Submitted by anonymous user: 172.70.34.144
Submitted values are:

==Committee Requested==

Committee: General Issues Committee

==Requestor Information==

Name of Individual: Kojo Dampthey

Name of Organization: Hamilton Centre for Civic Inclusion

Contact Number: 2899215294

Email Address: kdampthey@hcci.ca

Mailing Address: 423 King Street East

Reason(s) for delegation request: Delegating on Hate Prevention and Mitigation and Hate Symbols at the August 9th GIC meeting.

Will you be requesting funds from the City? No

Will you be submitting a formal presentation? No

Submitted on Thursday, August 5, 2021 - 12:12pm Submitted by anonymous user: 172.70.34.144
Submitted values are:

==Committee Requested==

Committee: General Issues Committee

==Requestor Information==

Name of Individual: Kojo Damptey

Name of Organization: Hamilton Centre for Civic Inclusion

Contact Number: 2899215294

Email Address: kdamptey@hcci.ca

Mailing Address: 423 King Street East

Reason(s) for delegation request: Delegating on Hate Prevention and Mitigation and Hate Symbols at the August 9th GIC meeting.

Will you be requesting funds from the City? No

Will you be submitting a formal presentation? No

Submitted on Thursday, August 5, 2021 - 12:49pm Submitted by anonymous user: 172.70.131.24
Submitted values are:

==Committee Requested==

Committee: General Issues Committee

==Requestor Information==

Name of Individual: Lily Lumsden

Name of Organization: Hamilton Immigration Partnership Council

Contact Number: 9059069300

Email Address: lily.lumsden@ymcahbb.ca

Mailing Address: 58 Liddycoat Lane, Ancaster, ON, L9G0A7

Reason(s) for delegation request: To demonstrate how a robust hate mitigation strategy aligns with the strategic outcomes sought by the Hamilton Immigration Partnership Council.

Will you be requesting funds from the City? No

Will you be submitting a formal presentation? Yes

Submitted on Friday, August 6, 2021 - 11:10am Submitted by anonymous user: 172.70.126.201
Submitted values are:

==Committee Requested==

Committee: General Issues Committee

==Requestor Information==

Name of Individual: Kim Martin

Name of Organization: Social Planning and Research Council

Contact Number: 905 572-0268 mobile

Email Address: kmartin@sprc.hamilton.on.ca

Mailing Address:

350 King Street Unit 104

Hamilton, ON

L8N 3Y3

Reason(s) for delegation request: Hate Mitigation Report

Will you be requesting funds from the City? No

Will you be submitting a formal presentation? No

Submitted on Friday, August 6, 2021 - 11:41am Submitted by anonymous user: 172.70.126.113
Submitted values are:

==Committee Requested==

Committee: General Issues Committee

==Requestor Information==

Name of Individual: Sandi Bell

Name of Organization: Hamilton Anti-Racism Resource centre

Contact Number: 416-209-4524

Email Address: sandi@empowword.on.ca

Mailing Address: 160 Delmar Drive, Hamilton, ON L9N 1J9

Reason(s) for delegation request: Hate Prevention and Mitigation
Update

Will you be requesting funds from the City? No

Will you be submitting a formal presentation? No

Submitted on Friday, August 6, 2021 - 11:43am Submitted by anonymous user: 172.70.126.113
Submitted values are:

==Committee Requested==

Committee: General Issues Committee

==Requestor Information==

Name of Individual: Lyndon George

Name of Organization:

Contact Number:

Email Address:

Mailing Address:

Reason(s) for delegation request: comment on the Hate prevention
and mitigation update at GIC on Monday

Will you be requesting funds from the City? No

Will you be submitting a formal presentation? No



Hamilton

BUSINESS IMPROVEMENT AREA ADVISORY COMMITTEE

MINUTES 21-006

8:00 a.m.

Tuesday, June 8, 2021

Virtual Meeting

Hamilton City Hall

71 Main Street West

Present: Susie Braithwaite – International Village BIA
Tracy MacKinnon – Westdale Village BIA and Stoney Creek BIA
Cristina Geissler – Concession Street BIA
Kerry Jarvi – Downtown Hamilton BIA
Jude Szabo – Ancaster BIA
Heidi VanderKwaak – Locke Street BIA
Susan Pennie – Waterdown BIA
Lisa Anderson – Dundas BIA
Emily Burton – Ottawa Street BIA

Absent: Councillor Esther Pauls (Chair)
Michal Cybin – King West BIA
Bender Chug – Main West Esplanade BIA
Rachel Braithwaite – Barton Village BIA

FOR INFORMATION:

(a) CHANGES TO THE AGENDA (Item 2)

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

(Geissler/Pennie)

That the agenda for the June 8, 2021 Business Improvement Area Advisory Committee meeting be approved, as presented.

CARRIED

(b) DECLARATIONS OF INTEREST (Item 3)

There were no declarations of interest.

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

(i) May 11, 2021 (Item 4.1)

(VanderKwaak/Jarvi)

That the May 11, 2021 Minutes of the Business Improvement Area Advisory Committee be approved, as presented.

CARRIED

(d) STAFF PRESENTATIONS (Item 9)

(i) Special Events Advisory Team (SEAT) Update (Item 9.1)

Sarah Linfoot-Fusina, Cultural Project Specialist, addressed the Committee with an update on the Special Events Advisory Team (SEAT).

(Pennie/Anderson)

That the staff presentation on the Special Events Advisory Team (SEAT) Update, be received.

CARRIED

(ii) Parking Master Plan Update (Item 9.2)

Brian Hollingworth, Director of Transportation, Planning, and Parking, and Amanda McIlveen, Manager of Parking Operations and Initiatives addressed the Committee with an update on the Parking Master Plan.

(Anderson/VanderKwaak)

That the staff presentation on the Parking Master Plan, be received.

CARRIED

(e) DISCUSSION ITEMS (Item 10)

(i) Ontario Business Improvement Area Association (OBIAA) Conference 2021 (Item 10.1)

Julia Davis addressed the Committee respecting the Ontario Business Improvement Area Association (OBIAA) Conference 2021 being held September 26 – 29, 2021.

Julia advised that the Conference is still being planned as a hybrid event with 150 in person attendees and the remainder being virtual. The formal registration will be available mid- June and there will be early bird rates offered.

The host Committee will be meeting this week and is working on the mobile tours. Any BIA that has expressed an interest in hosting a mobile tour will be provided an update following the meeting.

(Burton/Pennie)

That the discussion respecting Ontario Business Improvement Area Association Conference 2021, be received.

CARRIED

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

(i) Verbal Update from Julia Davis, Business Development and BIA Officer (Item 13.1)

Julia Davis advised the Committee that Ontario is entering Step One of the reopening framework on Friday, June 11, 2021. This will increase the outdoor limits and allow outdoor dining (will restrictions). In Step One, the capacity for essential retail will be increased, and non-essential retail will be allowed to open (on a restricted capacity).

Julia reminded the Committee that the Shop Local Grant funding of \$10,000 is available to each BIA. The BIA's will need to submit a written proposal with a budget. The proposals must be submitted no later than June 30, 2021 and the funds must be spent in 2021.

Julia advised that the Hamilton COVID Concierge Site is excellent resource for businesses. The website can be accessed at www.hamiltoncovidconcierge.ca. Alternatively, their phone number is 905-521-3989 and this line is staffed Monday – Friday (8:30 am – 4:30 pm).

Julia asked the Committee if there were any volunteers wanting to attend the Infection Prevention and Control meetings, which happen weekly (every Wednesday). As the meetings are weekly, Committee members suggested that a rotating BIA member attendance might be more realistic than the same member attending each week.

The Hamilton Chamber of Commerce is hosting a Webinar on Thursday, June 10, 2021 at 11:00 am. Topic will include Stage One Reopening and Rapid Covid testing. Julia will be sending an email to the BIA's with information on how to sign up.

(Anderson/Pennie)

That the verbal update from Julia Davis, Business Development and BIA Officer, be received.

CARRIED

(ii) Statements by Members (Item 13.2)

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

(Geissler/Burton)

That the updates from Committee Members, be received.

CARRIED

(g) ADJOURNMENT (Item 15)

(Burton/Anderson)

That there being no further business, the Business Improvement Area Advisory Committee be adjourned at 9:31 a.m.

CARRIED

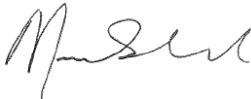
Respectfully submitted,

Susie Braithwaite
Vice-Chair Business Improvement Area
Advisory Committee

Angela McRae
Legislative Coordinator
Office of the City Clerk



CITY OF HAMILTON
PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT
Economic Development Division

TO:	Mayor and Members General Issues Committee
COMMITTEE DATE:	August 9, 2021
SUBJECT/REPORT NO:	International Village Business Improvement Area (BIA) Revised Board of Management (PED21150) (Ward 2)
WARD(S) AFFECTED:	Ward 2
PREPARED BY:	Julia Davis (905) 546-2424 Ext. 2632
SUBMITTED BY:	Norm Schleeahn Director, Economic Development Planning and Economic Development Department
SIGNATURE:	

RECOMMENDATION

That the following individual be appointed to the International Village Business Improvement Area (BIA) Board of Management:

- (a) Clay Burns

EXECUTIVE SUMMARY

Appointment of a new Director to the International Village Business Improvement Area (BIA) Board of Management

Alternatives for Consideration – Not Applicable

FINANCIAL – STAFFING – LEGAL IMPLICATIONS

Financial: Not Applicable

Staffing: Not Applicable

Legal: *The Municipal Act 2001*, Sections 204-215 governs BIAs. Section (204) Subsection (3) stipulates “A Board of Management shall be composed of, (a)

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: International Village Business Improvement Area (BIA) Revised Board of Management (PED21150) (Ward 2) - Page 2 of 3

one or more Directors appointed directly by the Municipality; and (b) the remaining Directors selected by a vote of the membership of the improvement area and appointed by the Municipality”. Section 204 Subsection (12) stipulates “if a vacancy occurs for any cause, the Municipality may appoint a person to fill the vacancy for the unexpired portion of the term and the appointed person is not required to be a member of the improvement area.”

HISTORICAL BACKGROUND

The Board of Management of the International Village BIA held a meeting on June 9, 2021, at which Clay Burns was appointed to the Board of Management.

Should Council adopt the recommendation in PED21150, the aforementioned nominated person would be appointed to serve on the International Village BIA Board of Management for the remainder of this term, through the end of 2022.

POLICY IMPLICATIONS AND LEGISLATED REQUIREMENTS

N/A

RELEVANT CONSULTATION

N/A

ANALYSIS AND RATIONALE FOR RECOMMENDATION

N/A

ALTERNATIVES FOR CONSIDERATION

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.

**SUBJECT: International Village Business Improvement Area (BIA) Revised Board
of Management (PED21150) (Ward 2) - Page 3 of 3**


APPENDICES AND SCHEDULES ATTACHED

N/A

JD/jrb



CITY OF HAMILTON
CITY MANAGER'S OFFICE
Government and Community Relations

TO:	Mayor and Members General Issues Committee
COMMITTEE DATE:	August 9, 2021
SUBJECT/REPORT NO:	Hate Prevention and Mitigation Update CM19006(e) (City Wide)
WARD(S) AFFECTED:	City Wide
PREPARED BY:	Pauline Kajiura (905) 546-2424 Ext. 2567
SUBMITTED BY:	Morgan Stahl Director, Government and Community Relations City Manager's Office
SIGNATURE:	

RECOMMENDATION

- (a) That the recommendations presented in the Hamilton Hate Prevention – Final Report by Sage Solutions (attached as Appendix “A” to Report CM19006(e), be endorsed; and,
- (b) That staff be directed to report back to the General Issues Committee in October 2021 with an action plan to implement the City-focused recommendations outlined in the Hamilton Hate Prevention – Final Report by Sage Solutions (attached as Appendix “A” to Report CM19006(e)) and next steps to further equity, diversity and inclusion priorities for the City of Hamilton taking into consideration work underway, such as the Community Safety and Well-being Plan; Urban Indigenous Strategy; and other related initiatives.
- (c) That staff be directed to provide recommendations that focus on the operations of third-parties contained in the Sage Report to the relevant organizations for their consideration.

EXECUTIVE SUMMARY

Through Council’s Equity, Diversity and Inclusion Term of Council Priority, the City commits to creating and nurturing a city that is welcoming and inclusive, where equity-seeking communities feel safe, supported and have an enhanced sense of belonging

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: Hate Prevention and Mitigation Update CM19006(e)) (City Wide) -
Page 2 of 7**

through strengthened community capacity, City responsiveness, and inclusive engagement opportunities.

While Hamilton strives to be a safe and supportive city for people regardless of their race, age, background, religion, ability, sexual orientation, and gender identity, Hamilton, like many cities, also continues to be challenged by incidents of hate, racism, and discrimination.

On September 30, 2020, Council directed staff to continue community engagement efforts with the aim of having feedback inform recommended actions the City could take to address incidents of hate, racism and discrimination in Hamilton. The approved motion stated:

That City staff be directed to conduct further engagement with key stakeholders and equity-seeking groups, and develop specific recommendations, actions and resource requirements to advance the findings submitted by the project consultant and attached as Appendices A and B to Report LS19031(c)/PW19068(c)/CM19006(c) (City Wide).

Recommendations presented in this report are to advance those made by an independent consultant, Sage Solutions, who performed phases 1 and 2 of the City's community engagement activities and developed the report's findings.

Rebecca Sutherns from Sage Solutions will attend the August 9, 2021 General Issues Committee to present an overview recommendations as outlined in Appendix "A" Hamilton Hate Prevention – Final Report and Appendix "B" Hamilton Comparative Research Report Final of Report CM19006(e).

The City is currently engaged in several equity and inclusion initiatives that promote the City of Hamilton as a place that is welcoming and inclusive.

Following Council endorsement of the recommendations in this report, staff will prepare an action plan for Council's review and approval, which will be designed to further promote equity, diversity and inclusion consistent with the Term of Council Priority. This action plan will take into consideration the related strategies approved by Council and already underway. They include:

- The Urban Indigenous Strategy, which was approved by Council in July 2019. The Strategy identifies actions and charts out a path to reconciliation that aims to strengthen the City's relationship with the Indigenous community.

**SUBJECT: Hate Prevention and Mitigation Update CM19006(e)) (City Wide) -
Page 3 of 7**

- The Hamilton Anti-Racism Resource Centre (HARRC), which was established to operate independently from the City had its inaugural Board of Directors installed in February 2021.
- The Hamilton Community Safety and Well-Being Plan Advisory Plan approved by Council in July 2021, which names hate incidents as one of its six local priorities and contains a goal to reduce individual and organizational incidents of Islamophobia, anti-Black and anti-Indigenous racism, xenophobia, anti-Semitism, transphobia, homophobia, and other forms of discrimination.
- Hamilton's 10-year Housing and Homelessness Action Plan underwent its Five-Year Review in August 2020 and included plans to apply a formalized Gender Based Analysis Plus to ensure that all actions and decisions relating to housing and homelessness policy, programs, and services are effectively meeting the specific needs of the diversity of individuals and households.
- The City's internal Equity Diversity and Inclusion (EDI) workplan, which will come before Council in September 2021 and includes the development of an Equity, Diversity and Inclusion Framework.
- City staff have been invited to participate in the newly-developing Hamilton Police Service Hate Crime Review Team that will invite community members to help examine how hate-motivated incidents are considered and handled and to ensure community-based supports and resources to victims of hate-incidents.

Community consultation during this work has highlighted that hate related incidents at in the Hamilton community and have the potential to leave long lasting impacts on the individuals effected and in the communities in which they live.

FINANCIAL – STAFFING – LEGAL IMPLICATIONS

Financial: Financial resources to implement the recommendations will be included in the action plan that staff will bring forward to the General Issues Committee for consideration in October 2021.

Staffing: Any staff implications related to the implementation of the recommendations will be included in the action plan that staff will bring forward to the General Issues Committee for consideration in October 2021.

Legal: None.

**SUBJECT: Hate Prevention and Mitigation Update CM19006(e)) (City Wide) -
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HISTORICAL BACKGROUND

On September 23, 2020, staff provided Council with recommendations along with two reports submitted by Dr. Rebecca Sutherns and her team at Sage Solutions the project consultant on research and public engagement.

Council subsequently directed staff to review options on how best to obtain feedback from a larger sample of the community with priority given to those with lived experiences, if possible, as it relates to the Hate Prevention and Mitigation Initiative, and report back to the General Issues Committee.

The resulting second engagement phase conducted jointly with Sage Solutions, City staff and community leaders involved approximately 100 people, including six targeted focus group conversations and an online survey that generated 37 responses.

The online survey was open for eight weeks (November 16, 2020-January 8, 2021) and invited members of the public to identify up to five recommendations that they support.

Three of the focus groups involved existing Advisory Committees at the City of Hamilton: the Committee Against Racism, the LGBTQ2S+ Advisory Group and the Mayor's Roundtable on Diversity and Inclusion.

Other sessions were convened expressly to gather feedback for this project. They included a session with members of the Hamilton Police Service, City staff and ten community leaders representing equity-seeking groups. City staff held sessions with members of the No Hate in the Hammer Steering Committee and members from Jewish communities and Muslim communities.

This second stage of consultation built on initial consultation efforts, which included:

- Community Conversations on Hate Prevention and Mitigation, which took place between June 29 and July 9, 2021
- Anti-Black Racism and Hate Conversation, which took place on Wednesday, August 19, 2020
- A community survey issued between June 16 and July 15, 2020 and received 91 participants
- 10 specific conversations that took place by telephone or email at the participant's request
- Conversations with the Mayor's Advisory Table on Diversity and Inclusion

In the current report, Council is being provided with the results of the consultation, a review of other municipal jurisdictions and feedback with key stakeholders from equity-seeking groups.

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Rebecca Sutherns from Sage Solutions will attend the August 9, 2021 General Issues Committee to present the recommendations outlined in Appendix “A” Hamilton Hate Prevention – Final Report and Appendix “B” Hamilton Comparative Research Report Final of Report CM19006(e).

POLICY IMPLICATIONS AND LEGISLATED REQUIREMENTS

None

ANALYSIS AND RATIONALE FOR RECOMMENDATION

Sage Solutions produced twenty recommendations informed by engagement with key stakeholders and equity-seeking groups. These are provided as follows and further detailed in Appendix “A” Hamilton Hate Prevention – Final Report and Appendix “B” Hamilton Comparative Research Report Final.

Proactive Leadership

- Accelerate decisive and well-informed City responses to stand against hate. Be firmer in condemning hateful activities in the city while promoting alternative positive values.
- Create, resource and implement an action plan to confront systemic racism, oppression, and other forms of discrimination in Hamilton.
- Convene collaborative opportunities for productive dialogue amongst community organizations, businesses, and other local institutions, with the goal of building a welcoming city together.
- Measure and report on progress.

Centring Communities

- Follow through with actions that support what the City has already heard.
- Deeply listen to the voices of those experiencing hate, acknowledge their experiences and provide ongoing opportunities for community feedback.
- Incorporate more diverse representation at decision-making tables.
- Initiate convergent strategies to coordinate and accelerate the work that community organizations are doing to combat hate in the city.
- Redirecting funding away from punitive efforts and toward prevention, including increasing resources for social services partnerships to address mental health, addictions and affordable housing.
- Invest in equity-promoting programming and re-evaluate City grants and granting processes to ensure they are equitable and accessible.

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- Invest in more safe community spaces.

Education and Early Intervention

- Partner with community organizations, District School Boards, and other relevant collaborators, to co-create and implement an educational curriculum together with young people about racism, hate, equity, diversity, inclusion, and justice and belonging, from the perspective of people living in Hamilton.
- Invest in placemaking initiatives that encourage diverse community interactions across groups.

Regulations and Enforcement

- Leverage the municipal regulatory framework to stand against the presence of hate, beginning on City property, but extending beyond that where legally possible.
- Develop a hate incident community mapping mechanism to better track and collect data for hate incidents happening in the city.
- Build a coordinated community reporting system.
- Embrace community-led responses to harm.
- Building and fostering working relationships between community organizations and Hamilton Police Service.

Several recommendations from the stakeholder engagement conducted by Sage Solutions fall outside the jurisdiction and authority of the City but are included here to ensure the feedback from the community is accurately reflected. The recommendations include:

- Redirecting funding away from punitive efforts and toward prevention, including increasing resources for social services partnerships to address mental health, addictions and affordable housing.
- Partner with community organizations, District School Boards, and other relevant collaborators, to co-create and implement an educational curriculum together with young people about racism, hate, equity, diversity, inclusion, and justice and belonging, from the perspective of people living in Hamilton.
- Develop a hate incident community mapping mechanism to better track and collect data for hate incidents happening in the city.
- Building and fostering working relationships between community organizations and Hamilton Police Service.

Given the nature and importance and the feedback received, City staff will ensure impacted organizations are made aware of feedback that pertains to them received during our process.

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ALTERNATIVES FOR CONSIDERATION

None

NEXT STEPS

That Council direct staff to report back in October with an action plan to implement recommendations and next steps to further equity, diversity and inclusion priorities for the City of Hamilton taking into account the workplans for related initiatives outlined earlier in the report.

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.

Healthy and Safe Communities

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

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.

APPENDICES AND SCHEDULES ATTACHED

Appendix “A” CM19006(e) Hamilton Hate Prevention - Final Report Sage Solutions
Appendix “B” CM19006(e) Hamilton Comparative Research Report Sage Solutions



Hamilton

Hate Prevention & Mitigation Initiative

Recommendations Report

FINAL

April 29, 2021

Prepared by Rebecca Sutherns PhD CPF
Sage Solutions

sage
SOLUTIONS

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Executive Summary

This report offers 18 recommendations stemming from research and stakeholder engagement related to Hate Mitigation and Prevention in the City of Hamilton that occurred in 2020 and 2021 in response to high numbers of hate-related incidents reported to police. What started as a project focused on municipal bylaws and policies has turned its attention to a more holistic suite of interventions which, taken together, could serve not only to reduce hate but also to build proactively the kind of diverse and welcoming city that Hamilton wants to be. Those recommendations are summarized here, with further methodological and content details provided within the body of the report:

Proactive Leadership

1. *Accelerate decisive and well-informed City responses to stand against hate. Be firmer in condemning hateful activities in the city while promoting alternative positive values.*
2. *Create, resource and implement an action plan to confront systemic racism, oppression, and other forms of discrimination in Hamilton.*
3. *Convene collaborative opportunities for productive dialogue amongst community organizations, businesses, and other local institutions, with the goal of building a welcoming city together.*
4. *Measure and report on progress.*

Centering Communities

5. *Follow through with actions that support what the City has already heard.*
6. *Deeply listen to the voices of those experiencing hate, acknowledge their experiences and provide ongoing opportunities for community feedback.*
7. *Incorporate more diverse representation at decision-making tables.*
8. *Initiate convergent strategies to coordinate and accelerate the work that community organizations are doing to combat hate in the city.*
9. *Redirecting funding away from punitive efforts and toward prevention, including increasing resources for social services partnerships to address mental health, addictions and affordable housing.*
10. *Invest in equity-promoting programming and re-evaluate City grants and granting processes to ensure they are equitable and accessible.*
11. *Invest in more safe community spaces.*

Education and Early Intervention

1. *Partner with community organizations, District School Boards, and other relevant collaborators, to co-create and implement an educational curriculum together with young people about racism, hate, equity, diversity, inclusion, and justice and belonging, from the perspective of people living in Hamilton.*
2. *Invest in placemaking initiatives that encourage diverse community interactions across groups.*

Regulations and Enforcement

3. *Leverage the municipal regulatory framework to stand against the presence of hate, beginning on City property but extending beyond that where legally possible.*
4. *Develop a hate incident community mapping mechanism to better track and collect data for hate incidents happening in the city.*
5. *Build a coordinated community reporting system*
6. *Embrace community-led responses to harm*
7. *Building and fostering working relationships between community organizations and Hamilton Police Service.*

Background

Hate initially and directly harms an individual and then inevitably ripples, profoundly impacting entire communities and requiring considerable work to dismantle and unlearn. Tragic events globally and here in Canada, such as the mass shooting at the Islamic Cultural Centre of Quebec City, have shown that no community is immune from the effects of hateful rhetoric. A recent poll conducted by the Canadian Race Relations Foundation found that a majority of Canadian adults polled believe the amount of hateful and racist comments and content online has increased over the past few years.¹ The poll also states that one in five Canadians has experienced online hate, harassment, or violence, including 40% of 18 to 29-year-olds and 29% of racialized Canadians.² Data from Statistics Canada reveals an increase in the number of police-reported hate incidents and crimes report over the last five years. Even in contexts where overall rates are stable, the intensity or seriousness of crimes is often showing an increase over time.³

In 2019, the Government of Canada committed to a three-year Anti-Racism Strategy to combat racism and discrimination that is anti-Indigenous, Islamophobic, antisemitic, anti-Black, and homophobic.⁴ This commitment reflects an acknowledgement that throughout Canada’s history, and into today, there are people and communities who face systemic racism and hate, and that government leadership needs to do more to combat discrimination in its various forms if it wants to uphold its values of being a diverse, welcoming and inclusive. The strategy does not outright name transphobia and anti-Asian hate.

Like the federal government, municipalities have the potential to act as a catalyst for dismantling hatred in their own communities, through the creation and enforcement of regulations; visible, proactive leadership; allocation of resources to tangible improvement measures; the design of physical spaces, as well as support for and collaboration with social service agencies, police services, and grassroots organizations to work powerfully together toward more equitable and compassionate communities.

In late 2019, the City of Hamilton embarked on a Hate Prevention and Mitigation Initiative. The project was initially prompted by concern that the rates of police-reported hate crimes in Hamilton had jumped, as in 2017 Hamilton Police Services investigated 136 reported incidents of hate and bias, an increase of 18.3% from the previous year. In 2018, a total of 125 incidents

¹ *Online Hate and Racism: Canadian experiences and opinions on what to do about it.* Conducted for the Canadian Race Relations Foundation. https://www.crrf-fcrr.ca/images/CRRF_OnlineHate_Racism_Jan2021_FINAL.pdf

² *Online Hate and Racism: Canadian experiences and opinions on what to do about it.* Conducted for the Canadian Race Relations Foundation. https://www.crrf-fcrr.ca/images/CRRF_OnlineHate_Racism_Jan2021_FINAL.pdf

³ Iner, Dryer, ed. *Islamophobia in Australia Report II.* Sydney: Charles Sturt University and ISRA, 2019.
Nathan, Julie. *Report on Antisemitism in Australia.* New South Wales: Executive Council of Australian Jewry, 2019.

⁴ *Building a Foundation for Change: Canada’s Anti-Racism Strategy 2019-2022.* Government of Canada. <https://www.canada.ca/en/canadian-heritage/campaigns/anti-racism-engagement/anti-racism-strategy.html>

of hate and bias were reported to the Hamilton Police Service, a decrease of 8% over 2017, but a figure that still positioned Hamilton as the community with the highest number of per capita reported hate crimes in Canada by a significant margin.^{5,6} A more recent report released in April 2021 from the Hamilton Police Services Board documented 80 reported incidents, of which 72 were hate and bias incidents and eight were hate and bias crimes.⁷ The total number of incidents last year marked a 13.1% decrease from 2019, in which 92 incidents were reported.⁸

Data categorization methods vary, even between Hamilton Police Services and Statistics Canada. Moreover, reported data only includes those incidents that are reported to police services and therefore depends not only on police services' level of expertise in identifying and classifying crimes motivated by hate, but also on the community's willingness to report to police. A shift in the numbers may be related to a change in reporting practices by the public to police services (for example, as a result of outreach by police to communities or heightened sensitivity after high profile events), or it can represent a true increase in the extent of hate crimes being committed. Historically, reported numbers are lower due to chronic underreporting of hate crimes by impacted communities to police services. Feedback from the community on this most recent report reflects an understanding that although the figures are heading in the right direction, these numbers do not accurately depict the extent and severity of experiences of hate. However, even if the numbers are accurate, they are still relatively quite high and therefore cause for concern.

Statistics Canada defines hate crime as incidents that can be carried out against a person or property, based on presumed race, colour, national or ethnic origin, religion, sexual orientation, gender identity or expression, language, sex, age, mental or physical disability, or any other similar factor.⁹ Identities are intersectional; hate can be compounded, differently impacting people based on the multitudes that identities hold. For example, Statistics Canada found that "police-reported violent hate crimes against Indigenous and Muslim populations more likely than other hate crimes to involve female victims."¹⁰ In Canada, members of the Jewish, Muslim, Indigenous, Black and other racialized communities, and LGBTQ2S+ communities have been

⁵ Statistics Canada reported that Hamilton saw the highest rate of hate crimes (17.1 hate crimes per 100,000 population) among Census metropolitan areas in 2018, with 97 incidents. These hate crimes tended to target the Black (31%) and Jewish (26%) populations.

⁶ *2018 Hate/Bias Statistical Report*. Hamilton Police Service. https://develop.hamiltonpolice.on.ca/sites/default/files/2018_annual_hate_bias_crime_report.pdf

⁷ *2020 Hate/Bias Statistical Report*. Hamilton Police Service. <https://pub-hamilton.escribemeetings.com/filestream.ashx?DocumentId=266931>

⁸ "Despite the summer of hate, Hamilton's hate incidents tumbled in 2019." *The Hamilton Spectator* (January 31, 2020). <https://www.thespec.com/news/hamilton-region/2020/01/31/despite-summer-of-hate-hamilton-s-hate-incident-tumbled-in-2019.html>

⁹ *Police-reported hate crime, 2018*. Statistics Canada. <https://www150.statcan.gc.ca/n1/daily-quotidien/200226/dq200226a-eng.htm>

¹⁰ *Police-reported hate crime in Canada, 2018*. Statistics Canada. <https://www150.statcan.gc.ca/n1/pub/85-002-x/2020001/article/00003-eng.htm>

reported as most likely targets of hate crime, which is reflected in Hamilton’s data. Further, more recent reports detail a disturbing surge of anti-Asian hate crimes in Canada with the impetus of the COVID-19 pandemic.¹¹

Hate is a complex issue, and addressing it requires a multi-faceted response involving multiple government levels and many community actors working together toward shared goals. The City therefore committed not only to reviewing its hate-related policies, but also to exploring ways the municipality can ensure the community lives up to the positive aspirations it holds for itself of being an inclusive and welcoming city that is the best place to raise a child and age successfully. It did so by learning from other communities’ experiences, building on previous community recommendations and listening further to the community through a multi-faceted engagement process that has unfolded throughout 2020.¹²

This report presents the final recommendations of the Hate Prevention and Mitigation Initiative to Hamilton’s City Council, based on findings from extensive research and community engagement as described below. It outlines tangible actions the municipality can take to combat hate in its city. That ultimate impact of hate prevention and mitigation will only occur, however, if the City goes beyond accepting these recommendations to investing in their disciplined implementation.

Defining Hate

This project is formally known as “the hate prevention and mitigation initiative.” Hate, hateful incidents, discrimination and even hate crimes lack a consistent definition across jurisdictions. Concerns were raised about the terminology used within this project. As one participant said, *“‘Hate’ is too general—name racism, transphobia, Islamophobia, violence etc. for what they are—hate has lost meaning and is implied to be negative in every context—it creates more distance—also individualizes it to talk about ‘behaviours’ or ‘incidents.’”* Another expressed concern this way: *“City officials have used that word ‘hate’ to describe justifiable hurt and anger directed towards institutions (such as hate for police) and equated them as the same thing as white supremacist violence.”*

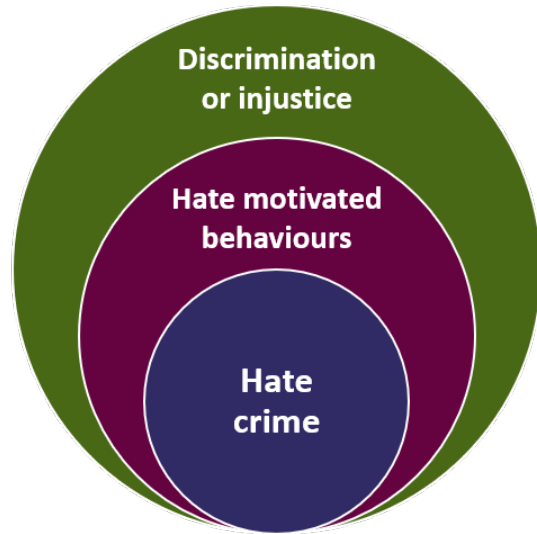
A glossary of terms has been provided for reference in Appendix A. The terms “hateful behaviours” or “hate-motivated incidents” have been used to refer to a broader category than hate crimes but a more targeted category than discrimination generally. We recognize this language's limitations, as “behaviours” may only be the visible tip of a much larger iceberg of attitudes that could be called hateful or perhaps also unwelcome, non-inclusive, discriminatory

¹¹ *New report details 'disturbing rise' in anti-Asian hate crimes in Canada.* CTV News (March 23, 2021). <https://www.ctvnews.ca/health/coronavirus/new-report-details-disturbing-rise-in-anti-asian-hate-crimes-in-canada-1.5358955>

¹² Refer to the consultant's [Stakeholder Engagement Summary Report](#) for details.

or biased. More accurate descriptions are used whenever possible. This project has been using the following working definitions of hate crime, hate-motivated behaviours and discrimination to inform its work:

Hate Crime: A criminal act that promotes hatred against identifiable groups of people, motivated by bias, prejudice or hate. Although individuals and groups that promote this destructive form of human rights-based discrimination often defend their right to “free speech,” it is a criminal offence to disseminate hate propaganda and/or to commit hate crimes.



Hate motivated behaviour: Any act or attempted act intended to cause emotional suffering, physical injury, or property damage through intimidation, harassment, bigoted slurs or epithets, force or threat of force, or vandalism motivated in part or in whole by hostility toward the victim's real or perceived ethnicity, national origin, immigrant status, religious belief, gender, sexual orientation, age, disability, political affiliation, race, or any other physical or cultural characteristic.

Discrimination: Any form of unequal treatment based on a ground protected by human rights legislation that results in disadvantage, whether imposing extra burdens or denying benefits. Discrimination can be intentional or unintentional; and it may occur at an individual or systemic level. It may include direct actions or more subtle aspects of rules, practices and procedures that limit or prevent access to opportunities, benefits, or advantages that are available to others.

This project invites Hamilton to move from a narrow definition of hate as a crime to a broader understanding of hate prevention and mitigation as building blocks to achieving a welcoming, diverse and inclusive city, as expressed in *Our Future Hamilton*.

Methodology

Design and facilitation of stakeholder engagement was led by Dr. Rebecca Sutherns and her team from Sage Solutions (www.rebeccasutherns.com), the Guelph-based consulting firm hired to support the City with this project, in conjunction with two community engagement staff at the City (John Ariyo and Pauline Kajiura) and local community leaders.

Guiding Principles for Engagement

The design and implementation of this engagement process was guided by the City’s Core Principles of Public Engagement.¹³

1. Transparency and Trust
2. Accountability and Action
3. Inclusion and Diversity
4. Create Opportunities for Active Participation
5. Collaboration, Cooperation and Shared Purpose
6. Ongoing Engagement and Open Communication
7. Learning, Reflection and Evaluation
8. Capacity for Engagement

Specifically, this commitment led to the following decisions:

- Inviting a cross-section of community leaders to inform the initial engagement design
- Provision of a variety of accessible engagement platforms and opportunities, where possible, given pandemic restrictions
- Priority given to hearing from those most directly and frequently affected by hate in Hamilton
- Ensuring that the questions asked are meaningful and have the potential to be impactful within the City and across the wider community
- Inclusion of verbatim quotations in engagement reports, to allow residents’ words to communicate the key messages directly
- Building on relevant recommendations already communicated to the City through other consultations and community events

Engagement Design

Careful and intentional decisions were made in the overall design of the community engagement activities, particularly due to the sensitivity of the subject matter. Certain research methodologies are better suited to eliciting input on difficult issues than others. There was a need to balance broad and deep input while choosing to centre the courageous voices of those with lived experience without seeking to retraumatize them.

The range of community engagement activities planned initially within the Hate Prevention and Mitigation Initiative were adapted in terms of their timing, breadth and formats due to COVID-19 restrictions that evolved as the project unfolded. Initial plans were made in late 2019 and early 2020, that would have involved a blend of in-person and online formats. They were informed by advice from community leaders in equity-seeking groups, as well as City

¹³ *Public Engagement Charter*, Hamilton’s Engagement Committee, City of Hamilton.

Councillors. Engagement was then paused and then became fully digital as the global pandemic took hold.

Fully digital engagement on a sensitive and nuanced topic presents both opportunities and challenges. The most common primary benefit of digital engagement—reach to a large number of people—likely proved truer for the Listening Sessions in this project, at which attendance was quite robust, compared to the survey, which received relatively few responses for other reasons discussed below. It is unusual to have more people participate synchronously than asynchronously in community engagement activities. Digital platforms can allow for a lot of information to be collected in a short time, through widely accessible asynchronous surveys and the chat feature in synchronous meetings. Chat allows for multiple concurrent conversation threads, which proved both to enrich and distract from the interactions in this case. It is a challenge to create trust in a virtual room for a 90-minute session comprising a mix of participants who may or may not have been known to one another previously. Digital methods also offer additional layers of anonymity less possible in in-person sessions. In this project, input was collected asynchronously using an engagement platform new to the City during COVID-19, which also introduced additional complexity.

