



City of Hamilton
GENERAL ISSUES COMMITTEE
AGENDA

Meeting #: 20-011
Date: August 10, 2020
Time: 9:30 a.m.
Location: Due to the COVID-19 and the Closure of City Hall

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. APPROVAL OF AGENDA

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

2. DECLARATIONS OF INTEREST

3. APPROVAL OF MINUTES OF PREVIOUS MEETING

3.1. July 6, 2020

4. DELEGATION REQUESTS

4.1. Craig Burley respecting the Commonwealth Games

(For the August 10, 2020 GIC)

NOTE: Second attachment added.

- 4.2. Anthony Frisina, Mohawk College, respecting the Commonwealth Games
(For the August 10, 2020 GIC)

5. COMMUNICATIONS

- 5.1. Correspondence from Ashley Daniels respecting the Commonwealth Games
Recommendation: Be received.
- 5.2. Correspondence from Paul Osland, CEO of Athletics Ontario respecting a Hamilton Multi-Sport Facility
Recommendation: Be received.
- 5.3. Correspondence from Laura Howden respecting the Commonwealth Games
Recommendation: Be received.

6. CONSENT ITEMS

- 6.1. Environmental Remediation and Site Enhancement (ERASE) Redevelopment Grant Application, 3311 Homestead Drive, ERG18-03 (PED20125) (Ward 11)

7. PUBLIC MEETING / DELEGATIONS

- 7.1. Hamilton2026 respecting the Commonwealth Games

8. STAFF PRESENTATIONS

9. DISCUSSION ITEMS

- 9.1. Tim Hortons Field - End Guard Anchor Repair/Replacement (PW20039(a)) (City Wide)
(Deferred from the July 6, 2020 General Issues Committee)
- 9.2. Police Station 40 (Waterdown) Financing Strategy (FCS20062) (City Wide)
- 9.3. Bill 197—The COVID-19 Economic Recovery Act, 2020 (LS20020) (City Wide)
- 9.4. COVID-19 Emergency Delegated Authority By-Law Update (CM20004(b)) (City Wide)
- 9.5. COVID-19 Update (City Wide) (Verbal)

9.6. Physical Distancing By-Law (PED20148/LS20022) (City Wide)

NOTE: Revised Appendix A attached.

10. MOTIONS

10.1. City of Hamilton's Contribution Towards Business Improvement Area (BIA) Operating Budgets via the Commercial Districts and Small Business Section Operating Budget

NOTE: Corrected version provided by staff attached.

11. NOTICES OF MOTION

12. GENERAL INFORMATION / OTHER BUSINESS

13. PRIVATE AND CONFIDENTIAL

13.1. Closed Session Minutes - July 6, 2020

Pursuant to Section 8.1, Sub-sections (c), (e), (f) and (k) of the City's Procedural By-law 18-270, as amended; and, Section 239(2), Sub-sections (c), (e), (f), and (k) of the *Ontario Municipal Act, 2001*, as amended, as the subject matters pertain to a proposed or pending acquisition or disposition of land by the municipality or local board; 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.

13.2. Potential for Major Events in 2022 and 2023 (PED20071) (City Wide)

Pursuant to Section 8.1, Sub-section (k) of the City's Procedural By-law 18-270, as amended, and Section 239(2), Sub-section (k) of the *Ontario Municipal Act, 2001*, as amended, as the subject matter pertains to 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.

13.3. Chedoke Creek Potential Ministry Charges LS19004(g)) (City Wide)

Pursuant to Section 8.1, Sub-sections (e), (f) and (k) of the City's Procedural By-law 18-270, as amended; 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.

14. **ADJOURNMENT**



GENERAL ISSUES COMMITTEE MINUTES 20-010

9:30 a.m.

Monday, July 6, 2020

Due to COVID 19 this meeting was Livestreamed only

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

THE FOLLOWING ITEMS WERE REFERRED TO COUNCIL FOR CONSIDERATION:

1. Alectra Renewal Agreement (FCS19095(a)/LS19048(a)) (City Wide) (Item 5.1)

(Pearson/Whitehead)

That Report FCS19095(a)/LS19048(a), respecting the Alectra Renewal Agreement, be received.

Result: Motion CARRIED by a vote of 16 to 0, as follows:

YES	-	Mayor Fred Eisenberger
YES	-	Ward 1 Councillor Maureen Wilson
YES	-	Ward 2 Councillor Jason Farr
YES	-	Ward 3 Councillor Ninder Nann
YES	-	Ward 4 Councillor Sam Merulla
YES	-	Ward 5 Councillor Chad Collins
YES	-	Ward 6 Councillor Tom Jackson
YES	-	Ward 7 Councillor Esther Pauls, Deputy Mayor
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
YES	-	Ward 14 Councillor Terry Whitehead
YES	-	Ward 15 Councillor Judy Partridge

2. Commonwealth Games 2030 (PED19108(e)) (City Wide) (Item 5.2)

(Eisenberger/Ferguson)

That Report PED19108(e), respecting the Commonwealth Games 2030, be received.

Result: Motion CARRIED by a vote of 14 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
YES	-	Ward 4 Councillor Sam Merulla
NO	-	Ward 5 Councillor Chad Collins
YES	-	Ward 6 Councillor Tom Jackson
YES	-	Ward 7 Councillor Esther Pauls, Deputy Mayor
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 Judy Partridge

3. Placemaking Grant Pilot Program (PED20048) (City Wide) (Item 7.1)

(Farr/Eisenberger)

- (a) That the proposed Placemaking Grant Pilot Program, as outlined in Appendix "A" attached to Report PED20048, be approved; and,
- (b) That the General Manager, Planning and Economic Development Department, and his authorized designates, be authorized and directed to initiate, negotiate and execute all agreements and documents, in a form satisfactory to the City Solicitor, necessary to:
 - (i) Secure funding from The Patrick J. McNally Charitable Foundation (Foundation) for the Placemaking Grant Pilot Program; and,
 - (ii) Finalize grant agreements with the individuals and organizations funded to conduct the activities contemplated by the Pilot Program.

Result: Motion CARRIED by a vote of 16 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
YES	-	Ward 5 Councillor Chad Collins
YES	-	Ward 6 Councillor Tom Jackson
YES	-	Ward 7 Councillor Esther Pauls, Deputy Mayor
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
YES	-	Ward 14 Councillor Terry Whitehead
YES	-	Ward 15 Councillor Judy Partridge

4. CityLAB Annual Report (CM20006) (City Wide) (Item 7.2)

(Farr/Jackson)

That Report CM20006, respecting the CityLAB Annual Report, 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
YES	-	Ward 5 Councillor Chad Collins
YES	-	Ward 6 Councillor Tom Jackson
YES	-	Ward 7 Councillor Esther Pauls, Deputy Mayor
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 Judy Partridge

5. Hamilton Tax Increment Program – 121 / 125 King Street East, Hamilton (PED20123) (Ward 2) (Item 8.1)

(Farr/Partridge)

- (a) That a Hamilton Tax Increment Grant Program application submitted by Gore Park Lofts Development Corp. (Tyler Ross and David Horwood), for the property at 121/125 King Street East, Hamilton, estimated at \$275,512.68 over a maximum of a five-year period, and based upon the incremental tax increase attributable to the development of 121/125 King 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 effect recommendation (a) of Report PED20123, 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 16 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
YES	-	Ward 5 Councillor Chad Collins
YES	-	Ward 6 Councillor Tom Jackson
YES	-	Ward 7 Councillor Esther Pauls, Deputy Mayor
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
YES	-	Ward 14 Councillor Terry Whitehead
YES	-	Ward 15 Councillor Judy Partridge

6. Red Hill Valley Parkway Inquiry Update (LS19036(b)) (City Wide) (Item 8.3)

(Merulla/Pearson)

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

Result: Sub-Section (a) CARRIED by a vote of 11 to 3, 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
ABSENT	-	Ward 5 Councillor Chad Collins
YES	-	Ward 6 Councillor Tom Jackson
YES	-	Ward 7 Councillor Esther Pauls, Deputy Mayor
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
NO	-	Ward 12 Councillor Lloyd Ferguson
YES	-	Ward 13 Councillor Arlene VanderBeek
YES	-	Ward 14 Councillor Terry Whitehead
YES	-	Ward 15 Councillor Judy Partridge

Result: Sub-Section (b) CARRIED by a vote of 11 to 3, 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
ABSENT	-	Ward 5 Councillor Chad Collins
YES	-	Ward 6 Councillor Tom Jackson
YES	-	Ward 7 Councillor Esther Pauls, Deputy Mayor
YES	-	Ward 8 Councillor J. P. Danko
YES	-	Ward 9 Councillor Brad Clark
YES	-	Ward 10 Councillor Maria Pearson

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YES - Ward 11 Councillor Brenda Johnson
 NO - Ward 12 Councillor Lloyd Ferguson
 YES - Ward 13 Councillor Arlene VanderBeek
 NO - Ward 14 Councillor Terry Whitehead
 NO - Ward 15 Councillor Judy Partridge

Result: Sub-Section (c) CARRIED by a vote of 12 to 2, 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
 ABSENT - Ward 5 Councillor Chad Collins
 YES - Ward 6 Councillor Tom Jackson
 YES - Ward 7 Councillor Esther Pauls, Deputy Mayor
 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
 NO - Ward 12 Councillor Lloyd Ferguson
 YES - Ward 13 Councillor Arlene VanderBeek
 NO - Ward 14 Councillor Terry Whitehead
 YES - Ward 15 Councillor Judy Partridge

7. Commonwealth Games 2026 (Item 9.1)

(Partridge/Pauls)

WHEREAS, a local community consortium known as Commonwealth100 has come together to lead the development of a bid proposal to host the Commonwealth Games in Hamilton in 2030;

WHEREAS, Hamilton City Council has endorsed, in principle, to participate in a bid proposal for Hamilton to host the Commonwealth Games in 2030; and,

WHEREAS, the local consortium, Commonwealth100 now known as Hamilton2026 has worked with Commonwealth Sport Canada and the Commonwealth Games Federation on a potential pivot for Hamilton from hosting the 2030 Commonwealth Games to the 2026 Commonwealth Games;

THEREFORE, BE IT RESOLVED:

That the representatives from Hamilton2026, Commonwealth Sport Canada and the Commonwealth Games Federation be invited to attend the August 10, 2020

General Issues Committee to answer questions and provide additional information on a potential 2026 Hamilton proposal and next steps.