A variety of notable events such as Black Lives Matter, the release of the independent report on Hamilton police behaviour at Pride 2019, and a general sense of stress and disconnection during COVID-19 have certainly affected this project, not only in terms of the engagement activities that occurred, but also a heightened sensitivity, awareness and level of tension around some of the issues being discussed, including systemic racism and defunding police. At the same time, other issues such as the yellow vest protests lessened in prominence over a similar time period.

Comparative Research

Preliminary research conducted at the outset of this project in early 2020 sought to understand how other municipalities across Canada, and selected examples from Australia, England and the United States, are approaching mitigating hate and discrimination in their cities. Specifically, it explored municipal policies and bylaws pertaining to hate crimes or hate-motivated incidents and behaviours on city property and public property, community-based tools, or proactive approaches to community building. The findings from the comparative research identified seven (7) possible approaches the City of Hamilton could take to prevent and mitigate hateful behaviour. These approaches were then presented during community engagement activities to garner feedback on which approaches would work best in Hamilton.¹⁴

Phase 1 – Community Engagement Activities

The first phase of community engagement occurred between June and September 2020. It involved roughly 275 people in total, who participated in live “Listening Session” focus groups,

¹⁴ Refer to the consultant's [Comparative Research Report](#) for details.

telephone interviews and email correspondence, an online survey and conversations with existing committees such as the Mayor's Advisory Table on Diversity and Inclusion.

Five Listening Sessions were hosted with a total of 154 participants in attendance.¹⁵ The first Listening Session was open to all community members, while the remaining four sessions targeted subpopulations known to be more likely to experience hate in Hamilton: people of faith (particularly Jewish and Muslim people), people who identify as LGBTQ2S+, Black and other racialized communities and Indigenous Peoples. This method was selected as a way to create spaces for community members to talk about their unique lived experiences of hate in Hamilton. One-on-one conversations were also conducted through telephone and email correspondence, both proactively and responsively, including with residents who self-identified as yellow vesters.

The digital survey was intended to provide an accessible means of participation for those unable to attend a Listening Session. Questions were adapted to a survey format and the link was publicized/circulated by the City. In order to participate, respondents were required to provide their email address, as a means of building a database of interested residents. Although responses were not linked back to those addresses, the project team did become aware the need to provide an email address proved to be a barrier to full participation.

During these sessions and through the online survey, participants provided vital feedback to help the City better understand people's direct experience of hate, their sense of safety, and perceptions of the extent of hate, racism, and discrimination in Hamilton. Participants weighed in on seven (7) approaches to prevent and mitigate hateful behaviour which emerged from the initial comparative research within this project. The following diagram summarizes the various activities used to gather feedback during Phase 1. Detailed feedback can be found in the *Stakeholder Engagement Summary Report*.

¹⁵ See *invitation* for details.

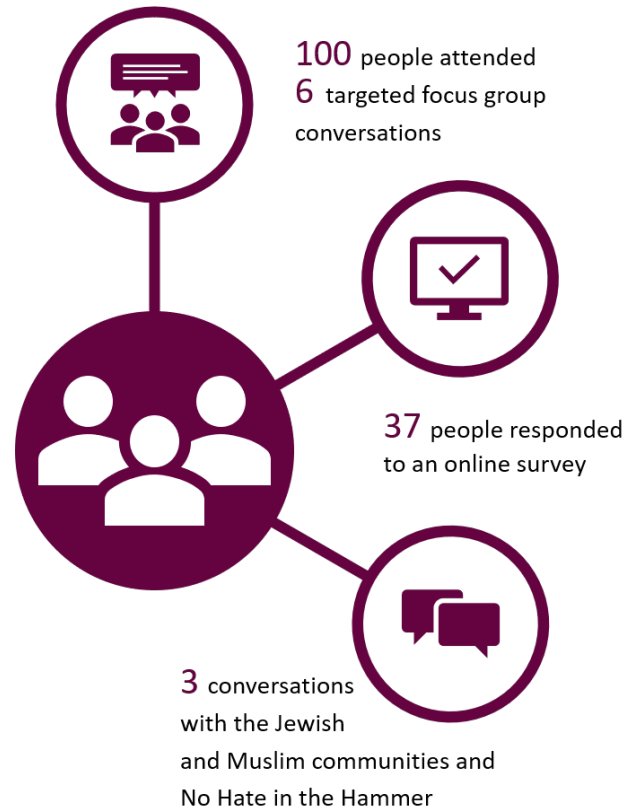


From September to December 2020, Sage Solutions conducted the second phase of community engagement activities. This round of engagement fulfilled a promise to the community to invite their input into draft recommendations before anything was put forward to Council for consideration. It was bolstered in response to a Council directive. In late September 2020, based on the initial community engagement results, Council requested that the City's project team and Sage Solutions explore options to gather additional community input to inform the project recommendations out of concern that the sample size was too small.¹⁶

This second engagement phase involved approximately 100 people, including six targeted focus group conversations and an online survey that generated 37 responses. The online survey was open for eight weeks (November 16, 2020-January 8, 2021) and invited members of the public

¹⁶ “That staff be directed to review options as to how to obtain feedback from a larger sample of the broader community, with focus given to those with lived experiences, if possible, as it relates to the Hate Prevention and Mitigation Initiative, and report back to the General Issues Committee.” General Issues Committee Minutes 20-014. September 23, 2020. <https://pub-hamilton.escribemeetings.com/FileStream.ashx?DocumentId=243473>

to identify up to five recommendations that they support. Three of the focus groups involved existing Advisory Committees at the City of Hamilton: the Committee Against Racism, the LGBTQ2S+ Advisory Group and the Mayor's Roundtable on Diversity and Inclusion. Three other sessions were convened expressly to gather feedback for this project. They included a session with members of the Hamilton Police Service, City staff and ten community leaders representing equity-seeking groups. The diagram to the right summarizes the activities used to gather feedback during Phase 2.



In all cases in this second phase, a set of twenty draft recommendations¹⁷ emerging from Phase 1 were provided to participants, and they were invited to make suggestions to strengthen them. It was made clear that the recommendations could change based on additional forthcoming data, but having something concrete to respond to was deemed helpful to focus the input during this round.

Further to the directive from Council, City staff proposed investing in a telephone poll to increase the representativeness of the input received across the general Hamilton population rather than focusing so heavily on the voluntary participation of those with lived experience of hate or their community representatives. In February 2021, Council decided based on this second phase of engagement that they had heard enough to consider the data reliable enough to use as the basis for future policy decisions, so the recommendation of a poll was dropped. City staff conducted conversations in March/April 2021 with three groups specifically identified as being underrepresented in previous attendance: representatives from Jewish communities, Muslim communities and a community organization called No Hate in the Hammer. Input received during the second phase of community input was used to revise the draft recommendation.

¹⁷ Refer to the [Draft Recommendations Summary](#) for the draft recommendations.

Findings

Comparative Research

Across twenty comparable municipalities across Canada, and selected examples from Australia, England and the United States, a great deal of variability exists in approaches to mitigating hate and discrimination. This environmental scan focused on approaches such as municipal policies and bylaws pertaining to hate crimes or hate-motivated incidents and behaviours on city property and public property, community-based tools, or proactive methods to community building.¹⁸

At a local level, municipalities have a range of levers at their disposal by which to address hate-related behaviours, directly and indirectly. These include:

- Strategic planning and leadership
- Communication and community engagement
- Environmental design and maintenance of public spaces
- Community placemaking and programming (including investment in the work of community organizations)
- Public education and capacity building
- Proactive partnerships
- Regulations and policies
- Enforcement practices (including tracking and reporting; situational crime prevention; levelling consequences etc.)
- Emergency response and symbolic representation

Across the municipalities included in this report, there was a noticeable difference in tone between affirmative and punitive responses, with each community choosing where it lands on that spectrum. Moreover, it is difficult to assess the effectiveness of these various approaches. Reported hate crime rates are one important but rough measure of results, but there are multiple contributing factors to that number that do not necessarily give an accurate depiction of hate-related incidents or how safe people feel about reporting or even living in each place. Similarly, the existence of a published strategy document or piece of legislation does not necessarily speak to how well used or effective that policy or regulation has been in practice.

Despite these variabilities, the following observations emerged:

- a multi-pronged approach is needed;
- a single "one size fits all" model is not appropriate to each place;
- municipalities are able to use various levers to influence behaviour, and yet
- mitigating hate requires coordinated action well beyond municipal control;

¹⁸ Refer to the consultant's [Comparative Research Report](#) for details.

- no single municipality currently has this issue “figured out,” but Hamilton can learn from the composite experience of others.

Further, there are several elements which, taken together, create an environment in which hate is less likely to flourish. These include the following:

- Zero tolerance of hate-related behaviour—in writing, in perception and experientially
- Effective communication, including to help residents navigate how to handle hate related incident they experience and/or witness
- A supportive suite of legislation, policies, regulations and codes of conduct that are actually followed
- Broad and specific training for police in respect, diversity and recognition of hate crimes
- Public education (e.g. campaigns, values exercises, dialogue, training) to set shared community norms and expectations and to increase knowledge
- Ongoing training and workshops for municipal staff and community organizations to share best and emerging practices in building diverse, inclusive and equitable communities
- Intentional collaborative relationships across the community, including with police services
- Access to trauma-informed, culturally appropriate support for victims
- Safe, responsive and transparent reporting mechanisms that extend beyond only reporting to police services and that are well-used
- Community-wide tracking of hate-related incidents
- Crime prevention through environmental design
- Support for community groups and initiatives that promote diversity and inclusion and address root causes of discrimination
- Investment in alternative models of enforcement to achieve community safety, such as restorative justice
- Creativity and openness to meet emerging needs as they arise

Cities thrive when multi-lateral, holistic approaches are used to combat systemic problems. Based on this research, seven main categories were distilled to guide community engagement conversations and to receive feedback on possible actions for Hamilton to take. These categories include proactive leadership, listening to community, public education, creating safe and inclusive spaces, community programming, regulations, and enforcement, as shown below. Once community feedback was received, these categories were modified to serve as the structure for the final recommendations.



Phase 1 Engagement Findings

The various sources of information from the first phase of community engagement activities revealed a considerable degree of congruence in the opinions expressed, across a range of respondents. Overall findings showed that the City of Hamilton is both building momentum and has considerable work to do to live up to its own vision and values regarding hate prevention and mitigation.

When survey participants were asked about their perception of the extent of the problem of hate in Hamilton, 55% were aware of hateful incidents, 33% stated they had been targets of a hate incident, 68% believe the situation has recently become worse in Hamilton. Further, 77% of participants in the listening sessions for groups most affected by hate deemed hate to be one of the top three priorities facing the City right now.

When asked about the sense of safety in Hamilton, 51% of survey participants indicated they had avoided activities or events because they felt unsafe while there or on their way there. Forty-two participants provided examples of feeling unsafe at events. Several people said they felt unsafe in parks, anywhere after dark, the City hall forecourt, or anywhere with police presence.

During the Listening Sessions, participants were asked to reflect on why hateful incidents happen across communities and why they happen specifically in Hamilton. Notably, ignorance, fear of difference, generationally taught hate, a cultural and political rise in divisiveness and extremism, the impact of white supremacy and colonialism, lack of investment in ending racism, and gentrification, were identified as the main catalysts of hate in communities.

The reasons cited for hate specifically in Hamilton reflected a polarized understanding of the issue. While some saw it as a problem concentrated among a relatively small number of individuals, many others provided systemic explanations rooted in colonialism and white supremacy and/or in a generational and economic legacy in Hamilton itself, as a city seen

historically as being "favourable terrain" for divisiveness. They also pointed to a lack of representation, fear, ignorance and a dislike of difference underlying what they describe as a critical issue for the City.

Within the seven categories presented for possible actions, noticeably low priority was given to regulation and enforcement, despite that having been the City's initial focus for this project. Instead, participants reported looking for proactive, visible and principled municipal leadership that is not seen as performative but rather collaborative and responsive to the needs and asks of diverse communities. There was a desire to bridge what is happening to communities and the City's response to it by valuing and using the knowledge that communities hold as an essential element of hate prevention initiatives. They want to see a follow-up on reports previously submitted rather than additional engagement at this time. They are also asking for resources to be shifted away from police enforcement and towards social services and community programming that can better support the unique needs of different communities. Lastly, they want the City to invest in safe spaces for support and dialogue. Specifically, there was a strong appetite for access to trauma-informed healing and supports.

A full report on Phase 1 engagement findings was submitted to Council and can be found here. [\(link to Stakeholder Engagement Summary Report\)](#)

Phase 2 Engagement Findings

Overall, the high-level feedback on the draft set of recommendations presented during the second phase of engagement was overwhelmingly positive across all input channels. Respondents affirmed that the recommendations accurately reflected the key messages communicated in the initial phase of engagement and that they would make a significant difference if implemented. Descriptors such as "cohesive," "direct," "impactful" were used to describe the draft. In the online survey, support for the recommendations addressing social services, diverse representation at decision-making tables, deeper listening to those with direct experience of hate, executing an action plan to confront racism and discrimination, and building trust in Hamilton Police Services was especially strong.

The main concern expressed during this stage was that the draft recommendations were seen as "vague." There were numerous requests for them to be more concrete and measurable, in order to guide implementation more explicitly. People were craving more details on how to make these recommendations happen and accountability for making sure they do.

There remains a significant degree of skepticism regarding the likelihood of the recommendations being effectively implemented in Hamilton for a variety of reasons, including their lack of specificity, the complexity and longstanding nature of the issues, political divisions on Council and perceived history of inaction by the City on the concerns they address. Accountability mechanisms including clear roles, responsibilities, targets and timelines are therefore seen as critical in advancing their legitimacy and acceptance. Showing progress on implementation will build momentum and strengthen trust.

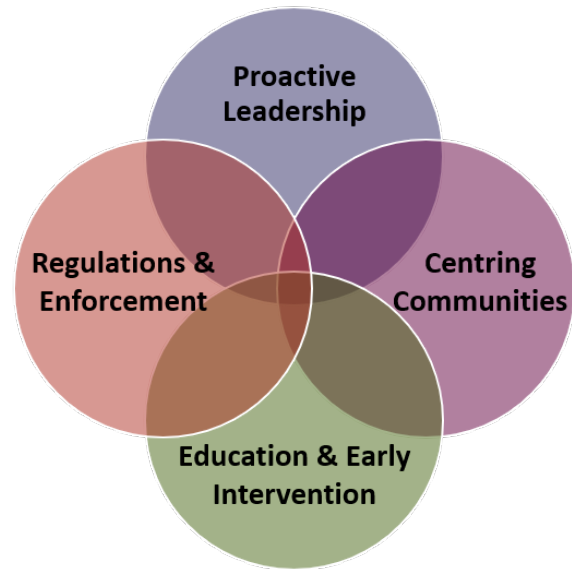
More specifically, additional suggestions for improvement included the following and these have been heeded to the full extent possible in the recommendations that follow:

- Provide more in-depth analysis and clearer definitions of terms in the more fulsome final report, to explain the differences between, for example, "hate," "hate crimes," "hateful incidents" and "discrimination." Some people would prefer the use of more specific terms such as anti-Black racism and anti-Semitism in place of the more generic term "hate" throughout.
- Acknowledge examples of the existing efforts already underway to address many of the recommendations, by the City and community organizations, to avoid implying the process is starting from a blank slate or that community work is being co-opted or ignored by the City.
- There is a need for working groups on specific items that can monitor and generate action when implementing recommendations. Further, recommendations need more details defined around who, what, when, and how.
- Fill gaps in input from groups that experience hate in Hamilton but that have not participated actively in the engagement opportunities presented thus far. This would include reaching out specifically to representatives of the Jewish and Muslim communities and No Hate in the Hammer, for example, as well as perhaps scanning input on social media related to this project.
- Integrate more opportunities for those communities impacted by hate to talk about their experiences. For example, Jewish people to talk about anti-Semitism.
- There is no need to enlarge the sample size [as per Council's directive at the General Issues Committee meeting of September 23, 2020]. Doing so undermines the City's commitment to listen that is highlighted in the draft recommendations. People have adequately and courageously described their experiences, and this project was not intended to assess whether hate/racism/discrimination are problems in Hamilton, but rather to address them.
- Attach dollar figures to the recommendations and hold the City accountable for the results of that investment. The allocation of financial resources is seen as the true test of commitment. In addition to dollar figures in the report, there should be a total amount of dollar figures suggested to address these issues.
- There were numerous suggestions of how to improve the wording of individual recommendations to make them clearer and in several cases more assertive.

Recommendations

The following recommendations were initially drafted based on research and feedback gathered during the first phase of this initiative, then refined based on the feedback received on that draft during the second phase of community engagement in the fall of 2020 and initial more recent conversations as described above.

The initial seven categories of interventions identified through the comparative research have been combined into four that are particularly salient for Hamilton: **proactive leadership**, **centring communities**, **education and early intervention**, and **regulations and enforcement**, with several specific recommendations listed within each category.



These recommendations can be treated separately but will be most powerful when treated as a cohesive framework, supported by performance targets, accountability mechanisms and sufficient resources to ensure they are implemented. The comparative research showed that well-led cities integrate initiatives aimed at social inclusion, diversity, and combating hate, which overall contribute more broadly to positive city-building.

Summary of Recommendations

Proactive Leadership

1. *Accelerate decisive and well-informed City responses to stand against hate. Be firmer in condemning hateful activities in the city while promoting alternative positive values.*
2. *Create, resource and implement an action plan to confront systemic racism, oppression, and other forms of discrimination in Hamilton.*
3. *Convene collaborative opportunities for productive dialogue amongst community organizations, businesses, and other local institutions, with the goal of building a welcoming city together.*
4. *Measure and report on progress.*

Centering Communities

5. *Follow through with actions that support what the City has already heard.*
6. *Deeply listen to the voices of those experiencing hate, acknowledge their experiences and provide ongoing opportunities for community feedback.*
7. *Incorporate more diverse representation at decision-making tables.*
8. *Initiate convergent strategies to coordinate and accelerate the work that community organizations are doing to combat hate in the city.*
9. *Redirecting funding away from punitive efforts and toward prevention, including increasing resources for social services partnerships to address mental health, addictions and affordable housing.*
10. *Invest in equity-promoting programming and re-evaluate City grants and granting processes to ensure they are equitable and accessible.*
11. *Invest in more safe community spaces.*

Education and Early Intervention

12. *Partner with community organizations, District School Boards, and other relevant collaborators, to co-create and implement an educational curriculum together with young people about racism, hate, equity, diversity, inclusion, and justice and belonging, from the perspective of people living in Hamilton.*
13. *Invest in placemaking initiatives that encourage diverse community interactions across groups.*

Regulations and Enforcement

14. *Leverage the municipal regulatory framework to stand against the presence of hate, beginning on City property but extending beyond that where legally possible.*
15. *Develop a hate incident community mapping mechanism to better track and collect data for hate incidents happening in the city.*
16. *Build a coordinated community reporting system*
17. *Embrace community-led responses to harm*
18. *Building and fostering working relationships between community organizations and Hamilton Police Service.*

Proactive Leadership

The community is appealing for courageous, authentic leadership that takes a stand against hate, from the City and across the city, in formal and informal ways. Timely, responsive and decisive actions are needed to demonstrate leaders' presence, self-reflection, awareness and empathy around what communities face. This commitment is seen as the first step in lessening the metaphorical distance between City leadership and residents concerned about hate in the city. This category was repeatedly identified as the most important starting point for addressing hate in Hamilton.

Recommendation #1:

Accelerate decisive and well-informed City responses to stand against hate. Be firmer in condemning hateful activities in the city while promoting alternative positive values.

Activities do not necessarily have to be illegal to be undesirable in a city. There is concern that the Charter of Rights and Freedoms, designed to support the freedom of Canadians, is being used in Hamilton as a shield to allow hate to flourish in the name of freedom of expression, upholding the freedom of some at the expense of others' safety. Hamilton could instead choose publicly to emphasize and promote values of tolerance, inclusion, justice and equity while condemning behaviours that contradict those values.

Publicly acknowledging that hate exists and is a problem in Hamilton that manifests itself in various ways is the number one step required to begin addressing it.¹⁹ In order for these public acknowledgements to be seen as having integrity, they need to be supported by other aligned and concrete actions and made by leaders who have earned the public's trust.

It is recommended that the City develop a framework out of which it addresses hate crimes and incidents with defined and appropriate responses. This operational guide would include timely statements from the Mayor's Office that proactively and unequivocally condemn hateful behaviour, support communities experiencing hate and demonstrate in practical ways that the City of Hamilton is anti-hate.

Prompt and decisive action steps by Council upon approving these recommendations would be one indication of its commitment to responding to concerns to building momentum in preventing and mitigating hate in Hamilton.

¹⁹The City of Toronto has recently been working on an action plan to confront systemic anti-Black racism. The plan has five themes, 22 recommendations and 80 actions that the City will undertake. *Toronto Action Plan to Confront Anti-Black Racism*, City of Toronto, 2017. <https://www.toronto.ca/legdocs/mmis/2017/ex/bgrd/backgroundfile-109127.pdf>

Recommendation #2:

Create, resource and implement an action plan to confront systemic racism, oppression, and other forms of discrimination in Hamilton.

The City of Hamilton must not only acknowledge unequivocally that hate is a structural problem in the city, but also spell out concrete action steps to address it, several of which are outlined in the additional recommendations that follow. As the recommendations from the Gandhi 150 Conference state, "beyond the spoken word, people need a sign of solidarity in a measurable form. People need to see measurable action from the city and publicized proof of that action."²⁰

The community wants to see investment in action, not in more research and consultation. Any action plan needs to be both led and shaped by those with lived experience of systemic inequalities. It requires timelines, performance targets, clear roles and responsibilities, completion dates, and sufficient, multi-year resources to make a system-level impact over time. Investment in this action plan will have ripple effects and positive outcomes in other areas that contribute to a thriving city. An example to consider is the Toronto Action Plan to Confront Anti-Black Racism.²¹

One specific component of this action plan would be for a City staff and related partners such as Hamilton Police Services, to participate in ongoing anti-oppression training and integrated in-service practices. A community effort in 2014 was involved in making Hamilton a Sanctuary City; part of this agreement was that staff from the City of Hamilton were to receive training. This recommendation has yet to be enacted, and was cited as an example of poor follow up on commitments. Reversing that decision would display tangible action on part of the City.

Another component of this action plan could be to establish community-led working groups, with resources and accountability, to move these recommendations forward in a timely and effective way.

Recommendation #3:

Convene collaborative opportunities for productive dialogue amongst community organizations, businesses, and other local institutions, with the goal of building a welcoming city together.

The City could convene and/or support skillfully facilitated opportunities for candid sharing of best and emerging practices, challenges, and pathways to improvement across sectors, all with

²⁰ *Report from the Working Groups, Gandhi 150 Conference: Waging Action on Hate and Racism in Hamilton*, October 2019. <https://www.humanities.mcmaster.ca/gandhi/onefifty/Gandhi150ConferenceSummaryReport.pdf>

²¹ The City of Toronto recognizes its responsibility to create a city that works for all residents. Confronting and removing barriers caused by Anti-Black Racism benefits all Torontonians, especially other Toronto communities experiencing racism and marginalization.

a shared intention of aligning residents’ experiences with the values the City espouses.²² This could include supporting new and existing initiatives. The City should support community voices in leading this work—not only to be heard but to direct the outcomes of a cohesive and integrated strategy across sectors over time.

Recommendation #4:

Measure and report on progress.

It is recommended that the City set tangible goals and determine performance targets that will allow for transparent reporting on progress towards the goals. For example, metrics could include resources allocated to promoting inclusion; events sponsored; third-party monitoring of interactions between Hamilton Police Services and residents; all within a comprehensive and public monitoring system that reports progress toward combatting hate.²³ Data collected during this initiative could serve as a partial community-wide baseline to track progress toward Hamilton living up to its aspirations of being a good city to grow old and raise a family.

Centering Communities

Hamilton residents are looking to their local government to listen to community voices, amplify their messages, support community work, proactively build relationships with communities that are experiencing hate, and recognize community wisdom as essential to building diverse, inclusive and equitable communities. This involves inviting marginalized community members to decision-making tables, supporting community programming, and investing in safe, inclusive spaces.

Recommendation #5:

Follow through with actions that support what the City has already heard.

Engaging the community, across a range of perspectives, needs to be followed up with timely action and clear explanations of how that input has been heard, analyzed and translated into activity planning. There is a strong sense that the City has not followed up on recommendations previously made that would have made progress toward a more inclusive city well before this project began. It is therefore recommended, as a start, that the City provide detailed follow-through plans on high-profile sets of recent recommendations such as the *Pride in Hamilton* report²⁴ and this project. Engagement with no action is disingenuous; it is not only a waste of resources but can be retraumatizing for victims and erodes trust in the City. Follow-through builds trust, which is integral for constructive collaboration moving forward.

²² An example of this is the annual Diversity Symposium hosted by the City of Richmond, BC, to share best and emerging practices in building diverse, inclusive and equitable communities.

²³ *Report Regarding Board Motion of June 18, 2020 (BIPOC)*, Guelph Police Services Board Meeting (September 17, 2020): 40-63. <https://events.guelphpolice.ca/meetings/Detail/2020-09-17-1430-September-17-2020/038dd4a2-5015-4011-9f22-ac3800e2dd27>

²⁴ *Pride in Hamilton: An Independent Review into the Events Surrounding Hamilton Pride 2019*, Scott Bergman (Cooper, Sandler, Shime & Bergman LLP), June 2020.

Recommendation #6:

Deeply listen to the voices of those experiencing hate, acknowledge their experiences and provide ongoing opportunities for community feedback.

Community engagement is not a one-off activity; ongoing listening is a necessary condition for change to occur. The City should value the knowledge that communities hold, particularly through the lived experiences of individuals, as an essential element of hate prevention initiatives. It is recommended that the City embed ongoing listening/reflecting/acting/reporting cycles into their practice, as a continuation of these community engagement processes and Council's February 2021 commitment to acknowledging the wisdom of those who have first-hand knowledge of the issues at hand. The City must create the space to receive critical feedback and facilitate an environment where residents feel their experiences are heard and validated. Deep listening and openness to ongoing dialogue are instrumental to building relationships and goodwill.

Recommendation #7:

Incorporate more diverse representation at decision-making tables.

It is recommended that the City make it easier for community members to access and influence what goes on municipally. Make decision-making processes more transparent to the wider community. For example, the City could explore and remove barriers that may be hindering equitable representation at decision-making tables. This includes exploring how to make various tables more impactful by paying attention to who sits on committees and how much influence they have on actual decisions, as well as reviewing the success of current City hiring practices in service of equity, diversity, inclusion and reconciliation targets.

Recommendation #8:

Initiate convergent strategies to coordinate and accelerate the work that community organizations are doing to combat hate in the city.

Many community organizations are working on anti-hate initiatives in Hamilton, directly (e.g. No Hate in the Hammer) and in related areas such as anti-racism. The City can work with these community organizations to develop convergent strategies to accelerate this work and value it as an essential element not only of hate prevention but of city building. For example, the City could coordinate a unified and well-funded city-wide public education campaign that would allow Hamilton to radically change its narrative. The campaign could provide opportunities for those who have experienced hate to share their stories in a meaningful way with the broader community, training in effective ways to intervene when you see hate incidents occurring and customized, culturally responsive resources available when people are impacted by a hateful incident in the city. Current community efforts can be accelerated and amplified with City support.

Recommendation #9:

Redirecting funding away from punitive efforts and toward prevention, including increasing resources for social services partnerships to address mental health, addictions and affordable housing.

Regulations and enforcement approaches were lower priorities to Hamilton residents than proactive investment in prevention to combat hate. There was an overwhelming community call for allocating resources to community services that can better support community members who are struggling, see fighting inequality as an important pathway to building community cohesion. For example, hate is often an expression of people's frustration at their primary needs not being met, including affordable housing, living wage employment, meaningful social connections and holistic health care. Redirecting funding toward investing more heavily in these social determinants of health is a proven upstream approach to addressing anti-social behaviours and building more equitable, economically vibrant cities.

Further, cities across North America are exploring alternative crisis response services for supporting situations in which people require high-priority, immediate response and a robust amount supports without police involvement.²⁵

Recommendation #10:

Invest in equity-promoting programming and re-evaluate City grants and granting processes to ensure they are equitable and accessible.

The current COVID-19 pandemic has created an immense strain on community organizations and services. The City should use all of the levers at its disposal to promote equity and inclusion, including its grants to community groups. The City should provide necessary financial support to trusted and embedded community organizations that are community-owned and trauma-informed and thus well-positioned to provide timely and necessary responses to hate incidents. Applications need to be simple and targeted, giving applicants the freedom to try different approaches that can better support various communities' unique needs.²⁶

For example, the City could convene an ad hoc group of community-based organizations currently working with equity-seeking communities to provide direction on how to invest in anti-hate programming as well as re-evaluate City grants and granting processes to ensure that they are equitable and accessible. Outreach and application support are also needed to expand the range of applicants and ideas brought forward.

²⁵ For example, Toronto has recently approved a non-police crisis response team pilot to mental health-related crisis calls. <https://www.thestar.com/news/gta/2021/04/25/toronto-approved-non-police-crisis-response-teams-this-woman-is-trying-to-build-them.html>

²⁶ For example, each year, the City of Guelph allocates grant funding to not-for-profit organizations to support the City's strategic goals, as guided by their collaboratively-developed Community Plan.

Recommendation #11:

Invest in more safe community spaces.

Marginalized communities need safe spaces to gather, and the City should invest in creating them, including digitally. Multi-use community hubs can be equipped with specific resources that know how best to support community members. These places can take various forms, inspired by spaces such as revitalized public libraries or the 519 in Toronto, which is an example of a community space committed to the health, happiness and full participation of the LGBTQ2S+ communities. As per the Gandhi 150 recommendations, there need to be safe spaces for everyone to be safe and heard and to acknowledge when spaces are not experienced as safe.²⁷ The City needs to consult with impacted communities to discern why current spaces are not meeting their needs. Further, safe spaces for youth are especially in demand across various communities.²⁸

Education and Early Intervention

Preventative work has proven long-term benefits for building understanding and community.²⁹ Early intervention and public education are integral in communicating what kind of city Hamilton wants to be and setting citizens' expectations about the behaviours that are desirable in the city.

Recommendation #12:

Partner with community organizations, District School Boards, and other relevant collaborators, to co-create and implement an educational curriculum together with young people about racism, hate, equity, diversity, inclusion, and justice and belonging, from the perspective of people living in Hamilton.

Despite education falling primarily under provincial jurisdiction, it was noted throughout this project as a necessary local response to hate.³⁰ For instance, the City can support anti-hate guest speakers and Hamilton-specific content in local schools and can use its influence to encourage the provincial government to develop anti-racist and anti-hate curriculum more broadly for the Ontario schools.³¹

²⁷ *Report from the Working Groups, Gandhi 150 Conference: Waging Action on Hate and Racism in Hamilton*, October 2019. <https://www.humanities.mcmaster.ca/gandhi/onefifty/Gandhi150ConferenceSummaryReport.pdf>

²⁸ Feedback from meeting with the Muslim community expressed a need for more investment in safe spaces for youth from diverse backgrounds that are safe and have structure. Currently, there are not enough mental health resources and the social aspect within these spaces where youth from diverse backgrounds can feel safe.

²⁹ For example: *Upstream: The Quest to Solve Problems Before They Happen*, Dan Heath (Avid Reader Press / Simon & Schuster: 2020)

³⁰ For example, the 519 partnered with the Toronto District School Board to create "Families Against Homophobia," curriculum that acknowledges children with LGBTQ2S parents.

³¹ For example, the Guelph Black Heritage Society's #ChangeStartsNow campaign is raising public awareness and funds for the development of educational resources and programs about anti-Black racism and discrimination.

Education is not limited to schools. Bystander intervention training could be provided to any interested Hamilton residents, as a demonstration of the City’s commitment to creating a community that values diversity in practice.

Recommendation #13:

Invest in placemaking initiatives that encourage diverse community interactions across groups.

Hate is fuelled by a lack of familiarity and contact with people who are different from you. Currently, there are not enough spaces and events where diverse groups of people can interact—and feel safe doing so. Pandemic isolation has exacerbated this problem. It is recommended that the City invest in community-building, intergenerational or multicultural programming that animates the city in positive ways.³² Placemaking can be a preventative, proactive activity and one that is highly appropriate for the municipality to undertake as it gives people opportunities to interact with and learn from people whose experiences are different from their own. For example, the City should encourage accessible community arts activities guided by professional artists working with residents to co-create murals, theatrical productions, spoken word performances, and other forms of art, which explore the historical, political or culture of a specific place.³³

Regulations and Enforcement

Regulations alone are not sufficient, but are one set of tools uniquely at the City's disposal and should be used to promote a welcoming and inclusive municipality and to take a stand against hate. These regulations must be accompanied by enforcement within the context of a broad-gauged accountability framework that involves accessible community reporting mechanisms, robust evaluation and transparent reporting back to the community.

Recommendation #14:

Leverage the municipal regulatory framework to stand against the presence of hate, beginning on City property but extending beyond that where legally possible.

Hamilton has begun to enact bylaws and other regulations that mitigate hate, and the City is encouraged to continue to do so. These could include hate-specific regulations and others that address hate indirectly. A preventative orientation is preferable over a punitive one. For instance, policies that promote positive assembly and accelerate diverse community-building events in the City forecourt are preferred over those that emphasize surveillance and protectionism.

³² For inspiration, see the New Orleans project called Paper Monuments. <https://www.papermonuments.org>

³³ For example, see Case Study Topic: Community Art to Reduce Urban Inequities and Gang Violence by Pasha Shabazz McKenley in https://canurb.org/wp-content/uploads/EBPP_2021-03-25_FINAL.pdf

Recommendation #15:

Develop a hate incident community mapping mechanism to better track and collect data for hate incidents happening in the city.

There is a significant need to document incidents that are happening in the city to develop a better understanding of the scope of hate in Hamilton. A community mapping mechanism would help to illustrate the rates and types of hate incidents in the city.³⁴ The information generated can support the outreach and education initiatives while also disclosing to communities where incidents are taking place. This mechanism needs to be easy to find, access, and use. For example, it can be an online form where users can document hate incidents or call a support line, where someone can input their information to the online form. The mechanism could also be specific to impacted communities, for example, 'Fight Against COVID-19 Racism' is a national platform developed to report and track anti-Asian racism.³⁵

Recommendation #16:

Build a coordinated community reporting system.

A coordinated community reporting system could be linked to the above mapping resource. It would provide culturally responsive and trauma-informed support to those reporting acts of hate and connect them with resources, and alleviate the current chronic underreporting of hate crimes.³⁶ Access to a community-owned reporting mechanism could give victims of hate incidents the possibility to file a complaint through multiple trusted community connections, such as a religious or community organization, rather than directly through the police. These reporting channels must then be linked to provide a more comprehensive and coordinated understanding of hate activity in the city that could then be publicly reported on and used to improve prevention, community supports and enforcement.

Recommendation #17:

Embrace community-led responses to harm.

The City should support and encourage restorative processes and frameworks of accountability to repair harm impacting the community. There is a deep reliance on using punitive justice as the only means to access 'justice' in society. In conjunction with local community organizations, the City could institute restorative justice processes that facilitate direct accountability for hateful actions, thereby supporting positive and lasting behavioural changes that lead to safe

³⁴ An example of this mechanism is the StopHateAB.ca website launched by The Alberta Hate Crimes Committee (AHCC), <https://stophateab.ca>

³⁵ The Fight Against Covid-19 Racism platform was developed as a collaboration between several Chinese Canadian organizations, in response to rise in xenophobia and racism toward Asian communities during the pandemic. This platform aims to provide a space for individuals to share their experiences of racism and linking them to helpful resources, while also tracking and recording the numbers of incidents occurring across Canada. <https://www.covidr racism.ca>

³⁶ The HCCI, McMaster University and the Sherman Center for Digital Scholarship are currently developing this kind of tool and would benefit from direct support from the City.

and connected communities.³⁷ It is recommended that the City support impacted communities in the actions they want to take to engage with offenders and explore they can be supported to do so.

Recommendation #18

Building and fostering working relationships between community organizations and Hamilton Police Service.

Representatives of groups that are known to experience hate in Hamilton, particularly BIPOC³⁸ and LGBTQ2S+ communities, have been clear in expressing their lack of trust in the Hamilton Police Services.³⁹ Similar reservations have been expressed by people who have experienced police involvement for other reasons, including yellow vest protesters. These concerns are situated within a broader context of differential enforcement in policing.⁴⁰ They both fuel and are fuelled by larger cultural conversations linked to Black Lives Matter and movements to Defund the Police. An institution designed to promote safety is seen by some as making them feel unsafe and even perpetuating harm.

Until trust in police is strengthened, their ability to enforce hateful behaviours in Hamilton is likely to lack legitimacy. This represents a vicious cycle in which mistrust itself makes both parties reluctant to do the work required to rebuild that trust. A long view is required, along with a commitment to listening and learning. HPS can continue to deepen working relationships with community organizations who are working on anti-hate initiatives to expand police understanding of their role in improving or exacerbating hate and discrimination in Hamilton.

More broadly increasing education on systemic racism, equity, justice, diversity and inclusion could be another place to start. A visible commitment to HPS training and education that then translates into changed actions can help build trust within the community and help HPS be more impactful at making the city a safer space for all. Finding ways to make policing more accountable and accessible to the public, with transparent action plans of how HPS will improve community relationships, is critical. Without persisting in addressing problematic dynamics between marginalized groups and police, the other recommendations listed here will be less effective in addressing hate in Hamilton than they otherwise could be.

³⁷ The Coalition of Muslim Women of KW and Community Justice Initiatives is piloting a restorative approach to incidents of hate crime in Waterloo Region by offering a safe space for people to build an understanding of one another. The two organizations are working together to develop a model to apply a restorative justice approach to hate-based incidents or crimes against members of the Muslim community, particularly women.

<https://www.kwcf.ca/news/ir2020-cji-cmw>

³⁸ Black, Indigenous, and People of Colour

³⁹ The recent inquiry into the Hamilton Police Services' role in Pride 2019 highlights the inadequacy of the HPS response to violence and has further undermined trust in police in Hamilton, or at least documented some reasons for it.

⁴⁰ For example, a 2018 Ontario Human Rights Commission study found that Black people are 20 times more likely to be injured or killed by police than their counterparts.

Conclusion

The community is longing for action and concrete plans from the City to mitigate and prevent hate in Hamilton. Residents are tired of lists of recommendations that have been not led to changed behaviours, beginning at City Hall. performative actions and is craving genuine and honest initiatives. Anything less than genuine and concerted actions and this project, and the all the resiliency of those who engaged and offered their perspectives, will be for nothing. Persistent and timely responses to hate crimes and hate incidents that are community-centric and trauma-informed are essential. For this reason, meaningful support, intentional collaboration and the allocation of appropriate resources to community organizations that are doing the work to fight against hate in Hamilton are imperative for the success of these recommendations.

Appendix A: Glossary of Terms

Anti-Black racism	Prejudice, attitudes, beliefs, stereotyping and discrimination that is directed at people of African descent and is rooted in their unique history and experience of enslavement. Anti-Black racism is deeply entrenched in Canadian institutions, policies and practices, such that anti-Black racism is either functionally normalized or rendered invisible to the larger white society. Anti-Black racism is manifested in the legacy of the current social, economic, and political marginalization of African Canadians in society such as the lack of opportunities, lower socio-economic status, higher unemployment, significant poverty rates and overrepresentation in the criminal justice system. ⁴¹
Anti-racism	Beliefs, actions, policies and movements developed to actively identify and eliminate prejudice, stereotyping, and discrimination based on race.
Anti-Semitism	Anti-Semitism is a certain perception of Jews, which may be expressed as hatred toward Jews. Rhetorical and physical manifestations of anti-Semitism are directed toward Jewish or non-Jewish individuals and/or their property, toward Jewish community institutions and religious facilities. ⁴²
BIPOC	Black, Indigenous, and People of Colour
Colonialism	Colonialism is a practice of domination, which involves the subjugation of one people to another. Settler colonialism — such as in the case of Canada — is the unique process where the colonizing population does not leave the territory, asserts ongoing sovereignty to the land, actively seeks to assimilate the Indigenous populations and extinguish their cultures, traditions and ties to the land. ⁴³

⁴¹ Government of Ontario, “A Better Way Forward: Ontario’s 3-year Anti-Racism Strategic Plan.”
<https://www.ontario.ca/page/better-way-forward-ontarios-3-year-anti-racism-strategic-plan>.

⁴² International Holocaust Remembrance Alliance, “Working Definition of Antisemitism.”
<https://www.holocaustremembrance.com/working-definition-antisemitism>.

⁴³ Government of Ontario, “Ontario’s anti-racism strategic plan: Terminology.”
<https://www.ontario.ca/page/ontarios-anti-racism-strategic-plan#section-8>

Discrimination Any form of unequal treatment based on a ground protected by human rights legislation that results in disadvantage, whether imposing extra burdens or denying benefits. Discrimination can be intentional or unintentional; and it may occur at an individual or systemic level. It may include direct actions or more subtle aspects of rules, practices and procedures that limit or prevent access to opportunities, benefits, or advantages that are available to others.

Equity The practice of ensuring fair, inclusive and respectful treatment of all people, with consideration of individual and group diversities. Access to services, supports and opportunities and attaining economic, political and social fairness cannot be achieved by treating individuals in exactly the same way. Equity honours and accommodates the specific needs of individuals/ groups.⁴⁴

Hate crime A criminal act that promotes hatred against identifiable groups of people, motivated by bias, prejudice or hate. Although individuals and groups that promote this destructive form of human rights-based discrimination often defend their right to "free speech," it is a criminal offence to disseminate hate propaganda and/or to commit hate crimes.

Hate-motivated behaviour: Any act or attempted act intended to cause emotional suffering, physical injury, or property damage through intimidation, harassment, bigoted slurs or epithets, force or threat of force, or vandalism motivated in part or in whole by hostility toward the victim's real or perceived ethnicity, national origin, immigrant status, religious belief, gender, sexual orientation, age, disability, political affiliation, race, or any other physical or cultural characteristic.

Homophobia Negative attitudes, feelings, or irrational aversion to, fear or hatred of gay, lesbian, or bisexual people and communities, or of behaviours stereotyped as "homosexual." It is used to signify a hostile psychological state leading to discrimination, harassment or violence against gay, lesbian, or people.⁴⁵

⁴⁴ Rainbow Health Ontario, "LGBT2SQ Terms and Definitions Glossary."
<https://www.rainbowhealthontario.ca/news-publications/glossary/>

⁴⁵ The 519, "Glossary of Terms." <https://www.the519.org/education-training/glossary>

- Intersectionality** A term coined by black feminist legal scholar Dr. Kimberlé Crenshaw to describe the ways in which our identities (such as race, gender, class, ability, etc.) intersect to create overlapping and interdependent systems of discrimination or disadvantage.⁴⁶
- Islamophobia** Includes racism, stereotypes, prejudice, fear or acts of hostility directed towards individual Muslims or followers of Islam in general. In addition to individual acts of intolerance and racial profiling, Islamophobia can lead to viewing and treating Muslims as a greater security threat on an institutional, systemic and societal level. (Ontario Human Rights Commission, Policy on Preventing Discrimination Based on Creed).⁴⁷
- Systemic racism** The direct and indirect action of our community institutions that has perpetuated inequality, discrimination and disparity of outcomes based on race for generations. Systemic racism can be directly visible within institutions such as lack of racialized individuals in senior leadership. It can also be painfully inconspicuous, such as racist jokes, stereotypes, prejudices, derogatory remarks, micro-aggressions and limited opportunities.
- Transphobia** Negative attitudes and feelings and the aversion to, fear or hatred or intolerance of trans people and communities. Like other prejudices, it is based on stereotypes and misconceptions that are used to justify discrimination, harassment and violence toward trans people, or those perceived to be trans.⁴⁸

⁴⁶ The 519, "Glossary of Terms." <https://www.the519.org/education-training/glossary>

⁴⁷ Government of Ontario, "A Better Way Forward: Ontario's 3-year Anti-Racism Strategic Plan." <https://www.ontario.ca/page/better-way-forward-ontarios-3-year-anti-racism-strategic-plan>.

⁴⁸ LGBT2SQ Terms and Definitions Glossary. Rainbow Health Ontario. <https://www.rainbowhealthontario.ca/news-publications/glossary/>



Hamilton

Hate Prevention & Mitigation Initiative

Comparative Research Report

May 14, 2020

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Sage Solutions

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SOLUTIONS

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Background

According to Statistics Canada, over the last five years, there has been an increase in the number of police-reported hate incidents and crimes reported.¹ Even in contexts where overall rates are stable, the intensity or seriousness of crimes may be showing an increase over time.² The impact of hatred and hate incidents in a community results in a disproportionate level of harm that affects not only the individual but the community at large. Whether directed against individuals or communal institutions, acts of hatred leave entire communities feeling impacted, with undeniable ripple effects. Policies, bylaws and procedures govern how people are meant to interact with one another. At a municipal level, creation and enforcement of such regulations are complemented by decisions about the design of physical spaces as well as supports provided to particular kinds of associations and events, which can help or hinder positive collective social relationships. Municipalities therefore have the potential to act as a catalyst for dismantling hatred occurring in their communities through policy and collaboration with social service organizations, police services, and community organizations.

Given the presence of yellow vest protestors congregating on city property on weekends in 2019, the City of Hamilton is exploring ways the municipality can contribute to ensuring the community lives up to the positive aspirations it holds for itself. It is doing so by learning from other communities’ experiences, creating a supportive policy context, building on previous community recommendations and listening further to the community through an engagement process that will unfold during the spring and summer of 2020.

This report is an environmental scan of municipal policies and bylaws pertaining to hate crimes or hate-motivated incidents and behaviour on city property and public property. The objective is to understand how other municipalities across Canada, and selected examples from Australia, England and the United States, are approaching mitigating hate and discrimination in their cities, through specific policies and bylaws and other non-legislative measures, in order to inform Hamilton’s approach.

Methodology

Building on the initial report, *Hate Mitigation Policies, Procedures and By-laws of Comparison Municipalities*, created by the City of Hamilton,³ this report reviews twenty Canadian municipalities that had reported hate crimes over the last five years, selected based on comparability to Hamilton, Ontario. It also reviews state and local Australian examples from communities also considered comparable to Hamilton, such as Newcastle and Wollongong. The Canadian examples are largely policies, while the Australian examples are municipal strategies along with research reports on various “bias crimes.”

Information was located by internet search, utilizing key terms such as “municipal behaviour bylaw,” “code of conduct municipal property,” “public behaviour on city property,” “respectful

behaviour," "respectful behaviour in recreational centres," "public nuisance bylaws," "trespassing bylaws" and "municipal policies hate mitigation." It also included searching and reading through applicable bylaws, council agenda minutes, available on municipal websites.

Policy information has been challenging to find; many policies are internal and difficult for the public to access. There is also a lot of variability in language, such as in the names of policies and procedures, which can make locating relevant, comparable information difficult. It is highly likely that the search process outlined above did not uncover the full range of protocols, strategies and informal, undocumented initiatives. It does, however, indicate that published materials are limited.

Beyond municipal policies, other research reviewed direct community responses to hate activity, and community-based research on combating intolerance, anti-Black racism, homophobia, and initiatives for creating safer public spaces.

Research also covered Police Service websites and the information available on how to report hate crimes and hate-motivated incidents.

Some preliminary scholarly research was also conducted. Hate crimes are complex and research on them is limited, particularly in Canada. There is a tendency to focus on victims rather than perpetrators, not just in understanding the behaviours but even in designing mitigation strategies. A fulsome review of the literature is beyond the scope of this project.

Police-Reported Hate Crimes

Table 1 shows the number of police-reported hate incidents and rates per 100,000 population in 2018 within those twenty municipalities, as documented by Statistics Canada. Statistics were not available for Oshawa or Quebec City. The census metropolitan area of Toronto encompasses, among others, Brampton and Mississauga. The census metropolitan area of Vancouver encompasses Richmond and Surrey.

In 2018, police reported 1,798 criminal incidents in Canada that were motivated by hate. Hate crimes accounted for less than 0.1% of the over 2.0 million police-reported crimes in 2018 (excluding traffic offences).⁴ The number of police-reported hate crimes decreased by 13%, or 275 fewer incidents, compared to 2017. With the exception of 2017, the number of hate crimes in 2018 was higher than any other year in the past 10 years.⁵ Police data on hate-motivated crimes include only those incidents that come to the attention of police services and also depend on police services' level of expertise in identifying crimes motivated by hate. As a result, an increase in numbers may be related to more reporting by the public to police services (for example, as a result of outreach by police to communities or heightened sensitivity after high profile events), and/or a true increase in the extent of hate crimes being committed.⁶

According to a recent report in the *Hamilton Spectator* based on unpublished police statistics, the number of reported hate-bias incidents in Hamilton decreased by 26.4 per cent over the previous year. Police chief Eric Girt stated "Hamilton has been misrepresented as the leading hotbed for hate because police here are more vigilant in collecting hate-bias incidents than many other communities." Girt believes that the majority of hate incidents that are reported to Hamilton police services predominately involve mischief-related graffiti and lower level assaults, while many other jurisdictions do not collect and report those as hate statistics.⁷ Even

	Number of hate crime incidents	Rate per 100,000 population
Total police-reported hate crime	1,798	4.9
Brampton (considered part of Toronto census metropolitan area)		
Calgary	80	5.3
Edmonton	69	4.8
Guelph	11	7.8
Halifax	17	3.9
Hamilton	97	17.1
London	34	6.4
Mississauga (considered part of Toronto census metropolitan area)		
Montreal	276	6.5
Oshawa		
Ottawa	105	9.8
Quebec City		
Richmond (considered part of Vancouver census metropolitan area)		
Sudbury (Greater Sudbury)	3	1.8
Surrey (considered part of Vancouver census metropolitan area)		
Toronto (Includes all Toronto census metropolitan areas including Brampton and Mississauga)	364	6.4
Vancouver (Includes all Vancouver census metropolitan areas including Richmond and Surrey)	187	7.1
Victoria	24	6.1
Waterloo (Kitchener, Cambridge, Waterloo)	39	6.7
Windsor	6	1.7
Winnipeg	28	3.4

with that decrease, Hamilton’s numbers lie in a high range relative to the other cities listed above.

There is considerable variability in the definition of what constitutes a hate-motivated incident across police services in Canada.⁸ Some police services use the exclusive definition, which states that a crime is only classified as a hate crime when, in the opinion of the investigating officer, the act was "based solely upon the victim's race, religion, nationality, ethnic origin, sexual orientation gender or disability," while other police services define a hate-motivated crime as one that was motivated "in whole or in part, by a bias". This distinction in definition impacts the comparability of crime rate statistics across the country. Jurisdictions adhering to an exclusive definition likely report significantly lower rates of hate crimes.

Legislation and its Limits

Out of 20 municipalities reviewed (see Table 2), the City of Toronto has the most robust formal suite of policies related to mitigating hate on city property, specifically a response to planned and unplanned hate rallies. No other municipal policies located address groups of people congregating on municipal property for the purpose of demonstrating to incite hate.

The legislative framework for hate-related infractions is complex and occurs at various levels, Globally, there are international covenants that make it illegal to advocate hatred that incites discrimination, hostility and violence. Federally, the Canadian federal Charter of Rights and Freedoms and provincial Human Rights Codes are in place to ensure protection against discrimination. At a more local level, there are generic rules around trespassing or responsible behaviour on city/public property. More specifically, municipalities might have regulations related to anti-discrimination or the promotion of [often cultural] diversity, many of which apply to their staff or volunteers and less to the general public. Even more specifically, communities might have policies or codes of conduct related to peaceful public gatherings or, in rare cases, hate-related behaviour.

Table 2. Comparison of Municipal Policies & By-laws

Municipality	Formal Policy for Hate Crime (related to Hate incidents)	Policies/ By-laws for behaviour on city property/ public property
Brampton		✓
Calgary		✓
Edmonton		✓
Guelph		✓
Halifax		
London		✓
Mississauga		✓
Montreal		
Oshawa		✓
Ottawa		✓
Quebec City		
Richmond		
Sudbury		✓
Surrey		
Toronto	✓	✓
Vancouver		
Victoria		
Waterloo		✓
Windsor		✓
Winnipeg		

Yet even when legislation is in place, it is only as effective when enforced. One recent study of three Australian states revealed a woeful lack of convictions of bias crimes despite thousands of offences being reported, sometimes as many as three per day, in a context where vast underreporting is known to be the case. Just three convictions in total have occurred since the

mid 1990s. The researchers point to a variety of contributing factors, including staff cuts to bias crime units, widespread denial, conservatism and intolerance among “old white men” that run police services, inappropriate police training to recognize and track these crimes, and even a tendency to want to keep minorities quiet. Vilification crimes are known to be difficult to take to trial, since proving motivation is key to conviction, so police may not bother pursuing incidents. Moreover, if common cases are not handled seriously, it makes it harder to prevent major hate crimes.

All of this occurs within a broader context of selective enforcement in security and policing, which itself is nested within a justice system and a broader sociocultural reality in which bias, racism and other forms of discrimination have been shown to be rampant.⁹

Legislation alone is therefore an insufficient condition to mitigate hate. Not only is reporting problematic, but even when reporting occurs, decisive, effective follow up may be limited or allocated unequally.

Critical Observations

At a local level, municipalities have a range of “levers” at their disposal by which to address hate-related behaviours, directly and indirectly. These include:

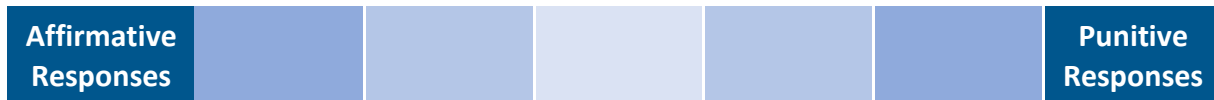
- Strategic planning and leadership
- Communication and community engagement
- Environmental design and maintenance of public spaces
- Community placemaking and programming (including investment in the work of community organizations)
- Public education and capacity building
- Proactive partnerships
- Regulations and policies
- Enforcement practices (including tracking and reporting; situational crime prevention; levelling consequences etc.)
- Emergency response and symbolic representation

They are often housed under strategic headings such as “cultural diversity” or “community safety,” which may be both broader and narrower than hate mitigation. Even more broadly, local decisions that accelerate equitable economic activity, for example, could have an impact on hate-related behaviours to the extent that they are exacerbated by hopelessness or inequities. Available examples of these levers have been summarized – the City of Hamilton may wish to explore others.

Illustrative examples of community-based initiatives are also included here, which often thrive with municipal support. They demonstrate the intersection of front-line work, intentional

partnership development and community-led responses, whether it’s the development of public education campaigns, community response systems, collective memory and art projects or anti-hate coalitions. These manifest into tangible programs and community engagement activities that bring people together across generations, cultures and abilities, and inherently are more likely to combat hate.

How these various levers are used will depend in part on where a municipality situates itself in terms of balancing early intervention with responsive engagement. More preventative approaches would promote the behaviours a community wants to see, rather than focusing on punishing infractions. Some municipalities develop and cite their values, for example, when asked how they address hate. While it is difficult to assess the extent to which they successfully live up to those aspirations, and in whose opinion, there is a noticeable difference in tone between affirmative and punitive responses, and each community needs to choose where it lands on that spectrum.



Given this range, it is not surprising that across the twenty municipalities, there is great deal of variability in how municipalities are addressing hate incidents on city and public property. Moreover, it is difficult to assess how effective these various approaches are. Reported hate crime rates is one important but rough measure of results, but there are multiple contributing factors to that number, and it does not necessarily give an accurate depiction of hate-related incidents or how safe people feel to report or even to live in each place. Similarly, the existence of a published strategy document or piece of legislation does not necessarily speak to how well-used or effective that policy or regulation has been in practice.

Range of Levers

Despite this variability, what does emerge as clear are the following observations:

- a multi-pronged approach is needed;
- a single “one size fits all” model is not appropriate to each place;
- municipalities are able to use various levers to influence behaviour, and yet
- mitigating hate requires coordinated action well beyond municipal control;
- no single municipality currently has this issue “figured out,” but Hamilton can learn from the composite experience of others.

There are several elements which, taken together, create an environment in which hate is less likely to flourish. These include the following:

- Zero tolerance of hate-related behaviour – on “paper,” in perception and experientially

- Effective communication, including to help residents navigate how to handle hate-related incidents (both experiencing or witnessing a hate-related incident)
- Broad and specific training for police in respect, diversity and recognition of hate crimes
- Public education (e.g. campaigns, values exercises, dialogue, training) to set shared community norms and expectations and to increase knowledge
- Ongoing training and workshops for municipal staff and community organizations to share best and emerging practices in building diverse, inclusive and equitable communities
- Intentional collaborative relationships across the community, including with police services
- Access to trauma-informed, culturally appropriate support for victims
- Safe, responsive and transparent reporting mechanisms that are used and that extend beyond only reporting to police services
- Community-wide tracking of hate-related incidents
- Crime prevention through environmental design
- Support for community groups and initiatives that promote diversity and inclusion and address root causes of discrimination
- A supportive suite of legislation, policies, regulations and codes of conduct that are actually followed
- Investment in alternative models of enforcement to achieve community safety, such as restorative justice
- Creativity and openness to meet emerging needs as they arise

Case Study: The City of Toronto

An integrated suite of policies specifically targeting hate

The City of Toronto's Hate Activity Policy and Procedures assist in the identification of a hate-motivated crime or incident and identify the appropriate responses. The goal of the Policy and Procedures is to establish and maintain a hate-free City as required under the City of Toronto Human Rights and Anti-Harassment/Discrimination Policy, the Ontario Human Rights Code and the Criminal Code. The City's Hate Activity Policy and Procedures have broad application and apply to all City of Toronto employees, volunteers, accountability officers and their staff, and elected officials and their staff. It also applies to citizen advisory committees/bodies, members of the public, service recipients, visitors to and users of City facilities/public space and individuals conducting business with, for or with support from the City of Toronto.¹⁰ Perhaps most importantly, the City's Hate Activity Policy specifically states that the City of Toronto condemns the promotion of hatred and promotes an environment free of hate.

The City's Hate Activity Procedures outlines behavioural expectations and lines of communication should an event occur on city property. A report is made to management and the Human Rights Office. City staff are required to respond to these incidents/allegations by assessing the issue, and if it is an emergency, respond based on existing emergency guidelines and notify the Toronto Police Services (TPS). If it is not an emergency, staff are required to

record and provide all details to the Human Rights Office for consultation and response. Because of the legal issues and constitutional rights involved, staff in Legal Services are also typically involved in the assessment of the allegations and in decision making about appropriate responses to such incidents or allegations.

In 2019, the City created a plan specifically for responding to hate rallies which were occurring on city property. Under this new policy, the City of Toronto does not issue permits for rallies, protests or demonstrations. The City directs those wishing to hold a rally or protest in a public space to complete the Toronto Police Notice of Demonstration. This is not required, but if a group files a notice, it activates a communication channel between TPS, the City's Corporate Security, and City staff to monitor the event. The information requested in the notice of demonstration is to ensure public safety, it is not a permit for demonstrations or rallies. It is highly unlikely that many organizers would provide notice of demonstration to TPS, due to the historically strained relationship between public demonstrations and police services. Actual use or effectiveness of this mechanism has not been verified.

When either TPS or City staff become aware in advance of a rally, they communicate with one another so that existing protocols can be activated. If the City receives such a notice of demonstration from the TPS, it coordinates to ensure response protocols outlined in the Hate Sponsored Rally Protocols regulation are put into place. Response protocols include communication channels between the Toronto Police Service, the City's Corporate Security personnel and staff in the City's Municipal Licensing and Standards' By-law Enforcement division. Toronto Police attends rallies to monitor and keep the peace. When the Toronto Police receive a hate activity complaint, the complaint is reviewed and assigned to the responsible Superintendent for follow up. Depending on the nature of the allegation, the Superintendent may engage the Hate Crime Coordinator and officers from the Community Response Unit, Crime Unit or Major Crime Unit within the Toronto Police Service. An internal Toronto Police Service investigation is then undertaken. The outcome of the investigation is communicated to the Superintendent of the relevant Toronto Police division, who determines whether or not the matter should be referred to the Attorney General's office for review.

The strength of these policies is that channels and specific responses exist for planned and unplanned hate rallies on city property. By creating clear communication channels with the Toronto Police Services, the City can efficiently and effectively utilize protocols when incidents arise. The City's policies are also the only ones in the country that outline an explicit plan to deal with groups of people versus just an individual. Further, city policies and practices must be designed to avoid infringing on the Canadian Charter of Rights and Freedoms, which include freedom of thought, belief, opinion and expression; freedom of peaceful assembly; and freedom of association. The City's policies balance not infringing on those rights while showcasing a strong commitment to inclusion, anti-discrimination, and condemnation of hate, including ensuring that its spaces are not used to propagate hate against any group of people.

Case Study: Newcastle, New South Wales, Australia

Harmonized state and local actions to promote perceptions of safety and lower crime

New South Wales (NSW) is an Australian state representing about 10% of the country’s land mass and 8 million residents, roughly one third of the country’s population, not unlike Ontario. In 2018, NSW passed a law (*The Crimes Amendment (Publicly Threatening and Inciting Violence Act 2018)*) that criminalizes publicly threatening or inciting violence on specific grounds, including race, religion or sexual orientation. It sets a high bar for the rest of the country and the existence of that legislation gives police more power to gather evidence when suspected bias crimes occur.

Newcastle is a post-industrial harbour city, the second largest in NSW, which could be considered comparable to Hamilton. Newcastle has a Social Strategy that sets a goal of being an “inclusive community” that “fosters a culture of care.” Within that Strategy, they have a Safe City Plan that was generated in response to growing diversity in their city and increasing unrest that has accompanied that change. The Safe City Plan includes a range of components, including a “Safe and Vibrant Night Time Economy” strategy, primarily to address “alcohol-related anti-social behaviour,” as well as Crime Prevention Through Environmental Design (CPTED), municipal services explicitly to promote pro-social behaviours, and activities to improve residents’ perceptions of safety. Specific activities include provide multi-lingual resources related to community safety, partnering with the Department of Justice to support authorized street art, safe spaces training in partnership with ACON (a community health organization that supports people of diverse genders), placemaking grants and processes to ease reporting of hate-related incidents. Only after describing these various initiatives does their strategy address legislation, which is also in place to support police in enforcing expectations regarding discriminatory behaviour.

Behaviour on Public Property

Thirteen out of twenty of the Canadian municipalities reviewed have a policy or bylaw to manage behaviour of the general public who are using City property and/or public property (see Table 2). These include Brampton, Calgary, Edmonton, Guelph, London, Mississauga, Oshawa, Ottawa, Sudbury, Toronto, Waterloo, and Windsor. These are guidelines are framed under titles such as Trespassing and Public Nuisance bylaws, Good Behaviour Policies, Respectful Behaviour Policies and Respect for People and Property Code of Conduct. The policies are rooted and supported by the Trespass to Property Act (Ontario). As noted above, such guidelines and policies are integral to creating cities rooted in inclusivity and anti-discrimination, influencing how people are to treat each other in the public spaces.

Favourable features of several of these policies include:

- Explicitly referencing zero tolerance for violence, vandalism, and inappropriate behaviour on recreational city properties, including harassment, such as the use of racial or ethnic slurs;
- Appreciative language about respectful behaviour that is encouraged, such as a commitment to creating and promoting safe, healthy, respectful and welcoming environments where there is respect for others and responsibility for all actions;
- Naming and defining hateful behaviours that are not acceptable;

The majority of the policies are contextualized specifically for recreational centres, with a noticeable gap in how to manage behaviour on other city properties. Within these preventative guidelines and policies, clear communication channels for filing complaints or reporting infractions are cited. The most common approach is to report incidents to the most senior employee at the facility, or to corporate security. Depending on the severity of the incident, local police services are contacted to open an investigation. Penalties for infractions include a suspension of access to city properties, fines, and in some cases criminal charges. Significant enforcement occurs only when a law is broken, usually carried out by the police services.

Most of the policies reviewed focus on an individual's behaviour rather than large groups of people, such as rallies or protests. It is explicitly stated by some municipalities that their approach is to direct the responsibility of maintaining peaceful assembly, public safety and enforcement to the police while encouraging respectful behaviour on city premises. The City of Mississauga's Outdoor Events Policy requires event organizers planning to use public spaces to pre-register, obtain prior approval and sign various agreement forms indicating they will abide with relevant tolerance and inclusion policies. Although this helps to manage planned rallies, there is a need for clear procedures in the event of unplanned gatherings.

The City of Calgary and the City of Windsor have policies about public behaviour, though they refer to public intoxication, urination in public spaces, and fighting. No such policies could be found for the City of Halifax, the City of Montreal, Quebec City, the City of Richmond, City of Victoria and the City of Winnipeg.

Case Study: City of Vancouver

Police Demonstration Guidelines

As cited above, the Toronto Police Service requires a notice of demonstration. Similarly, the Vancouver Police Department (VPD) created *Public Demonstration Guidelines* to provide general information on how the VPD manages public demonstrations. The guidelines are designed to recognize the public's right to lawful assembly while upholding the law in a proportionate manner and with the least level of intrusiveness. When policing public demonstrations, the VPD's goals include but are not limited to preventing criminal acts from taking place, ensuring that the safety of demonstrators, the public, and the police is maintained, as well as ensuring that the public peace is maintained. The guidelines do not mention hate rallies explicitly, though VPD always considers and upholds Section 2 of the Canadian Charter of Rights and Freedoms.

Case Study: City of Guelph and City of Brampton

Procedures for Removing Racist Graffiti on Municipal Property

Municipal procedures for removing hate graffiti on city property, and ensuring the public knows how to report hate graffiti are extremely important. Commonly, in frustration, complaints are reported through the wrong channels such as via social media platforms or incorrect municipal departments. The majority of municipalities have a special section on their websites that communicate to the public how to report hate graffiti. As an example of this, the City of Guelph's Graffiti section on its municipal website includes a definition of hate graffiti, a timeline for how quickly it will be addressed, where to file the report and what information is required.¹¹

The City of Brampton recently approved a motion to update the procedures for reporting and removing racist graffiti, after the public showed outrage that racist message was left up in their neighbourhood for days.¹² The lack of timely response indicated a gap in the City of Brampton's procedures for removing racist graffiti. The approved motion rectified this by prioritizing consistent and accurate information when reporting hate-motivated crimes (such as vandalism on city property) to the public and developing a coordinated response protocol which includes the timely removal of graffiti undertaken within hours of receipt of a report. All incidents of vandalism are reported to the police services. When possible, photographic evidence is provided. The City has also committed to exploring different ways of tracking and reporting incidents.

Key Incidents as Catalysts

Several communities point to memorable key incidents as having motivated action against hate. For instance, In the aftermath of the horrific events in Christchurch, New Zealand, where two consecutive mass shootings occurred at local mosques, policymakers in both New Zealand and Australia continue the extensive debate on the balance between the restriction on speech and the protection of free speech.¹³ "The supporters of restrictive speech laws believe they are necessary to prevent racism, violence, and encourage diversity and multiculturalism, whereas those who oppose greater restrictions are concerned about their negative impact on free speech."¹⁴ On the spectrum noted above, these approaches are obviously highly reactive, but can catalyze more preventative responses in the future.

Tracking and Reporting

As outlined above, hate crimes are likely to be significantly under-reported, and the means for tracking them are inconsistent across jurisdictions. Because changes in reporting practices can affect hate crime statistics, it is essential to recognize that, according to police services, higher rates of police-reported hate crime in certain jurisdictions may reflect differences or changes in the recognition, reporting and investigation of these incidents by police and community members.

Accurate data is not only useful in counting the number of incidents that have occurred. Expanding statistical data related to hate crime and incidents will provide much-needed insight into better understanding the intersectional elements of hate. Recognizing how the intersectional identity of victims uniquely impacts them will help improve programming and prevention efforts, as well as help organizations who deal with victims of hate to anticipate the needs of prospective clients better.¹⁵ Similarly, capturing the location of hate incidents improves the ability of the municipality, police services, and local organizations to develop responses.

Most reporting systems involve an expectation that victims or bystanders will report in-person at Police Services.

To create safer and more responsive reporting systems, police services across Canada have incorporated online reporting platforms. Reporting an incident online offers a person a way to report an incident from home, with the help of a family member or friend if needed, minimizing the need to visit a police station which may feel intimidating and uncomfortable, or at the very least less convenient, thereby acting as a barrier to reporting, the complaint will still be filed online. It is unclear if proper follow-up and access to trauma-informed, culturally appropriate support services for victims are available or improved depending on the way the complaint is filed.

Out of twenty municipalities, ten police service websites had online reporting tools on their website. Frequently, it is mentioned that if the report is related to any vandalism or graffiti that could be described as hate-motivated, the person making the report should call the police instead. Of those ten, only two had specific online tools for reporting hate-motivated incidents. The online tool included examples of hate incidents and prompted the person to file a report by using questions unique to reporting hate incidents versus other criminal activities.

Case Study: Alberta Hate Crimes Committee

Real time mapping of hate-related incidents

In 2017, the Alberta Hate Crimes Committee (AHCC) launched the StopHateAB.ca website to capture hate incidents and contribute to the "real-time" map of documented hate incidents. The website still encourages individuals to report to hate-motivated incidents to police services, this does not replace filing a formal report. However, the information generated supports the outreach and education initiatives of the Alberta Hate Crimes Committee, while also disclosing to communities where incidents are taking place.

Collaborative Community Strategies

Community initiatives and collaborations to organize public education campaigns, community rapid response systems, community engagement art or storytelling projects or anti-hate coalitions are integral to combating hate. Cities thrive on multi-lateral, holistic approaches to

combating systemic problems. These foundational resources build empathy and hold spaces for dialogue. The following section examines examples of community initiatives to combat hate-motivated incidents in selected cities across Canada, Australia, England and the United States.

United for All, Ottawa

United for All is a coalition recently established in Ottawa as a reaction to the rise in hate crimes toward religious and cultural groups, and Indigenous community members. The coalition is supported by a table of champions including Ottawa Mayor Jim Watson, the Ottawa Chief of Police etc., as well as an extensive list of partnering organizations. The goal of the coalition is to secure investment for critical programs that address the root causes of hate and violence. This also includes a long-term goal of building social resilience, and supporting education, advocacy, research, and institutional change.

City of Richmond Diversity Symposium

Annually, the City of Richmond hosts a Diversity Symposium to share best and emerging practices in building diverse, inclusive and equitable communities.

Surrey Parks, Recreation & Culture 10-Year Strategic Plan

The City of Surrey conducted a community engagement process to involve over 5,000 people in the development of Surrey's Parks, Recreation & Culture (PRC) 10-Year Strategic Plan. The intention was to build on existing assets and meet the needs of a diverse and growing community. Participants emphasized that to meet the diverse needs and interests of this unique community, the City would need to take an integrated approach including more intergenerational, intercultural, and all-abilities events and programs to bring a broader range of people together.¹⁶ As a result, in integrating the different departments and engagement cultivated themes, more holistic solutions were discovered for inclusion, celebrating diversity and community safety. Moreover, a vision of what these spaces should look and feel like, helped to articulate how citizens will relate and behave towards one another.



Figure 1 Live Graphic Recording of Surrey's PRC Community Engagement Session by Tiare Jung, Drawn Change

Surrey also has a Mobilization and Resilience initiative (<https://www.surrey.ca/community/18661.aspx>) that attempts to address issues before they become emergencies or requiring police interventions.

The Australian Hate Crime Network (AHCN)

The AHCN is a partnership composed of three sectors of society: academics, representatives of NGOs from minority communities, and people from relevant government organizations. The network provides leadership, advocacy and support for state and national government responses to hate crime and hate incidents; provides an educative and advisory role to key agencies and services on preventing and responding to hate crime and hate incidents; enhances community awareness of hate crime and hate incidents, and encourages reporting, help seeking and access to available resources; monitors and reviews patterns in hate crime and hate incidents; advocates for improvement in data collection, law enforcement and criminal justice responses; and, collect and distribute relevant current research and knowledge on hate crime and hate incidents.

The Hate Crime Project, Southwark Mediation Centre, London

The Hate Crime Project (HCP) is a project run at Southwark Mediation Centre, London, England, that addresses the harms of hate crime through a restorative justice lens. Cases are often referred to the HCP by schools, housing associations, police services as well as self-referrals. The project has been very successful in tackling racial harassment and homophobia in the community, by creating a forum for both the victim and perpetrator to participate. The key objectives of the project are to explore the effect that inter-personal conflicts has on the lives of those directly and indirectly involved; to enquire into issues around prejudice and identity, which may be at the heart of the conflict; and to find a resolution that is acceptable to all or most involved. Further, allowing participants to vocalize their stories in this way can help them to recover from their experiences of targeted victimization.

There is a similar program starting locally in *Kitchener, Waterloo*. The project is called the Together Project, brought together in collaboration by the Community Justice Initiatives (CJI) and the Coalition of Muslim Women of Kitchener. The intention is to bring restorative practices to identity-focused harm, building on work called “Brave Spaces.” The program seeks people with lived experiences of racism to act as trained transformative mediators to conflicts that arise in the community.

Portland United Against Hate (PUAH) Project

One common issue across North America is the struggle to obtain accurate data related to the number of incidents of hate-motivated incidents, due to distrust in law enforcement, fear of re-victimization, apathy, or a sense of futility. In Portland, USA, an initiative called Portland United Against Hate (PUAH) Project created a community rapid response system to track and report hateful acts while also providing support and protection to communities. The system provides a culturally responsive and trauma informed support to those reporting acts of hate.

Paper Monument, New Orleans

Paper Monuments is a public art and public history project designed to elevate the voices of the people of New Orleans. The intention is to create new narratives and symbols of the city that represents the collective vision, and honours the erased histories of the people, places, movements, and events that have made up the past 300 years. The project centres equity, integrity, and collaboration to expand the collective understanding of New Orleans, while producing a new public memory.

Preliminary Implications for the City of Hamilton

The current City of Hamilton policies and procedures explicitly to address hate-related behaviours, developed in 2019, include:

- *Hate Related Incident Prevention Policy and Procedures*
- *Procedure for Notification of Assembly or Demonstration on City of Hamilton Public Spaces*
- *Corporate Security Office Activities and Recommendations*

As in several other municipalities, the development of these regulations was triggered by a series of key events in the city, most notably unrest at the Gage Park Pride Festival in June of 2019. They sit within a broader suite of relevant strategies that articulate Hamilton’s vision and values (e.g. *Our Future Hamilton*), its approaches to working with specific populations (e.g. *Hamilton Urban Indigenous Strategy*), and/or behavioural expectations for its staff and volunteers (e.g. policies on diversity, harassment, equity etc.) Other concurrent reviews are ongoing, including related to the policing of the incident mentioned above.