Result: Motion CARRIED by a vote of 11 to 5, as follows:

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

8. Stadium Update – Legal Issues (LS20015/PW20039) (City Wide) (Item 12.3)

(Merulla/Pearson)

- (a) That the direction provided to staff in Closed Session, respecting Report LS20015/PW20039, Stadium Update – Legal Issues, be approved; and,
- (b) That Report LS20015/PW20039, respecting Stadium Update – Legal Issues and its Appendix “A”, remain confidential.

Result: Motion CARRIED by a vote of 13 to 1, 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
ABSENT	-	Ward 5 Councillor Chad Collins
YES	-	Ward 6 Councillor Tom Jackson
YES	-	Ward 7 Councillor Esther Pauls, Deputy Mayor
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
 YES - Ward 14 Councillor Terry Whitehead
 NO - Ward 15 Councillor Judy Partridge

**9. Application for Approval to Expropriate Property in Ward 15 (LS19026(a))
(Ward 15) (Item 12.4)**

(Partridge/Pearson)

- (a) That the inquiry officer's report, attached as Confidential Appendix "B" to Report LS19026(a), as required by s. 8(1) of the *Expropriations Act*, be received;
- (b) That the Expropriation By-law, to Expropriate a Property in Ward 15, attached as Appendix "C" to Report LS19026(a), be enacted;
- (c) That, upon approval by Council, Report LS19026(a), respecting the Expropriation of a Property in Ward 15, and its appendices be made public; and,
- (d) That the direction provided to staff in Closed Session, respecting Report LS19026(a), respecting the Expropriation of a Property in Ward 15, be approved.

Result: Motion CARRIED by a vote of 13 to 1, 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
 ABSENT - Ward 5 Councillor Chad Collins
 YES - Ward 6 Councillor Tom Jackson
 YES - Ward 7 Councillor Esther Pauls, Deputy Mayor
 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
 YES - Ward 14 Councillor Terry Whitehead
 YES - Ward 15 Councillor Judy Partridge

**10. Downtown Entertainment Precinct Status Update (PED18168(e)) (City Wide)
(Item 12.5)****(Merulla/Farr)**

- (a) That the Memorandum of Understanding for the Downtown Entertainment Precinct assets, based substantially on the terms and conditions outlined in Appendix "A" attached to Report PED18168(e), and such other terms and conditions deemed appropriate by the General Manager of Planning and Economic Development Department, in consultation with the General Manager of Finance and Corporate Services Department, and in a form satisfactory to the City Solicitor, be approved;
- (b) That the City owned properties and interests related to the properties identified in Appendix "K" attached to Report PED18168(e) be declared surplus to the needs of the City for the purpose of disposition by way of sale, lease, easement or other instrument, on terms to be set out in the Master Agreement, and as provided in the Memorandum of Understanding for the Downtown Entertainment Precinct assets;
- (c) That the General Manager, Planning and Economic Development Department or their designate, acting on behalf of the City, be authorized and directed to provide any requisite consents, approvals and notices related to the administration of any leases or any other agreements including those necessary for any applications for land use approvals or works contemplated in the Memorandum of Understanding for the Downtown Entertainment Precinct assets;
- (d) That the City Solicitor be authorized and directed to take all necessary actions to complete the Memorandum of Understanding, the Master Agreement, and any other agreements required to fulfil the objectives of the Memorandum of Understanding for the Downtown Entertainment Precinct assets, including, without limitation, paying any necessary expenses, amending closing and other dates, conducting appropriate due diligence, and amending and waiving terms and conditions as she considers reasonable;
- (e) That the Mayor and the City Clerk be authorized and directed to execute the Memorandum of Understanding, the Master Agreement, and any related agreements and ancillary documents for the Downtown Entertainment Precinct assets, all in a form acceptable to the City Solicitor;
- (f) That staff be directed to report back to the General Issues Committee, as part of the 2021 budget process, on any operating budget, capital budget, and organizational changes required as a result of the implementation of the Memorandum of Understanding, the Master Agreement and any related agreements or documents;

- (g) That staff be authorized and directed to develop and carry out a communications strategy to appropriately advise the public on pertinent aspects of the Memorandum of Understanding and the Master Agreement;
- (h) That Report PED18168(e), respecting the Downtown Entertainment Precinct Status Update and its appendices remain confidential and not be released as a public document;
- (i) That the presentation provided in Closed Session, respecting Report PED18168(e), respecting the Downtown Entertainment Precinct Status Update, be received and remain confidential; and,
- (j) That the direction provided to staff in Closed Session, respecting Report PED18168(e), regarding the Downtown Entertainment Precinct Status Update, be approved.

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

YES	-	Mayor Fred Eisenberger
CONFLICT	-	Ward 1 Councillor Maureen Wilson
YES	-	Ward 2 Councillor Jason Farr
ABSENT	-	Ward 3 Councillor Nrinder Nann
YES	-	Ward 4 Councillor Sam Merulla
ABSENT	-	Ward 5 Councillor Chad Collins
YES	-	Ward 6 Councillor Tom Jackson
YES	-	Ward 7 Councillor Esther Pauls, Deputy Mayor
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
YES	-	Ward 14 Councillor Terry Whitehead
YES	-	Ward 15 Councillor Judy Partridge

11. RHVP Litigation Update (LS20014) (City Wide) (Item 12.6)

(Merulla/Whitehead)

- (a) That direction provided to staff in Closed Session, as outlined in Confidential Appendix “A” to Report LS20014, respecting the RHVP Litigation Update, be approved; and,
- (b) That Report LS20014, respecting the RHVP Litigation Update, and its Appendix “A” remain confidential.

Result: Motion CARRIED by a vote of 12 to 1, as follows:

YES	-	Mayor Fred Eisenberger
ABSENT	-	Ward 1 Councillor Maureen Wilson
YES	-	Ward 2 Councillor Jason Farr
ABSENT	-	Ward 3 Councillor Nrinder Nann
YES	-	Ward 4 Councillor Sam Merulla
ABSENT	-	Ward 5 Councillor Chad Collins
YES	-	Ward 6 Councillor Tom Jackson
YES	-	Ward 7 Councillor Esther Pauls, Deputy Mayor
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
YES	-	Ward 14 Councillor Terry Whitehead
NO	-	Ward 15 Councillor Judy Partridge

FOR INFORMATION:

(a) APPROVAL OF AGENDA (Item 1)

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

4. COMMUNICATIONS

- 4.2 Correspondence from Kojo Dampety and Karl Andrus, HCCI respecting the Commonwealth Games

Recommendation: Be received.

- 4.3 Correspondence from Elizabeth Seidl, respecting the Commonwealth Games (Item 4.3)

Recommendation: Be received.

- 4.4 Correspondence from Erin Shacklette respecting the Commonwealth Games

Recommendation: Be received.

10. NOTICES OF MOTION

10.1 Commonwealth Games 2026

(Clark/VanderBeek)

That the agenda for the July 6, 2020 General Issues Committee meeting, be approved, as amended.

Result: Motion CARRIED by a vote of 16 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
YES	-	Ward 5 Councillor Chad Collins
YES	-	Ward 6 Councillor Tom Jackson
YES	-	Ward 7 Councillor Esther Pauls, Deputy Mayor
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
YES	-	Ward 14 Councillor Terry Whitehead
YES	-	Ward 15 Councillor Judy Partridge

(b) DECLARATIONS OF INTEREST (Item 2)

Councillor Wilson declared an interest in Item 12.5, Downtown Entertainment Precinct Status Update (PED18168(e)), as she has a spousal relationship with one of the parties.

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

(i) March 20, 2020 and June 15, 2020 (Items 3.1 and 3.2)

(Partridge/Pearson)

That the minutes of the March 20, 2020 and June 15, 2020 General Issues Committee meetings be approved, as presented.

Result: Motion CARRIED by a vote of 16 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
YES	-	Ward 5 Councillor Chad Collins
YES	-	Ward 6 Councillor Tom Jackson
YES	-	Ward 7 Councillor Esther Pauls, Deputy Mayor
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
YES	-	Ward 14 Councillor Terry Whitehead
YES	-	Ward 15 Councillor Judy Partridge

(d) COMMUNICATIONS (Item 4)

(Eisenberger/Merulla)

That Communication Items 4.1 to 4.4, be approved, as follows:

(i) Correspondence from P. J. Mercanti, President, Hamilton2026 respecting the Commonwealth Games (Item 4.1)

Be received and referred to staff for appropriate action.

(ii) Correspondence from Kojo Dampsey and Karl Andrus, HCCI respecting the Commonwealth Games (Item 4.2)

Be received.

(iii) Correspondence from Elizabeth Seidl, respecting the Commonwealth Games (Item 4.3)

Be received.

(iv) Correspondence from Erin Shacklette respecting the Commonwealth Games (Item 4.4)

Be received.

Result: Motion CARRIED by a vote of 16 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
YES	-	Ward 5 Councillor Chad Collins
YES	-	Ward 6 Councillor Tom Jackson
YES	-	Ward 7 Councillor Esther Pauls, Deputy Mayor
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
YES	-	Ward 14 Councillor Terry Whitehead
YES	-	Ward 15 Councillor Judy Partridge

(e) STAFF PRESENTATIONS (Item 7)

(i) Placemaking Grant Pilot Program (PED20048) (City Wide) (Item 7.1)

Carrie Brooks-Joiner, Director, Tourism and Culture, addressed Committee and provided a PowerPoint presentation overview of Report PED20048, respecting the Placemaking Grant Pilot Program.