Provisionally, Hamilton is putting in place several elements from the list of enablers noted earlier that create an environment in which hate is less likely to flourish, including:

- Zero tolerance of hate-related behaviour written into policies
- Intentional, collaborative relationships, including with police services
- Support for public education to set shared community norms and expectations and to increase knowledge about what is not acceptable behaviour
- Crime prevention through environmental design
- A suite of supportive policies, including a Trespassing Bylaw

This list can be verified, strengthened and added to over time.

In the meantime, a provisional analysis of existing policies is offered here.

Hate Related Incident Prevention Policy and Procedures

This policy is consistent with other thirteen municipalities that are taking explicit action against hate activities on municipal property through their policies and procedures; in particular, it bears a close resemblance to the City of Toronto's Hate Activity Policies and Procedures. The Hamilton policy thoroughly lays out the intention of the policy, who the policy is for, to what spaces it applies to, provides examples of behaviour that is not tolerated, articulates the communication channels for reporting infractions, and engaging with other community partners, such as police services to ensure it is followed.

The following highlights point to limitations of the Hamilton suite of policies that could be mitigated throughout this project:

- The Hate Related Incident Prevention Policy indicates that the City wants to facilitate the combined efforts of various sectors in responding to hate, including but not limited to staff, police services, elected officials and other levels of government. There needs to be more detail provided on how this will be done, as doing so is not outlined in the accompanying procedures. Will there be a development of a Hamilton Action Plan for Anti-Hate Activity, for example?
- More information and disclosure about the range of consequences would help demonstrate the severity of these violations. Other municipalities list tiers of penalties depending on the severity and the frequency of the policy infraction. Examples are 72-hour notices at the minimum (City of Sudbury, City of Oshawa, City of Ottawa).

Procedure for Notification of Assembly or Demonstration on City of Hamilton Public Spaces

The City of Hamilton is consistent with other municipalities in not issuing permits for activities associated with assemblies and demonstrations, and instead requiring those interested in holding a rally or demonstration to submit a Notification of Demonstration Form. It is worth noting that extremist and/or anarchist groups are not highly likely to complete a Notice of Demonstration. Especially if these notifications are not required.

In the example of Toronto, Notifications of Assembly or Demonstration were orchestrated by the Toronto Police Services, not the City. It is unclear how utilized these notices are. In the example Vancouver, the Vancouver Police Services use Police Demonstration Guidelines to educate potential demonstrators about what to expect, and what the role of the police is during protests. The tone of this document is much different than the notice form of the Toronto Notification of Assembly.

It seems likely that if the City of Hamilton creates this tool that it will be underutilized.

Corporate Security Measures

The City's Corporate Security Office filed a report in July 2019 outlining a series of recommendations to respond to hate-related activities, most notably in the forecourt of City Hall.

This suite of security recommendations is likely necessary to improve safety through environmental design and the gathering of timely, accurate footage and information, assuming the capacity exists to catalogue and analyze such footage. The tone of these measures does appear to be reactive and punitive in its orientation. As an example, the proposed signage at City Hall emphasizes more heavily the kinds of behaviours that will not be tolerated than those that are actively encouraged. There is a heavy reliance on policing to address hate and a tendency in practice to define hate narrowly as "hate crimes." There is a deference to and emphasis on the limits imposed by Charter of Rights and Freedoms rather than attempts to actively build an inclusive community within the bounds of that broad legislation.

As previously noted, combatting hate is only partially about legislation and policy and heavily about creating and sustaining a culture of inclusion. Taken together, Hamilton's approaches will therefore need to be supplemented by a range of other efforts (some of which are underway and others that need reinforcement) in order to ensure a coordinated, multi-pronged approach to addressing hate. Positive, proactive approaches to city-building should be a strong focus, to supplement more reactive and punitive activities. Examples of such efforts could include the following, based on the comparative research conducted thus far. This list will be refined further based on local research slated for 2020.

- Decisive, visible, credible leadership that speaks out quickly and unequivocally against hate
- Consistent training and transparent monitoring of respectful and equitable policing
- Decoupling of "hate" from policing and toward a broader community responsibility involving a more positive promotion of a culture of empathy and care
- Broad, active communication and public education, not just in response to hateful incidents but proactively to build inclusion
- Active promotion and funding of multilateral, positive initiatives to build trust and empathy across the city
- Community-based reporting mechanisms, comprehensive tracking and support for victims.

Additional analysis will be forthcoming following the community engagement phase of this project.

APPENDIX A: Comparison of Municipal Policies

Municipality	Name of Policy/Bylaws/Guidelines	Who does this policy apply to	To whom are Infractions reported	Penalties	Comments:
Brampton	Good Behaviour Policy	All participants and spectators using city property	City Staff	Asked to leave the premise, depending on severity liable for a fine.	Intended for recreational city properties.
Calgary	Regulate Public Behaviour	General public	Police Services	Fine	No mention of discrimination or anti-racism. Only encompasses acts such as urination, violence, etc.
Edmonton	Respect for People and Property (Code of Conduct)	All visitors and staff	Staff, Corporate Security & Edmonton Police Service	Level B & Level C: harassment, discrimination or hate-related crimes. Asked to leave & may have privileges suspended from City Operated facilities and property.	Intended for recreational city properties.
Guelph	Rzone	Participants and the general public	City Staff	Depending on the severity, be barred immediately from the premises and if necessary, a suspension for a period of time. Incidents may be reported to the City of Guelph Regional Police Service, and charges may follow.	Intended for recreational city properties.
Halifax	Could not find any policies about behaviour on city property.				
London	Public Nuisance By-law	General Public	Bylaw Compliance & Police Services	Fines	Intended for public and private property. Section that address issue of hateful "street preachers" by prohibiting interference with another person's use and enjoyment of a public space by using "abusive or insulting language as a personal invective."

Municipality	Name of Policy/Bylaws/Guidelines	Who does this policy apply to	To whom are Infractions reported	Penalties	Comments:
Mississauga	Use of Facilities Policy (intended for recreational city property) Outdoor Events in the Civic District Policy	All visitors and staff & general public, anyone who applies to host an event an outdoor event.	Staff & Police Services	Unclear to whom infraction should be reported.	A permit will not be given to anyone who promotes contempt or hatred for any person (defined in Ontario Human Rights Code)
Montreal	Could not find any policies about behaviour on city property.				
Oshawa	Trespass By-Law Respect Check Policy	Applies to all members of the public.	An authorized person who has reason to believe that a person has engaged in Prohibited Conduct may give the person a Trespass Notice.	72 hour written trespass notice will be issued. Notice prohibits entry on or to a City Facility for a period not exceeding 3 days, which can be extended up to 6 months.	Respect Check policy is for all municipal properties (including City Hall).
Ottawa	Corporate Trespass to Property Procedures	Applies to all.	On site supervisory staff or facility security guards.	72 hour written trespass notice will be issued. Depending on the type of incident, behaviour, frequency, the person will be banned for a longer time.	
Quebec City	Could not find any policies about behaviour on city property.				
Richmond	Could not find any policies about behaviour on city property.				
Sudbury	Trespass to Property Act Policy		On site staff will escalate to supervisors and security guards. All trespasses issued by the City of Greater Sudbury will be forwarded to the Greater Sudbury Police Service to be entered into their trespass database and decide if further investigation is warranted.	72 hour written trespass notice will be issued. Depending on the type of incident, behaviour, frequency, a person will be banned for a longer time.	
Surrey	Could not find any policies about behaviour on city property.				

Municipality	Name of Policy/Bylaws/ Guidelines	Who does this policy apply to	To whom are Infractions reported	Penalties	Comments:
Toronto	Hate Activity Policy & Procedures	Applies to all	Toronto Police Service or City staff	The City may issue a trespass notice issued under the Trespass to Property Act to limit or bar future use of any City property after appropriate investigation and contextual review.	
Vancouver	Public Protest Policy (no further information found on this)				Vancouver Police Department has created a Public Demonstration Guidelines.
Victoria	Could not find any policies about behaviour on city property.				
Waterloo	Respectful Behaviour Policy	Applies to all persons (residents, non-residents, volunteers, tenants, and staff) within City facilities, and at any other location where City staff are present.	City staff who will direct inappropriate behavior to Police Services if necessary.	Banning from all municipal facilities.	Applies to behaviours that obstruct or hinder the ability of others to use and enjoy city facilities, or participate in City services programs or events, or compromise the safety and health of others, including staff, are unacceptable and prohibited.
Windsor	Trespass By-Law	General public	Authorized Person or Police Services if damage to property or person does not leave after warning.	Notice of trespass, ban for up to ten days. Subsequent cases or incidents of more severe or threatening behaviour many incur periods of up to six months, including an indefinite ban as approved by the City Solicitor. Long term bans shall be the exception rather than the rule.	No explicit mention of hate-motivated incidents or discriminatory behaviour.
Winnipeg	Could not find any policies about behaviour on city property.				

¹ Statistics Canada. [Table 35-10-0191-01 Police-reported hate crime, number of incidents and rate per 100,000 population, Census Metropolitan Areas](#)

² Iner, Dryer, ed. *"Islamophobia in Australia Report II."* Sydney: Charles Sturt University and ISRA, 2019.
Nathan, Julie. *"Report on Antisemitism in Australia."* New South Wales: Executive Council of Australian Jewry, 2019.

³ <https://pub-hamilton.escribemeetings.com/filestream.ashx?DocumentId=205539>

⁴ <https://www150.statcan.gc.ca/n1/pub/85-002-x/2020001/article/00003-eng.htm>

⁵ <https://www150.statcan.gc.ca/n1/pub/85-002-x/2020001/article/00003-eng.htm>

⁶ <https://www150.statcan.gc.ca/n1/pub/85-002-x/2020001/article/00003-eng.htm>

⁷ <https://www.thespec.com/news/hamilton-region/2020/01/31/despite-summer-of-hate-hamilton-s-hate-incidents-tumbled-in-2019.html>

⁸ https://www.justice.gc.ca/eng/rp-pr/csj-sjc/crime/wd95_11-dt95_11/p0_1.html

⁹ See for example: <https://ccla.org/a-recent-history-of-racial-profiling-and-policing/>,
<https://www.bbc.com/news/world-us-canada-46513250>, <https://journals.openedition.org/cybergeog/26165>

¹⁰ <https://www.toronto.ca/legdocs/mmis/2019/ex/bgrd/backgroundfile-132059.pdf>

¹¹ <https://guelph.ca/how-can-we-help-you/graffiti/>

¹² <https://www.bramptonguardian.com/news-story/9503719-brampton-changes-its-hate-graffiti-removal-procedures-after-offensive-message-left-for-days/>

¹³ Wilkie, Monica. "Criminalising Hate Speech: Australia's Crusade against Vilification." *Culture, Prosperity & Civil Society*, vol. 6, Sept. 2019.

¹⁴ Wilkie, Monica. "Criminalising Hate Speech: Australia's Crusade against Vilification." *Culture, Prosperity & Civil Society*, vol. 6, Sept. 2019.

¹⁵ <https://www.ourcommons.ca/Content/Committee/421/JUST/Brief/BR10536925/br-external/OrganizationForThePreventionOfViolence-e.pdf>

¹⁶ <https://www.surrey.ca/files/PRC%20Community%20Engagement%20Report.pdf>



Hate Prevention & Mitigation Initiative

FINAL RECOMMENDATIONS

Dr. Rebecca Sutherns

August 9, 2020



Hate Prevention & Mitigation Initiative

By 2019, Hamilton's reported hate crime statistics were becoming alarming. It was clear that the City needed to invest in understanding and addressing hate in its community.

What started as a project focused on municipal bylaws and policies has resulted in a more holistic suite of proposed interventions which, taken together, could serve not only to reduce hate but also to build proactively the kind of diverse and welcoming city that Hamilton wants to be.



Methodology

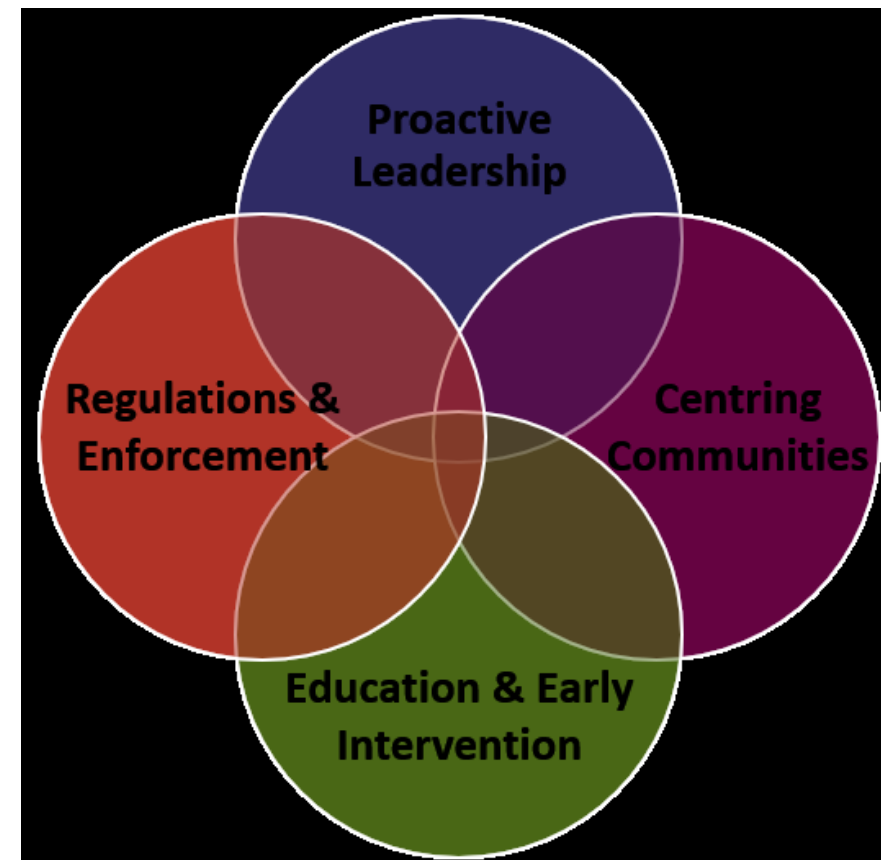
- **Comparative research** to understand how other municipalities are approaching hate mitigation and identify possible options for Hamilton (early 2020)
- **Community consultation** with approximately 275 individuals through listening sessions, interviews, focus groups and a survey (June-September 2020). The focus was on centring the experience of those with lived experience of discrimination and hate.
- **Draft recommendations** developed based on the research and feedback received (September 2020)
- **Additional community input** on the draft recommendations from approximately 100 individuals through targeted focus groups and digital feedback (October 2020-March 2021)
- **Final Recommendations Report** with 18 recommendations submitted (April 2021)



Initial categories from the comparative research



Final categories proposed for Hamilton



Proactive Leadership

1. **Accelerate decisive and well-informed City responses** to stand against hate. Be firmer in condemning hateful activities in the city while promoting alternative positive values.
2. **Create, resource and implement an action plan** to confront systemic racism, oppression, and other forms of discrimination in Hamilton.
3. **Convene collaborative opportunities for productive dialogue** amongst community organizations, businesses, and other local institutions, with the goal of building a welcoming city together.
4. **Measure and report** on progress.



Centring Communities

5. **Follow through** with actions that support what the City has already heard.
6. **Deeply listen** to the voices of those experiencing hate, acknowledge their experiences and provide ongoing opportunities for community feedback.
7. **Incorporate more diverse representation** at decision-making tables.
8. **Initiate convergent strategies** to coordinate and accelerate the work that community organizations are doing to combat hate in the city.



Centring Communities

9. **Redirect funding away from punitive efforts and toward prevention**, including increasing resources for social services partnerships to address mental health, addictions and affordable housing.
10. **Invest in equity-promoting programming** and re-evaluate City grants and granting processes to ensure they are equitable and accessible.
11. **Invest in more safe community spaces.**



Education and Early Intervention

12. Partner with community organizations, District School Boards, and other relevant collaborators, to **co-create and implement an educational curriculum together with young people** about racism, hate, equity, diversity, inclusion, and justice and belonging, from the perspective of people living in Hamilton.
13. **Invest in placemaking** initiatives that encourage diverse community interactions across groups.



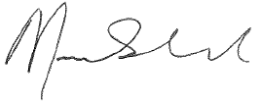
Regulations and Enforcement

14. Leverage the municipal regulatory framework to stand against the **presence of hate**, beginning on City property but extending beyond that where legally possible.
15. **Develop a hate incident community mapping mechanism** to better track and collect data for hate incidents happening in the city.
16. **Build a coordinated community reporting system.**
17. **Embrace community-led responses to harm.**
18. **Foster positive working relationships between community organizations and Hamilton Police Service.**





CITY OF HAMILTON
PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT
Economic Development Division

TO:	Mayor and Members General Issues Committee
COMMITTEE DATE:	August 9, 2021
SUBJECT/REPORT NO:	Feasibility of Creating a Technology Hub on South City Hall Lands (PED21109) (Ward 2) (Outstanding Business List Item)
WARD(S) AFFECTED:	Ward 2
PREPARED BY:	Chris Phillips (905) 546-2424 Ext. 5304 Joshua Van Kampen (905) 546-2424 Ext. 2725 Ray Kessler (905) 546-2424 Ext. 7019
SUBMITTED BY:	Norm Schleeahn Director, Economic Development Planning and Economic Development Department
SIGNATURE:	

RECOMMENDATION

- (a) That staff be directed to prepare a land disposition strategy, through either a land sale or long-term land lease, for the City Hall Precinct Lands;
- (b) That staff be directed to prepare all relevant technical due-diligence studies required for executing the land disposition strategy including the following;
 - i. Land-use, zoning, heritage planning, massing, parks and open space, environmental assessment, sustainable design, and functional servicing studies;
 - ii. Assessment of municipal corporate requirements, including capital and operational parking impact analysis;
 - iii. Highest and Best Use determination;
 - iv. Property appraisal based on highest and best use;
 - v. Review of municipal financial implications

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: Feasibility of Creating a Technology Hub on South City Hall Lands (PED21109) (Ward 2) - Page 2 of 14

- (c) That staff be directed to prepare options for Committee’s consideration on a process to facilitate the land disposition;
- (d) That Reserve Account #112221 entitled “Economic Development Investment Reserve” be approved for up to \$100,000, for any technical due diligence and expertise necessary to complete the approved direction; and establish a project ID;
- (e) That staff report back to the General Issues Committee with recommendations for consideration in first quarter of 2022.

EXECUTIVE SUMMARY

On February 5, 2020, representatives from Metro Partners made a public delegation to the General Issues Committee on developing and creating a Technology Hub on the existing City Hall Precinct lands (defined as the south facing lands, adjacent to Hunter Street as well as the former Football Hall of Fame lands). On February 12, 2020, Council approved GIC Report 20-004, including a motion for staff to report back to the General Issues Committee on the feasibility of creating a Technology Hub through a sale or lease of the City Hall precinct lands, and for staff to provide a defined process respecting options to pursue the development of these lands.

Although the Covid-19 pandemic shifted Economic Development priorities, staff continued to discuss both the Council approved direction and the concept of a Technology Hub with representatives from Metro Partners. Concluding these discussions, Metro Partners submitted a proposal to staff, which is attached as Appendix “A” to Report PED21109. It is noted that the Council direction did not specifically contemplate receiving a proposal from Metro Partners.

Although staff have reviewed the proposal, this report does not contain an analysis, evaluation, or conclusion about the Metro Partners proposal itself. This report PED21109 provides a preliminary assessment, further information, and seeks a proposed approach forward based on anticipated input from Committee.

When considering the feasibility of creating a Technology Hub, staff categorized its assessment into 2-separate parts; 1) conceptual feasibility and 2) development feasibility. From a conceptual standpoint, the research would indicate no standardized definition of what constitutes a Technology Hub. Based on existing examples however, the mandate of these types of facilities is to allow for the co-location of organizations to, interact, create, undertake, work, and innovate together. Generally, this is accommodated through a central geographic location, but the form of the development varies.

SUBJECT: Feasibility of Creating a Technology Hub on South City Hall Lands (PED21109) (Ward 2) - Page 3 of 14

Based on the preliminary research and combined with the information obtained through the Metro Partners discussions, staff have concluded that a Technology Hub appears to be conceptually feasible. The City of Hamilton is well positioned geographically, has an established reputation in innovation and research networks, has the general hard and social infrastructure necessary to support innovation and technology companies, and has land availability to support a variety of built-form development options.

From an economic development perspective, Hamilton is well positioned to take advantage of this concept. Looking specifically at an urban oriented hub built within the downtown, the creation of a new Class “A” office space building, the proposed companies who would occupy it, and the subsequent employee-base, would all add value both financially, as well as qualitatively to the City of Hamilton. Staff have not concluded however, whether the City Hall Precinct lands themselves have any specific benefit over other potential sites within either the downtown core or even elsewhere.

From a development feasibility perspective however, staff have concluded that additional studies and analysis would be required to make a firm determination. The recommendations of Report PED21109 include specific actions required to determine the full feasibility of creating a Technology Hub on the identified City Hall lands.

If approved, the recommendations would direct staff to prepare a land disposition strategy, through either a land sale or long-term land lease, for the City Hall Precinct lands. To be clear, this direction would approve staff to report back on the disposition of the City Hall Precinct lands, for Committee’s consideration. To inform this strategy, the recommendations also direct staff to prepare a series of relevant technical due-diligence studies listed below, as well as approve the identified funding sources to complete the plan:

- i. Land-use, zoning, heritage planning, massing, parks and open space, environmental assessment, sustainable design, and functional servicing studies;
- ii. Assessment of municipal corporate requirements, including capital and operational parking impact analysis;
- iii. Highest and Best Use determination;
- iv. Property appraisal based on highest and best use; and,
- v. Review of municipal financial implications.

Lastly, recognizing that there are a variety of processes the City could utilize to identify a potential developer, the recommendations also direct staff to prepare process options and to report back to the General Issues Committee with recommendations for consideration in the first quarter of 2022.

SUBJECT: Feasibility of Creating a Technology Hub on South City Hall Lands (PED21109) (Ward 2) - Page 4 of 14

Alternatives for Consideration – See Page 13

FINANCIAL – STAFFING – LEGAL IMPLICATIONS

Financial: Approval of \$100,000 from reserve Account #112221 entitled “Economic Development Investment Reserve” to establish a project ID with budget of \$100,000 for any technical due diligence and expertise necessary to complete the direction in Report PED211109.

Staffing: There are no staffing implications associated to Report PED21109.

Legal: There are no legal implications associated to Report PED21109.

HISTORICAL BACKGROUND

On February 5, 2020, representatives from Metro Partners, made a public delegation to the General Issues Committee on developing and creating a Technology Hub on the existing City Hall Precinct lands (defined as the south facing lands, adjacent to Hunter Street as well as the former Football Hall of Fame lands). On February 12, 2020, Council approved GIC Report 20-004, including the following motion:

- (a) That staff be directed to report back to the General Issues Committee, by September 2020, on the feasibility of creating a Technology Hub, that may include the sale or lease of the City Hall precinct lands (south facing, adjacent to Hunter Street as well as the former Football Hall of Fame lands) for future office space development, all at fair market value, conditional on: ensuring complementarity with City Hall, parking, greenspace, accessibility, green building design, and amenity requirements are achieved; and,
- (b) That, as part of that report to the General Issues Committee, staff be directed to provide a defined process respecting options to pursue the development of the south facing lands of the City Hall precinct to include the lands adjacent to Hunter Street and including the former Football Hall of Fame lands.

For historical context, the future redevelopment of the City Hall Precinct lands has been the subject of several Council directions over the years.

As part of the City Hall renovation plans, Council approved Committee of the Whole Report 05-005 on May 5, 2005, including Report PD05088 / PW03010(c) / FCS03064(c)

SUBJECT: Feasibility of Creating a Technology Hub on South City Hall Lands (PED21109) (Ward 2) - Page 5 of 14

entitled “City Hall Renovation Plan and Downtown Accommodation Strategy Report”, in which recommendation (f) stated:

“That a long-term accommodation strategy be approved, in principle, providing for the construction of a second office tower of approximately 250,000 square feet, integrated with the existing renovated City Hall and including a new parking structure; this new facility to be targeted to start construction in 2018 and all subject to an acceptable capital financing plan”.

This direction, of utilizing the City Hall lands as part of the City’s long-term accommodation strategy, remains today.

Council has also explored options to redevelop a portion of the City Hall lands in the more recent past. On April 27, 2016, Council approved GIC Report 16-011 including the following direction:

- (a) That staff be directed to investigate the opportunities for the redevelopment of the underutilized City Hall lands, being the south parking lot and structure, and the lands and building of the former Football Hall of Fame and report to the General Issues Committee;
- (b) That staff be directed to include in the investigation into City Hall lands redevelopment opportunities, examination of the following:
 - I. Market potential for various commercial, entertainment, cultural and other events venues;
 - II. City staff office requirements – ownership vs. Leasing; and,
 - III. Concepts brought forward by private, not-for-profit and community organizations;
- (c) That staff be directed to seek expressions of interest for potential opportunities and partners that may be considered for incorporation into any redevelopment concept;
- (d) That staff be directed to ensure that any concepts identified for further investigation be subject to testing for market and financial viability; and,
- (e) That the investigation of opportunities for the redevelopment of the underutilized City Hall lands, being the south parking lot and structure, and the lands and building of the former Football Hall of Fame and related activities, be incorporated

SUBJECT: Feasibility of Creating a Technology Hub on South City Hall Lands (PED21109) (Ward 2) - Page 6 of 14

as a priority item into the Land Development Task Force workplan to be presented to the General Issues Committee in June 2016.

Staff issued an Expression of Interest (EOI) to obtain input from prospective developers for potential re-development opportunities of the City Hall lands. The EOI concentrated on the following three ideas for re-development of those lands:

- (a) Market potential for various commercial, entertainment, hotel, not-for-profit, cultural community service and other event venues;
- (b) City of Hamilton office accommodation requirements, including lease vs. ownership analysis; and
- (c) Accommodation towards maintaining and preferable increasing parking capacity.

On February 22, 2017, Council approved GIC Report 17-004 including that Report CM17004, respecting the City Hall Precinct, be received, and no further action was directed or taken by Council.

POLICY IMPLICATIONS AND LEGISLATED REQUIREMENTS

Portfolio Management Strategy – Real Estate Management Plan

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.

RELEVANT CONSULTATION

- Corporate Real Estate Office was consulted and provided comment on this report.
- Corporate Services, Capital Budgets, has been consulted and provided comment on this report.

ANALYSIS AND RATIONALE FOR RECOMMENDATION

Feasibility of a Technology Hub

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: Feasibility of Creating a Technology Hub on South City Hall Lands (PED21109) (Ward 2) - Page 7 of 14

The Council approved motion of February 12, 2020 directed staff to report back on the feasibility of creating a Technology Hub through a sale or lease of the City Hall precinct lands. When considering the feasibility of creating a Technology Hub, staff categorized its assessment into 2-separate parts; 1) conceptual feasibility and 2) development feasibility.

1. Conceptual Feasibility of a Technology Hub

From a conceptual standpoint, the research indicates no specific definition of what constitutes a Technology Hub. Based on existing examples however, most Tech Hubs (also branded as Innovation Hubs or Districts, Science or Research Parks, etc.) are aimed at generating business between startup and large companies, much like a meeting point for a community. These hubs allow for organizations within similar sectors to, interact, create, undertake, work, and innovate together. Generally, the “hub” concept is seen as facilitating the development of technology-based companies with high growth potential.

Primarily, these hubs combine traditional hard real estate, office building, and land development assets, with end-users, tenants or occupiers which have been professionally curated around a common theme. The ownership of these real estate assets can vary, and although some are privately owned, many are owned or affiliated with a local academic institution, non-profit group, or government agencies. Hubs are often perceived as contributing to economic development, creating new technologies, leading to the development of scientific and medical advancements, and promotion of foreign direct investment. Hubs also lead to fostering innovation and the development and commercialization of technology where governments, educational institutions, and private companies collaborate.

With no specific definition, comparing and contrasting is difficult, but the following is a brief description of several existing organizations that could be categorized hubs.

i. MaRS Discovery District

Located in downtown Toronto, MaRS was established in 2000 as a not-for-profit institution. The campus occupies over 1.5 million square feet of space over 4 traditional office towers, and features research and development labs, office space, collaborative working space, community space, food courts, and some commercial space. The mission of MaRS is to bring to market medical research, startup companies and other technologies with partnerships through public and private enterprises. MaRS helps businesses from various science, technology,

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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.

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communication, engineering, and social innovation sectors. MaRS has over 120 tenants, which range from small startup companies within the medical and pharmaceutical industries, to Fortune 500 companies.

ii. McMaster Innovation Park (MIP)

McMaster Innovation Park (MIP) is in Hamilton and was established in 2005, through a partnership with McMaster University, with assistance from the municipal, provincial, and federal governments. The campus occupies over 37 acres of land and currently hosts over 115 tenants that range in size and industry including the biomedical research, advanced engineering, automotive information technology, life sciences, metal fabrication, research and development labs, as well as collaborative event and meeting space.

iii. Cummings Research Park

Cummings Research Park is in Huntsville, Alabama, and was established in 1961, through a partnership with the local university and the municipality. The campus occupies over 3,843 acres of land and is the 2nd largest research park in the United States. Cummings enables innovation and technological achievements for companies located within the Park, through fostering collaboration, innovated space for research, education, work, living, and other uses. Cummings Research Park has over 300 tenants ranging from Fortune 500 companies, local and international high-tech enterprises, US space and defense agencies, and a business incubator. The park also includes amenities such as recreation, food, retail, hotel, commercial, and residential uses.

iv. CATALYST137 – Hardware Innovation Centre

Catalyst137 is in the Region of Waterloo, near both the University of Waterloo and Google's headquarters. With over 2,000 tenants, Catalyst137 has 475,000 square feet

of space, purposely designed to foster and create innovation for hardware technology companies. Catalyst137 leases office spaces ranging from 3,000 to 50,000 square feet and allows communal access to loading bays and a shared manufacturing space featuring 3D printers, laser cutters, metalworking and other specialized equipment. This building also has amenities such as bike parking, over 1,100 parking spots, gym space, restaurants, microbrewery, and coffee shops.

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Based on the preliminary research and combined with the information obtained through the Metro Partners discussions, staff have concluded that a Technology Hub appears to be conceptually feasible. Hamilton is well positioned geographically, has an established reputation in innovation and research networks, has the general hard and social infrastructure necessary to support innovation and technology companies, and has land availability to support a variety of built-form development options. From an economic development perspective, Hamilton is well positioned to take advantage of this concept.

Looking specifically at an urban oriented hub built within the downtown, the creation of a new Class “A” office space building, the proposed companies who would occupy it, and the subsequent employee-base, would all add-value both financially, as well as qualitatively to the City of Hamilton. Staff have not concluded however, whether the City Hall Precinct lands themselves have any specific benefit over other potential sites within either the downtown core or elsewhere.

2. Development Feasibility of a Technology Hub

For the purposes of this report, staff have broadly defined development feasibility as the identification and analysis of the issues involved in taking the hub idea from concept to a full shovel-ready development. Some of the issues would include statutory requirements such as planning and site servicing, some are short and long term financial implications, and others would entail qualitative aspects such as the overall vision for the site, public-space, sustainability, and the degree of overall control the City wishes to retain.

The Council approved direction of February 12, 2020 was in response to a public delegation made by representatives from Metro Partners and not in response to a staff report. Upon review, staff have identified several issues that will have an impact on the decision-making process for determining the development feasibility of a proposed development on the City Hall Precinct lands. The following are the general considerations that require further analysis and direction in determining the overall feasibility of any development.

i) Preference of a Land Sale or a City-Owned Long-Term Land Lease

The Council direction is not clear as to the City’s preference between selling the identified lands, either in-whole or in part, versus the alternative of the City continuing to own the lands and offer a long-term land-lease to facilitate development. The City has employed both options in the past; the Pier 8

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development-blocks are being sold directly to the City's development partner, whereas the property of the privately-owned Jackson Square buildings are City-owned and managed through a long-term land lease, as are the recent decision by Council on the downtown entertainment district properties.

Initial analysis indicates both options could be feasible, achieve revenues by either the land sale or a land-lease, and increase the non-residential tax assessment of the site. Although the financial aspects can be compared to each other, the qualitative differences between the two-options are more difficult to evaluate.

Recommendations to Report PED21109 direct staff to determine a highest and best use assessment, prepare a property appraisal, and review all municipal financial implications. Although the recommendations in Report PED21109 direct staff to prepare a land disposition strategy for both options, the analysis would be focussed if Council indicated a preference between the two options.

ii) Land-Use Planning, Design, Functional Servicing, and Other Studies

Currently, the City Hall Precinct lands are subject to a variety of land-use planning regulations and policies and the planning approvals process. Although staff have not conducted a full assessment of the approvals required, the site is complicated by the existing zoning, which includes a variety of land-uses including parkland in the south-east corner of the property, as well as a municipal heritage designation. Similarly, as part of a typical due-diligence in any re-development, studies would be required to determine the site servicing and soil conditions, as well as other technical issues. Lastly, the Council direction also contained conditions on any proposed development including ensuring complementary uses with City Hall, the retention of parking and greenspace, as well as including specific requirements for accessibility, green building design, and amenities.

In order to determine the development feasibility, the recommendations to this report direct staff to prepare all relevant technical due-diligence studies including land-use, zoning, heritage planning, massing, parks and open space, environmental assessment, sustainable design, and functional servicing studies.

iii) Assessment of Municipal Requirements Including Capital and Operational Parking Impact

Currently, the City Hall Precinct lands are used substantially for surface parking servicing both City Hall, as well as the broader uses within the downtown core. Any development will have some impact on both the availability and operations of the existing City Hall parking. With that said however, a re-development plan could

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lead to an opportunity to consolidate parking uses in an efficient manner and add amenities such as bike and electric vehicle parking and storage. Staff have identified that the City Hall parking facilities are unique to this site, and therefore a full analysis of both the capital and operational impacts should be conducted.

Establishing Process Options to Determine a Preferred Developer

Aside from determining feasibility of the project, the Council motion also directed staff to define a process respecting options to pursue the development of the City Hall Precinct lands. Meaning, to determine how the City would choose the organization to complete the development. Although the City has employed a variety of approaches in the past, the specific process is usually informed by the development goals and vision, as well as the development feasibility. The following is a high-level description of the specific disposition processes employed in the past. Staff believe further analysis of the various options is required.

(a) Direct Negotiation Process

The simplest option would be for the City to enter into a direct negotiation with a potential proponent. Once concluded, staff would report back to Committee on the results of the negotiation, an analysis of the potential offer, and a recommendation for Committee's consideration. Staff have listed the following pros and cons to this process:

Pros:

- Process is streamlined, allowing for a quick decision, which could accelerate the timeframe for commencing the development; and
- Fair Market Value of land would be realized on sale or lease of property.

Cons:

- Negotiation with a single proponent based on a singular vision could reduce both the available options of the development and limit the financial terms; and
- The lack of an open and competitive process eliminates other qualified proponents from the process.

(b) Request for Proposals (RFP) Process

A common practice employed by public bodies is a formal Request for Proposals (RFP) process. Highly formalized, standardized, and complex, the RFP process allows for potential proponents to submit a proposal for consideration, where each is evaluated against a set of evaluation criteria. Once the proposals are evaluated, scored, and

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ranked, a preferred proponent is identified, and staff would report back to Committee on the results of the RFP and recommend a course of action for Committee's consideration. Staff have listed the following pros and cons to this process:

Pros:

- Formalized process with support from the City's Procurement section; and
- Gives equal opportunity to all interested parties to participate in the process and submit a proposal.

Cons:

- Requires significant staff resources and time to design, execute, and evaluate the process;
- The formalized and structured nature of an RFP process does not allow for easy application for a creative land-development proposal;
- Difficult to evaluate both qualitative and quantitative criteria; and
- Complexity of the process deters some quality proponents.

(c) Swiss Challenge Process

Mixing the Direct Negotiation and modified Procurement approaches, one could employ the Swiss Challenge methodology, whereby staff could negotiate the terms and conditions of the proposed development, and based on Council's approval, market the deal to the broader real estate and development community. Assuming a better offer is made, then the original proponent would have an opportunity to match that deal. Staff have listed the following pros and cons to this process:

Pros:

- Possibly more competitive and works, if the vision is well defined.

Cons:

- Procedural complexity, possibility of no one bidding;
- Process usually used for larger transactions

(d) Real Estate Offering and Development Agreement Process

The City could employ a typical real estate offering process. This method would entail the City marketing the development opportunity (including key desirable attributes and conditions) to the development and real estate industries, as well as the broader community, and solicit offers, bids, or proposals within a defined timeline. Once received and vetted, staff could either negotiate with the proponents of the best 2-3 offers to achieve their "best" offer and then, report back to the Committee on the results,

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with a recommendation for the Committee's consideration. Staff have listed the following pros and cons to this process:

Pros:

- Formalized and open process allowing for customization;
- Limited use of City resources required to execute the process;
- Staff could be supplemented by external marketing expertise; and
- Real estate and development industry professionals are familiar with this type of process and are more likely to engage.