(Eisenberger/Farr)

That the presentation, respecting the Placemaking Grant Pilot Program, be received.

Result: Motion CARRIED by a vote of 16 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
YES	-	Ward 5 Councillor Chad Collins
YES	-	Ward 6 Councillor Tom Jackson

YES	-	Ward 7	Councillor Esther Pauls, Deputy Mayor
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
YES	-	Ward 14	Councillor Terry Whitehead
YES	-	Ward 15	Councillor Judy Partridge

For disposition of this matter, please see Item 3.

(ii) CityLAB Annual Report (CM20006) (City Wide) (Item 7.2)

Patrick Byrne, Project Manager, CityLab Hamilton, addressed Committee and provided a PowerPoint presentation overview of Report CM20006, respecting the CityLab Annual Report.

(Farr/Jackson)

That the presentation, respecting Report CM20006, respecting the CityLab Annual Report, 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
YES	-	Ward 5 Councillor Chad Collins
YES	-	Ward 6 Councillor Tom Jackson
YES	-	Ward 7 Councillor Esther Pauls, Deputy Mayor
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 Judy Partridge

For disposition of this matter, please see Item 4.

(f) DISCUSSION ITEMS (Item 8)**(i) Tim Hortons Field - End Guard Anchor Repair-Replacement (PW20039) (City Wide) (Item 8.2)****(Nann/Whitehead)**

That consideration of Report PW20039, respecting Tim Hortons Field - End Guard Anchor Repair-Replacement, be DEFERRED until after Committee reconvenes in Open Session.

Result: Motion CARRIED by a vote of 16 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
YES	-	Ward 5 Councillor Chad Collins
YES	-	Ward 6 Councillor Tom Jackson
YES	-	Ward 7 Councillor Esther Pauls, Deputy Mayor
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
YES	-	Ward 14 Councillor Terry Whitehead
YES	-	Ward 15 Councillor Judy Partridge

(Ferguson/Merulla)

That consideration of Report PW20039, respecting Tim Hortons Field - End Guard Anchor Repair-Replacement, be DEFERRED to the August 10, 2020 General Issues Committee meeting.

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

YES	-	Mayor Fred Eisenberger
ABSENT	-	Ward 1 Councillor Maureen Wilson
YES	-	Ward 2 Councillor Jason Farr
ABSENT	-	Ward 3 Councillor Nrinder Nann
YES	-	Ward 4 Councillor Sam Merulla
ABSENT	-	Ward 5 Councillor Chad Collins
YES	-	Ward 6 Councillor Tom Jackson
YES	-	Ward 7 Councillor Esther Pauls, Deputy Mayor
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
YES	-	Ward 14	Councillor Terry Whitehead
YES	-	Ward 15	Councillor Judy Partridge

(ii) Red Hill Valley Parkway Inquiry Update (LS19036(b)) (City Wide) (Item 8.3)

(Whitehead/Ferguson)

That consideration of Report LS19036(b), respecting the Red Hill Valley Parkway Inquiry Update, be DEFERRED until after discussion of Appendix "A" to Report LS19036(b) has taken place in Closed Session.

Result: Motion CARRIED by a vote of 16 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
YES	-	Ward 5 Councillor Chad Collins
YES	-	Ward 6 Councillor Tom Jackson
YES	-	Ward 7 Councillor Esther Pauls, Deputy Mayor
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
YES	-	Ward 14 Councillor Terry Whitehead
YES	-	Ward 15 Councillor Judy Partridge

(g) NOTICES OF MOTION (Item 10)

(i) Commonwealth Games 2026 (Item 10.1)

Councillor J. Partridge introduced a Notice of Motion respecting the Commonwealth Games 2026.

(Partridge/Pauls)

That the Rules of Order be waived to allow for the introduction of a Motion respecting the Commonwealth Games 2026.

Result: Motion CARRIED by a vote of 16 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
YES	-	Ward 5 Councillor Chad Collins
YES	-	Ward 6 Councillor Tom Jackson
YES	-	Ward 7 Councillor Esther Pauls, Deputy Mayor
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
YES	-	Ward 14 Councillor Terry Whitehead
YES	-	Ward 15 Councillor Judy Partridge

For disposition of this matter, please refer to Item 7.

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

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

(Whitehead/Pearson)

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

(a) Items to be removed:

- (i) Alectra Renewal Agreement (FCS19095(a) - LS19048(a) (City Wide) (Addressed as Item 5.1 on this agenda - Report FCS19095(a)/LS19048(a))
- (ii) Commonwealth Games 2030 (PED19108(e)) (City Wide) (Addressed on this agenda as Item 5.2 - PED19108(e))

Result: Motion CARRIED by a vote of 16 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
YES	-	Ward 5 Councillor Chad Collins
YES	-	Ward 6 Councillor Tom Jackson
YES	-	Ward 7 Councillor Esther Pauls, Deputy Mayor
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
YES	-	Ward 14 Councillor Terry Whitehead
YES	-	Ward 15 Councillor Judy Partridge

(i) PRIVATE & CONFIDENTIAL (Item 12)

(i) Closed Session Minutes – March 20, 2020 and June 15, 2020 (Items 12.1 and 12.2)

(Whitehead/Johnson)

- (a) That the Closed Session Minutes of the March 20, 2020 and June 15, 2020 General Issues Committee meetings, be approved, as presented; and,
- (b) That the Closed Session Minutes of the of the March 20, 2020 and June 15, 2020 General Issues Committee meetings remain confidential.

Result: Motion CARRIED by a vote of 10 to 5, as follows:

YES	-	Mayor Fred Eisenberger
NO	-	Ward 1 Councillor Maureen Wilson
YES	-	Ward 2 Councillor Jason Farr
YES	-	Ward 3 Councillor Nrinder Nann
YES	-	Ward 4 Councillor Sam Merulla
NO	-	Ward 5 Councillor Chad Collins
YES	-	Ward 6 Councillor Tom Jackson
YES	-	Ward 7 Councillor Esther Pauls, Deputy Mayor
NO	-	Ward 8 Councillor J. P. Danko

**General Issues Committee
Minutes 20-010**

**July 6, 2020
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NO	-	Ward 9	Councillor Brad Clark
NO	-	Ward 10	Councillor Maria Pearson
YES	-	Ward 11	Councillor Brenda Johnson
YES	-	Ward 12	Councillor Lloyd Ferguson
YES	-	Ward 13	Councillor Arlene VanderBeek
YES	-	Ward 14	Councillor Terry Whitehead
ABSENT	-	Ward 15	Councillor Judy Partridge

(Whitehead/Eisenberger)

That Committee move into Closed Session respecting Items 12.3 to 12.7, pursuant to Section 8.1, Sub-sections (c), (e), (f) and (k) of the City's Procedural By-law 18-270, as amended; and, Section 239(2), Sub-sections (c), (e), (f), and (k) of the *Ontario Municipal Act*, 2001, as amended, as the subject matters pertain to a proposed or pending acquisition or disposition of land by the municipality or local board; 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 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
ABSENT	-	Ward 5 Councillor Chad Collins
YES	-	Ward 6 Councillor Tom Jackson
YES	-	Ward 7 Councillor Esther Pauls, Deputy Mayor
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
YES	-	Ward 14 Councillor Terry Whitehead
ABSENT	-	Ward 15 Councillor Judy Partridge

(ii) Appendix "A" to Report LS19036(b) - Red Hill Valley Parkway Inquiry Update (City Wide) (Item 12.7)

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

(j) ADJOURNMENT (Item 13)

(Farr/Whitehead)

That there being no further business, the General Issues Committee be adjourned at 7:28 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
ABSENT	-	Ward 3 Councillor Nrinder Nann
YES	-	Ward 4 Councillor Sam Merulla
ABSENT	-	Ward 5 Councillor Chad Collins
YES	-	Ward 6 Councillor Tom Jackson
YES	-	Ward 7 Councillor Esther Pauls, Deputy Mayor
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
YES	-	Ward 14 Councillor Terry Whitehead
YES	-	Ward 15 Councillor Judy Partridge

Respectfully submitted,

Deputy Mayor Esther Pauls
Chair, General Issues Committee

Stephanie Paparella
Legislative Coordinator,
Office of the City Clerk

From: Craig Burley
Sent: July 6, 2020 1:45 PM
To: clerk@hamilton.ca
Subject: Request for Delegation: 2026 Commonwealth Games Bid, August 10

Dear Clerk and members of the General Issues Committee,

I request a delegation to the General Issues Committee via the same methods and according to the same rules regarding timing of submissions, as that approved at today's meeting (July 6) for the Hamilton 2026 Commonwealth Games Bid Corporation, Commonwealth Sport Canada, and the Commonwealth Games Federation on the subject of Hamilton's proposed hosting of the 2026 Commonwealth Games.

If the private corporations Hamilton 2026 Commonwealth Games Bid Corporation or Commonwealth Games Federation, or the organization Commonwealth Sport Canada are permitted to make an oral delegation to council, or to have a video played, I request the same rights to format, access and timing. I would request that within 21 days of that meeting (that is, by July 20, 2020) I be notified of those format, access and timing restrictions, if this is the case.

If that permission is not extended, but only a written delegation similar to those otherwise permitted to the General Issues Committee at this time, then I will submit a written delegation and I request that you inform me by reply e-mail.