Cons:

- Focusses primarily on the real estate transaction, making qualitative aspects more difficult to define; and,
- To ensure aspects of control, the City would have to develop detailed terms and conditions to preserve vision alignment, requiring upfront staff resources and time.

Once the development feasibility has been determined, staff will prepare an analysis and report back to Committee with a recommended disposition process.

Next Steps and Timelines

The recommendations include specific actions staff have indicated are critical to determining the feasibility of a creating a Technology Hub on the identified City Hall lands, as well as determining potential options on pursuing any proposed re-development of the City Hall Precinct lands. Staff will report back to the General Issues Committee with recommendations for consideration in the first quarter of 2022.

ALTERNATIVES FOR CONSIDERATION

Staff prepared Report PED21109 to re-engage, provide further information, and seek clarity from Committee on the previous February 20, 2020 motion. As such, amendments to the staff recommendations could be made with little impact.

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.

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Built Environment and Infrastructure

Hamilton is supported by state-of-the-art infrastructure, transportation options, buildings and public spaces that create a dynamic City.

APPENDICES AND SCHEDULES ATTACHED

Appendix "A" to Report PED21109 - Metro Partners Proposal

JVK, CP/jrb



PROPOSAL TO ACQUIRE CITY LANDS TO DEVELOP A DOWNTOWN TECHNOLOGY HUB
TRANSFORMING HAMILTON'S DOWNTOWN
WITHOUT PREJUDICE

Before us is the opportunity to seed the creation of a Downtown Technology District, transforming Hamilton's downtown into a leader in what will be the most significant economic sector in the decades to come.

The proposed downtown Tech Hub will create upwards of 6,000+ new jobs downtown while transforming a paved parking lot into a publicly accessible park with critical bike and car parking below ground and badly needed new grocery and shopping facilities to support the Durand neighbourhood. A wellness centre will also be constructed on the site creating a world class facility designed to attract doctors and other practitioners to a part of Hamilton that today suffers from a physician shortage.

We can see incredible levels of condominium development in Hamilton's downtown but virtually no creation of Class A office space that will ensure that our citizens are able to work locally. The proposed LRT and other significant transit investments for the entire city combined with the entertainment and conference investments leave the need for the creation of significant post-covid designed office employment facilities.

If we start TODAY, the earliest that we could be ready would be 2025-2026. It is therefore critical that we move quickly to complete this process that began through a public RFI in 2016.

The City Hall parcel of properties, estimated to be 2.3 Acres, provides the needed critical mass of land that is simply not available elsewhere in the City's downtown and adjacent to the Downtown (Hamilton Centre) GO Station. Furthermore, Metro Partners has made offers to purchase development lands AT THE SELLER's fair market cost. Regrettably most downtown property owners continue to refuse to sell their properties or have opted for residential development. This has not changed during Covid. In the meantime, residential development continues to accelerate downtown and without meaningful office development, new downtown residents will be forced to seek technology-based employment elsewhere leaving our City as more of a bedroom community.

Critically, Metro Partners has engaged US Headquartered CBRE (Coldwell Banker Richard Ellis) **the largest commercial real estate services company in the world**. Together, we have created a post-COVID vision for the City of Hamilton as an HQ2 Destination in which companies will seek to locate a second Headquarters in a facility like Hamilton's proposed Tech Hub. We both agree that Hamilton's time has arrived but that the City lacks the needed Class A office infrastructure seamlessly tied to local and provincial transit. **In a recent CBRE report, CBRE identified the opportunity for Hamilton to be an 'HQ2'**



METRO PARTNERS
HAMILTON

location for companies looking to create a second Head Quarter outside of a larger Metro City. In the report, CBRE outlines how Hamilton is perfectly positioned in the new office space reality to capitalize on the impact that Covid is having on how companies will manage their office space needs in the future.



Meanwhile, the current parking lot behind City Hall which offers approximately 200 parking spaces, is frequently full and significant waiting lists (2 years plus) for staff parking exist today. Like all properties, it requires maintenance and structural updates.



The cost to demolish and build a full underground parking structure ALONE is estimated to be at least \$60,000,000. Projected partial availability of new parking facility would be 2023.

“Despite the pandemic’s terrible economic toll across the economy, there are now nearly 100,000 more jobs in STEM disciplines — science, technology, engineering and math — than there were before COVID-19.

The rest of the economy has lost more than 400,000 jobs, leaving a gaping hole in Canada’s employment market. But not for STEM workers, who include many of our best and brightest.” Toronto Star 12.27.20

The centre would become Hamilton’s signature downtown office towers and would complement Hamilton’s iconic City Hall facility and be directly connected to the Hamilton GO Centre station enabling staff at the new Tech Centre to travel to Toronto’s Union and the PATH system without the need for a coat in the middle of winter. In addition, the plaza retail level would provide the Durand and surrounding neighbourhoods with a mid-sized grocery store with delivery and underground pick up as well as many other premium retailers not currently operating in Hamilton’s downtown. Carbon Net Zero would be the goal with low impact concrete.

“We expect greater resilience in lower-density markets outside Canada’s large urban cores,” Moody’s economist Abhilasha Singh wrote.

“The pandemic has boosted demand for properties offering more space for working from home and fewer shared areas with neighbours. Smaller markets where such properties are more affordable will particularly benefit from this trend.”
Huffington Post 1.02.21

The plan provides for a 12 story City Hall expansion area or possibly additional office space which would be available for 5 years on a first right of refusal basis. A separate health and wellness centre will offer a single point of care for multiple health and wellness disciplines as well as exercise facilities.



The project was presented to the board of the Durand Neighbourhood Association prior to Covid, and the concept met with strong support. We have worked to height and shadowing requirements anticipated by the City. The current small, designated park land on the South West corner of the proposed site would be replaced by a larger publicly accessible park area on the new site.

“Oakville, Ont.-based Prodigy Education Inc, which had previously raised just \$15-million in institutional capital from CBGF in 2019, said the new funds would fuel a hiring spree, with plans to double in size to 800 people this year.

“We’re planning on growing very aggressively with this fundraiser ... and pursue our mission of helping every student in the world love learning,” co-chief executive officer Rohan Mahimker said in an interview.” Globe and Mail 1.12.21

The developer also envisages creating an onsite tourist attraction and destination for local schools.

City Hall Tech & Innovation Hub:

The City issued and publicly advertised a request for Information in 2016 and Metro Partners formally submitted this concept with architectural concepts and other research together with other proponents.

Proposal is to acquire the lands at FAIR MARKET VALUE (FMV) as determined by an independent appraisal and has been revised to contemplate in the alternative, a 100-year lease of the lands **THOUGH THIS OPTION WILL GREATLY REDUCE THE ATTRACTIVENESS OF THIS PROJECT TO THE MARKET. COMPARABLE TAX incentives TO THOSE OFFERED TO ATTRACT OTHER COMMERCIAL DEVELOPMENTS LIKE AMAZON and that are today being offered to other large-scale tenancies would be requested.** An extendable period of three years to close would be required to secure the necessary tenants and finalize the architectural and engineering specifications. In the event that the project did not move forward, Metro Partners would provide, at cost, all studies and detailed drawings created to the City for \$1. While an effort was made to publicly communicate the opportunity to redevelop the City Hall lands, the City has established the precedent of divesting of properties and in 2017 when the City sold its technology centre:

“The city-owned Hamilton Technology Centre (HTC) has been sold to a private company called Clearcable, one of the centre’s tenants.

City officials confirmed the \$3.25 million sale on Wednesday, calling it a win-win business transaction for both the city and Clearcable, a company that builds broadband for smaller providers of internet and telecommunications services.



"We had an opportunity to sell it and it was a strategic sale," said John Hertel, the city's revenue generation director. "We're selling it to someone who would continue to operate it as a technology incubator."

<https://www.thespec.com/business/2017/09/06/city-sells-its-technology-centre-to-tenant-firm.html>

Office tenants would include but not be limited to corporate and technology and Health care sector operations, incubators, ancillary industries including legal, corporate finance, training and development. Laboratory and physical research would NOT be a part of the planned development and would be best left to the MIP district and others like it. Priority would be given to Canadian owned firms.

"Over a 12-month period ending July 1, 2020, and overlapping with the first wave of the pandemic, the metropolitan area of Toronto saw a net intraprovincial outflow of 50,375 people, according to Statistics Canada figures released Thursday. That means 50,375 more people left the Toronto area for other parts of Ontario than moved in – a record high according to data going back almost two decades." Globe and Mail 1.14.21

1. Technology and associated industries will be the strongest growth areas for advanced economies in the decades ahead. Hamilton is not currently a major contender in this sector despite its close proximity to Toronto, its significant base of technology workers and its new-found, vibrant downtown atmosphere, its significant education and research facilities and being a truly METROPOLITAN city rivalled in the region only by Toronto. Cities like Kitchener Waterloo have created facilities and a tech centre that today is attracting significant tenants like Google and others despite the demise of RIM and despite its substantial geographic distance from Toronto and extremely poor transit connectivity to other regions when compared with Hamilton.
2. Hamilton's downtown must dramatically pivot to being a major technology driven centre with the critical mass of downtown tech tenants or risk becoming more of a bedroom community with condominiums and residential development and its growing tech-worker citizenry commuting to Toronto as is today the case. MIP and other facilities in the airport region are entirely complementary to the effort to create a tech district in Hamilton's downtown.
3. The challenge around creating a downtown tech district remains not one of construction or financing but of securing a critical mass of tenants in the technology sector to relocate to Hamilton's Downtown. Communicating a vision for Hamilton as a tech hub in a city that today does not have a single Class A office tower.



4. A percentage of the net new tech workers will choose to live downtown and, in some cases, require affordable housing as many shift to the City to begin their careers. They will require downtown access to parking, shopping including grocery and seamless access to Toronto by GO Transit from Hamilton's downtown. If the LRT becomes a reality, the intra-city connection will be perfect to connect to MIP, McMaster and residential city wide.

"...the story of the Bay Area's [San Francisco's] latest tech era is ending for a growing crowd of tech workers and their companies. They have suddenly movable jobs and money in the bank — money that will go plenty further somewhere else." New York Times 1.14.21

5. The Impact and Opportunity created by COVID and future global issues:
 - a. The number of incidents like COVID is likely to accelerate in frequency given our global population growth that is breaking down barriers between animal wildlife and humans enabling viruses and other contagions to jump into human populations. Global connectivity through travel and the exchanges of goods adds to the ability of such contagions to spread rapidly.
 - b. Global warming and political and societal unrest have had a significant impact on major tech regions like California which is now seeing a mini exodus to markets like Texas and Canada/Hamilton has the potential to be a destination.
 - c. COVID has dampened the demand for office space in the immediate term BUT expected to resume as in person is realistically the only way to create value and operate a company. Younger staff in particular rely on interpersonal interactions to grow and develop
 - d. Canadians are shifting to the suburbs with lower density, larger homes with property and lower costs of living
 - e. Corporations recognize that employee cost of living impacts compensation and that turnover is reduced when an employee adopts a lifestyle that cannot easily be achieved in a denser, urban settings
 - i. Housing
 - ii. Access to good public and private schools
 - iii. Health Facilities
 - iv. A vibrancy (that Hamilton has already created with its restaurant and art scene)
 - v. Access to 'nature' which Hamilton, as Canada's most biodiverse region, is uniquely suited to provide
 - f. All commercial tenants will look to a prospective facility's post-COVID credentials when siting office locations
 - i. Systems designed to ensure safety for staff



1. HVAC with higher frequency of air replacement and flow designed to minimize droplet spread
 2. Touchless systems for elevators and doors
 3. Increased distancing by increasing square footage per person
 4. Recognition that public transit is the less preferred option for transportation during a health crisis and parking for bikes and other vehicles still relevant
- g. Hamilton's downtown currently does NOT have
- i. Class A office towers with sufficient parking and linkages to transit
 - ii. Sufficient vehicle parking (parking study) and monitored Bike parking that addresses significant theft barrier to riding personal bikes
 - iii. A tech district
 1. Tech firms seek to locate in areas where there is a culture and concentration of like-minded individuals and
 2. A downtown vibrancy driven by others in a similar sector
6. The Board of Advisors will be critical to the success of the project. MetroPartners is led by Hamilton born and raised Paven R. Bratch who draws on 35 years+ in the marketing and technology sector, much of it in the GTA and extends worldwide. Named as Canada's Top 40 Under 40, in 2003 and recently recognized in Hamilton as a developer committed preserving the City's heritage properties. Paven is an innovator who believes that Hamilton's time is now (though he created the Tech Hub proposal in 2016) especially given the recently announced investments in transit. Separately, Metro Partners, through its designate, has entered into a binding agreement to acquire a 2.9 Acre site opposite the West Harbour GO Station to create a live:work development on what are today contaminated lands in Hamilton's North End. The facility will feature a strong commitment to reducing its carbon footprint and to creating workspaces that are designed for safety in a post-covid era.

Advisors:

- a. [John Ruffolo](#), former founder and CEO of OMERS Ventures (invested in Shopify, Hootsuite and more) Vice Chair and co-founder (with Jim Balsillie of the Canadian Council of Innovators, founder of new venture firm Maverix Private Equity with planned \$500M equity raise)
- b. [Peter DeGroot](#), CTO Post Media responsible for 170+ national publications and extensive technology infrastructure
- c. [Anand Sinha](#) Employee #9 RIM and Hamiltonian, Technology visionary
- d. [Jazz Samra](#), formerly GOOGLE Global Nest Emerging Partnerships and former Head of US Channel Sales for GOOGLE – Small and Medium Sized Business (California based)
- e. [Tim Jackson](#), President and CEO, Shad (National STEM programming for post-secondary Students) - Shad is Canada's premier live-in summer enrichment program



for high-potential high school students focused on STEAM and entrepreneurship. Prior to this, **Tim was a former executive with MaRS**, one of the world's largest innovation hubs

- f. [Jake Bullen](#), Partner, [Cassels.com](#) (national law firm)
- g. XXX (TBA), CEO/COO, Former Pension Fund Signing officer and real estate development executive

Secondary School Integration building Hamilton:

The Tech Hub would have a formal integration with local secondary and post-secondary institutions. Mr. Cesare Di Donato, head of the Industry-Education Council is prepared to collaborate with the new centre to create programming that will enhance the development of Hamilton's secondary school age students.

Metro Partners Advisor, Tim Jackson who leads Canada's incredible SHAD program (STEAM) and served as an executive with MaRS in Toronto, will be an invaluable resource as well as we create programming for our region's students to create the leaders of tomorrow.

Metro Partners Advisor John Ruffolo, founder and Vice Chairman of the Canadian Council for Innovators is a founding member of incubator OneEleven that is now being re-established and he will also be an incredible resource as we create spaces for young innovators to create the companies of the future.

[Industry Education Council of Hamilton](#) relationship + [SHAD](#)

- 7. Current Professional Advisors
 - a. Cassels (leading Toronto based Canadian Law Firm)
 - b. CBRE Toronto/Global Real Estate with key contacts in tech and retail sector
 - c. Metro Partners team
 - d. CBRE Finance and Structure for funding needs
 - e. Architecture: Lintack & Associates + Global partners
 - f. Project Management – [Gillam Group Inc.](#) (former firm Vanbots)
 - i. <https://www.canadianbusiness.com/lists-and-rankings/profit-500/2017-gillam-group/>
- 8. Proposed Advisors/Construction Partners
 - a. Engineering-Stantec
 - b. Construction: EllisDon level partner
 - c. Identified Pension Fund/Capital Partners



“Canadian pension funds are seeking to boost their real estate investments, betting the slumping property market will recover as the COVID-19 pandemic recedes...”
Globe and Mail 1.21.21

Image below NOT confidential – MetroPartners:



HAMILTON CITY HALL EXPANSION
The redevelopment of under utilized municipal lands for the creation of a A+ Class office and medical space

NEW DEVELOPMENT:

Technology and Medical Innovation Centre
MetroPartners Inc
HAMILTON, ON
SEPT 30, 2019

LINTACK ARCHITECTS
INCORPORATED
104 JAMES STREET SOUTH, SUITE 1000, TORONTO, ONT M5P 1A7
416.593.4142 • 416.593.2289 • info@lntack.com
www.lntack.com



COVER

DWG. No.
A1.0

Breakdown:

- Parking structure would be 3 levels at 450 parking spaces per level totalling 1350 Spaces (subject to soil analysis)
- Retail plaza – 50-100,000 sq feet with Grocery, Pharma, food court and boutique retailers to compete with Mapleview Mall, Burlington
- Skytop auditorium with ability to link to global conferences and TV Studios
- Two office towers 20 and 24 Stories totalling 572,000 square feet – Key target would be Amazon, Govt of Canada and OneEleven? Plus College or University from Toronto or other, tech focused law firms, finance companies, Pharma head offices.
- Health Centre – Approximately 11,400 Sq Feet – Leased
- Future expansion space for City of Hamilton or other occupant – 12 storeys x10,000-120,000 Sq ft.



How we will sell occupancy:

Marketing and PR – Create a national campaign and social media presence of the downtown Tech Hub leveraging a New York City based creative agency and local marketers.

YouTube channel interviewing key influencers on their views of Hamilton/Tech District potential
Work closely with Economic Development team

Create Key Sales Offices:

- Toronto Downtown Sales office above Union Station
- Hamilton Sales Office
- California Sales Office
- UK Sales Office

Deal (more details):

- FMV (FAIR MARKET VALUE) sale with closing in 3-5 years* or sooner which generates critical capital for City
- Focus of hub:
 - o Any and all tenants that fit an innovation paradigm and supporting services including legal, financial, education, incubator, government agency that supports technology...e.g. (scenarios)
 - o Professional services/banking
 - o City to remain at arms-length on all operations of property
 - o Green space to be privately managed, publicly accessible
 - o Provision to address corner heritage space
- Office space at City Hall site for sales and hosting OR permission to erect a sales office
- Parking at FMV dedicated to City
- City has first right of refusal on expansion tower estimated to occur in 5 years from commencement of project for construction of 12 story civic building expansion area as tenant
- Carbon Net Zero is goal but may have to be adjusted given geological issues
- Goal is to create SAFE BIKE parking for city core + electric/hydrogen charging
- Partnership with local secondary and post-secondary schools

Community Benefit:

- Transform Hamilton from majority public sector employer to tech/innovation employer estimated at 6,000 jobs initially with plus additional retail employment
- Create high value jobs for Hamiltonians and future generations that do not require them to relocate to pursue



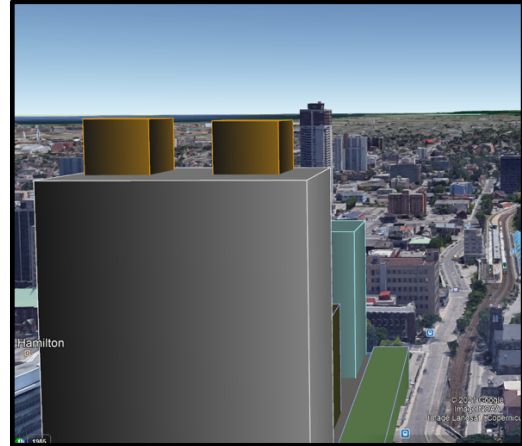
- Create an integrated education platform for secondary and post-secondary students in cooperation with the Hamilton Public and Separate School boards for living lab, internship and mentoring programs as well as ‘junior incubators’ funded and supported by the private sector
- Improve the commercial tax base for Hamilton providing relief to residential rate payers
- Enable the Hamilton GO Centre station to expand and potentially transform to all day GO with Express service to Union
- Create a Signature building for Hamilton with its first Class-A downtown towers breaking decades of high vacancy office
- Transform a large mass of asphalt and concrete (current parking lot) to a green space with potential tourist destination
 - Tourist attraction all season plus corporate team building
 - Integration with Wellness Centre
- Bring another world class Integrated Health & Wellness Centre to the downtown core focused on whole health healing and exercise
- Provide an expanded range of educational choices for certificate and diploma programs
- Provide a tech centre auditorium and studios for global broadcast events
- Create safe theft proof storage parking for downtown cyclists not currently available to those using network of bike lanes

Alternative is concept to create facility on the roof top that requires less staffing and can combine youth activities with adults with no physical abilities to participate with photos and shared experience. Potential roof top location allows US TO RESET PEOPLE’S PERCEPTION OF HAMILTON FORMED ON SKYWAY BRIDGE. CREATE A SIGNIFICANT SOCIAL MEDIA EVENT THAT CAN HELP CORRECT THE PERCEPTION OF HAMILTON AS PURELY INDUSTRIAL.



CONCEPTS:





PHASED APPROACH:

Phase 1: Pre-sale (low Millions invested at risk by Metro Partners)

- Purchase /100 YEAR LEASE of lands at FMV
- Secure City Hall property conditional on securing tenants over period of 4 years (extended due to COVID). All drawings and work done revert to City in the event of failure to close
- Financing and tax incentives matching or greater than that offered to Amazon subject to tenants meeting standards of quality of Amazon though preferably Canadian
- City has first right of refusal on rental of City tower (12 stories) for five years
- MP has first right of refusal for purchase of City Hall building, respecting all heritage designations.
- Non-Residential tenancies with focus on Technology, Health Sciences and ancillary services (Legal, Finance, Education)
- Auditorium facilities
- Designated parkette to be transferred or preserved
- Tenants identified for Wellness Centre, Grocery Retail
- City
 - Access to parking at market prices
 - Reserved parking for Councillors and Senior Staff
 - Integration for security/public safety
- Create Living Lab strategy with Local Secondary school boards for internships, mentoring, digital labs and integrate local college and University



Phase 2: Sales Phase

- Operational
 - Drawings and geological
 - Net Zero planning (GEOTHERMAL) and integration with HCE
 - Planning approvals
 - Secure alternate parking facilities/lands for construction
 - Close construction and ongoing financing through CBRE Finance and in partnership with pension funds
 - Bicycle parking, HSR bus access, EV parking, Hydrogen Refill, TreeTops climbing centre and other relationships to be finalized, downtown bike and EV delivery
 - Integration with

- Sales
 - CBRE
 - Create Technology and Health Sciences sales Team with significant marketing, PR and Digital presence integrated with Government of Ontario, Government of Canada, City of Hamilton-Economic Development and in cooperation with local players such as MIP, Mohawk and more.
 - Ensure cooperation with MIP, Entertainment district and other innovators to make Hamilton successful
 - Create dedicated Technology downtown sales Centre at Union Station, Toronto
 - Finalize retail tenancies
 - Secure global tenancies through CBRE and achieve 50-60% sales of Tower One and or Tower Two to proceed.
 - Local incubators or organizations like DMZ and OneEleven

Phase 3 Construction and Move-in:

- Execute Financing
 - CBRE Finance and Debt Team leading or other
 - In-house CFO (former signing officer, Pension Funds with Global Fundraising Experience)
 - Cassels Private equity team

- Proposed Construction (likely subject to final detailed bidding overseen by project manager)
 - Rick Lintack, Lintack and Associates
 - Stantec Engineering
 - Bid from Canadian leaders like EllisDon/PCL
 - Cassels – Legal
 - Gillam – Project Management
 - Local engineering firms
 - Alternate City Hall parking to be identified once timelines confirmed

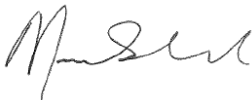


*All terms subject to adjustment related to uncontrollable market conditions as reasonably established in advance

Project: Technology and Medical Innovation Centre - Hamilton							
Description: Hamilton City Hall Expansion and Redevelopment - Preliminary Preconstructions and Construction Schedule Based on Lusk Architects Drawing A31 (A3) B issued on September 30, 2020							
Description	Preconstruction		Construction			Post Construction	
	2021	2022	2023	2024	2025	2026	
Project Milestones							
PRE-CONSTRUCTION							
Design Development	[Gantt bar from start of 2021 to mid-2021]						
SPA Process and Building Permits Obtained (Assumed Milestone Date)	[Gantt bar from start of 2021 to mid-2021]						
Contract Procurement	[Gantt bar from start of 2021 to mid-2021]						
Enabling Works and Demolition of Existing Building	[Gantt bar from start of 2021 to mid-2021]						
Underground Parking, Urban Plaza, Municipal Tower	[Gantt bar from start of 2021 to mid-2021]						
Wellness Centre	[Gantt bar from start of 2021 to mid-2021]						
Social Function Space	[Gantt bar from start of 2021 to mid-2021]						
South-West Transition Space and Tower	[Gantt bar from start of 2021 to mid-2021]						
South-East Transition Space and Tower	[Gantt bar from start of 2021 to mid-2021]						
CONSTRUCTION							
Construction Start Date (Assumed)	[Gantt bar from mid-2021 to mid-2022]						
Enabling Works and Demolition of Existing Building	[Gantt bar from mid-2021 to mid-2022]						
Underground Parking	[Gantt bar from mid-2021 to mid-2022]						
Urban Plaza	[Gantt bar from mid-2021 to mid-2022]						
Municipal Tower	[Gantt bar from mid-2021 to mid-2022]						
Wellness Centre	[Gantt bar from mid-2021 to mid-2022]						
Social Function Space	[Gantt bar from mid-2021 to mid-2022]						
South-West Transition Space and Tower	[Gantt bar from mid-2021 to mid-2022]						
South-East Transition Space and Tower	[Gantt bar from mid-2021 to mid-2022]						
Construction Completion Date	[Gantt bar from mid-2022 to mid-2023]						
POST-CONSTRUCTION							
	[Gantt bar from mid-2023 to mid-2024]						



CITY OF HAMILTON
PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT
Economic Development Division

TO:	Mayor and Members General Issues Committee
COMMITTEE DATE:	August 9, 2021
SUBJECT/REPORT NO:	Environmental Remediation and Site Enhancement (ERASE) Redevelopment Grant Application, 260 and 276 Dunsmure Road, Hamilton ERG-18-04 (PED21148) (Ward 3)
WARD(S) AFFECTED:	Ward 3
PREPARED BY:	Phil Caldwell (905) 546-2424 Ext. 2359
SUBMITTED BY:	Norm Schleeahn Director, Economic Development Planning and Economic Development Department
SIGNATURE:	

RECOMMENDATION

- (a) That Environmental Remediation and Site Enhancement (ERASE) Redevelopment Grant Application ERG-18-04, submitted by Dunsmure Developments Ltd.(Sarit Chandaria), owner of the properties at 260 and 276 Dunsmure Road, Hamilton, for an ERASE Redevelopment Grant not to exceed \$1,875,628, the actual cost of the remediation over a maximum of ten (10) years, be authorized and approved in accordance with the terms and conditions of the ERASE Redevelopment Agreement;
- (b) That the General Manager of Planning and Economic Development Department be authorized and directed to execute the Environmental Remediation and Site Enhancement (ERASE) Redevelopment Agreement together with any ancillary documentation required, to give effect to the ERASE Redevelopment Grant for Dunsmure Development Ltd. (Sarit Chandaria), owner of the properties at 260 and 276 Dunsmure Road, Hamilton, in a form satisfactory to the City Solicitor; and,
- (c) That the General Manager of the Planning and Economic Development Department be authorized and directed to administer the Grant and Grant Agreement including but not limited to: deciding on actions to take in respect of

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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: Environmental Remediation and Site Enhancement (ERASE) Redevelopment Grant Application, 260 and 276 Dunsmure Road, Hamilton ERG-18-04 (PED21148) (Ward 3) - Page 2 of 9

events of default and executing any Grant Amending Agreements, together with any ancillary amending documentation, if required, provided that the terms and conditions of the Environmental Remediation and Site Enhancement (ERASE) Redevelopment Grant, as approved by City Council, are maintained.

EXECUTIVE SUMMARY

An Environmental Remediation and Site Enhancement (ERASE) Redevelopment Grant Application was submitted for 260 and 276 Dunsmure Road, Hamilton (the “site”) on May 4, 2018, by Dunsmure Developments Ltd. (Sarit Chandaria), the owner of the site.

The site is approximately 0.79 ha (1.95 ac) in size and located in a primarily low density residential and commercial area of the Crown Point West neighbourhood of East Hamilton. The site is located at the southeast corner of Dunsmure Road and Gage Avenue South. The site primarily fronts on Dunsmure Road and is bounded by a rail line to the east and south and low density residential to the west and north. The closest signalized intersection is approximately 70 m southwest of the site at Gage Avenue South and Main Street East. The site contains five vacant industrial/commercial and administrative buildings associated with its historical use as a lumber yard for Lawson Lumber Company Ltd.

A Phase Two Environmental Site Assessment undertaken in 2013 and supplemented with subsequent site investigations in 2020 and 2021 to investigate the site’s soil and groundwater conditions identified the presence of contaminants at levels above the applicable standards required to accommodate the planned development in accordance with Ontario Regulation 153/04. Identified Contaminates of Concern (COC) included various metals, polycyclic aromatic hydrocarbons (PAHs), petroleum hydrocarbons (PHCs) and volatile organic compounds (VOCs).

The Grant application is for \$1,875,628 in estimated eligible costs associated with the remediation of the site and activities associated with a required filing of a Record of Site Condition.

The planned development, for which conditional Site Plan approval has been granted, consists of 60 rental dwelling units within three blocks of stacked townhouses. An additional four rental units are planned on the portion of the property known as 260 Dunsmure Road, Hamilton for a total of 64 rental dwelling units.

Project construction costs are estimated at approximately \$27,000,000. It is estimated that the proposed development will increase the property assessment from the pre-development value of \$1,147,500 (CT-Commercial) to approximately \$9,990,000 (NT-New Multi Residential). This will increase total annual property taxes generated by this

SUBJECT: Environmental Remediation and Site Enhancement (ERASE) Redevelopment Grant Application, 260 and 276 Dunsmure Road, Hamilton ERG-18-04 (PED21148) (Ward 3) - Page 3 of 9

site from \$37,399 to \$118,742, an increase of approximately \$81,343. The municipal portion of this increase is \$78,648 of which 80%, representing the maximum potential annual Grant, would be approximately \$62,918. Based on the estimated eligible costs provided by the Applicant, the maximum Grant will not exceed \$629,184 over a period of 10 annual payments.

The existing condition of the site as well as renderings of the planned redevelopment are provided below:



Existing Conditions – 260 and 276 Dunsmure Road, Hamilton looking southwest on Dunsmure Road (Source: maps.google.ca)



Planned Development – 260 and 276 Dunsmure Road, Hamilton (Source: Dunsmure Developments Ltd.)

Alternatives for Consideration – See Page 8

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SUBJECT: Environmental Remediation and Site Enhancement (ERASE) Redevelopment Grant Application, 260 and 276 Dunsmure Road, Hamilton ERG-18-04 (PED21148) (Ward 3) - Page 4 of 9

FINANCIAL – STAFFING – LEGAL IMPLICATIONS

Financial: As per the ERASE Redevelopment Grant (ERG) Program, 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 \$1,875,628. Based on an estimated maximum potential annual Grant amount of \$62,918, the annual grant payments will conclude in year 10 with an estimated total Grant of \$629,184. The City will realize the full tax increment after year 10.

The City will retain the remaining 20% of the annual municipal tax increment estimated at \$15,730, and estimated to total \$157,300 over 10 years, will be deposited into the Brownfield Pilot Project Account 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, remediating and redeveloping property it already owns, or participating in public/private partnerships to redevelop brownfield properties.

Staffing: Applications and Grant payments under the ERG program are processed by existing staff from the Commercial Districts and Small Business Section, Economic Development Division and Taxation Section of the Finance and Administration Division.

There are no additional staffing requirements.

Legal: The ERG Program is authorized by the ERASE CIP which was adopted and approved in 2001 and subsequently comprehensively updated 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.

Through a corporate title and litigation due diligence search conducted by staff on the subject site, two construction liens were identified as currently being in place. As per the ERG legal agreement that approved applicants are required to enter with City, the Applicant will be required to have these liens resolved and lifted from the site prior to any Grant being provided.

**SUBJECT: Environmental Remediation and Site Enhancement (ERASE)
Redevelopment Grant Application, 260 and 276 Dunsmure Road,
Hamilton ERG-18-04 (PED21148) (Ward 3) - Page 5 of 9**

HISTORICAL BACKGROUND

The site is approximately 0.79 ha (1.95 ac) in size and located in a primarily low density residential and commercial area of the Crown Point West neighbourhood in East Hamilton. The site is located at the southeast corner of Dunsmure Road and Gage Avenue South. The site primarily fronts on Dunsmure Road and is bounded by a rail line to the east and south and low density residential to the west and north. The closest signalized intersection is approximately 70 m southwest of the site at Gage Avenue South and Main Street East. The site contains five vacant industrial/commercial and administrative buildings associated with its historical use as a lumber yard for Lawson Lumber Company Ltd.

As part of the investigation of the environmental condition of the site, a Phase One Environmental Site Assessment (ESA) was undertaken by MTE in 2018 to investigate historical land use activities and the potential presence of contaminates. The results of the Phase One ESA identified five on-site and two off-site Areas of Potential Environmental Concern (APEC). These potential environmental concerns included:

- The current and historical presence of various Underground Storage Tanks (UST) throughout the site used for the storage of gasoline and oil;
- The presence of an on-site underground boiler room;
- The potential presence of fill and debris associated with former buildings on the site;
- A former on-site oil storage area;
- The presence of a rail line adjacent to the site;
- The current and historical presence of multiple vehicle repair businesses and gas stations in the vicinity of the site; and,
- Historical on-site activities associated with the treatment and storage of preserved wood products.

A Phase Two ESA which was previously undertaken by G2S Environmental Consulting in 2013 to investigate the site's current soil and groundwater conditions was supplemented by MTE with subsequent site investigations in 2020 and 2021 to further delineate the extent of soil and groundwater contamination in response to the updated Phase One ESA undertaken in 2018. This supplementary investigation was informed by the drilling of an additional approximately 20 boreholes on the site and the installation of 10 additional groundwater monitoring wells. The results confirmed the

SUBJECT: Environmental Remediation and Site Enhancement (ERASE) Redevelopment Grant Application, 260 and 276 Dunsmure Road, Hamilton ERG-18-04 (PED21148) (Ward 3) - Page 6 of 9

presence of various metals, polycyclic aromatic hydrocarbons (PAHs), petroleum hydrocarbons (PHCs) and volatile organic compounds (VOCs) in the soil throughout the site at concentrations exceeding the Ministry of Environment, Conservation and Parks (the Ministry) Table 7 Generic Site Condition Standards (SCS) for Shallow Soil in a Non-Potable Groundwater Condition for residential/parkland/institutional land uses in accordance with Ontario Regulation 153/04.

The sites planned use as residential combined with the presence of contamination above the applicable SCS will result in the Applicant being required to undertake remediation of the site's soil and groundwater in order to file a RSC with the Ministry to facilitate the planned redevelopment of the site.

A Remedial Action Plan (RAP) was prepared in June 2021 by Occupational Hygiene & Environment (OHE) Consultants to outline the planned remediation of the site which will primarily consist of the following:

- The removal of known and suspected USTs;
- Excavation and disposal of contaminated soil and groundwater; and
- Backfilling of soil that meets the applicable SCS standards to facilitate the planned redevelopment.

POLICY IMPLICATIONS AND LEGISLATED REQUIREMENTS

Urban Hamilton Official Plan

The site is designated as “Neighbourhoods” on Schedule “E” – Urban Structure and on Schedule “E-1” – Urban Land Use Designations of the Urban Hamilton Official Plan. This designation is intended to accommodate a full range of residential dwelling types and densities to which the planned development complies.

Former City of Hamilton Zoning By-law No. 6593

The site is primarily zoned “DE” Low Density Multiple Dwellings Zone with a small portion of the site located at the intersection of Dunsmure Road and Gage Avenue South and municipally known as 260 Dunsmure Road zoned “D” Urban Protected Residential – One- and Two-Family Dwellings Etc. Zone.

The planned use of the site is permitted.

**SUBJECT: Environmental Remediation and Site Enhancement (ERASE)
Redevelopment Grant Application, 260 and 276 Dunsmure Road,
Hamilton ERG-18-04 (PED21148) (Ward 3) - Page 7 of 9**

Site Plan Control

The site is subject to Site Plan Control. At the time of writing of this Report, the proposed development had received conditional Site Plan approval.

RELEVANT CONSULTATION

Staff from the Taxation Section of the Finance and Administration Division and the Legal Services Division of the Corporate Services Department were consulted, and the advice received incorporated in this Report.

ANALYSIS AND RATIONALE FOR RECOMMENDATION(S)

Potential estimated costs, as submitted by the Applicant, which may be eligible under the ERG Program based on the site's location within Area 3 – Urban Area of the ERASE Community Improvement Project Area (CIPA) include the following:

- \$122,028 in potentially eligible environmental consulting and Phase Two ESA study costs incurred since the ERG application was submitted to the City in 2018;
- \$55,000 for the removal of on-site USTs and decommissioning of monitoring wells;
- \$1,203,600 in costs and contingencies for the excavation of approximately 6,570 m³ of contaminated soil and 100,000 Litres of groundwater to be disposed of at a licensed facility;
- \$100,000 in costs for possible shoring/protective technologies; and
- \$395,000 in future environmental consulting costs including the preparation of a Modified Generic Risk Assessment and Soil Management Plan and RSC submission.

In total, estimated eligible costs are \$1,875,628. Invoicing and associated documentation for said costs will be the subject of an audit by staff upon the completion of the site's remediation to ensure eligibility and compliance with the Council approved parameters of the ERG program.

The following is an overview of pre and post development property assessments and associated taxes which have informed the estimated potential Grant and Grant payment period contained in this report:

**SUBJECT: Environmental Remediation and Site Enhancement (ERASE)
Redevelopment Grant Application, 260 and 276 Dunsmure Road,
Hamilton ERG-18-04 (PED21148) (Ward 3) - Page 8 of 9**

Grant Level:		80%	
Total Estimated Eligible Costs (Maximum):	\$	1,875,628	
Total Estimated Grant (Maximum):	\$	629,184	
Pre-project CVA (CT - Commercial):	\$	1,147,500	Year: 2018
Municipal Levy:	\$	24,810	
Education Levy:	\$	<u>12,589</u>	
Pre-project Property Taxes	\$	<u>37,399</u>	
Estimated Post-project CVA (NT – New Multi Residential):	\$	9,990,000	Year: TBD
Estimated Municipal Levy:	\$	103,458	
Estimated Education Levy:	\$	<u>15,285</u>	
Estimated Post-project Property Taxes:	\$	<u>118,743</u>	

Notes:

- 1) The actual roll number(s) assessed value(s), tax classification(s) and value partitioning (where applicable) are to be determined by the Municipal Property Assessment Corporation (MPAC).
- 2) 2020 tax rates have been used for calculation of the estimated post-development property taxes.
- 3) Annual Taxes exclude any Local Charges.
- 4) Pre-development estimate is subject to the adjustment due to the proposed severance.
- 5) All dollar figures rounded to the nearest dollar.

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.

**SUBJECT: Environmental Remediation and Site Enhancement (ERASE)
Redevelopment Grant Application, 260 and 276 Dunsmure Road,
Hamilton ERG-18-04 (PED21148) (Ward 3) - Page 9 of 9**

Clean and Green

Hamilton is environmentally sustainable with a healthy balance of natural and urban spaces.

Our People and Performance

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

APPENDICES AND SCHEDULES ATTACHED

Appendix "A" to Report PED21148 – Location Map

PC/jrb

Appendix "A" to Report PED21148



● Site Location



Key Map - Ward 3

Location Map



Hamilton

PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT

File Name/Number:
276 Dunsmure Rd

Date:
August 5, 2020

Appendix "A"

Scale:
N.T.S

Planner/Technician:
PC/AL

Subject Property

 276 Dunsmure Road



Hamilton

BUSINESS IMPROVEMENT AREA ADVISORY COMMITTEE

REPORT 21-007

8:00 a.m.

Tuesday, July 13, 2021

Virtual Meeting

Hamilton City Hall

71 Main Street West

Present: Councillor Esther Pauls (Chair)
 Susie Braithwaite – International Village BIA
 Tracy MacKinnon – Westdale Village BIA and Stoney Creek BIA
 Cristina Geissler – Concession Street BIA
 Kerry Jarvi – Downtown Hamilton BIA
 Jude Szabo – Ancaster BIA
 Susan Pennie – Waterdown BIA
 Lisa Anderson – Dundas BIA
 Emily Burton – Ottawa Street BIA

Absent: Michal Cybin – King West BIA
 Bender Chug – Main West Esplanade BIA
 Rachel Braithwaite – Barton Village BIA
 Heidi VanderKwaak – Locke Street BIA

THE BUSINESS IMPROVEMENT AREA ADVISORY COMMITTEE PRESENTS REPORT 21-007 AND RESPECTFULLY RECOMMENDS:

**1. International Village Business Improvement Area Expenditure Request
 (Item 11.1)**

That the expenditure request from the International Village Business Improvement Area, in the amount of \$7,110.80 for Office Expenses – moving expenses, renovations and new furniture, to be funded from the Community Improvement Plan (CIP) Contribution Program (BIA Payments Account 815010-56905), be approved.

2. Business Improvement Areas Parking Master Plan Response (Item 11.2)

WHEREAS, the City of Hamilton Parking has recently shared with BIAs recommendations for a parking plan in the City of Hamilton, and in response, the Hamilton BIAs would like to see City of Hamilton support for local small businesses and local BIAs continue;

WHEREAS, in keeping with Hamilton BIAs contributions to the unique vibrant neighbourhoods, destinations and districts of Hamilton;

WHEREAS, priority pricing for parking and reduced paid hours for parking are key strategies that promote foot traffic to our local businesses and attract new visitors within the Business Improvement Areas (BIAs); and,

WHEREAS, a supportive parking plan is critical as small businesses move to recovery mode following the pandemic;

THEREFORE, BE IT RESOLVED:

- (a) That the Business Improvement Areas Advisory Committee request that there be no changes to the current paid parking schedule for Monday-to-Sunday parking, within the BIAs where paid parking is established;
- (b) That the current paid parking hours remain in effect;
- (c) That a free Saturday and Sunday parking program be extended to those BIAs that wish to partake; and,
- (d) That City Staff, in collaboration with the BIAs, investigate parking revenue options that would support a BIA preferred parking program.

FOR INFORMATION:

(a) CHANGES TO THE AGENDA (Item 2)

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

The agenda for the July 13, 2021 Business Improvement Area Advisory Committee meeting was approved, as presented.

(b) DECLARATIONS OF INTEREST (Item 3)

There were no declarations of interest.

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

(i) June 8, 2021 (Item 4.1)

The June 8, 2021 Minutes of the Business Improvement Area Advisory Committee were approved, as presented.

(d) DELEGATION REQUESTS (Item 6)

- (i) Alex Weinberger, YWCA Hamilton, respecting what YWCA Hamilton offers and to learn from the BIAs what we can do to support and collaborate with the businesses in their areas (For a future meeting) (Item 6.1)**

The delegation request from Alex Weinberger, YWCA Hamilton, respecting what YWCA Hamilton offers and to learn from the BIAs what

we can do to support and collaborate with the businesses in their areas, was approved for a future meeting.

(e) STAFF PRESENTATIONS (Item 8)

(i) Infection Prevention and Control Team Update (Item 8.1)

Latchman Nandu, Manager, Infection Prevention and Control, Dr. Ninh Tran, Associate Medical Officer of Health, and Elissa Press, Health Promotion Specialist addressed the Committee with an update from the Infection Prevention and Control Team.

The staff presentation on Infection Prevention and Control Team Update, was received.

(f) DISCUSSION ITEMS (Item 10)

(i) Ontario Business Improvement Area Association (OBIAA) Conference 2021 (Item 10.1)

Kerry Jarvi addressed the Committee respecting the Ontario Business Improvement Area Association (OBIAA) Conference 2021 being held September 26 – 29, 2021.

Kerry advised that with the changing COVID 19 restrictions, that the Committee is meeting and will be making changes to the format of the Conference.

Kerry requested that BIAs hosting a mobile tour during the Conference ensure that they send their information to Erin at OBIAA.

The discussion respecting Ontario Business Improvement Area Association Conference 2021 was received.

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

(i) Verbal Update from Julia Davis, Business Development and BIA Officer (Item 13.1)

Julian reminded Committee of the Small Business Tax Class Consultation Meeting that is being held Thursday, July 15th from 1:00 pm – 3:00 pm.

Julia advised that the Hamilton COVID Concierge Site has updated their content and provides many business supports, including screening tools and posters that have been updated with the current regulations. The website can be accessed at www.hamiltoncovidconcierge.ca.

Alternatively, their phone number is 905-521-3989 and this line is staffed Monday – Friday (8:30 am – 4:30 pm).

Julia advised that the BIAs who applied for the Shop Local Grant funding of \$10,000 will be receiving their payments shortly. Julia requested that BIAs submit to her any photos and/or testimonials of what the funds were used for.

Julia reminded Committee that the Hamilton Chamber of Commerce is providing rapid testing kits for businesses that have less than 150 employees. There are also Work Wise window decals that the BIAs can pick up to distribute to businesses in their area.

Julia advised the Committee to investigate the Canada Community Revitalisation Fund that is open for applications until July 23, 2021.

Julia advised Committee that she attends the Infection Prevention and Control meetings, and should BIA members have any questions, Julia can raise them at the meetings.

The verbal update from Julia Davis, Business Development and BIA Officer, was received.

(ii) Statements by Members (Item 13.2)

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

The updates from Committee Members, were received.

(h) ADJOURNMENT (Item 15)

There being no further business, the Business Improvement Area Advisory Committee adjourned at 9:22 a.m.

Respectfully submitted,

Councillor E. Pauls
Chair Business Improvement Area
Advisory Committee

Angela McRae
Legislative Coordinator
Office of the City Clerk



CITY OF HAMILTON
CORPORATE SERVICES DEPARTMENT
Financial Planning, Administration and Policy Division

TO:	Mayor and Members General Issues Committee
COMMITTEE DATE:	August 9, 2021
SUBJECT/REPORT NO:	Canada Community Revitalization Fund Initial Intake (FCS21077) (City Wide)
WARD(S) AFFECTED:	City Wide
PREPARED BY:	John Savoia (905) 546-2424 Ext. 7298
SUBMITTED BY:	Brian McMullen Director, Financial Planning, Administration and Policy Corporate Services Department
SIGNATURE:	

RECOMMENDATION(S)

- (a) That the Mayor and City Clerk be authorized to execute all necessary documentation, including Funding Agreements to receive funding under the Canada Community Revitalization Fund with content satisfactory to the General Manager, Finance and Corporate Services, and in a form satisfactory to the City Solicitor;
- (b) That the City Solicitor be authorized and directed to prepare any necessary by-laws for Council approval, for the purpose of giving effect to the City's acceptance of funding from the Canada Community Revitalization Fund.

EXECUTIVE SUMMARY

On June 23, 2021, the Federal government announced the launch of the Canada Community Revitalization Fund (CCRF) which aims to help non-profit organizations, municipalities, Indigenous communities and other community groups across Canada to build and improve community infrastructure projects so they can rebound from the effects of the COVID-19 pandemic, assist with community vitality, support social and economic cohesion and help reanimate communities.

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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: Canada Community Revitalization Fund Initial Intake (FCS21077)
(City Wide) – Page 2 of 7**

Regional development agencies across Canada are delivering \$500 M over two years (2021-2022 to 2022-2023) for community infrastructure projects, with FedDev Ontario delivering \$144.7 M in southern Ontario via competitive intakes.

Eligible projects will be prioritized in the following order of importance:

- Revitalize downtown cores and main streets
- Reinvent outdoor spaces
- Create green infrastructure
- Increase accessibility of community spaces

Priority will be given to projects that are “shovel ready” such that:

- a) plans and specifications of the project have been complete
- b) the project is ready to accept bids for contracts
- c) has secured all necessary environmental approvals
- d) projects will be substantially completed by March 31, 2023

Additionally, selected projects must help communities rebound from the effects of the pandemic and are able to demonstrate measurable direct or indirect social and economic benefits.

A one-time special scheduled intake will accept applications and focus on eligible projects that are ready to proceed. Applicants are strongly encouraged to submit their applications by July 23, 2021. Should there be remaining funding after the scheduled intake period, applications will continue to be accepted and funded on a continuous intake basis over the next two years or until such a time as the allocated funding is fully distributed. Organizations that submit multiple applications are required to rank the priority of each application. A resolution of support from municipal councils is not required under the CCRF program guidelines.

CCRF contributions will be determined based on the minimum amount required to carry out a project and may represent up to 75 percent of total eligible costs. Recipients could receive up to \$750 K. All contributions will be non-repayable. Eligible expenses must be incurred between April 19, 2021 and March 31, 2023.

For the aforementioned reasons, staff has identified the following projects for which applications have been submitted by the scheduled intake’s submission deadline of July 23, 2021. The following are listed in priority ranking that staff determined by assessing the project’s scope of work achieving CCRF program priorities (refer to the Analysis and Rationale for Recommendation(s) section of Report FCS21077 for more details of the submitted projects’ alignment with the Program’s assessment criteria).

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**SUBJECT: Canada Community Revitalization Fund Initial Intake (FCS21077)
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Projects Submitted to FedDev Ontario for CCRF Program Funding Consideration

Priority Ranking	Project Title
1	St. Mark's Cultural Space Enhancements
2	Beasley Park Rehabilitation Phase 2
3	Victoria Park Spray Pad Replacement
4	Children's Museum Accessibility Improvements
5	Washroom Touchless Accessories

Alternatives for Consideration – N/A

FINANCIAL – STAFFING – LEGAL IMPLICATIONS

Financial: As reflected in Appendix “A” to Report FCS21077, five projects have been submitted with a total gross cost of \$14.3 M. CCRF requested funding share of \$2.96 M with a City contribution of \$8.75 M. It should be noted that in February 2021, the Children’s Museum Accessibility project received funding approval for \$2.58 M from the Community, Culture and Recreation (CCR) funding stream of the Investing in Canada Infrastructure Program (ICIP).

The City share is included in 2021 – 2023 Capital Budgets and as such, funding provided by the CCRF Program will free up capital funding capacity that may be reallocated to other priority needs.

It is anticipated that there will be no significant operating expense impacts associated with the completion of the five projects submitted for funding consideration under CCRF.

Staffing: No impact to current staffing levels.

Legal: It is anticipated that the City will be required to enter into a funding agreement to receive CCRF grants and may need to enter into other ancillary agreements or pass by-laws to receive funding.

HISTORICAL BACKGROUND

On June 23, 2021, the federal government announced the launch of the Canada Community Revitalization Fund (CCRF) which aims to help communities, towns and cities across Canada to build and improve community infrastructure projects so they can rebound from the effects of the COVID-19 pandemic, assist with community vitality, support social and economic cohesion and help reanimate communities.

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**SUBJECT: Canada Community Revitalization Fund Initial Intake (FCS21077)
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Regional development agencies across Canada are delivering \$500 M over two years (2021-2022 to 2022-2023) for community infrastructure projects, with FedDev Ontario delivering \$144.7 M in southern Ontario via competitive intakes.

Eligible applicants:

- Not-for-profit organizations
- Co-operatives and business improvement areas (BIAs)
- Municipal or regional governments established by or under provincial or territorial statute
- Public-sector bodies that are established under provincial or territorial statute or regulation, or that are wholly owned by provincial, territorial, municipal or regional governments, that provide municipal-type infrastructure services to communities
- Indigenous organizations

Eligible activities

The Fund will provide support for the following types of projects:

- Adapting and reimagining / re-envisioning community spaces and maintaining accessibility standards so that they may safely be used by communities in accordance with social distancing and local public health guidelines to help revitalize areas and support future planning efforts. Projects could include community transformation infrastructure to help rejuvenate communities, downtown cores, main streets and shared spaces.
- Building or improving community infrastructure through the expansion, improvement or creation of community spaces to encourage Canadians to re-engage in and explore their communities and regions.

Eligible costs

Eligible costs include reasonable and necessary expenses associated with the activities listed above. This includes, but is not limited to, construction materials and contractor fees for building or improving a community asset. Consult the Application Guide for further details.

Ineligible costs

Ineligible costs include expenses associated with maintenance and operational activities that typically need to be undertaken on a recurring / annual basis, motorized vehicles, the purchase of a building and land.

**SUBJECT: Canada Community Revitalization Fund Initial Intake (FCS21077)
(City Wide) – Page 5 of 7**

A one-time special scheduled intake will accept applications and focus on eligible projects that are ready to proceed. Applicants are strongly encouraged to submit their applications by July 23, 2021. Should there be remaining funding after the scheduled intake period, applications will continue to be accepted and funded on a continuous intake basis over the next two years or until such a time as the allocated funding is fully distributed. Organizations that submit multiple applications are required to rank the priority of each application. A resolution of support from municipal councils is not required under the CCRF program guidelines.

POLICY IMPLICATIONS AND LEGISLATED REQUIREMENTS

N/A

RELEVANT CONSULTATION

The following departments provided project proposals for submission consideration under the CCRF Intake:

- Planning and Economic Development Department
- Public Works Department

ANALYSIS AND RATIONALE FOR RECOMMENDATION(S)

Eligible projects will be prioritized in the following order of importance:

- revitalize downtown cores and main streets
- reinvent outdoor spaces
- create green infrastructure
- increase the accessibility of community spaces

Examples may include projects involving:

- downtown cores and main streets
- green projects and projects that reduce environmental impacts
- improvement of accessibility
- farmers' markets
- community and cultural centres
- museums and libraries
- public outdoor community sports facilities and spaces
- waterfront and tourism facilities
- multi-purpose centres
- other existing community facilities for public benefit that have a local community impact and underpin local economies

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**SUBJECT: Canada Community Revitalization Fund Initial Intake (FCS21077)
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Projects to be selected will be those that are able to demonstrate how the project aligns with the priorities of the CCRF:

- priority will be given to projects that are “shovel ready” such that:
 - a) plans and specifications of the project have been complete
 - b) the project is ready to accept bids for contracts
 - c) has secured all necessary environmental approvals
 - d) projects will be substantially completed by March 31, 2023
- bring in other partners to leverage project funding
- are of a smaller scope, where the project will be completed quickly so the program benefits will be shared broadly
- help communities rebound from the effects of the pandemic and contribute to the reanimation of communities, towns and cities
- can demonstrate measurable direct or indirect social and economic benefits
- encourage the participation of underrepresented groups and take into consideration the unique challenges of rural and remote communities
- are submitted before July 23, 2021

As previously noted, organizations that submit multiple applications are required to rank the priority of each application. There is no indication as to the weighting of applicant’s priority ranking as projects are assessed for potential funding under the CCRF Program.

Staff carefully assessed projects for the best alignment with the CCRF Program’s funding selection criteria. The projects that have been submitted to FedDev Ontario for funding consideration are listed in Appendix “A” of Report FCS21077, reflect a list of five projects requesting CCRF funding of \$2.96 M. Additionally, the priority ranking is noted with corresponding rationale for each project ranking.

ALTERNATIVES FOR CONSIDERATION

N/A

ALIGNMENT TO THE 2016 – 2025 STRATEGIC PLAN

Healthy and Safe Communities

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

**SUBJECT: Canada Community Revitalization Fund Initial Intake (FCS21077)
(City Wide) – Page 7 of 7**

Clean and Green

Hamilton is environmentally sustainable with a healthy balance of natural and urban spaces.

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’ to Report FCS21077 – Canada Community Revitalization Fund (CCRF)
Program Project Submissions


JS/dt

Canada Community Revitalization Fund (CCRF) Program Project Submissions

Project Title	Cost Sharing Breakdown						City Total (000's)	Alignment with CCRF Priorities (Priority ranking in parentheses)
	Total Gross (000's)	Total Eligible (000's)	Federal CCRF Share (000's)	Other Grants (000's)	City Share (000's)	City Ineligible (000's)		
St. Mark's Cultural Space Enhancements	\$ 4,750	\$ 4,750	\$ 500	\$ -	\$ 4,250	\$ -	\$ 4,250	Shovel ready project entails accessibility improvements, new green infrastructure, safe outdoor gathering space & represents investment in downtown infrastructure. CCRF request < than max \$750K. (1)
Beasley Park Rehabilitation Phase 2	\$ 1,213	\$ 1,106	\$ 750	\$ -	\$ 356	\$ 107	\$ 463	Project is shovel ready, project meets all CCRF criteria (revitalize downtown cores and main streets, reinvent outdoor spaces, create green infrastructure & increases the accessibility of community spaces), phase 2 will complete Beasley Park redevelopment in a Code Red neighbourhood. (2)
Victoria Park Spray Pad Replacement	\$ 1,020	\$ 925	\$ 694	\$ -	\$ 231	\$ 95	\$ 326	Shovel ready only needs building permit, no special approvals and meets all CCRF criteria like, CCRF request < than max \$750K. (3)
Children's Museum Accessibility Improvements	\$ 6,551	\$ 6,551	\$ 450	\$ 2,581	\$ 3,520	\$ -	\$ 3,520	CCRF request < than max \$750K, project that leverages other grant funding (ICIP CCR), feasibility study/design complete and project construction is set for 2022. (4)
Washroom Touchless Accessories (various City facilities)	\$ 750	\$ 750	\$ 563	\$ -	\$ 188	\$ -	\$ 188	Shovel ready with budget flexibility as multiple sites have been identified and prioritized for the washroom enhancements. Project meets a single CCRF criteria of increasing the accessibility of community spaces. (5)
	\$ 14,284	\$ 14,082	\$ 2,957	\$ 2,581	\$ 8,545	\$ 202	\$ 8,747	



INFORMATION REPORT

TO:	Mayor and Members General Issues Committee
COMMITTEE DATE:	August 9, 2021
SUBJECT/REPORT NO:	Farmers' Markets - Rent Relief and Governance Comparators (PED21158) (City Wide)
WARD(S) AFFECTED:	City Wide
PREPARED BY:	Raymond Kessler (905) 546-2425 Ext. 7019 Cyrus Tehrani (905) 546-2424 Ext. 2261
SUBMITTED BY:	Norm Schleeahn Director, Economic Development Planning and Economic Development Department
SIGNATURE:	

COUNCIL DIRECTION

At the meeting of the General Issues Committee on February 17, 2021, in response to the public hearing / delegation of Shane Coleman, Hamilton Farmers' Market Stallholder Association, respecting Rent Relief for the Hamilton Farmers' Market, staff were directed to report back to GIC with a review of comparator municipalities such as Kitchener-Waterloo, London, Mississauga and Cambridge with respect to rent relief for their farmer's markets and market governance.

INFORMATION

In response to this direction, staff contacted comparator municipalities asking for information related to the impact to the COVID-19 pandemic on their local farmer's market operations and what, if any, related relief programs may have been provided to minimize the impact to market vendors and/or stallholders. In addition to general questions around typical operations to level set potential differences between markets, specific questions were asked about rent relief, fee deferrals and COVID-19 related expenses, as well as what type of governance model the market operates under.

Municipalities that contributed to the information summarized in this report include Brantford, Guelph, Kitchener, St. Catharines and Toronto. London and Cambridge were

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**SUBJECT: Farmers' Market - Rent Relief and Governance Comparators
(PED21158) (City Wide) - Page 2 of 6**

also contacted but did not respond to the survey at the time this report was written. In total, seven comparator municipalities were contacted, with five municipalities providing responses.

Survey Response Summary – General Market Context

Responding municipalities with indoor markets ranged in size from approximately 48 to over 80 permanent stalls, with outdoor markets being less than 40 stalls. Appendix “A” to Report PED21158 – Markets Overview provides a comparative overview of the markets surveyed.

All outdoor market areas, plus the St. Catharines Farmers’ Market indoor area, are set-up/tear down market day operations. The Hamilton Farmers’ Market has approximately 53 permanent stalls with 48 currently occupied.

Hours of operation range from being open only one-day per week, on a Saturday, to being open on the weekend plus a day or two during the week (typically Tuesday and/or Thursday). All markets are closed on Sunday and Monday. The Hamilton Farmers’ Market days of operation are Tuesday, Thursday, Friday and Saturday. Only Toronto has a market open on a Wednesday, and also has a Sunday Antique Market. Responses did not indicate seasonal adjustments to hours of operation, except for outdoor markets that are not operational in the off-season.

All but the St. Catharines Farmers’ Market, which charge their vendors monthly or bi-annually for stall holders (guarantees the same spot), have annual vendor / stallholder rental agreements ranging from one-year in length to five-years in Toronto. Rental rates can be impacted by the size of the stall at the Kitchener Market to the location and use of the stall at the Toronto market. The license contracts with the Hamilton Farmers’ Market are currently one-year in length and renewed annually. The Hamilton Farmers’ Market Corporation Board (HFMC) is reviewing stallholder agreement lengths.

Although not a lot of detail around market governance was provided in response to the survey, information collected indicates that governance varies from market to market, but all are operated directly by the City, except for Hamilton. Only the Kitchener market runs without a Board or Advisory/Executive Committee of some sort, with the Brantford Farmers Market Vendor Association operating only as an advisory body. Hamilton Farmers’ Market is currently governed by the Hamilton Farmers’ Market Corporation and its board is made up of a combination of Citizen and Stallholder/Vendor Board members as well as a Council Representative.

The Hamilton Farmers’ Market - Sole Voting Member (City Council) has previously approved a third-party consultant engagement to review Hamilton Farmers’ Market Governance and Operating Model, which is in progress.

**SUBJECT: Farmers' Market - Rent Relief and Governance Comparators
(PED21158) (City Wide) - Page 3 of 6**

Survey Response Summary – Impact of the COVID-19 pandemic

In response to the impact of the COVID-19 pandemic on local markets' operations, the following specific questions were asked:

1. Did you close indoor market operations for any duration during the COVID-19 pandemic? If yes, provide a brief overview of when closed, when re-opened, and any reductions in operating hours, if applicable;
2. Outline any COVID-19 related rent relief provided directly to your indoor vendors/stallholders and outline what form and estimate value of relief was provided? Be as specific as possible as to the nature and type of relief and duration for which that relief was/is being provided;
3. Have you deferred any fees/rents or similar to vendor/stallholders? If yes briefly outline the nature or value of those deferrals? and,
4. Has your market incurred any one-time related COVID-19 pandemic expenses? Please briefly outline and estimate cost, identifying who covered those costs.

The City of Toronto was the only responding municipality that did not close as a result of the COVID-19 pandemic. All other responding municipalities closed their markets during the first wave of infections. For some markets, this was a short closure i.e. March – May/June of 2020 while the indoor market in Guelph did not reopen until September of 2020. The Hamilton Farmers' Market remained open throughout the COVID-19 pandemic though the HFMC Board approved reducing some of the operating hours of the market due to reduced visitor traffic to the market due to the pandemic and stay at home Provincial orders. The Hamilton Farmers' Market was closed between January 5, 2021, to January 19, 2021, due to ventilation system upgrades for previously planned capital upgrades to the facility. Fees were prorated for 2021 to exclude closure days related to ventilation system upgrade. Certain non-essential vendor product groups (i.e. Artisans – four stallholders) were not able to open due to Provincial restrictions at various stages of the pandemic during 2020 and 2021 as per Provincial frameworks and requirements. Stallholders not able to open due to provincial restrictions did not receive rent abatement for those mandated closures. All markets were required to follow all public health guidelines for their region that would have been in effect.

Responses related to rent relief (Questions #2 and #3 above) and one-time COVID-19 related expenses (Question #4 above) can be found in Table 1 – Rent Relief Summary and Table 2 – One-Time COVID-19 Related Expenses below.

**SUBJECT: Farmers' Market - Rent Relief and Governance Comparators
(PED21158) (City Wide) - Page 4 of 6**

Table 1 – Rent / Fee Relief Summary

Municipality	Rent / Fee Relief
Brantford	<ul style="list-style-type: none"> • Rent was not charged when market was closed; and, • Did not defer any fees.
Guelph	<ul style="list-style-type: none"> • Rent was not charged when market was closed; • Indoor market reopened in September, with no fees until November when regular rentals fees resumed; • Vendors were not charged for any safety equipment (i.e. sneeze guards, customer order windows etc.); and, • Did not defer any fees.
Hamilton	<ul style="list-style-type: none"> • HFMC approved an optional six-month interest free deferral of 2020 fees (note: 13 vendors requested deferral) allowing for repayment by December 31, 2021, in alignment to City of Hamilton's City Wide COVID-19 Occupancy Framework; and, • Stallholders provided details via Market Stallholders/Vendor Newsletter on Government support programs i.e. Canadian Emergency Rent Subsidy (CERS), Canadian Emergency Wage Subsidy (CEWS) and Canadian Emergency Business Account (CEBA).
Kitchener	<ul style="list-style-type: none"> • Rent was not charged when market was closed; • June of 2020 – 85% rent discount; • July to October of 2020, rent was increased by 15% each month to incrementally return to normal rates; • Market vendors and/or stallholders were encouraged to take advantage of Federal relief programs with market staff available to assist with applications (service was not utilized). If ineligible for relief through existing programs, market would provide 25% reduction in rent if proof in ineligibility provided (note: no vendors requested this support); and, • Did not defer any fees.
St. Catharines	<ul style="list-style-type: none"> • Interest was frozen on balances owing from March to July of 2020; • Stall fees were required on the first day of reopening and discounts were applied to support public health measures i.e. appropriate distancing if additional stalls required; • Full rates for 2021 spring/summer market season; and, • Fees were only deferred for one vendor due to leaving the market.
Toronto	<ul style="list-style-type: none"> • Offered rent deferral. Payback over the term of the existing lease or extend leases by a term that would enable payback; • In exceptional circumstances, worked with individual tenants on addressing financial difficulties; and,

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**SUBJECT: Farmers' Market - Rent Relief and Governance Comparators
(PED21158) (City Wide) - Page 5 of 6**

Municipality	Rent / Fee Relief
	<ul style="list-style-type: none"> • Post-CERS, tenants directed to seek relief through CERS with only any unsubsidized portion remaining eligible for deferral.

Table 2 – One-Time COVID-19 Related Expenses

Municipality	One-Time COVID-19 Related Expenses
Brantford	<ul style="list-style-type: none"> • Stall dividers and all COVID-19 related signage and floor stencils.
Guelph	<ul style="list-style-type: none"> • Material and staffing costs that were COVID related (i.e. building of customer order windows) were split between the operation budget and a general COVID-19 City fund.
Hamilton	<ul style="list-style-type: none"> • As part of the federal-provincial Safe Restart Agreement, the City of Hamilton allocated \$144,652 in 2020 to offset COVID-19 related operating costs and financial pressures (i.e. Personal Protective Equipment (PPE), additional cleaning and security staff to facilitate screening); • 2021 additional COVID-19 related costs to date (May 31, 2021) are \$44,876; and, • \$30 K in additional marketing budget from reserves for 2021.
Kitchener	<ul style="list-style-type: none"> • \$150 K in extra staffing for COVID-19 screening, directional markings; and, • Separate clean costs at approximately \$200 K - \$300 K.
St. Catharines	<ul style="list-style-type: none"> • Purchasing of hand sanitizer stations, traffic cones, safety vests, a-frame signage; and, • Costs estimated at \$3 K.
Toronto	<ul style="list-style-type: none"> • PPE and staff costs related to supporting programs and implementing public health measure/provincial measures.

The survey results demonstrate that every municipality, as did the City of Hamilton, provided (and continue to provide) its market with one-time financial support for COVID-19 expenses. Similarly, each municipality provided a degree of relief for the fees/rent during this pandemic period – some by way of interest-free deferral of outstanding fees/rent due to be paid out over time, and some by way of not collecting fees during a period of closure. In summary, each municipality surveyed has taken its own path toward the nature and degree of support it has provided its vendor community and/or its market as a whole. This was not an unanticipated outcome of the survey results as the operations, nature, and contractual nature of each market's relationship to its' vendors is unique.

**SUBJECT: Farmers' Market - Rent Relief and Governance Comparators
(PED21158) (City Wide) - Page 6 of 6**

APPENDICES AND SCHEDULES ATTACHED

Appendix "A" to Report PED21158 – Markets Overview

RK,CT/sd

Appendix “A” Markets Overview

Municipality	Model	Operations [1]
Brantford	<ul style="list-style-type: none"> • Directly city staff operated; and, • Vendor association acts advisory body. 	<ul style="list-style-type: none"> • 48 indoor stalls – permanent; • Open Fridays (9 a.m.- 2 p.m.) and Saturdays (7 a.m.- 2 p.m.); • Annual stall agreement; and, • Variety of farmer and food types of vendors.
Guelph	<ul style="list-style-type: none"> • Directly city staff operated; and, • Executive committee acts as advisory body. 	<ul style="list-style-type: none"> • 80 indoor booths – permanent; • Also, outdoor (8 months of year) spots; • Open Saturdays, 7 a.m. – noon; • Annual booth agreements based on daily fee rate; and, • Farmers, food resellers, prepared food sales, arts and crafts, and other NFP/organizations.
Hamilton	<ul style="list-style-type: none"> • Hamilton Farmers’ Market Corporation operated. 	<ul style="list-style-type: none"> • 55 indoor stalls and market carts; • Open Tuesdays, Thursdays, Fridays (8 a.m. - 6 p.m.) and Saturdays (7 a.m. - 5 p.m.) year-round; • Annual stall licence fees based on stall size and location; and, • Produce/fruit, meat/poultry/eggs, cheese/deli, seafood, bakeries/coffee, grocery/prepared foods, florist, artisan, and VQA wine.
Kitchener	<ul style="list-style-type: none"> • Directly city staff operated. 	<ul style="list-style-type: none"> • 50 indoor booths plus 10 food hall (mezzanine) – permanent; • Also, outdoor spots; • Food hall open Tuesday-Friday, 10:30 a.m. – 3 p.m.; • Market and food hall open Saturdays (7 a.m. - 2 p.m.) year-round; • Annual agreement based on booth size; and, • Produce/flowers, deli/dairy/seafood, bakeries, prepared foods, pantry items.
St. Catharines	<ul style="list-style-type: none"> • Directly city staff operated; and, • Market sub-committee. 	<ul style="list-style-type: none"> • 74 stands (enclosed pavilion) – not permanent; • Open Tuesday, Thursday (8 a.m. – 2 p.m.), Saturday, 6 a.m. – 2 p.m. year-round;

Appendix “A” to Report PED21158

Page 2 of 2

Municipality	Model	Operations [1]
		<ul style="list-style-type: none"> • Monthly and Bi-Annual stand agreements based on a daily fee rate plus monthly marketing and hydro fees, plus annual vendor association fee; and, • Meat, eggs, cheese, fruits, vegetables, flowers, baked goods, prepared foods, handcrafts, other.
Toronto	<ul style="list-style-type: none"> • Directly city staff operated; and, • Advisory committee. 	<ul style="list-style-type: none"> • 63 South Market (permanent) plus 43 North Market (non-permanent) stands; • Also, outdoor stalls and market carts; • South Market open Tuesday - Thursday (8 a.m. -6 p.m.), Friday (8 a.m. – 7 p.m.), Saturday (5 a.m. – 5 p.m.) year-round; • Farmers Market (North Market) open Saturday, 5 a.m. – 3 p.m., year-round; • Antique Market (North Market) open Sunday, 5 a.m. – 3 p.m., year-round; • Standard 5-year semi-gross and % rent commercial lease for South Market vendors, plus annual permit fee for Farmers Market – various rates based on size, location, type of vendor; and, • Meat, eggs, cheese, fruits, vegetables, flowers, baked goods, prepared foods, handcrafts, other.

[1] Represents regular operations – excludes any alterations due to COVID-19



Hamilton

**ADVISORY COMMITTEE FOR PERSONS WITH
DISABILITIES
REPORT 21-007**

4:00 p.m.

Tuesday, July 13, 2021

**Due to COVID-19 and the Closure of City Hall,
this meeting was held virtually.**

Present: A. Mallet (Chair), S. Aaron, P. Cameron,
J. Cardno, M. Dent, L. Dingman, A. Frisina,
J. Kemp, T. Manzuk, C. McBride, M. McNeil,
K. Nolan, T. Nolan and R. Semkow

Absent

with regrets: Mayor F. Eisenberger
P. Kilburn (Vice-Chair), S. Geffros and T. Murphy

Also Present: J. Bowen, Supervisor, Diversity and Inclusion
C. Cutler, Advisor to the Mayor

**THE ADVISORY COMMITTEE FOR PERSONS WITH
DISABILITIES PRESENTS REPORT 21-007 AND
RESPECTFULLY RECOMMENDS:**

1. Communications (Item 4.4)

- (a) That the correspondence from Justin Jones, WSP Canada Inc., respecting Ward 8 Complete Streets Project Feedback (Item 4.4), be received; *and*,

- (b) That Anthony Frisina and James Kemp be approved to represent the Advisory Committee for Persons with Disabilities at the Residents Advisory Council for the Ward 8 Complete Streets Project.

2. Resignation of Shahan Aaron from the Built Environment Working Group of the Advisory Committee for Persons with Disabilities (Item 6.1(a))

That the resignation of Shahan Aaron from the Built Environment Working Group of the Advisory Committee for Persons with Disabilities, be received.

FOR INFORMATION:

(a) CHANGES TO THE AGENDA (Item 1)

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

4. COMMUNICATIONS

- 4.2 Correspondence from Andrea McDowell, City of Hamilton, respecting Hamilton Climate Change Impact Adaptation Planning Follow-Up

Recommendation: Be received.

- 4.3 Correspondence from Aine Leadbetter, City of Hamilton, respecting 2022 Municipal Election Consultation Follow-Up

Recommendation: Be received.

- 4.4 Correspondence from Justin Jones, WSP Canada Inc., respecting Ward 8 Complete Streets Project Feedback

Recommendation: Be received.

6. CONSENT ITEMS

- 6.1 Built Environment Working Group Update
- 6.1(b) Built Environment Working Group Meeting Notes - May 4, 2021
- 6.1(c) Built Environment Working Group Meeting Notes - June 1, 2021

CHANGES TO THE ORDER OF ITEMS:

That the following Staff Presentations be moved up on the agenda to be considered following the Approval of Minutes of the Previous Meeting:

- 7.1 Landscape Architectural Services Section Work Overview
- 7.2 Mountain Drive Park Masterplan Overview

The agenda for the July 13, 2021 meeting of the 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) June 8, 2021 (Item 3.1)**

The minutes of the June 8, 2021 meeting of the Advisory Committee for Persons with Disabilities, were approved, as presented.

(d) COMMUNICATIONS (Item 4)

Communications 4.1 to 4.3 were approved, as follows:

- 4.1 Correspondence from the City of Hamilton's Transit Division respecting an HSR Team Structure Change

Recommendation: Be received.