Sincerely,

Craig Burley

--

Craig Burley
Barrister & Solicitor
craig.burley@gmail.com

Proposed 2026 Commonwealth Games

Budget matters

- You are being asked to approve a project costing billions of dollars, based on a pitch document that as of Friday had no budget attached.
- What we have heard through “grapevine” is a budget of \$1.1 billion including \$250 million of non-government Games revenue.
- These projections are fanciful and cannot be met: they exceed all previous revenues which were for larger and more expensive Games.
- CG budgets **always** climb steeply from initial approval to final account:
 - Delhi 2010: \$360 million to \$5.5 billion: 1630% of original
 - Glasgow 2014: \$650 million to \$1.005 billion: 154% of original
 - Gold Coast 2018: \$1.06 billion to \$1.79 billion: 168% of original

Proposed 2026 Commonwealth Games

Budget matters

- Previous Commonwealth Games non-government revenues were earned in an age before COVID destroyed the world travel industry and when TV revenues for amateur sport were comparatively higher:
 - Delhi 2010 non-government revenue: \$50 million
 - Glasgow 2014 non-government revenue: \$197 million
 - Gold Coast 2018 non-government revenue: \$209 million
 - Each Games projected higher non-gov revenue during budgeting.

Security

- Much of these “Games” expenses are spending on police, not on infrastructure. Security expenditure for Glasgow 2014 was \$157 million (a 333% rise on the initial budget!) and Gold Coast 2018 \$167 million.

NOW IS NOT THE TIME FOR GAMES!

Request to Speak to a Committee of Council

Committee: General Issues Committee

Name of Individual: Anthony Frisina

Name of Organization: Mohawk College

Contact Number:

Email Address:

Mailing Address:

Reason(s) for delegation request: Hamilton 2026 Commonwealth Games

Will you be requesting funds from the City? No

Will you be submitting a formal presentation? No

From: Ashley Daniels
Sent: Tuesday, August 4, 2020 4:37 PM
To: clerk@hamilton.ca
Subject: RE: Commonwealth Games- written delegation for Aug. 10 meeting

Mayor and Members of Council:

I am writing to you today to ask that you vote against hosting the Commonwealth Games in Hamilton.

Whenever a city hosts a Games like this, there are promises of tourist money, infrastructure, and improved housing stock made to the citizens.

It rarely ends up that way. [[1](#); [2](#); [3](#)]

Hamilton is [already a tourist destination](#). We have a CFL team, a thriving arts scene, and more natural beauty than you can shake a dozen sticks at.

Hamilton is a fantastic place to visit, work, and live. Mostly.

Hamilton is also a city with a [homelessness crisis](#). The COVID-19 pandemic is only [making it worse](#). Hamilton is a city with an [affordable housing crisis](#). Hamilton is a city with [clearly segregated public health outcomes](#) along class and economic lines.

The Commonwealth Games will cost this city [upwards of \\$1,000,000,000](#). A billion dollars.

Right now, we have human beings [living in tents](#) in this city (if they're lucky). You can host some exciting races and sports events in our city, or you can make it so no-one freezes to death in Hamilton come winter. You can use this money to have fun, or to save lives. It's a pretty simple calculus, depending on one's notion of the value of a human life.

We could put Hamilton on the map (aside from being the 9th largest city in the country, with all the attractions and beauty mentioned above) with a one-time sporting event. Or we can put Hamilton on the world's radar and in the history books as a city that chose to end homelessness and lift up all residents. Let's put that billion dollars to good use, and provide housing first.

Do not support the Commonwealth Games. Support lifting up Hamiltonians and letting us all live with the dignity we deserve.

Ashley Daniels, MEd, OCT



July 30, 2020

His Worship Mayor Fred Eisenberger
City of Hamilton
Hamilton City Hall
2nd floor - 71 Main Street West
Hamilton, Ontario.
L8P 4Y5
mayor@hamilton.ca

Re: Hamilton Multi-Sport Facility Proposal

Dear Mayor Eisenberger,

As the Provincial Sport Governing Body, Athletics Ontario recognizes the recent efforts and achievements made by the Hamilton track & field community. We also recognize the immense need for a suitable indoor facility space, and the many benefits it would bring to the City of Hamilton, including significant financial benefits from sport tourism.

Athletics Ontario is the Lead Applicant on the ICIP application (Investing in Canada Infrastructure Program) for the Hamilton Multi-Sport Facility proposal, and indoor facility development is part of our strategic vision as shared with the Provincial Ministry. The City of Hamilton is strategically located, being in part that Hamilton and surrounding areas have an extremely high volume of high-performance athletes. Not only would the facility benefit several surrounding regions, this will be a state-of-the-art facility that meets International competitive standards and could potentially be one of the best facilities in Canada. Athletics Ontario would be very interested in the potential to host future Provincial and even National indoor Track & Field Championships in Hamilton if this new facility is built.

Furthermore, we support the recent proposal to leverage the Hamilton Multi-Sport project to support the development of an indoor track at the Mohawk facility location as part of the 2026 Commonwealth Games project. This would enhance the Commonwealth Games bid by supporting the need for a 200m indoor warm up track and providing an indoor warmup facility would be more beneficial to the athletes than an outdoor warmup track. This would be a win for all as it would provide a very valuable indoor facility for the community, an enhanced warmup facility for the Commonwealth Games participants and an over all lower cost to the community by leveraging one project to meet multiple needs.

If I can answer any questions for you, or provide further information, please do not hesitate to reach out.

Regards,

A handwritten signature in black ink, appearing to read "Paul Osland".

Paul Osland
Chief Executive Officer, Athletics Ontario
paul.osland@athleticsontario.ca
Mobile: (416) 998 - 0798

From: Laura Howden

Sent: Tuesday, August 4, 2020 2:35 PM

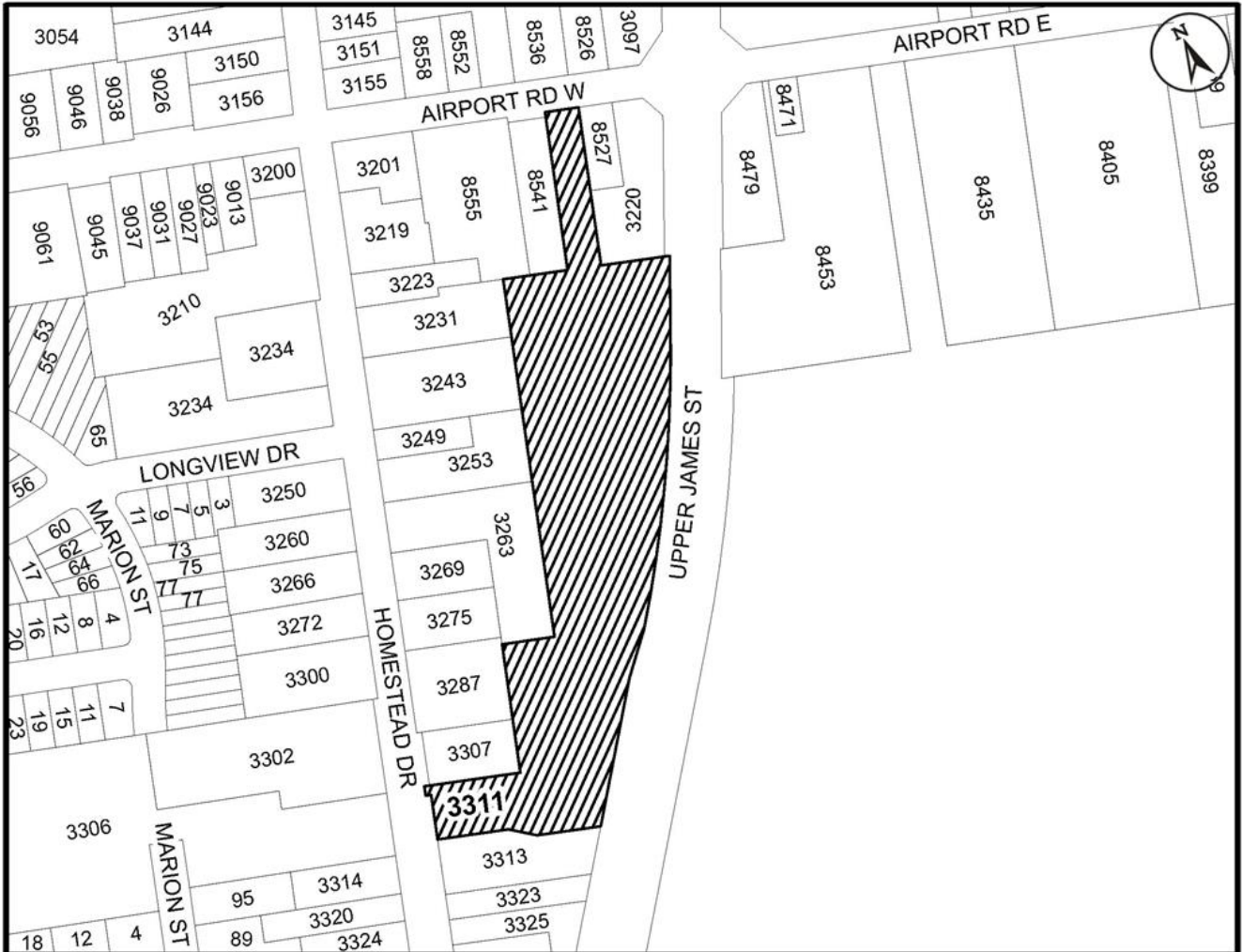
To: VanderBeek, Arlene; Ferguson, Lloyd; Office of the Mayor; Nann, Nrinder; Wilson, Maureen; Partridge, Judi; Johnson, Brenda; Pearson, Maria; Danko, John-Paul; Pauls, Esther; Jackson, Tom; Collins, Chad; Merulla, Sam; clerk@hamilton.ca; Clark, Brad; Whitehead, Terry; Farr, Jason

Subject: Commonwealth games

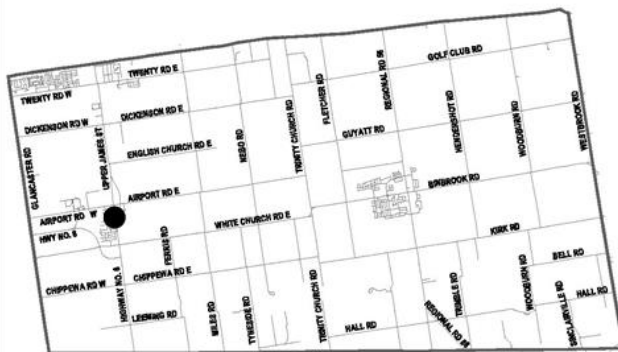
As a resident of Ward one I ask that you please use our municipal dollars for something more productive than the Commonwealth Games. This is a huge expenditure on a brief event which benefits very few in the city and certainly not those who are struggling with homelessness, poverty, and financial problems which have only worsened during the pandemic. As we still don't know the course of this pandemic, the impact and the costs over the next several years, I think it is important to keep our priorities straight in terms of addressing the immediate health and safety issues of all residents in our communities. We don't need to be hosting games until everyone in this city is housed, fed, and has access with proper medical care. We also have concerns of the marginalized groups on the table including Black, Indigenous, and racialized groups and the LGBTQ+ community that have not been properly addressed. Let's work toward equity for all, and look at ways to use our tax dollars toward these ends. Please do not squander money and resources on the Commonwealth Games.