- 4.2 Correspondence from Andrea McDowell, City of Hamilton, respecting Hamilton Climate Change Impact Adaptation Planning Follow-Up

Recommendation: Be received.

- 4.3 Correspondence from Aine Leadbetter, City of Hamilton, respecting 2022 Municipal Election Consultation Follow-Up

Recommendation: Be received.

For further disposition of this matter, see Item 1.

(e) DELEGATION REQUESTS (Item 5)**(i) Susan Creer, Accessible Hamilton, respecting Accessibility Concerns with the Outdoor Dining District Program (for a future meeting) (Item 5.1)**

The delegation request, submitted by Susan Creer, Accessible Hamilton, respecting Accessibility Concerns with the Outdoor Dining District Program, was approved for a future meeting.

(f) CONSENT ITEMS (Item 6)**(i) Built Environment Working Group Update (Item 6.1)****(1) Built Environment Working Group Meeting Notes – May 4, 2021 (Added Item 6.1(b))**

The Built Environment Working Group Meeting Notes of May 4, 2021, were received.

(2) Built Environment Working Group Meeting Notes – June 1, 2021 (Added Item 6.1(c))

The Built Environment Working Group Meeting Notes of June 1, 2021, were received.

(ii) Housing Issues Working Group Update (Item 6.2)**(1) Housing Issues Working Group Meeting Notes – May 18, 2021 (Item 6.2(a))**

The Housing Issues Working Group Meeting Notes of May 18, 2021, were received.

(iii) Outreach Working Group Update (Item 6.3)

J. Kemp advised that the meeting notes from the May 2021 meeting of the Outreach Working Group were lost due to technical difficulties. The Working Group is currently developing a disability awareness calendar containing disability-related dates and is assisting the Transportation Working Group with organizing the Virtual Collaborative Roundtable Meeting to Discuss Changes and Challenges to Public Transportation in Hamilton. It was also noted that the Advisory Committee for Persons with Disabilities Informational Pamphlet was approved by Council on July 9, 2021.

The verbal update from J. Kemp, respecting the Outreach Working Group, was received.

(iv) Transportation Working Group Update (Item 6.4)**(a) Transportation Working Group Meeting Notes – June 22, 2021 (Item 6.4(a))**

The Transportation Working Group Meeting Notes of June 22, 2021, were received.

(v) Strategic Planning Working Group Update (Item 6.5)**(a) Strategic Planning Working Group Meeting Notes – June 28, 2021 (Item 6.5(a))**

The Strategic Planning Working Group Meeting Notes of June 28, 2021, were received.

(g) STAFF PRESENTATIONS (Item 7)**(i) Landscape Architectural Services Section Work Overview (Item 7.1)**

Cynthia Graham, Manager, Landscape Architectural Services, addressed Committee respecting a Landscape Architectural Services Section Work Overview.

The presentation, respecting a Landscape Architectural Services Section Work Overview, was received.

(ii) Mountain Drive Park Masterplan Overview (Item 7.2)

Louise Thomassin, Landscape Architect, addressed Committee respecting a Mountain Drive Park Masterplan Overview, with the aid of a handout.

The presentation, respecting a Mountain Drive Park Masterplan Overview, was received.

(h) GENERAL INFORMATION / OTHER BUSINESS (Item 12)**(i) Accessibility Complaints to the City of Hamilton (Item 12.1)**

No update.

(ii) *Accessibility for Ontarians with Disabilities Act, 2005 (AODA) Update (Item 12.2)*

No update.

**(iii) Presenters List for the Advisory Committee for
Persons with Disabilities (Item 12.3)**

No update.

(i) ADJOURNMENT (Item 14)

There being no further business, the Advisory Committee for
Persons with Disabilities adjourned at 6:08 p.m.



Respectfully submitted,

A. Mallet, Chair
Advisory Committee for
Persons with Disabilities

Alicia Davenport
Legislative Coordinator
Office of the City Clerk



CITY OF HAMILTON
CITY MANAGER'S OFFICE
Government & Community Relations Division
and
CORPORATE SERVICES DEPARTMENT
Legal and Risk Management Services Division

TO:	Mayor and Members General Issues Committee
COMMITTEE DATE:	August 9, 2021
SUBJECT/REPORT NO:	Hate Flags and Symbols (CM19006(f)/LS19031(e)) (City Wide) (Outstanding Business List Item)
WARD(S) AFFECTED:	City Wide
PREPARED BY:	Pauline Kajiura (905) 546-2424 Ext. 2567 Susan Nicholson (905) 546-2424 Ext. 4707
SUBMITTED BY:	Morgan Stahl Director, Government & Community Relations City Manager's Office
SIGNATURE:	
SUBMITTED BY:	Stephen Spracklin City Solicitor Legal and Risk Management Services
SIGNATURE:	

RECOMMENDATION

- (a) That signs or decoration, which include, but are not limited to, expressions and symbols associated with hate, such as the Confederate flag and the Nazi swastika, be banned from public property within the City of Hamilton, in recognition of the adverse power that such symbols can have on the psychology and well-being of community members;
- (b) That staff be directed to prepare an Amending By-law to By-law 10-197, being the Hamilton Sign By-law, to provide that the City of Hamilton may, at its sole discretion, remove, without notice, or order to be removed, any sign or decoration, which has been determined is for an unlawful activity, or contains

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SUBJECT: Hate Flags and Symbols (CM19006(f)/LS19031(e)) (City Wide)**Page 2 of 8**

expressions and symbols associated with hate, profanity or obscenity or other message that is deemed offensive or discriminatory, as defined in the Ontario Human Rights Code, for Council's approval;

- (c) That the Mayor correspond with the Honourable David Lametti, Minister of Justice and Attorney General of Canada, in support of the Federation of Canadian Municipalities (FCM) resolution, respecting Strengthening Canada's Hate Speech Laws (attached as Appendix "A" to Report CM19006(f) / LS19031(e)), to request the Federal Government develop legislation that would clarify and strengthen the definition of hate speech and symbols, including explicit recognition of the psychological harm that can be caused by hateful symbols, and work with all levels of government in addressing the root causes of hate speech;
- (d) That the Mayor correspond with the Honourable Doug Downey, Attorney General of Ontario, to request that the Province enact legislation that would enable municipalities to make enforceable decisions regarding symbols deemed unacceptable by the local community, such consideration to also include a review of statutes where hate speech may be identified as illegal; and,
- (e) That a copy of this resolution be forwarded to the Association of Municipalities of Ontario, the Federation of Canadian Municipalities as well as local MPs and MPPs for their information.

EXECUTIVE SUMMARY

Recommendations presented in this report are based upon consultation with Legal Services staff and research on the related activities of other municipalities.

Alternatives for Consideration – Not Applicable

FINANCIAL – STAFFING – LEGAL IMPLICATIONS

Financial: There are no financial implications related to the recommendations of Report CM19006(f)/LS19031(e)

Staffing: There are no staff implications related to the recommendations of Report CM19006(f)/LS19031(e)

SUBJECT: Hate Flags and Symbols (CM19006(f)/LS19031(e)) (City Wide)**Page 3 of 8**

Legal: There are legal implications related to the recommendations of CM19006(f)/LS19031(e) as staff is recommending an amendment to the City of Hamilton Sign By-law as well as petitions to both Federal and Provincial governments on the development of legislation that clarifies and expands hate speech and symbols as well as legislation that enables municipalities to make enforceable decisions on these matters. Currently enforcement actions, beyond the Sign-By-law, are outside of the scope of municipal authority.

HISTORICAL BACKGROUND

On September 23, 2020, staff provided Council with recommendations along with the two reports, submitted by the project consultant on research and public engagement. (LS19031(c)/PW19068(c)/CM19006(c) (City Wide) Recommendation (b) of the report indicated that City staff prepare a report on hate-related flags and symbols, which would enable City Council to consider options and actions that could be taken to address public display of any racist, hateful, offensive and insensitive emblems in Hamilton.

Council at its meeting of September 30, 2020, approved Item 13(b) of the General Issues Committee Report 20-014, which reads as follows:

That Community Initiatives staff be directed to prepare a report on hate-related flags and symbols, which would enable Council to consider options and actions that could be taken to address public displays of any racist, hateful, offensive and insensitive emblems in Hamilton, in consultation with Legal Services staff with respect to Section (2), Fundamental Freedoms, Canadian Charter of Rights and Freedoms, and report back to the General Issues Committee

This report provides recommendations for consideration and is presented to the General Issues Committee, August 9, 2021.

Related to the recommendations of this report, City Council at its meeting September 30, 2021, within Item 8.8, approved the following:

That City Council write a letter to the federal Minister of Justice, requesting that the threshold of “hate crime” as defined in the Criminal Code be consistently applied across law enforcement agencies in Canada;

Also related to the recommendations of this report, at the Council meeting of June 23, 2021, the Mayor and Council endorsed Motion M-84 *Anti-Hate Crimes and Incidents* and Private Member’s Bill C-313 *Banning Symbols of Hate Act*, put forward by Peter Julian, MP. (City Council, 21-011, Item 4.9)

SUBJECT: Hate Flags and Symbols (CM19006(f)/LS19031(e)) (City Wide)**Page 4 of 8****POLICY IMPLICATIONS AND LEGISLATED REQUIREMENTS**

The municipality only has the powers provided by applicable legislative authority, principally the *Municipal Act*, 2001, S.O. 2001, c. 25;

The municipality can ban a symbol or expression, such as the Confederate flag and Nazi swastika, from public municipal property under the Sign by-law;

There is no inherent ability on the part of the municipality to limit an individual's freedom of expression on private property unless such expression falls under the provisions of the federal Criminal Code (R.S.C., 1985, c. C-46) and Section 319, inciting hatred against an identifiable group which is likely to result in a breach of the peace.

The Ontario Human Rights Code, R.S.O. 1990, c. H.19 does not include a category that would cover discrimination where an individual displays such symbols on private property unless it was used to discriminate in any of the categories of employment, housing, services, unions and vocational associations and contracts.

RELEVANT CONSULTATION

Legal Services Division:

Regarding staff recommendation on developing a report for Council on flags, symbols and emblems considered by many equity-seeking residents to be racist, offensive and discriminatory, which have been displayed in Hamilton and other communities.

ANALYSIS AND RATIONALE FOR RECOMMENDATION

Like many communities across the country and around the world, Hamilton is also increasingly tested and challenged by incidents of hate, racism and discrimination. While these acts are perpetrated by a very few, their actions nevertheless affect all Hamiltonians by impugning the city's reputation and diminishing community sense of belonging for many equity-seeking populations.

As directed by Council, in November 2019 staff retained a consultant, Sage Solutions, through a procurement process, to assist the City in reviewing its existing draft hate-related policies, suggest other relevant policies, conduct community engagement and develop key recommendations. Between December 2019 and July 2020, the consultant completed the following project activities:

Best practices research from over 20 municipalities in Canada, United States, Australia and the United Kingdom.

Community conversations with over 300 residents and equity-seeking

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SUBJECT: Hate Flags and Symbols (CM19006(f)/LS19031(e)) (City Wide)**Page 5 of 8**

groups, including Black, Indigenous, 2SLGBTQI+, racialized and faith-based communities. The engagement also included a citywide community survey.

A review of the City's existing draft hate prevention and mitigation policies, procedures, by-laws and related strategies. One of the key finding reads as follows:

Charter of Rights & Freedom as a cover for Hateful expressions -
Flags, symbols and emblems viewed as racist, hateful and discriminatory by many equity-seeking groups and community advocates continue to be displayed in Hamilton and various communities in Ontario, such as the Confederate flag. While there is the belief that the Charter of Rights and Freedom protects these expressions, many municipalities are now exploring ways to ban and reinforce their own beliefs and values of community equity, diversity and inclusion. Broader municipal associations such as the Federation of Canadian Municipalities (FCM) and the Association of Municipalities of Ontario (AMO) can play key roles in these conversations.

Recommendation (b) of report (LS1903(c)/PW19068(c)/CM19006(c) (City Wide) required City staff to prepare a report on hate-related flags and symbols, which would enable City Council to consider options and actions that could be taken to address public display of any racist, hateful, offensive and insensitive emblems in Hamilton. The then being whether there is an ability for the municipality to regulate hate symbols or would this fall outside of municipal jurisdiction.

The legal analysis starts with the *Municipal Act*, 2001, SO 2001, c.25, the statutory authority that grants various rights and abilities to the municipality. It does not however include the ability to pass by-laws that are properly within the jurisdiction of the Province of Ontario or the Federal government. This is often referred to as higher order legislation and a by-law that operates in conflict with a higher jurisdiction is not sustainable. The topic of hate speech and symbols is one that also has to take into account federal legislation, in that the municipality must also acknowledge and not infringe on the rights and freedoms afforded to citizens in the Charter of Rights and Freedoms as set out in the *Constitution Act*, 1982. Section 2, Fundamental Freedoms, which provides the following:

Everyone has the following fundamental freedoms:

- (a) freedom of conscience and religion;
- (b) freedom of thought, belief, opinion and expression, including freedom of the press and other media of communication;
- (c) freedom of peaceful assembly; and
- (d) freedom of association.

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SUBJECT: Hate Flags and Symbols (CM19006(f)/LS19031(e)) (City Wide)**Page 6 of 8**

There was considerable discussion and debate in Ontario municipalities in the summer of 2020 regarding the Confederate flag and the Black Lives Matter movement. Many articles have been written and concluded that the flag represents racial intolerance and oppression. While not data based, there is general commonality that this flag is a hate symbol as is the other notable symbol, the Nazi swastika.

The ability of the City to ban such flags and symbols from municipal property has been debated in other municipalities. A particular example is from the City of Peterborough, where Council unanimously approved a ban on Confederate flags and swastikas on city property in 2020 as follows:

That all actions, speech and symbols of hate and racism including but not limited to the Confederate battle flag and Swastikas be banned from all City of Peterborough property.

The City of Peterborough Council also sent a letter to the office of the Attorney General of Canada, the Prime Ministers Office and their local Member of Parliament to seek support for such bans.

Legal analysis has concluded that while a ban on municipal property is permitted such as the City of Peterborough example, to take a broader approach and that such a ban extend to private property would be beyond municipal jurisdiction as this freedom of expression protected by the Charter of Rights and Freedoms. A by-law passed with the intention of limiting freedom of expression would be quashed by the court for being outside its jurisdiction and found invalid for being in conflict with the Charter. The Ontario Divisional Court has confirmed that while a municipality may create policies about the kinds of flags that may be raised on public property, presuming a legitimate policy reason, it may not ban private flags by creating a by-law or policy that suppresses or denies this fundamental freedom of expression.

There is no inherent ability on the part of the municipality to limit an individual's freedom of expression on private property unless such expression falls under the Criminal Code (R.S.C., 1985, c. C-46) and the provisions of Section 319 which states that:

“319 (1) Everyone who, by communicating statements in any public place, incites hatred against any identifiable group where such incitement is likely to lead to a breach of the peace...”

The interpretation of Section 319 of the Criminal Code is such that the use of Confederate flag is only illegal if it is used to promote or incite hatred or violence against an identifiable group. The display of a Confederate flag on its own is not illegal, and no one is prohibited from purchasing one, owning one, or displaying it under the Fundamental Freedoms provision of the Charter on private property, unless it meets the test of Section 319.

SUBJECT: Hate Flags and Symbols (CM19006(f)/LS19031(e)) (City Wide)**Page 7 of 8**

With respect to provincial legislation, the Human Rights Code, R.S.O. 1990, c. H.19 addresses discrimination but not discrimination between ordinary citizens. Under the Human Rights Code, all individuals have the right to be free from discrimination in identified social areas: employment, housing, services, unions and vocational associations and contracts. The relationship between an individual flying an offensive flag and another individual would not fall under one of those categories and no remedy would be available under this legislation.

Note however that the Human Rights Code would apply if the Confederate flag or Nazi swastika was used as a tool of discrimination in employment, housing, services, unions or vocational associations and contracts.

The conclusion of the legal analysis is as follows:

The municipality only has the powers provided by applicable legislative authority, principally the *Municipal Act*, 2001, S.O. 2001, c. 25;

The municipality can ban a symbol or expression such as the Confederate flag and Nazi swastika from public municipal property under the Sign by-law;

There is no inherent ability on the part of the municipality to limit an individual's freedom of expression on private property unless such expression falls under the provisions of the federal Criminal Code (R.S.C., 1985, c. C-46) and Section 319, inciting hatred against an identifiable group which is likely to result in a breach of the peace.

The Ontario Human Rights Code, R.S.O. 1990, c. H.19 does not include a category that would cover discrimination where an individual displays such symbols on private property unless it was used to discriminate in any of the categories of employment, housing, services, unions and vocational associations and contracts.

The Federation of Canadian Municipalities resolution

Resolution – Strengthening Canada's Hate Speech Laws

Meeting – Annual Conference – June 2021

Resolution Status – Adapted

Sponsor – Town of Collingwood, ON

Resolution:

WHEREAS Canadians generally recognize of the strength of community that is derived from embracing and appreciating all community members regardless of ethnic origin,

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SUBJECT: Hate Flags and Symbols (CM19006(f)/LS19031(e)) (City Wide)**Page 8 of 8**

gender and sexual orientation, socioeconomic status, or faith – and in accordance with statements made by the Federal Government, individual Provinces, and The United Nations, that hate speech has no place in an inclusive society that seeks to empower its constituents; and

WHEREAS it is widely recognized that symbols can have a powerful and profound effect on the psychology and well-being of community members; therefore, be it

RESOLVED that FCM petition the Canadian Government to build on Parliament's 2019 Report Taking Action to End Online Hate and engage in the development of legislation that would clarify and strengthen the definition of hate speech, including explicit recognition of the psychological harm that can be caused by hateful symbols, and work with all levels of government in addressing the root causes of hate speech.

ALTERNATIVES FOR CONSIDERATION

None

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

Healthy and Safe Communities

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

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" to Report CM19006(f)/LS19031(e) - Resolution – Strengthening Canada's Hate Speech Laws

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CITY OF HAMILTON
CORPORATE SERVICES DEPARTMENT
Legal and Risk Management Services Division

TO:	Mayor & Members General Issues Committee
COMMITTEE DATE:	August 9, 2021
SUBJECT/REPORT NO:	2021 Property and Liability Insurance Renewal Report (LS21027) (City Wide)
WARD(S) AFFECTED:	City Wide
PREPARED BY:	John McLennan (905) 546-2424 Ext. 5736
SUBMITTED BY:	Mike Zegarac General Manager, Finance and Corporate Services
SIGNATURE:	

RECOMMENDATION

- (a) That the Liability and Property Insurance coverage for the term January 1, 2021, to January 1, 2022, be renewed through Arthur J. Gallagher Canada Ltd. and Marsh Canada Ltd. at a cost of \$10,148,551 (net of taxes)
- (b) That the 2021 Risk Management Property and Liability budget shortfall of \$2,085,121 be funded through the 2021 year-end surplus or Tax Stabilization Reserve (110046)
- (c) That the General Manager, Finance and Corporate Services, be authorized and directed to execute all associated documents related to the renewals of the Liability and Property Insurance coverage for the terms January 1, 2021, to January 1, 2022, through Marsh Canada Ltd., in a form satisfactory to the City Solicitor, on behalf of the City of Hamilton;
- (d) That five (5) permanent FTE be approved effective January 2022, namely two litigation solicitors, a law clerk, a legal assistant and a Risk Management assistant, and that the annual compensation costs totalling \$645,000 be cost recovered from City Departments and appropriate Boards and Agencies commencing in 2022 and;
- (e) That the one-time costs of \$29,000 related to equipment and materials in support

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SUBJECT: 2021 Property and Liability Insurance Renewal Report (LS21027) (City Wide) - Page 2 of 11

of the additional complement be funded from the Unallocated Capital Reserve (108020).

EXECUTIVE SUMMARY

The difficult insurance market conditions detailed in last year's insurance renewal report (LS20010) have continued. In most types of coverage, conditions have worsened, particularly for commercial consumers. Compounding the impact of a hard market is the fact that the City's liability claims experience over the last 10 years shows a pattern of unprofitability for any prospective insurer.

The City's insurance broker has confirmed that in an already limited competitive marketplace, no other potential insurers are interested in the City account. With no reasonable alternative options at this time, staff and the City's insurance broker of record (Gallagher) are recommending renewal of the City's insurance program with the current insurers, and a further increase in the liability deductible to mitigate the premium increase as much as reasonably possible. The increase in deductible will mean the City will face extra claim costs up to the higher deductible limit.

Staff and the City's insurance broker of record are recommending a program of coverages which will see a total insurance premium increase of \$2,085,121 (25.9%) based on budgeted amounts. Liability deductible options ranging from \$2,500,000 to \$5,000,000 were presented to the City. It is not an option for the City to remain at the \$1,500,000 liability deductible level.

A review of the liability claims experience of the past 10 years, with all amounts converted into present day values, showed the \$5,000,000 deductible to be the most favourable option in terms of basic Total Cost of Risk in the event future claims are similar.

Staff will be providing a separate report focusing on Enterprise Risk Management (ERM) for the General Issues Committee meeting of September 22, 2021 to support the effort in mitigating future claims and insurance costs.

Alternatives for Consideration – see Page 10**FINANCIAL – STAFFING – LEGAL IMPLICATIONS**

Financial: The 2021 premium of \$10,148,551 (net of taxes) will be funded through the 2021 Risk Management Services Budget. The total 2020 insurance premium expense was \$8,281,904 (net of taxes). The 2021 renewal represents an increase of \$1,866,647 (22.5%) in insurance premiums based on actuals.

SUBJECT: 2021 Property and Liability Insurance Renewal Report (LS21027) (City Wide) - Page 3 of 11

The 2021 Insurance Premium budget is \$8,063,430 (net of taxes). The resultant shortfall of \$2,085,121 (net of taxes) is recommended to be funded through the 2021 Operating Budget Surplus or Tax Stabilization Reserve (110046)

The City was not offered the option to remain at its current \$1,500,000 deductible on the first layer of liability coverage. The lowest deductible option offered was \$2,500,000.

The deductible/premium options presented to the City for the first layer of liability coverage of \$5,000,000 are as follows:

Deductible	Premium
\$2,500,000	\$3,640,000
\$3,500,000	\$2,790,523
\$5,000,000	\$1,930,000

A review of the liability claims experience of the past 10 years, with all amounts converted into present day values, showed the \$5,000,000 deductible to be the most favourable option in terms of basic Total Cost of Risk in the event future claims follow a similar pattern.

The following table illustrates a Cost of Risk (premium + claims expense) comparison of deductible options offered by Marsh using the City's claims experience over the last 10 years. Dollar figures have all been adjusted to present day values. The lowest cost of risk for each year is highlighted in yellow.

Total Cost of Risk (TCR) Deductible Comparison			
Deductible	\$2,500,000	\$3,500,000	\$5,000,000
Premium	\$3,640,000	\$2,790,000	\$1,930,000
2011 TCR	\$6,130,000	\$5,280,000	\$4,420,000
2012 TCR	\$4,097,000	\$3,247,000	\$2,387,000
2013 TCR	\$8,213,000	\$8,483,000	\$10,423,000
2014 TCR	\$12,977,000	\$13,888,000	\$13,920,000
2015 TCR	\$4,552,000	\$3,702,000	\$2,842,000
2016 TCR	\$4,983,000	\$4,133,000	\$3,273,000
2017 TCR	\$6,085,000	\$5,235,000	\$4,375,000
2018 TCR	\$6,515,000	\$6,715,000	\$6,319,000
2019 TCR	\$5,358,000	\$4,508,000	\$3,648,000
2020 TCR	\$0	\$0	\$0

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With the exception of the two outlier claims years of 2013 and 2014, the costs avoided in applying a \$5,000,000 deductible are steady and material. Compared against a \$2,500,000 deductible, the costs avoided averaged a steady \$1,700,000 annually. Compared against a \$3,500,000 deductible, the costs avoided averaged a steady \$800,000 annually. The costs avoided figures more than adequately cover the costs associated with the incremental staffing recommendations.

In addition to the premium costs, the higher deductibles will tend to result in larger in-house claims expenses as the City will be responsible for claims and defence costs up to the amount of the recommended deductibles. Control and mitigation of in-house claims costs will continue to come through the diligent claims and litigation handling efforts of Legal and Risk Management Services staff. Mitigation of future claims and insurance costs will be pursued through an enhanced approach to Enterprise Risk Management, discussed below, and aided by assistance offered through the broker and insurer to municipal clients. Impacts on the budget for claims expense will depend on the number and value of claims going forward.

Staffing: An effective response to larger and higher volume of claims will require additional staff to meet litigation needs and requirements, mitigate claims expenses and develop additional in-house legal expertise to limit external legal counsel costs to the greatest extent possible. In addition, effective staff response will support a migration to an Enterprise Risk Management approach and improve the City's risk profile for future insurance procurements.

The increased liability deductible on top of last year's increase means the City will continue to handle higher volumes and larger claims in-house, with resulting increases in workload and greater need for a more effective litigation response. The pandemic has slowed litigation, but the effect is temporary as timelines have re-started and courts move to re-open. Additional Legal and Risk Management staff will be needed for effective litigation response and the greater volume of work in larger claims; to respond to early and more extensive document collection, case analysis and the preparation needed from initial steps through to mediations or trials. Substantial claims often require teams of staff to effectively respond, so the addition of staff will support larger teams need for sizable litigation claims. Last year's report (LS20010) recommended a phased approach, adding four permanent FTE in 2021, and a future assessment of costs and needs. The substantial deductible increase under this report is the basis to add further staff, with the recommendation for five permanent FTE, comprised of two

SUBJECT: 2021 Property and Liability Insurance Renewal Report (LS21027) (City Wide) - Page 5 of 11

litigation lawyers, a litigation clerk, a legal assistant, and a Risk Management Assistant to support claims handling. See Legal Implications for more detail.

Total annual cost of the five recommended FTE is \$645,000. In addition to the compensation costs are associated one-time costs for equipment and furniture of \$29,000. The staffing will begin in 2022 and will be allocated to Departments and agencies through claims costs. Permanent FTE are recommended because experience with contract staff has shown that it is difficult to attract and retain knowledgeable staff needed for the high level of service provided to the City.

Legal: Litigation involves timely and extensive fact and document collection, case assessments, compliance with multiple, and often strict, deadlines in the Rules of Civil Procedure, or as imposed by Courts for overall effectiveness. The City is most often a defendant, which requires significant preparation to effectively respond to claims supported by plaintiff's counsel, which includes case preparations, discovery obligations, and trial readiness. Legal disadvantages will occur through insufficient resourcing levels, adding delays, legal risks and exposure to the City for added claim costs, and/or increased external counsel expense. The development of in-house expertise with direct knowledge of City operations is recommended as the most effective approach to ensure quality assurance and cost minimization.

HISTORICAL BACKGROUND

The City has acquired its parcel of insurance coverages through Marsh Canada Limited (formerly JLT) since 2011. Previously, dating back to amalgamation, insurance was acquired through the Frank Cowan Company. The move to JLT was the result of a full market review in which JLT was the successful bidder, at approximately \$800,000 lower than the next lowest bidder. In April 2019, Marsh & McLennan Companies, Inc. purchased JLT.

Arthur J. Gallagher Canada Limited (formerly Pearson Dunn Insurance Inc.) is currently the City's broker of record. Each year the broker searches the market with available insurers and oversees the placement of the City's insurance program as part of their contract duties. Marsh Canada Ltd. (formerly Jardine Lloyd Thompson Inc.) is a Managing General Agent who specializes in insuring municipal entities. A Managing General Agent is a party who is authorized by various insurers to act as an intermediary to accept placements from insurance brokers such as Gallagher.

Appendix B to Report LS21027 shows the last 5 years of coverages and related premiums acquired by the City through Marsh and confirms the market hardening as it

SUBJECT: 2021 Property and Liability Insurance Renewal Report (LS21027) (City Wide) - Page 6 of 11

impacts on municipal premiums. Similar premium increases and limited availability of insurers are issues which have been faced by all municipalities over the last few years.

POLICY IMPLICATIONS AND LEGISLATED REQUIREMENTS

N/A

RELEVANT CONSULTATION

Negotiation and discussions with insurers were conducted in association with the City's Broker of Record and insurer.

Comparator municipalities and other types of public sector entities were consulted.

Finance & Administration was consulted regarding funding sources.

ANALYSIS AND RATIONALE FOR RECOMMENDATION

The premium increases for 2021 reflect the hard market trend that commenced in the latter part of 2018 and which has continued to worsen. Staff made inquiries through its broker, and directly with other municipalities, and determined substantial increases were occurring in the insurance market for several reasons, and in particular with municipal and public entity coverages. Direct comparisons with other municipalities are difficult due to differences in services and claims experiences and varying renewal dates when increases have been applied in other municipalities.

Liability coverage increases within the City's program can be attributed mainly to:

- (a) The continued hardening of the global insurance market, primarily due to the combination of weather related catastrophic losses pairing with lower returns in the investment market.
- (b) The present insurer's assessments of the City's claims history and exposures, which meant no other insurers were willing to quote for the City's 2021 coverage.
- (c) Potential insurers' awareness of a number of high profile claims, or potential claims, including concerns with the Red Hill Valley Parkway.
- (d) The principle of joint and several liability (1% rule) continuing to exert immense pressure on claims reserving and handling.

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A hard insurance market is characterized by a high demand for insurance coverage and a reduced supply. Insurers impose strict underwriting standards and issue a limited number of policies. Premiums are high and insurers are disinclined to negotiate terms.

A number of different factors affect insurance pricing, but the following are common contributors to the hardening market:

- (a) Catastrophic losses - Floods, tornadoes, hurricanes, wildfires and other disasters are increasingly common and devastating. Years of costly disasters like these have compounded losses for insurers, driving up the cost of coverage overall.
- (b) Claims costs - The frequency and severity of claim cost increases over time in accordance with population and municipal service growth. One reason for this is that settlement and verdicts for bodily injury claims are steadily rising. This extends litigation and significantly raises the cost to defend a claim. Additionally, advances in health care have made treatment more effective, and people are living longer, fuller lives even after a serious accident. While life expectancy is a positive trend, it has had an impact on compensatory damages and benefits.
- (c) Underwriting standards - Insurers are struggling to overcome underwriting losses, especially given how low interest rates have remained in recent times. This has made carriers more cautious, and many are restricting the classes of businesses and lines of insurance they are willing to underwrite.
- (d) Investment return - Nearly every insurance carrier uses the funds it receives from premiums to invest in other markets. However, reduced interest rates have negatively impacted profitability, and carriers have a reduced their appetite for risk as a result.
- (e) Reinsurance - Reinsurance is coverage for insurance companies, and which is subject to the same difficult market. Carriers often buy reinsurance for risks they can't or don't wish to retain fully. However, reinsurance is becoming more expensive to obtain, which is causing carriers to increase their rates.

In addition to the presence of the hard global market, there are also the factors specific to Ontario municipalities, namely:

- (a) Ontario's system of no fault auto insurance which requires payments to be made regardless of fault. Most HSR passengers are "first party" insured whenever they ride a bus.
- (b) The continued presence of the legal principle of "joint and several" liability, also known as the "1% rule," whereby a plaintiff may recover all the damages from any of the defendants in a claim regardless of their individual share of liability.

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Current legislation directs that a person injured by two or more negligent parties may collect full damages from any one of the negligent parties even if that party was only found 1% responsible for damages. As such, if the City is found by the courts to be even 1% responsible for a claim, it can be made to incur greater costs or even the entire costs of a claim if the other negligent parties are unable to pay their share. The resulting exposure is a factor in court awards and settlement considerations.

Ontario municipalities continue to lobby the provincial government for joint and several liability reform. As recently as 2019 the Ministry of the Attorney General requested input from municipalities on the subject of potential reform. The City provided an extensive submission which contained the following practical suggestions for reasonable reform:

- In recognition of the fact that municipalities are not “deep pocket” defendants, full proportionate liability to replace joint and several liability
- Minimum automobile liability coverage increased to \$2,000,000
- Make jury trials available to municipal defendants
- Implement a cap for economic loss awards
- A compensation fund for accident victims when defendants are unable to fund reasonable compensation to their proportionate level
- In recognition of the fact that the primary cause of 90% of all serious motor vehicle accidents is driver error, an increased commitment to safety initiative such as Vision Zero
- Establish a provincial and municipal working group to consider input from all stakeholders and to put forward recommendations to the Attorney General

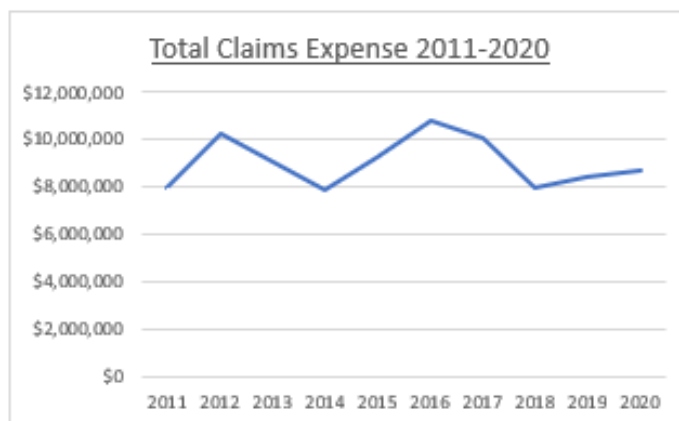
To date, over two years since the Attorney General’s request for submissions, there has been no move to reform liability to address municipal concerns and risks.

- (c) The high risk associated with being a public body with perceived “deep pockets” in an increasingly litigious society.
- (d) Jurisprudence with expanding grounds for the finding of liability resulting in an ongoing expectation of a higher standard of care.

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- (e) Damage awards are getting larger. Court awards for severe bodily injury claims have increased dramatically in the last few years. These awards are primarily driven by the costs of providing future care for catastrophically injured persons. As the severity of awards increases so too does the exposure to municipalities who are, again, perceived to have deep pockets.
- (f) The overall cost of claims has continued to rise at a rate in excess of premium growth. Individual claims are becoming more complex resulting in more time to manage the claim with more detailed investigation, more experts and more legal time involved in the process. Even if the municipality is not liable for damages there are significant costs associated with simply defending claims.
- (g) Municipal liability claims can have a “long tail,” which refers to claims that take a long time to become known and/or to settle. For example, the proximate cause for a claim may be in place years before damage occurs, such as building defects that may come to light many years after construction. Claims from previous years are more difficult to manage as pertinent information is not always readily available. These types of claims will often take a longer time to resolve once in place. While the time limit for starting legal claims was shortened to two years for most claims, an ultimate limitation period of fifteen years provides the “long tail” potential and adds to insurers perception of risk that determines availability of coverage and cost of premiums.

Control of claim costs is ongoing. Legal and Risk Management Services, in conjunction with various client departments, has had a number of successes in controlling loss when a frequency becomes apparent. The reductions in claims expenses for sidewalk trip and falls, sewer back-ups, police pursuits, and waterfall incidents serve as prime examples in this regard. The in-house Claims Expense for 2020 totalled \$8,707,774, which marks the third consecutive year of reduction (6%) against the previous 5 year average. The following chart illustrates Claims Expense totals over the last 10 years:



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Insurance comparisons to other municipalities are difficult. Services vary as do appetites for risk, deductible levels, and limits. Premium increases have been seen by all other municipalities contacted, but year-over-year increases varied including on renewal dates. The City of Hamilton is very clearly a “full service” municipality with police, paramedic, fire, transit, water treatment, public health, and power generation all within the exposure portfolio along with the more basic municipal services.

Virtually all of Ontario’s 440 municipalities will experience premium increases with their 2021 renewals, regardless of claims experience. Insurance industry information indicates an average increase between 20%-30% for Ontario municipalities in 2021, however, there are cases of increases near and above 100%.

ALTERNATIVES FOR CONSIDERATION

Similar to the 2020 renewal, viable alternatives for coverage from other providers are not an option for the 2021 renewal. Traditionally and in the last several years, the insurance market available to municipal entities has been limited. Municipal operations pose a unique challenge to insurers who generally prefer to concentrate their expertise on one sector of an industry. A single-tier municipality such as Hamilton has diverse operations (e.g. Emergency Services including EMS, Police Services, and Fire), Public Works (Construction, Roads Maintenance etc., Transit, Parks, Recreation, Water and Wastewater, Public Health, and so on). The underwriting criteria of general insurance markets does not easily accommodate a municipal entity the size and scope of Hamilton with its variety of operations. The availability of markets willing to insure municipalities is further complicated by provincial downloading of services to municipalities, by legislative changes, and by broader court decisions. Even among those insurers who will insure a municipality, market options for the City are further limited as many do not have the capacity to insure large municipalities.

At present the insurance market for Ontario municipalities is essentially limited to four providers – Marsh Canada, BFL Canada, AON Insurance, and Intact Public Entities (formerly Frank Cowan Company). The latter three entities were unwilling to provide competitive bids for the City’s 2021 insurance program.

Every reasonable effort is made to transfer liability exposure where possible, such as requiring appropriate levels of insurance, commensurate with project scope, for contractors working with the City. The City’s approach to risk transfer will be examined further under an Enterprise Risk Management framework.