Laura Howden
Ward 1 resident

Appendix "A" to Report PED20125
Page 1 of 1



● Site Location



Key Map - Ward 11

Location Map



Hamilton

PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT

File Name/Number:
3311 Homestead Dr

Date:
January 22, 2020

Appendix "A"

Scale:
N.T.S

Planner/Technician:
PC/VS

Subject Property

3311 Homestead Drive



CITY OF HAMILTON
PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT
Economic Development Division

TO:	Mayor and Members General Issues Committee
COMMITTEE DATE:	August 10, 2020
SUBJECT/REPORT NO:	Environmental Remediation and Site Enhancement (ERASE) Redevelopment Grant Application, 3311 Homestead Drive, ERG18-03 (PED20125) (Ward 11)
WARD(S) AFFECTED:	Ward 11
PREPARED BY:	Phillip 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 - ERG18-03, submitted by 1804482 Ontario Ltd. (Sonoma Homes), owner of the property at 3311 Homestead Drive, Mount Hope, for an ERASE Redevelopment Grant not to exceed \$91,681, the actual cost of the remediation over a maximum of one year, be authorized and approved in accordance with the terms and conditions of the ERASE Redevelopment Agreement;
- (b) That the Mayor and City Clerk be authorized and directed to execute the Environmental Remediation and Site Enhancement (ERASE) Redevelopment Agreement together with any ancillary documentation required, to effect Recommendation (a) of Report PED20125, in a form satisfactory to the City Solicitor;
- (c) That the General Manager of the Planning and Economic Development Department be authorized to approve and execute any grant amending agreements, together with any ancillary amending documentation, if required, provided that the terms and conditions of the Environmental Remediation and Site Enhancement (ERASE) Redevelopment Grant, as approved by City Council, are maintained.

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: Environmental Remediation and Site Enhancement (ERASE)
Redevelopment Grant Application, 3311 Homestead Drive, ERG18-03
(PED20125) (Ward 11) - Page 2 of 8**

EXECUTIVE SUMMARY

An Environmental Remediation and Site Enhancement (ERASE) Redevelopment Grant Application was submitted on March 27, 2018 by 1804482 Ontario Ltd. (Sonoma Homes), the owner of the property located at 3311 Homestead Drive, Mount Hope (“the site”).

The site is approximately 2.71 ha (6.7 ac) and located between Airport Road West to the north, Upper James Street to the east and south and Homestead Drive to the west. The site begins approximately 100 m southwest of the intersection of Airport Road and Upper James Street. The site is bounded by single detached dwellings and various commercial uses to the north and west and by an existing golf course across Upper James Street to the east and south. The site currently contains two vacant single detached dwellings. The southern portion of the site was formerly the location of a vehicle mechanic with associated accessory buildings which are also currently vacant.

A Phase One Environmental Site Assessment (ESA), was undertaken in 2017 to determine if there were potential sources of contamination on the site that could result in Area(s) of Potential Environmental Concern (APEC). The Phase One ESA revealed that historical activities had the potential to be of environmental concern stemming from the site’s former use as a vehicle repair business, the potential importation of fill of unknown quality and historical storage and handling of gasoline and associated products including the presence of an associated Underground Storage Tank (UST).

A Phase Two ESA was undertaken in 2018 which was informed by the collection of soil samples and groundwater monitoring on the site. The results confirmed the presence of Contaminants of Concern (COC) as petroleum hydrocarbons (PHCs) in the soil and Ethylbenzene and Dichloroethane in the groundwater.

The grant application is for \$91,681 in eligible costs associated with environmental site remediation and additional environmental study costs. The proposed redevelopment of the site, for which conditional Site Plan approval has been granted, is for a two-storey commercial/office building and 166 residential townhouses.

Project construction costs are estimated at approximately \$40 M. It is estimated that the proposed redevelopment will increase the property assessment from the pre-development value of \$128,972 (\$54,086 RT - Residential and \$74,886 FT - Farm) to approximately \$57,939,000 (\$56,901,000 RT - Residential and \$1,038,000 XT - Commercial, New Construction). This will increase total annual property taxes generated by this site from \$725 to \$639,247, an increase of approximately \$638,522. The municipal portion of this increase is \$536,337 of which 80%, representing the maximum potential annual grant, would be approximately \$429,070. However, based

**SUBJECT: Environmental Remediation and Site Enhancement (ERASE)
Redevelopment Grant Application, 3311 Homestead Drive, ERG18-03
(PED20125) (Ward 11) - Page 3 of 8**

on the actual eligible remediation costs incurred, the maximum grant will not exceed \$91,681 resulting in a single annual payment.

The sites existing conditions as well as renderings of the planned development are provided below.



Existing Conditions – 3311 Homestead Drive, Mount Hope (Source: maps.google.ca)



Planned Redevelopment – 3311 Homestead Drive, Mount Hope (Source: Sonoma Homes)

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: Environmental Remediation and Site Enhancement (ERASE)
Redevelopment Grant Application, 3311 Homestead Drive, ERG18-03
(PED20125) (Ward 11) - Page 4 of 8**

Alternatives for Consideration – See Page 7

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 \$91,681. Based on an estimated maximum potential annual grant amount of \$429,070, the annual grant payment will conclude in year one with an estimated total grant of \$91,681. The City will realize the full tax increment after year one.

The City will retain \$337,389 of the annual municipal tax increment during the grant period. These monies, to a maximum of 20% of the total grant to be provided to the applicant, estimated to total \$18,336 over one year, will be deposited into the Brownfield Pilot Project Account – Project No. 3620155102 - to be used by the City for its Municipal Acquisition and Partnership Program. This Program, as approved in the ERASE Community Improvement Plan (CIP), involves the City acquiring key Brownfield sites, cleaning up and redeveloping property it already owns, or participating in public/private partnerships to redevelop Brownfield properties.

Staffing: Applications and grant payments under the ERG Program are processed by existing staff in the Economic Development and Taxation Divisions. There are no additional staffing requirements.

Legal: The ERG Program is authorized by the ERASE CIP which was adopted and approved in 2001 with subsequent comprehensive reviews of the original plan undertaken in 2005, 2010 and 2018 under Section 28 of the *Planning Act*. The ERASE Redevelopment Agreement will specify the obligations of the City and the applicant and will be prepared in a form satisfactory to the City Solicitor.

HISTORICAL BACKGROUND

3311 Homestead Drive (“the site”) is located in a predominantly residential area of Mount Hope with some limited commercial uses adjacent to the site. The site is approximately 2.71 ha (6.7 ac) and located between Airport Road West to the north, Upper James Street to the east and south and Homestead Drive to the west. The site begins approximately 100 m southwest of the intersection of Airport Road and Upper James Street. The site has some limited frontage/access to Homestead Drive and Airport Road West while the majority of the site is located behind the existing

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: Environmental Remediation and Site Enhancement (ERASE)
Redevelopment Grant Application, 3311 Homestead Drive, ERG18-03
(PED20125) (Ward 11) - Page 5 of 8**

residential/commercial properties on the aforementioned streets. The site is bounded by single detached dwellings and various commercial uses to the north and west and by an existing golf course across Upper James Street to the east and south.

The site currently contains two vacant single detached dwellings with one located fronting on Airport Road West in the northern portion of the site and the other in the southern portion of the site fronting on Homestead Drive. The southern portion of the site was also the location of a former vehicle mechanic with associated accessory buildings which are also currently vacant.

A Phase One Environmental Site Assessment (ESA) was undertaken in 2017, the results of which identified three on-site and one off-site Area of Potential Environmental Concern (APEC). The three on-site sources of potential environmental concern were:

- The site's former use as a vehicle repair business;
- The potential for importation of fill materials to the site of unknown quality in the northern portion of the property; and,
- Historical storage and handling of gasoline and associated products including the presence of an associated Underground Storage Tank (UST).

The single off-site APEC originates from the historical storage and handling of gasoline and associated products in underground storage tanks on a property located immediately adjacent to the western property line of the site.

A Phase Two ESA was undertaken in 2018 and included the drilling of 11 boreholes, seven of which were completed as groundwater monitoring wells. The results confirmed the presence of contamination in some limited areas of the property and identified the Contaminants of Concern (COC) as petroleum hydrocarbons (PHCs) in the soil and Ethylbenzene and Dichloroethane in the groundwater. The COC's identified were concentrated in the extreme southern portion of the property in the vicinity of the UST. The COC's exceeded the Ministry of Environment, Conservation and Parks ("the Ministry") Table 2 Site Condition Standards (SCS) for residential/parkland/institutional land uses in a potable groundwater condition in accordance with Ontario Regulation 153/04.