ALIGNMENT TO THE 2016 – 2025 STRATEGIC PLAN**Our People and Performance**

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

APPENDICES AND SCHEDULES ATTACHED

Appendix "A" - City of Hamilton 2021 Property and Liability Insurance Renewal Coverages and Limits

Appendix "B" - City of Hamilton Insurance Coverages and Premiums 2016-2021

**Appendix "A" to Report LS21027
Page 1 of 1**

**CITY OF HAMILTON
2021 PROPERTY AND LIABILITY INSURANCE RENEWAL
COVERAGES AND LIMITS**

TYPE OF COVERAGE	COVERAGE \$	DEDUCTIBLE \$
Municipal Liability	5,000,000	*5,000,000
Errors & Omissions Liability	Included	
Non-Owned Auto	Included	
Excess Liability	Included	
Municipal Conflict of Interest (Reimbursement of Legal Expenses)	100,000	NIL
Wrongful Dismissal (Reimbursement of Legal Expenses)	\$500,000	\$5,000
Medical Malpractice Liability - Paramedic	5,000,000	250,000
Comprehensive Crime	10,000,000	25,000
Crime Excess	Included	
Property	3.5 Billion Replacement Value	500,000
Boiler	Included	100,000
City Automobile	5,000,000	500,000
Garage Liability Insurance	5,000,000	
WWTP Environmental Impairment Liability	10,000,000	500,000
Terrorism	As per schedule	100,000
Cyber Liability	5,000,000	150,000
HSR Rolling Stock (Transit)	Included in Property	50,000
HSR Auto Fleet	5,000,000	500,000
Excess Umbrella Excess over; Municipal Liability, Incidental Medical Malpractice Liability, Automobile Liability (City and HSR), Garage Liability	40,000,000	NIL

*Deductible increased from \$1,500,000 to \$5,000,000

CITY OF HAMILTON									
INSURANCE PREMIUM SUMMARY 2016-2021									
POLICY TYPE	INSURER	2016-2017 PREMIUM	2017-2018 PREMIUM	2018-2019 PREMIUM	2019-2020 PREMIUM	2020-2021 PREMIUM	2021-2022 PREMIUM	% Change 2020 to 2021	COMMENT
CYBER	PRO RISK (LLOYDS OF LONDON)	N/A	\$ 85,632	\$ 85,764	\$ 85,750	\$ 92,675	\$ 110,994	20%	
TERRORISM	MILLER (LLOYDS OF LONDON)	\$ 138,000	\$ 138,000	\$ 120,000	\$ 120,000	\$ 120,000	\$ 129,600	8%	
CBNR (CHEMICAL, BIOLOGICAL, NUCLEAR, RADIATION)	MILLER (LLOYDS OF LONDON)	\$ 80,000	\$ 80,000	\$ 80,000	\$ 80,000	\$ 80,000	\$ 80,000	0%	
ENVIRONMENTAL IMPAIRMENT LIABILITY	MARKEL INSURANCE CO.	\$ 38,700	\$ 38,700	\$ 38,700	\$ 38,702	\$ 85,000	\$ 0	0%	paid for 2 years coverage in 2020
PARAMEDICS LIABILITY	BERKELY	N/A	N/A	N/A	\$ 20,950	\$ 26,500	\$ 31,800	20%	
PRIMARY LIABILITY	QBE	\$ 714,000	\$ 714,000	\$ 926,782	\$ 1,900,000	\$ 2,380,311	\$ 2,117,629	-11%	deductible increase to \$5M
EXCESS LIABILITY	VARIOUS LLOYDS	\$ 428,899	\$ 428,899	\$ 428,899	\$ 775,000	\$ 950,000	\$ 1,784,166	88%	
2nd EXCESS LIABILITY					\$ 50,000	\$ 220,000	\$ 237,500	8%	
FLEET	AVIVA	\$ 812,972	\$ 839,368	\$ 848,541	\$ 931,494	\$ 1,118,349	\$ 1,521,050	36%	
TRANSIT	AVIVA	\$ 1,298,232	\$ 1,442,480	\$ 1,392,548	\$ 1,596,184	\$ 2,031,773	\$ 2,122,650	4%	
GARAGE	AVIVA	\$ 5,500	\$ 5,500	\$ 5,500	\$ 5,500	\$ 5,775	\$ 6,355	10%	
PROPERTY	AVIVA	\$ 491,928	\$ 507,142	\$ 766,567	\$ 931,494	\$ 1,106,521	\$ 1,939,557	75%	
CRIME	AVIVA	\$ 20,000	\$ 20,000	\$ 20,000	\$ 20,000	\$ 20,000	\$ 20,000	0%	
EXCESS CRIME	TRISURA	\$ 45,000	\$ 45,000	\$ 45,000	\$ 45,000	\$ 45,000	\$ 47,250	5%	
TOTAL		\$ 4,073,231	\$ 4,344,721	\$ 4,758,301	\$ 6,600,074	\$ 8,281,904	\$ 10,148,551	22.5%	



CITY OF HAMILTON
HEALTHY AND SAFE COMMUNITIES DEPARTMENT
Housing Services Division

TO:	Chair and Members General Issues Committee
COMMITTEE DATE:	August 9, 2021
SUBJECT/REPORT NO:	Canada Mortgage and Housing Corporation (CMHC) Rapid Housing Initiative (RHI) (HSC20056(a)) (City Wide)
WARD(S) AFFECTED:	City Wide
PREPARED BY:	Kamba Ankunda (905) 546-2424 Ext. 4557 Jana Amos (905) 546-2424 Ext. 1554
SUBMITTED BY:	Edward John Director, Housing Services Division Healthy and Safe Communities Department
SIGNATURE:	

RECOMMENDATION(S)

- (a) That the General Manager of the Healthy and Safe Communities Department, or designate, be authorized and directed to enter into the Rapid Housing Initiative Agreement with the Canada Mortgage and Housing Corporation (CMHC) to accept Hamilton's Rapid Housing Initiative allocation through the Cities Stream in the amount of \$12,945,935 for the creation of a minimum of 49 new affordable housing units through conversion or rehabilitation of existing buildings, new builds, including modular construction, in a form satisfactory to the City Solicitor;
- (b) That the General Manager of the Healthy and Safe Communities Department, or designate, be authorized and directed to administer the Rapid Housing Initiative (RHI) and provide support to projects applying to the RHI Cities Stream including: entering into any agreements and ancillary agreements on such terms as they consider appropriate; approving purchase orders; exempting actions from approved City policies, procedures, and business practices as needed to meet RHI timelines; and taking other actions needed to ensure success, in a form satisfactory to the City Solicitor;

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- (c) That affordable housing exemptions from Municipal Development Charges (as defined by City of Hamilton Development Charges By-laws No. 19-142 and 11-174 or successor by-laws) for projects funded under the Rapid Housing Initiatives Cities Stream, Rounds I and II, be funded from the Unallocated Capital Levy Reserve (#108020);
- (d) That an estimated increase of \$248,000 to the Housing Services Division's 2023 operating budget, to fund rent subsidies for 49 units created under the Rapid Housing Initiative Round II for the required program affordability period of 20 years, be referred to the 2023 Operating Budget (GIC) for consideration; and,
- (e) That the Housing Services Division report back to the Emergency and Community Services Committee, as appropriate, on the City's progress with the Rapid Housing Initiative including both the first and second round of funding.

EXECUTIVE SUMMARY

On June 30, 2021, the Prime Minister announced an investment of an additional \$1.5 B for the Rapid Housing Initiative (RHI) to fund the creation of new permanent affordable housing across Canada. The additional funding to the previous announcement on October 27, 2020 is divided into two streams; \$500 M allocated to 30 pre-determined municipalities under the Cities Stream and \$1 B allocated under the Project Stream for eligible applications that were not fully funded during the first round.

As part of the Cities Stream funding, the City of Hamilton received an allocation of \$12,945,935 (rounded to \$13 M in the following sections of this Report) to create a minimum of 49 new permanent affordable housing units. The City of Hamilton received a notification to the above effect on June 30, 2021 (attached as Appendix "A" to Report HSC20056(a)).

The RHI provides up front capital funding to support the development of permanent housing within three categories: acquisition of land and construction of housing; acquisition of land and existing buildings for the purpose of conversion; and, acquisition of land and rehabilitation of uninhabitable housing.

The City must submit proposed projects to Canada Mortgage and Housing Corporation (CMHC) by August 31, 2021. Projects must be completed within 12 months of CMHC's approval. Municipalities are requested to have projects targeting a variety of priorities including women, seniors and the Indigenous population and to take a community benefit approach. All affordable units must be dedicated to people and populations who are vulnerable and targeted under the National Housing Strategy (NHS), especially people experiencing or at risk of homelessness or living in temporary shelters due to the COVID-19 pandemic.

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Alternatives for Consideration – Not Applicable

FINANCIAL – STAFFING – LEGAL IMPLICATIONS

Financial: Upon the submission of the revised eligible applications and successful execution of the RHI Contribution Agreement between CMHC and the City, CMHC will transfer Hamilton's allocation of \$13 M to the City. The City is not required to provide security for these funds unless deemed necessary by CMHC. All the funds must be used to directly fund the projects. As with other CMHC programs, no funds will be provided to the City to support program delivery. However, unlike the CMHC Co-Investment Fund and Rental Construction Financing Programs, there is no requirement for a City financial contribution to RHI projects. The level of municipal contribution is one of the criteria for CMHC's evaluation of proposals submitted under the Projects Stream.

Staff are examining potential opportunities to link the RHI funds with other programs and goals, such as Reaching Home, Ontario Renovates, and housing subsidy programs.

Proponents are expected to include development charges, parkland dedication fees, and planning application fees as project costs in proposal budgets. The projects identified under Round I and Round II qualify for the affordable housing exemptions from Municipal Development Charges (as defined by City of Hamilton Development Charges By-laws No. 19-142 and 11-174 or successor by-laws) and funding from the Unallocated Capital Levy Reserve (#108020) is recommended. The current DC exemptions costs are estimated to be \$538 K for Round I and \$1.2 M for Round II and will be confirmed in subsequent reports. In addition, the projects identified under Round I and Round II are exempt from By-Law 18-126, Being a By-law to Require the Conveyance of Land for Park or Other Public Recreational Purposes as a Condition of Development or Redevelopment or the Subdivision of Land, as they have met the exemption criteria s.11.7 for exemptions from parkland or cash-in-lieu requirements.

Staff request that funding be considered for housing subsidies to sustain continued affordability for City residents. To ensure project viability and ongoing affordability for the 49 units created under Round II, a levy enhancement in 2023 of approximately \$248 K has been recommended for future consideration. This figure is the difference between the median market rent and assumed actual rent geared to income (RGI) rent revenue after considering a transfer of existing subsidy of \$36,246 within the Housing portfolio. These figures are estimates and will be confirmed through the 2023 budget process.

It is expected that the 46 units created under Round I can be subsidized using a combination of existing subsidy within the Housing portfolio and Ontario Community Housing Assistance Program (OCHAP)/Commercial Rent Supplements in 2022.

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Conversions from commercial to residential units within existing social housing projects will result in additional costs to be addressed in the 2022 budget process.

Staffing: N/A

Legal: Legal Services staff reviewed the RHI Round I Contribution Agreement between CMHC and the City and expressed concerns regarding clarity in a number of terms and requirements; expectations regarding conformity of the occupied units, and the ability for CMHC to reduce or cancel the funding.

CMHC has provided staff the opportunity to address issues that may impede the implementation of RHI Round II projects through weekly meetings with staff. It is expected that accepting the \$13 M investment will require the City to enter into the agreements to flow funding within 45 days of project submission deadline of August 31, 2021 without significant amendments.

HISTORICAL BACKGROUND

In August 2020, Council endorsed the City's revised 10-year Housing and Homelessness Action Plan ("Action Plan") which sets a stretch target of 350 new affordable rental units per year to meet population increases. Hamilton is currently not meeting this target.

On October 27, 2020, the Federal Government publicly announced an immediate total investment of \$1 B through the Rapid Housing Initiative (RHI) to fund rapid production of affordable housing across Canada. The City of Hamilton received notification on October 23, 2020 of an allocation of \$10,760,585 under the RHI Major Cities Stream to support projects selected by the City. Proposals were to be submitted to the nationwide \$500 M RHI Projects Stream. Council approved Report HSC20056 on November 4, 2020 meeting.

On June 30, 2021, the Prime Minister announced an investment of an additional \$1.5 B for the Rapid Housing Initiative (RHI) to fund the creation of new permanent affordable housing across Canada. \$500 M was allocated to 30 pre-determined municipalities under the Cities Stream and \$1 B allocated under the Project Stream for eligible applications that were not fully funded during the first round.

Prior to the RHI there were two primary sources of funds to support the development of affordable housing in Ontario. In May 2018, the Federal Government released the National Housing Strategy series of programs including the Co-Investment Fund, and in May 2019, the Ontario Priorities Housing Initiative and Canada-Ontario Community Housing Initiative were announced. The RHI is a much needed and welcome addition to these programs. The combination of rounds of funding have provided the City of

SUBJECT: Canada Mortgage and Housing Corporation (CMHC) Rapid Housing Initiative (RHI) (HSC20056(a)) (City Wide) - Page 5 of 8

Hamilton with the potential of creating a minimum of 95 new affordable housing units (46 RHI Round I and 49 RHI Round II) on to the existing limited stock.

POLICY IMPLICATIONS AND LEGISLATED REQUIREMENTS

Hamilton has an undersupply of affordable rental housing units. To address its housing crisis, Council endorsed a 10-Year Housing and Homelessness Action Plan with the first outcome area to increase the supply of affordable housing. The City is currently falling below its targets for development of new units. The second round of Rapid Housing Initiative presents an opportunity towards achieving a minimum of 49 units of the targeted 350 units under the Housing and Homelessness Action Plan for the year 2021/22.

This new investment will create good jobs in the housing and construction sector for City residents, grow the middle class, and build back stronger communities, while getting us closer to our goal of ending chronic homelessness in Hamilton.

RELEVANT CONSULTATION

The Legal Services Division was consulted on the RHI Contribution Agreement specifically on the necessary requirements for the second round of funding and the comments addressed in the above Legal Implications section of this Report.

The Planning and Economic Development Department was consulted on planning approvals status for recommended projects and timelines required to complete various land use planning and Building processes. Building staff have and continue to assist with in-depth zoning reviews of all recommended projects to ensure compliance with existing zoning.

Since the beginning of the pandemic Housing staff have consulted with individual affordable housing developers and community partners with respect to projects to address ongoing vulnerabilities and local priorities in the housing system. Staff continue to engage with these partners and providers with respect to the ability of their proposed projects to meet the RHI requirements.

Staff continue to engage with the Hamilton is Home coalition which has collectively created a large portfolio of projects representing numerous local and federal priorities.

ANALYSIS AND RATIONALE FOR RECOMMENDATION

On June 30, 2021, the Federal Government announced the second round of the Rapid Housing Initiative. This is a follow up on the previous announcement made on October 27, 2020 and reported in Report HSC20056.

SUBJECT: Canada Mortgage and Housing Corporation (CMHC) Rapid Housing Initiative (RHI) (HSC20056(a)) (City Wide) - Page 6 of 8

The second round of RHI has allocated the City of Hamilton \$13 M under the Cities Stream to fund the construction of a minimum of 49 new permanent affordable housing units. The funding provided under the RHI is a capital contribution. It does not need to be repaid provided the terms of the agreement are met.

City of Hamilton is required to propose projects for their allocation through CMHC's online portal for review and approval by CMHC by August 31, 2021. Review of projects will take place within 45 days following the close of the application window. Once projects are approved, they will be included in the contribution agreement. Funding will flow directly to municipalities following the execution of a contribution agreement. In addition to this specific allocation, Hamilton proposals may also compete for a portion of the \$500 M available nationwide under the Projects Stream.

A. Rapid Housing Initiative Program Requirements

While the parameters of RHI Round II are largely the same as Round I, the changes the program requirements are provided in Appendix "A" to Report HSC20056(a)

The related Project Affordability Requirements, People and Population Targeted by RHI funding, Types of Projects to be Funded, Eligible Expenses and Eligible Property Types for the purpose of RHI funding are listed in Appendix "B" to Report HSC20056(a).

B. Rapid Housing Initiative Challenges and Limitations

The most notable aspect of the RHI is the required completion timeframes. As such, the City prioritization of projects is first and foremost based on their ability to meet the required timeframes. CMHC has indicated that if a municipality does not think it can deliver within the allotted timelines, it can opt out of the Initiative. In such cases, the allocation will be reallocated to other municipalities within the Cities Stream or in the Project Stream.

Staff must submit an executed RHI agreement that includes the City's proposed projects to receive a portion of the \$13 M allocation by August 31, 2021. As per the notification of allocation received on June 30, 2021, a minimum of 49 units are to be achieved within the allotted amount as noted in Appendix "A" to Report HSC20056(a).

The typical development process from initial concept to occupancy can take 5 years, with traditional construction alone being 18-months. The 12-month RHI completion deadline therefore focuses on adaption and re-use – converting non-residential and unhabitable residential space to new affordable housing units. Projects that require a rezoning or complex site plan approval will not be able to meet the RHI timeline. Projects that require a record of site condition will not likely be able to meet the

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timelines. Projects that require a minor variance and/or minor site plan approval could possibly meet the timeline.

The only form of new construction permitted under the program is modular construction, which offers a number of benefits compared to traditional building practices. Following discussions with Planning and Building staff, even the shorter modular construction timeframe does not allow for any significant planning approvals to be completed within the required RHI timeframes. Thus, projects requiring an Official Plan Amendment, Complex Rezoning, or Major Site Plan Application cannot be included in the proposed projects.

The shorter time required for modular construction is still insufficient to ensure completion on time unless no significant planning processes are required, a contract is signed, and construction of the modular components is underway. COVID-19 has also slowed construction and increased uncertainty by constraining supplies of both materials and skilled tradespeople. To ensure completion on time modular projects must therefore be in receipt of or ready to receive a building permit.

Staff continue to explore potential opportunities for modular construction projects that can be funded through the RHI. However, it is staff's preference to only support modular projects which do not require significant planning approvals and that have been reasonably advanced, and only through the Projects Stream which is unallocated and therefore does not risk the City's \$13 M allocation.

C. City Criteria and Priorities

The most challenging requirement of the RHI is the completion deadline. The consequences of not meeting the deadline are the loss of the investment in Hamilton and the requirement for the City to repay CMHC for funds previously advanced. Thus, projects selected Cities Stream must first and foremost demonstrate a high level of certainty that they will be completed on time. This factor alone severely constrains the number of potential projects.

All units created through the RHI must serve and be affordable to specific priority populations who are in severe housing need or experiencing or at high risk of homelessness. These requirements can be met while addressing and responding to identified community needs in local services and supports by requiring that tenants for the new units be on the local By Name List (BNL) for people experiencing homelessness and the Access to Housing Waitlist. A recommendation has been included in this report to provide housing subsidies to enable affordability for City residents.

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These priority population requirements align with local priorities identified through ongoing cross-sectoral collaboration and consultation. Local priority populations include, but are not limited to Indigenous peoples, women, and people experiencing mental health and addictions related issues.

D. Project Overview

To date housing staff have identified several projects that seem to meet all project and funding requirements, though additional review is needed before they can be recommended.

Staff have opted not to make a call for applications and will consider eligible applications submitted in both Cities Stream and Projects Stream (as determined by CMHC) of RHI Round I. Staff continue to work to minimize financial risk to the City and the risk of leaving funds on the table by only recommending projects for which there is a high level of certainty of completion within the required timelines.

Staff are optimistic that by offsetting some of the construction costs and exempting parkland dedication fees, the goal of achieving the minimum of 49 units required for Round II of RHI is achievable. Staff will report back with details of projects identified for Round II funding post-August 31, 2021.

ALTERNATIVES FOR CONSIDERATION - None

ALIGNMENT TO THE 2016 – 2025 STRATEGIC PLAN

Healthy and Safe Communities

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

APPENDICES AND SCHEDULES ATTACHED

- Appendix “A” to Report HSC20056(a): Letter from CMHC - Priority Allocation for Your Municipality from the Rapid Housing Initiative
- Appendix “B” to Report HSC20056(a): Rapid Housing Initiative (RHI) Questions and Answers for Municipalities Under Cities Stream



June 30, 2021

Janette Smith
City of Hamilton
City Hall
71 Main Street West, 2nd Floor
Hamilton, Ontario
L8P 4Y5

Dear Mrs. Smith,

RE: Priority Allocation for Your Municipality from the Rapid Housing Initiative

I am pleased to inform you that your municipality has been identified for immediate funding to create new permanent affordable housing under the Rapid Housing Initiative (RHI), for which additional funding was announced in Budget 2021.

Through Budget 2021, the Government of Canada is investing an additional \$1.5 billion for the Rapid Housing Initiative (RHI). The additional funding will be divided into two streams as follows:

- \$500 million allocated to 30 pre-determined municipalities (Cities Stream), and
- \$1 billion to be allocated under the Projects Stream for eligible applications that were not (fully) funded during the first round

As part of the Cities Stream funding, your municipality has been identified for funding of \$12,945,935 to create a minimum of 49 units of new permanent affordable housing. Please keep this allocation confidential and do not release it publicly until a joint announcement had been made with your Municipality and our Minister.

While the parameters for RHI are largely the same, CMHC received feedback from stakeholders and we listened. I would like to bring the following changes to your attention:

- Municipalities in the Cities Stream will have until August 31, 2021 to submit their proposed projects through CMHC's online platform. This doubles the amount of time for due diligence by municipalities as compared to the first round of RHI. Proposing projects through CMHC's online platform for review and inclusion in the agreement will replace the separate Investment Plan and will help streamline processes.
- Funding will be transferred to your municipality in full upon the successful execution of an RHI agreement that includes your proposed projects, subject to CMHC approval. The application window opens today and CMHC will aim to review all proposed projects and execute an agreement to flow funding within 45 days of the submission deadline.
- While projects will still be required to be completed within 12 months, projects will be able to employ additional forms of new construction to deliver housing within the timeframe (not limited to modular).
- At least 25 per cent of RHI funding will go towards women-focused housing projects, including under the Cities Stream. As well, CMHC continues to ask that municipalities work with Indigenous-led organizations to target 15 per cent of funding for urban Indigenous peoples. We also ask that you take a community benefits approach.

If your municipality submitted an eligible application under the Projects Stream in the first round of RHI but was not selected, you will be able to revise and resubmit this application through CMHC's online portal.

Further details regarding updated RHI criteria, timelines, and process to submit your proposed projects for the Cities Stream or, if applicable, revise your submission to the Projects Stream, will be shared in the coming days. As immediate next steps, CMHC will be hosting a RHI Webinar on July 6 for all eligible applicants and multilateral calls on July 7 with all municipalities under the Cities Stream for which invitations will be sent shortly. Once you receive these invitations, I would ask that you immediately forward them to the key contact(s) on your team that will be leading the implementation of your RHI allocation. I understand this is very short notice; however, these events will provide important information to help coordinate with your municipality in rapidly delivering housing to the most vulnerable in your community.

In the cover email accompanying this letter, I have included important information for you and your team. I ask that you please ensure your key contact(s) connect with Glenn Furlong at gfurlong@cmhc-schl.gc.ca as soon as possible and copy GovernmentRelationsGouvernementales@cmhc-schl.gc.ca so we can start moving the process forward.

Partnerships are the cornerstone of the National Housing Strategy and contribute to its success. I was pleased that other orders of government provided financial support for projects under the first round of RHI. The results achieved would not have been possible without the support of the provincial, territorial and municipal governments as well as Indigenous governing bodies. I look forward to continued collaboration between all orders of government.

Congratulations on being selected for this important initiative. We look forward to working with you to help address urgent housing needs of people and populations who are vulnerable.

Yours Sincerely,



Pam Hine
Vice-President, Partnerships and Promotions
Client Solutions

CC
Glenn Furlong
Craig Mitchell

**RAPID HOUSING INITIATIVE (RHI)
QUESTIONS AND ANSWERS
FOR MUNICIPALITIES UNDER THE CITIES STREAM**

Q1. Is the allocation provided to municipalities under the Cities Stream a forgivable loan? Does it need to be repaid?

A1. The funding provided under the RHI is a capital contribution. It does not need to be repaid provided the terms of the agreement are met.

Q2. How long will it take to receive funding under each individual funding stream?

A2. Municipalities selected under the Cities Stream have been informed of their allocation and minimum expected number of units. By August 31st 2021, Municipalities will propose projects for their allocation through CMHC's online portal for review and approval by CMHC (you can access the Applicant Guide [here](#)). Review of projects will take place within 45 days following the close of the application window. Once projects are approved, they will be included in the contribution agreement. Funding will flow directly to municipalities following the execution of a contribution agreement.

Q3. What are the affordability requirements of RHI?

A3. All units must serve and be affordable (household is paying less than 30% of gross income on housing costs or the shelter component of any provincial income assistance program as an equivalent) to targeted people and populations who are vulnerable and who are also, or otherwise would be, in severe housing need or people experiencing or at high risk of homelessness as described below. Affordability must be maintained for a minimum of 20 years. The Municipality will be required to confirm, through an attestation, that all units serve the intended targeted population. CMHC may require incremental validation throughout the 20-year affordability period as needed.

A household in severe housing need is a subset of core housing need households that pays 50% or more for their current dwelling. A household is said to be in core housing need if its housing falls below at least one of the adequacy, affordability or suitability standards and it would have to spend 30% or more of its total before tax income to pay the median rent of alternative local housing that is acceptable (meets all three housing standards).

Homelessness is described as the situation of an individual, family or community without stable, safe, permanent, appropriate housing, or the immediate prospect, means and ability of acquiring it. Populations at imminent risk of homelessness are defined as individuals or families whose current housing situation will end in the near future (for example, within 2 months) and for whom no subsequent residence has been established.

A Municipality who has already adopted its own definitions for 'severe core housing need', 'homelessness' or at 'risk of homelessness' may, with approval of CMHC, apply such definitions.

Q4. Who are the people and populations who are vulnerable targeted by RHI?

A4.

- Women and children fleeing domestic violence;
- Seniors
- Young adults;
- Indigenous peoples;
- People with disabilities;
- People dealing with mental health and addiction issues;
- Veterans;
- LGBTQ2+;
- Racialized groups;
- Black Canadians;
- Recent immigrants or refugees; and
- Homeless people or those at risk of homelessness.

Overall, 25% of funding will be used to create projects or units targeting women and/or women and their children to ensure they are appropriately housed. As well, CMHC continues to ask that municipalities work with Indigenous-led organizations to target 15 per cent of funding for urban Indigenous peoples.

Q5. How can my city show that 25% of funding is creating projects targeting woman and/or women and their children?

A5. CMHC will measure this 25% requirement on a portfolio basis by calculating the percentage of units targeting women and applying that same percentage to the total allocation.

Units are considered to be targeting women and/or women and their children if they are:
1) specifically dedicated to women and/or women and their children in that the units are only available to women and/or women and their children. (ex. Second stage housing); or
2) either committed to women and/or women and their children or that are intended for women and/or women and their children but will not remain vacant if not rented to women and/or women and their children. Cities can make this commitment and demonstrate its feasibility based on historical data or on waitlist demographic data.

For the purpose of their portal applications, Cities are expected to submit the number of units targeting women and/or women and their children in each project and reasonably attempt to maintain this distribution. Cities will be permitted to redistribute these units among the buildings in the portfolio, provided they are maintaining the total number of units agreed to.

Q6. What types of projects will be funded?

A6.

New Construction:

- Support the new construction of a multi-unit rental projects, which includes the acquisition of the land. Traditional construction methods or modular will be accepted if the units can be delivered in 12 months.

Conversions/Rehabilitations:

- Acquisition of land and buildings for the purpose of conversion of non-residential to affordable multi-residential.
- Acquisition of land and buildings in disrepair or abandoned for the rehabilitation to affordable multi-residential where rehabilitation of units is defined as units that where in disrepair and/or abandoned and in both cases had been inhabitable and lost to the housing stock.
- Properties being acquired for the purpose of rehabilitating units that would otherwise be lost to the housing stock due to their state of disrepair must be vacant at the time of application in order to be considered for RHI funding.
- Renovictions and/or any other circumstance involving the eviction of existing tenants are not eligible under RHI.

Construction must be completed within 12 months of Agreement. For clarity, construction, conversion and rehabilitation costs are included in addition to the acquisition of land and buildings.

Q7. What other expenses are eligible under RHI?

A7. Costs related to the pre-development, pre-construction (e.g. environmental site assessments, cost consultant reports, permits, architectural or engineering reports, legal/closing costs related to acquisition of land and buildings) will be eligible as part of an application to develop permanent affordable housing. RHI funding cannot be used to cover operational expenses. Eligible costs will be considered from October 27, 2020 onward.

Expenses listed above are only eligible if they form part of the construction costs of units eligible under RHI. CMHC will not fund costs related to non-residential space. Costs related to infrastructure must be for expenses within the boundaries of the project land. Costs outside of the project land are not eligible for RHI.

Q8. If a municipality has been selected to receive funding but does not think it can deliver within the allotted timelines, can it opt out of the Initiative?

A8. Yes, if a municipality does not wish to receive its allocation under the Cities Stream, it can opt out of the initiative. In such cases, the allocation will be reallocated to other municipalities within the Cities Stream or in the Project Stream.

Q9. How were the municipalities and funding allocations determined for the Cities Stream?

A9. Cities are at the front line of the COVID-19 pandemic and the housing crisis. Given the successful approach to deliver funding directly to municipalities during the first round of the RHI, the number of cities allocated funding was expanded from 15 to 30 for the second round. The top 26 municipalities were selected based on highest number of renters in severe housing need according to 2016 Census data, and Whitehorse, Yellowknife, Iqaluit and St. John's were added for regional coverage. The allocation methodology provides each municipality with a base of \$5 million to ensure sufficient resources to create at least one impactful project. The remaining funding was allocated to the top 26 municipalities according to their level of severe housing need and indexed to the average cost per unit for each city to account for varying market realities across the country. As a result of the \$5 million base, removing the PIT count and 15 additional municipalities, the allocation for RHI 1 municipalities is different under RHI 2.

Q10. How were the per unit funding allocations determined for the Cities Stream?

A10. CMHC cost per unit estimates were based on the typical cost for a supportive housing unit in Canada (\$350,000) weighted according to the relative observed per-door-cost in local markets from CMHC's administrative data and Federation of Canadian Municipalities data. This was used as guideline to set targets. CMHC is aware of the current pressure caused by rising construction costs and that there may be unique circumstances resulting in higher per unit costs. Municipalities are responsible for developing and submitting estimates for their projects and are encouraged to factor in any added considerations such as potential cost increases, and contingencies when submitting applications. Municipalities are also encouraged to engage early with their City Lead where available opportunities for projects do not align with the expected number of units.

Q11. What if a Municipality does not deliver or manage housing?

A11. Municipalities can appoint intermediaries (non-profits or government entities) who can own and/or manage the projects. However, Municipalities are responsible for the ultimate outcomes of RHI and will be the only signatory to the Contribution Agreement.

Each Municipality will have a CMHC team dedicated to working through the RHI process with them and can work with you to identify projects that are suitable for RHI.

Q12. Are there changes to the program design from the first round of RHI?

A12. The following flexibilities were introduced to address feedback and to maximize the impact of RHI.

- Additional forms of new construction beyond modular if units can be delivered within 12 months.
- Non-profits will now have an opportunity to demonstrate they have the financial capacity to support the viability of units without government subsidy (self-funded).
- Cities will have a longer time to submit projects (60 days instead of 30); and,
- Project delivery timelines adjusted for projects located in the North and special access communities (e.g., up to 18-months delivery). Extensions continue to be offered for projects on a case-by-case basis to accommodate reasonable barriers in delivery.

Q13. What are eligible property types for the purpose of RHI?

A13. Eligible Property types include:

- Standard rentals
- Mixed use is eligible with the caveat that CMHC will not fund non-residential costs.
- Transitional housing provided tenancy is for at least 3 months at a time.
- Permanent supportive housing
- Single Room Occupancy (SROs)
- Seniors housing that requires light to no care such as Independent Senior's living

Non-eligible property types include:

- Shelters
- Student housing
- Equity Co-Ops
- Homeownership or Mixed-Tenure
- Seniors with a primary focus on delivery of healthcare (e.g. facility requires specific licensing)
- Permanent residential properties being offered as temporary accommodations (rental properties, AirBnB's)

Q14. What are the energy efficiency and accessibility requirements the Cities Stream under RHI?

A14. New construction projects are expected to meet a minimum energy efficiency of 5 per cent or more above the energy efficiency standards as set out in the 2015 National Energy Code for Buildings (NECB) or meet the local/regional standard, whichever is higher.

New construction projects must exceed the accessibility requirements of their jurisdiction by providing an additional 5% of accessible units above the local requirements.

Conversions/rehabilitations are not required to meet a minimum requirement above code for both energy efficiency and accessibility.

CMHC will not require government entities to provide proof of exceeding the energy efficiency or accessibility requirements.

Q15. Can a Municipality apply for additional funding under the Projects Stream?


A15. Municipalities will not be permitted to apply for more projects that can be funded by their allocation as additional projects cannot be submitted for consideration through the Projects Stream (closed application window). However, Municipalities that have existing projects with "on hold" statuses in the Projects Stream, will be permitted to select the option that those projects now be funded through their allocations.

Municipalities with unfunded projects under the Projects Stream can fund these projects under their Cities Stream funding or leave them for consideration under the Projects Stream. Municipalities that choose to fund projects from their Projects Stream proposals using their Cities

Stream allocation can choose to replace their Projects Stream projects with other projects. Cities will be allowed to replace no more than the number of projects that were on hold from the first round of RHI. Note that these projects will subject to prioritization and we invite you to look at the Product Highlight Sheet for additional information and work with your Cities Team to best position that application for success.



CITY OF HAMILTON
CITY MANAGER'S OFFICE
Government and Community Relations

TO:	Mayor and Members General Issues Committee
COMMITTEE DATE:	August 9, 2021
SUBJECT/REPORT NO:	Hamilton's Federal Election Priorities 2021 (CM21010) (City Wide)
WARD(S) AFFECTED:	City Wide
PREPARED BY:	Morgan Stahl (905) 546-2424 Ext. 4524
SUBMITTED BY:	Morgan Stahl Director, Government and Community Relations City Manager's Office
SIGNATURE:	

RECOMMENDATION

- (a) That Council approve the set of Hamilton priorities, as outlined in report (CM21010), in advance of the pending Federal election and that Council direct staff to provide relevant supplementary materials to Council that will support election related meetings with candidates and campaign teams.

The proposed priorities are as follows:

1. **Supportive Housing & Tackling Poverty** – addressing the economic impact of COVID-19 on vulnerable populations by through supports for homelessness and an affordable housing strategy
2. **Impacts of Climate Change** – disaster mitigation and adaption support for areas either impacted or at risk of being impacted by the effects of Climate Change
3. **Strong Economic Recovery** – investment in critical infrastructure to support economic development and continued support for workers and businesses recovering from COVID-19

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: Hamilton's Federal Election Priorities 2021 (CM21010) (City Wide) -
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4. **Equity, Diversity and Inclusion** – support for marginalized communities that have been impacted by hate related incidents, namely, the Black, Jewish, 2S-LGBTQIA+, and Indigenous communities

FINANCIAL – STAFFING – LEGAL IMPLICATIONS

Financial/Staffing/Legal: None.

HISTORICAL BACKGROUND

There are indications of an approaching Federal Election. As a result, staff have prepared a list of election priorities that support Council's term of Council priorities and the Mayor's Economic Recovery Task Force. The recommended priorities are also consistent with priorities outlined by the Big City Mayor's Caucus (out of the Federation of Canadian Municipalities).

Presently, FCM has not publicly outlined their 2021 federal election priorities.

Standard practice has been for Council to develop priorities in advance of provincial or federal elections to ensure that local candidates and relevant party policy teams understand Hamilton's priorities., The priorities also provide important information for the new incoming (or re-elected) party to develop their mandate and funding decisions based on election commitments that have happened during consultation at the local level.

In the past, prior to a Federal election being called, staff prepared election priority list documents in advance of candidate meetings in order to ensure that candidates and prospective members of a new government understand what the City's priorities are and why those priorities have been selected. This is consistent with previous council motions, such as Hamilton's Federal Election Priorities (CM19007) (City Wide) which was brought to Council September 11, 2019 ahead of the October 2019 Federal Election.

POLICY IMPLICATIONS AND LEGISLATED REQUIREMENTS

None.

RELEVANT CONSULTATION

In order to prepare this report, staff consulted with the Senior Leadership Team. Previous council reports such as Hamilton's Federal Election Priorities (CM19007), Term of Council Priorities and other forms of Council direction were also used as a guide.

**SUBJECT: Hamilton's Federal Election Priorities 2021 (CM21010) (City Wide) -
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ANALYSIS AND RATIONALE FOR RECOMMENDATION

Given that COVID-19 and the on-going health crisis occurred shortly after this minority government was sworn in, many of the 2019 priorities remain relevant, as the economy has not yet made a full recovery. The City's priorities shifted quickly as the health crisis became the most important priority. As such, staff used previous Council adopted priorities (CM19007) and (CM19004) as foundational documents in order to adapt priorities for the upcoming election.

Following Council's approval of a priority list, staff will develop communications materials that will serve as support for the City in the lead up to candidate meetings. It will be supplemented by a summary document and more comprehensive materials will also be developed to inform the varying policy teams for each party.

ALTERNATIVES FOR CONSIDERATION

None.

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.

Our People and Performance

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