The Phase Two ESA was prepared for the purposes of a Record of Site Condition (RSC) filing in accordance with the Ministry's 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 filing a RSC with the Ministry upon completion of the remediation.

**SUBJECT: Environmental Remediation and Site Enhancement (ERASE)
Redevelopment Grant Application, 3311 Homestead Drive, ERG18-03
(PED20125) (Ward 11) - Page 6 of 8**

A Remedial Action Plan (RAP) was prepared in 2018 to develop a plan for the remediation of the site consisting of:

- The decommissioning and removal of the existing UST;
- The removal and appropriate disposal of approximately 1,200 m³ of contaminated soil/fill; and,
- The removal of impacted groundwater in a volume of between 300 and 500 m².

Urban Hamilton Official Plan

The site is identified as “Neighbourhoods” on Schedule “E” – Urban Structure and designated as “District Commercial” on Schedule “E-1” – Urban Land Use Designations of the Urban Hamilton Official Plan. This designation permits a range of commercial activities intended to serve the daily and weekly shopping needs of surrounding neighbourhoods as well as some limited residential activities.

Hamilton Zoning By-law No. 05-200

The subject property is zoned both “C6, Exception: 580” District Commercial Zone and “C5, Exception: 652, Holding: H102” Mixed Use Medium Density Zone. The planned use of the site is permitted.

Site Plan Control Application

The site is subject to Site Plan Control. At the time of writing of this report, the planned development has received conditional Site Plan approval.

RELEVANT CONSULTATION

Staff from the Taxation Division, Corporate Services Department and Legal Services Division were consulted and the advice received is incorporated into 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 1 – Urban Area of the ERASE Community Improvement Project Area (CIPA) include the following:

- \$74,031 for the removal of an underground storage and associated disposal and backfill of contaminated soils; and,

**SUBJECT: Environmental Remediation and Site Enhancement (ERASE)
Redevelopment Grant Application, 3311 Homestead Drive, ERG18-03
(PED20125) (Ward 11) - Page 7 of 8**

- \$17,650 for costs associated with the undertaking of a Phase Two ESA for which an ERASE Study Grant has not been provided.

In total, actual eligible costs are \$91,681. Invoicing and associated documentation for said costs will be the subject of an audit by staff to ensure eligibility and compliance with the 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 the grant payment period contained in this Report:

Grant Level:		80%
Total Eligible Costs (Maximum):	\$	91,681
Pre-project CVA: (RT – Commercial and FT – Farm)	\$	128,972 Year: 2019
Municipal Levy:	\$	608
Education Levy:	\$	<u>117</u>
Pre-project Property Taxes	\$	725
*Estimated Post-project CVA: (RT – Residential, XT – Commercial, New Construction)	\$	57,939,000
Total Estimated Ten-Year Grant (Maximum):	\$	91,681
**Estimated Municipal Levy:	\$	536.945
**Estimated Education Levy:	\$	<u>102,302</u>
**Estimated Post-project Property Taxes:	\$	639,247

Note: All dollar figures are rounded to the nearest dollar.

**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)*

***2019 tax rates have been used for calculation of the estimated post-development property taxes.*

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.

**SUBJECT: Environmental Remediation and Site Enhancement (ERASE)
Redevelopment Grant Application, 3311 Homestead Drive, ERG18-03
(PED20125) (Ward 11) - Page 8 of 8**

ALIGNMENT TO THE 2016 – 2025 STRATEGIC PLAN

Economic Prosperity and Growth

Hamilton has a prosperous and diverse local economy where people have opportunities to grow and develop.

Healthy and Safe Communities

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

Our People and Performance

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

APPENDICES AND SCHEDULES ATTACHED

Appendix “A” – Location Map

PC:dt

**Hamilton2026 Commonwealth Games Bid Corporation**

77 James Street North Suite 300 Hamilton, Ontario Canada L8R 2K3

www.hamilton2026.ca

August 4, 2020

Via Email - stephanie.paparella@hamilton.ca

General Issues Committee
c/o Stephane Paparella
Legislative Coordinator
Office of the City Clerk

Dear Mayor and Members of the General Issues Committee:

Re: Commonwealth Games 2026 Presentation

Attached to this document is a pdf of the Hamilton 2026 Commonwealth Bid Corporation's delegate filing with respect to the General Issues Committee meeting of August 10th. We are providing the material in accordance with your direction as to the filing deadline with a view to ensuring that it is available to the Council and public in advance of the hearing.

As discussed and agreed with you, in deference to the existing commitments and priorities of City staff, we are deferring the need for action or engagement by Council or staff until September (to be further discussed with you in due course) and hope merely to provide information regarding the framework for the 2026 candidature from various leaders while inviting questions. We anticipate providing a much more granular plan in advance of our next attendance and in anticipation of a request to Council to invite staff assessment and analysis of the opportunity.

Our presenters for August 10th will be:

- PJ Mercanti, President, Hamilton 2026 Commonwealth Bid Corporation
- Graham Cubitt, Indwell
- David Grevemberg, CEO, Commonwealth Games Federation
- Brian MacPherson, CEO, Commonwealth Sport Canada

Can you please let us know what further information will be required to ensure that they can connect to the presentation seamlessly.

In keeping with our ongoing commitment to dialogue with interested councillors and staff, we will be providing supplementary written material in due course and in advance of September on a variety of topics



Hamilton2026 Commonwealth Games Bid Corporation
77 James Street North Suite 300 Hamilton, Ontario Canada L8R 2K3
www.hamilton2026.ca

which we feel will be of interest to Council and staff including a further proposed briefing on our affordable housing legacy plan.

Please let me know if you have any questions.

Sincerely,

A handwritten signature in blue ink, appearing to be "Louis A. Frapporti". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

Louis A. Frapporti
Chair
HAMILTON2026



HAMILTON 2026 COMMONWEALTH GAMES

HAMILTON CITY COUNCIL PRESENTATION

A BLUEPRINT FOR REGENERATIVE, SUSTAINABLE AND IMPACTFUL CHANGE

Prepared by the Hamilton 2026 Commonwealth Games Bid Corporation

The Blueprint presented in the pages that follow does not constitute a hosting plan or bid document. It represents a framework for the completion of the Hamilton 2026 Commonwealth Games Candidature prepared in consultation with the Commonwealth Games Federation and Commonwealth Sports Canada in advance of the finalization of a candidature proposal for the benefit of community stakeholders.

August, 2020



The circumstances surrounding the Commonwealth Games Federation’s offer of partnership in the curation of a Games hosting plan for 2026 outside of its traditional competitive bidding process that is focused on pandemic recovery and civic regeneration is without historical precedent. This reality, precipitated by the unexpected and very disruptive events of the last few months, necessarily makes thoughtful deliberation and extensive consultation in a matter as significant as this a challenge. While cognizant of the significance of the Commonwealth Games Federation’s offer, and deeply appreciative of their support to date, the volunteers who are leading this effort are mindful of the necessity of the broadest possible engagement and consultation within our community and the need to be transparent and consultative in our work. With that in mind we wish to make clear that this blueprint is not a bid document. In light of the fact that this unprecedented opportunity entails community and civic input in consultation with the Federation, which necessarily involves the input of all levels of government, we are not in a position to finalize a bid in advance of that engagement. Therefore, this document, and the presentation to Council which it precedes, is merely intended to provide a framework for consideration of the opportunity and marks the beginning of an effort to invite community dialogue aimed at finalizing an approach to the 2026 Commonwealth Games that satisfies the needs of all stakeholders. We hope you find it illuminating and we thank you for your interest.

The Hamilton 2026 Commonwealth Games Bid Corporation.

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INTRODUCTION



Introduction

The XXIII Commonwealth Games will be held in late summer 2026. If staged in Hamilton, as we are urging, it will be the largest event in this City and surrounding region in history and the first time the Games will have been hosted in Ontario since their founding in Hamilton in 1930.

Hosting a successful and memorable Commonwealth Games is vital, but this effort is about much more than providing a 'Great Games'. In accepting the Commonwealth Federation's unexpected invitation to partner in the creation of a transformative experience in 2026 centered on recovery and regeneration, we would be gifted an unprecedented opportunity to leverage one of the world's great public celebrations to supplement and accelerate our local recovery efforts while simultaneously addressing a host of abiding economic and social challenges.

By embracing the 2026 Games, the attention and capacities of 71 nations and territories will be focused on this City, this region, and a better future.



A. CONTEXT FOR THE CONSIDERATION OF THE 2026 GAMES



A. Context for the Consideration of the 2026 Games

(a) City of Hamilton and the 2030 Games

In February of this year, Hamilton City Council approved in principle a bid to host the 2030 Commonwealth Games on the basis of an ambitious infrastructure and operational plan that was budgeted to cost approximately \$1.5 billion. The proposal was focused on the celebration of the centenary of the Games' founding in Hamilton in 1930. The bid also received support in principle from the Federal and Provincial Governments. The bid presentation and Council's commentary regarding the opportunity can be found here:

<https://pub-hamilton.escribemeetings.com/Meeting.aspx?id=49f8d1f9-4e34-4713-bdcf-b65eb163dfbb&Agenda=Merged&lang=English&Item=48>. (6.7)

As is the case with our proposal to host the 2026 Games, government support in principle for 2030 did not entail a financial commitment. Such a commitment would be contingent upon the Commonwealth Games Federation's selection of Hamilton as the host city following a competitive global process. The 2030 bid was subsequently adjudicated by Commonwealth Sport Canada.

In April, after a pandemic-related delay in the announcement of the results, Hamilton100's bid was determined to be Canada's preferred candidature for entry into a global competition to host the Games. At the same time as the announcement was made, the leaders of Commonwealth Sport Canada and the Commonwealth Games Federation invited the Hamilton bid committee to consider pivoting from a lengthy and expensive global competition for 2030, to an offer of exclusivity in crafting a 2026 pandemic recovery hosting plan contingent only on securing government support in principle. Given the ongoing challenges of the pandemic, then at its height, our bid committee asked for time to reflect on the offer. In conceding that time, the Federation confirmed that neither our consideration of the offer, nor our collaboration in seeking government support, would involve withdrawal of our 2030 bid.





Hamilton 2026 Commonwealth Games Bid Corporation
77 James Street North
Hamilton, Ontario
L8R 2K3

**commonwealth
sport**

Commonwealth House
55-58 Pall Mall
London SW1Y 5JH
United Kingdom

29 June 2022

Dear Hamilton 2026 Commonwealth Games Bid Corporation,

On behalf of the Commonwealth Games Federation (CGF), we are delighted the Bid Corporation has agreed to work with Commonwealth Sport Canada (CSC) and ourselves to explore the exciting and unique opportunity now presented to host the XXIII edition of our Games, which will be held in 2026.

Since August 2019, the CGF has been working exclusively with CSC on plans to host the 2026 Commonwealth Games.

Following the decision of CSC to put Hamilton forward as the preferred Candidate City to host the Games and our agreement with you to explore a pivot from the 2030 Games to 2026, the CGF has invested significant time and dedicated resources to support Hamilton in the development of its proposals.

Due to the escalating importance of securing a host city, the CGF commits to continuing to provide this same support on the process for hosting the 2026 Games, specifically to CSC and Hamilton, until the end of September 2020.

To progress and ensure a clear pathway for Hamilton to proceed through the Candidate City Process, the Bid Corporation will require a clear commitment and dedicated support from Hamilton City Council and Provincial and Federal Government Partners to work with you to develop a robust Candidate City Proposal. We believe there is an urgency needed, to capitalise on this unique opportunity and secure an extension of our support.

We strongly believe Hamilton, the very birthplace of the Commonwealth Sports Movement, would be an ideal partner in hosting a modern and progressive 2026 Commonwealth Games. The Games returning to its place of origin would support the city and province in their recovery from COVID-19, as well as contributing to ongoing regeneration initiatives and the communities' long-term sustainability and prosperity agendas.

Our aspiration remains to award the Games by the end of the year, with potential flexibility arising from the global pandemic, and we hope to continue to work closely with your team at Hamilton 2026, CSC and Government Partners as you develop your proposals to host an outstanding Games in the City of Hamilton in 2026.

Yours sincerely

Dame Louise Martin DBE
President

cc.
Fred Eisenberger, Mayor of Hamilton
Honourable Lisa MacLeod, Minister of Heritage, Sport, Tourism and Culture Industries
Honourable Filomena Tassi, Minister of Labour
Honourable Steven Guilbeault, Minister of Canadian Heritage
Louis Frapporti, Leader, Hamilton 2026 Commonwealth Games Bid Corporation
Richard Powers, President, Commonwealth Sport Canada
Brian MacPherson, CEO, Commonwealth Sport Canada
David Grevenberg CBE, CEO, Commonwealth Games Federation

The Commonwealth Games Federation

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Visit: www.thecgf.co.uk

c/o House of Sport - La Maison du Sport
2457 promenade Riverside Drive
Ottawa, ON, Canada K1R 7K7

Sport with Social Purpose



Tel (613) 244-6989
info@commonwealthsport.ca
www.commonwealthsport.ca

Sport à vocation sociale

PJ Mercanti
Chair, Hamilton100 Bid Corporation
c/o Carmen's Group
77 James St. N, Unit 300
Hamilton, Ontario L8R 2K3

June 17, 2020
sent by email

Dear P.J.,

Thank you for participating in Commonwealth Sport Canada's (CSC) process to select Canada's next Commonwealth Games Candidate City. Hamilton has constantly demonstrated enthusiasm and commitment to the Commonwealth Games and submitted a compelling and exciting 2030 Commonwealth Games Hosting Plan. Following up on the March 26th phone call, on behalf of CSC's Bid & Hosting Committee and the CSC Board of Directors I am pleased to inform you that Hamilton has been selected as Canada's Candidate City for the 2030 Commonwealth Games. This selection is contingent upon Hamilton receiving support from the 3 levels of governments and CSC will assist you in securing this support.

Further, CSC supports Hamilton's recent pivot to the 2026 Commonwealth Games at the invitation of the Commonwealth Games Federation (the "CGF") and is currently working alongside Hamilton Bid Committee members, community leaders and the CGF, to develop a 2026 Commonwealth Games Hosting Plan that will help achieve the City of Hamilton's Vision for its future, be supported by governments and cause the Commonwealth Games Federation to award the 2026 Commonwealth Games to Hamilton outright. Should Hamilton be awarded the 2026 Commonwealth Games CSC will advocate for a linkage between the City of Hamilton and the host city of the 100th Anniversary 2030 Commonwealth Games that pays homage to the City of Hamilton as the birthplace of the Commonwealth Games and Bobby Robinson as its founder.

To be clear, if Hamilton is not awarded the rights to host the 2026 Commonwealth Games then Hamilton is and will remain Canada's Commonwealth Games Candidate City for the 2030 Commonwealth Games.

On behalf of CSC, congratulations and we look forward to working with the Hamilton bid committee in bringing the Commonwealth Games home, to their birthplace.

Yours Truly,

Richard C. Powers
President, Commonwealth Sport Canada

Cc. Mayor Eisenberger



(b) The Covid-19 Pandemic

The pandemic, and the shutdown it prompted, have had profoundly negative societal effects across a broad range of health and economic outcomes. Some of the more immediate and pronounced economic impacts were captured in the City's recent Covid-19 Business Impact Survey.

COVID-19 HAMILTON BUSINESS IMPACT SURVEY REPORT
(April 15 - April 24, 2020)

KEY FINDINGS

- Businesses across all industry sectors, and across every business size category, have been significantly impacted by the COVID-19 pandemic and the resulting actions taken by governments around the world to mitigate the associated health impacts.
- The aggregated employment impact from all respondents who participated in the survey (who collectively represent approximately 35,000 employees) communicates an employment decrease of almost 13,000 jobs, which represents a city-wide decrease of 35.8%.
- Over 90% of respondents reported a decrease in revenue because of COVID-19, with over 50% of respondents indicating that the decrease in revenue was greater than 50% when compared to the month prior.
- Approximately 65% of respondents indicated that they have reduced their employment levels, with over 20% businesses reporting they have zero employees at the time they responded.

<https://www.documentcloud.org/documents/6936432-08-2-Economic-Development-Initiatives-and-COVID.html>

Ultimately, economic damage is but one measure of societal harm. As everyone is aware, the pandemic and resulting shut down have caused negative impacts by every measure of community wellness. And while the adverse effects of the virus have been experienced nationally, a number of these challenges are particularly problematic here in Hamilton -- homelessness and affordable housing for example -- owing to a variety of longstanding structural challenges.

Like many municipalities, the City of Hamilton has created a pandemic recovery Task Force mandated to develop a concrete action plan with defined deliverables for immediate action. Notably, the Task Force seeks to identify issues and opportunities for action that it can convey to higher levels of government.

The Mayor's Task Force on Economic Recovery will provide multi-sectoral leadership and direction to guide Hamilton's economic recovery in the immediate aftermath of the COVID-19 pandemic. It will formulate an aggressive, action driven plan to position the City of Hamilton now, for long-term, sustainable and equitable economic recovery.

The Task Force will:

- Develop an action driven plan to position the City of Hamilton now, for long-term, sustainable and equitable economic recovery.
- Establish defined outcomes with specific deliverables to address the priority economic impacts of the pandemic confronting Hamilton based industry/businesses, employers and employees.
- Identify issues and opportunities to convey to other levels of government.
- Provide advice and assistance in the implementation of the Task Force's plan for economic recovery.
- Provide advice and suggestions to the Mayor, Council and senior staff for specific City of Hamilton actions and responses.

Without prejudging the findings of the Task Force, the prospects of securing a material level of relief from senior levels of government and the private sector is likely to be impacted by the reality that neighboring municipalities, such as Toronto and Waterloo, which have competitive advantages in attracting skilled workers, investment and support from the public and private sectors, will be competing for the same scarce relief dollars.

The Task Force has not completed its consultation phase and has agreed to accept a submission from Hamilton2026 as to the anticipated economic impact of the Games. We will provide this submission imminently and make it available to the public. In doing so we will urge the Task Force to embrace the 2026 Games opportunity as a key focus of its recommendations, as the Hamilton Chamber of Commerce recently did.

<https://www.thepublicrecord.ca/2020/07/hamilton-chamber-of-commerce-endorses-2026-commonwealth-games-bid>

B.

THE 2026 COMMONWEALTH GAMES – A TIMELY SOLUTION



B. The 2026 Commonwealth Games – A Timely Solution

Multi-sport games have historically invited the impression that investments in a ‘sporting event’ necessarily come at the expense of more pressing social needs. While this oversimplifies a complicated matrix of government budgeting practices and policy priorities, and tends to ignore the positive impacts felt directly by small and medium sized businesses and those thousands employed as a result of these Games (impacts especially critical in this environment), it is entirely reasonable that potential host cities like Hamilton demand tangible proof of clear and significant social and economic returns.

As we articulate in the pages that follow, and will demonstrate in the days and weeks ahead, the Commonwealth Games, particularly in our innovative curation of the opportunity, is uniquely suited to assist in ameliorating the negative impacts of the pandemic for a host of reasons, including their proven track record of attracting significant levels of incremental funding from senior levels of government and inducing heightened levels of private sector investment, as well as their indisputable impact on tourism and hospitality. These impacts are urgently needed now.

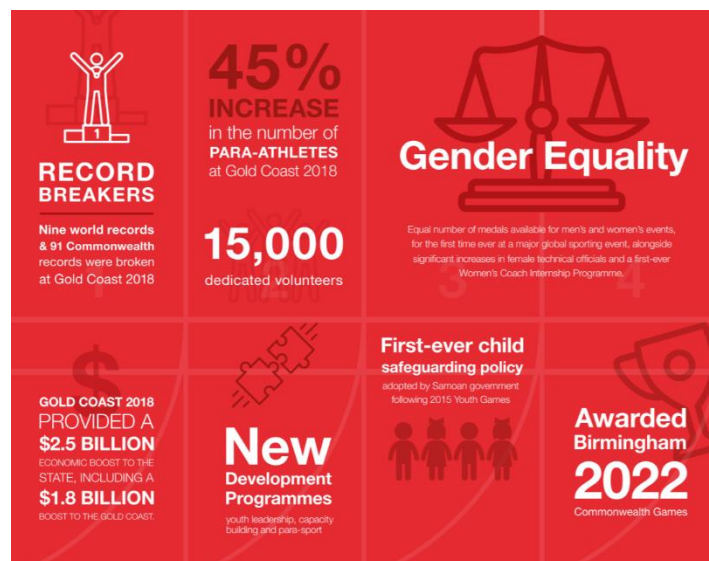
Further, the integrated multi-agency and multi-sectoral structures that are necessary to effectively plan and deliver the Games (including government resources, academia and the private sector), which many have referred to as requiring an “all of government” approach, are also uniquely positioned to address the impact of Covid-19 and its aftermath, as pandemic recovery is itself an “all of government” undertaking. This synergy is particularly powerful here in light of the prioritization of our planning around the needs and concerns of vulnerable groups and those in vulnerable situations, especially women and girls, the elderly and marginalized persons, and those with existing mental health conditions who have been especially impacted by the disease and its aftermath.

In assessing the merits of hosting the Games, it is critical to note that this opportunity comes with the Federation’s unprecedented commitment to partner with the City of Hamilton, senior levels of government, and the private sector in the crafting of a hosting program that is specifically designed to assist in pandemic recovery and long-term sustainable regeneration. It is doing so, in part, as a powerful way of putting into practice its prior public commitment to create a new Games delivery model designed fundamentally to benefit prospective host communities in the future. This model is called the [Transformation 2022 Strategy](#). Its mission statement: “Through sport, we create peaceful, sustainable and prosperous communities across the Commonwealth”.

These values are particularly resonant for us as we turn our focus to recovery in that they underscore the Federation’s primary mission to be much more than the curator of a great Games. Their ambition, and our primary resolve, is to use the power of this event to transform our destiny, with a singular focus on recovery, regeneration, and a legacy of impactful sustainable change.

Among its many benefits, this model allows for dedicated CGF Partnership delivery teams that can be fully integrated with the host city organizing team—such as the Hamilton2026 team—providing enhanced and highly specialized support, knowledge and expertise on the delivery of the Games.

Although the implementation of the Transformation strategy is in its infancy, it has already resulted in significant progress in prototype form as Transformation elements have been integrated into host plans; most especially in Gold Coast Australia (2018) and more deeply into the upcoming Birmingham Games.



For the first time, these resources would be fully deployed to Hamilton as a *prospective* host city in circumstances of exclusivity owing to the unexpected urgency of the need to recover from this pandemic. Beyond permitting greater flexibility in finalizing a suitable 2026 Games program, we no longer face the expensive head-to-head host city bid process of prior bids (including the 2030 bid). Instead, we have been handed the opportunity to work collaboratively with the CGF to curate a Games uniquely tailored to Hamilton in its moment of greatest need.

And that is why, after considerable analysis, we feel confident in saying that there is unlikely to be any single initiative or event on the horizon for Hamilton that approaches in any meaningful way the magnitude and range of positive impacts that the Commonwealth Games can deliver—starting immediately and extending well past the 2026 staging of the Games themselves.

C. OUR FRAMEWORK – CHAMPIONING COMMUNITY PRIORITIES



C. Our Framework – Championing Community Priorities

Unlike Hamilton’s 2030 bid, or any Commonwealth Games bid before, the Transformation 2022 strategy requires that we begin the re-engineering of our bid with an assessment of our region’s needs and vision. Accordingly, in constructing our 2026 framework, we began with the six community priorities articulated in the City’s current [10-year strategic plan](#):

- Community Engagement and Participation
- Economic Prosperity and Growth
- Healthy and Safe Communities
- Clean and Green
- Built Environment and Infrastructure
- Culture and Diversity

We then consulted with a number of our key anchor institutions as to their strategic priorities in order to determine points of confluence. We used these themes and vision statements to craft the framework outlined in this document for a hosting plan framework that fulfills the promise of recovery and regeneration in anticipation of a consultation process with City staff (upon the direction of Council) and with the community.

"The City of Hamilton's Vision, To be the best place to raise a child and age successfully, and Mission, To provide high quality cost conscious public services that contribute to a healthy, safe and prosperous community, in a sustainable manner, acknowledges our diverse community and recognizes that all ages and stages of life play a role in a vibrant community."
Mayor Eisenberger, on release of the City of Hamilton's 2016-2025 Strategic Plan

Summary of objectives from key stakeholders’ published visions for Hamilton

Includes Municipal Government, Chamber of Commerce, Hamilton Economic Development, McMaster Innovation park, McMaster University, and Mohawk College*

Theme	Summary of vision
People, community engagement and participation	<ul style="list-style-type: none"> • Grow the urban Hamilton population by 110K, or 16.4% by 2041 • A sense of pride for the city exists among residents, driving volunteerism and community-based initiatives • Engage and leverage the community to foster innovation and support entrepreneurship • Leadership in Indigenous education, advance diversity, social inclusion, and increase the international student base
Economic growth and prosperity	<ul style="list-style-type: none"> • Make Hamilton Canada's top mid-sized city in terms of investment, talent and quality of life • Residents can find well-paying local jobs, benefiting all residents • Retain the Most Diverse Economy title and have Hamilton be recognized for having the Best Workforce in Ontario • Post-secondary institutions and businesses collaborate with the city, contributing to the economy's success • Equip graduates with entrepreneurial and global competencies and bolster their job readiness • Provide opportunities for research commercialization
Healthy and safe communities	<ul style="list-style-type: none"> • People lead happy lives in safe, inviting neighbourhoods and friendly communities • Easy access to services and support required to be healthy and active • Ensure 100% of households (25% annually) on the Access to Housing waitlist are assessed by 2023 (There are currently 6,231 households on the social housing waiting list, 68% of these households have incomes less than \$20,000)
Clean and safe	<ul style="list-style-type: none"> • Reduce greenhouse gas emission to net zero by 2050. • Businesses and organizations to take a leadership role and operate in a sustainable manner. • Everyone has a deep understanding and respect for the natural environment.
Build up environment and infrastructure	<ul style="list-style-type: none"> • City design and planning based on maximizing well-being. • Encourage Hamiltonians to be connected to the city's rich history through architecture. • Well maintained and vibrant public spaces. • Achieve a 48% non-single occupant vehicle modal split by 2031, with a target of 15% for walk/cycle, 12% for transit and 21% for auto passenger and shared modes. • Relieve congestion and position Hamilton as a hub for people and goods movement. • Identify and implement infrastructure investments that will drive economic growth.
Culture and diversity	<ul style="list-style-type: none"> • People of all ages, backgrounds and abilities are accepted and celebrated, and have the support they need to thrive. • A thriving local arts scene. • Have Hamilton recognized nationally as a great place to live, buoyed by a thriving arts and culture scene, vibrant neighbourhoods, and strong commercial districts.
People and performance	<ul style="list-style-type: none"> • Encouraging healthy, respectful and supportive workplaces, continuous learning, performance excellence. • Provide an enriching and transformative learning experience for all students, which includes opportunities for experiential, work-integrated and self-directed learning.

D. KEY IMPACTS



D. Key Impacts

Beyond the imperative of delivering a remarkable Games experience, we have been singularly focused on catalyzing benefits that span the range from immediate to long term, with particular regard to positive direct and indirect *economic* impacts. As referenced above, our impact strategy is intended to be a 'shovel ready', comprehensive, practical addition to the City's pandemic recovery planning efforts, supplementing the work of its Task Force, while also serving to materially accelerate the City's 10-year strategic plan.

The key elements of the 2026 Games' economic impact strategy include:

- Appropriately sized and strategically targeted capital investments which satisfy the needs for athletic competition while improving the infrastructure needs identified by the City;
- Maximizing affordable housing legacy through Games-related accommodation planning;
- Savings to the municipal budget due to Games-related capital expenditures assumed by senior levels of government and/or the private sector (that would otherwise fall to the City) coupled with the assumption of future operational costs to manage venues currently on the City's balance sheet;
- Attracting incremental Federal and Provincial funding for investment in wider Games and non-Games infrastructure such as transportation, health care, and housing that align with government pandemic recovery priorities;
- Catalytic effects on trade and investment resulting from Hamilton's increased profile on the world stage;
- accelerating and tightening connections with other Commonwealth host communities which the Games has consistently demonstrated;
- Generating significant impacts in tourism and hospitality;
- Improving our effectiveness in attracting private sector non-Games-related investments due to the enhanced brand, infrastructure and built improvements arising from the Games; and,
- Securing pre and post-Games legacy funding streams dedicated to community need.

We are in the process of finalizing, and will soon release, an independent analysis of the economic impacts of a number of the points above and will assess, release findings and make significant announcements around the remaining elements in due course.

E. THE PROPOSED HAMILTON 2026 GAMES PROGRAM

E. The Proposed Hamilton 2026 Games Program

The shift in timing and focus to the 2026 Games has led to several alterations in the proposed hosting plan aimed at reducing costs and creating better alignment with revised governmental budget and policy priorities. These adjustments involve a reconsideration of the investment side of the Games' balance sheet as well as a re-assessment of the intended impacts of the Games (both in terms of recovery and regeneration).

As reflected in the table below, our preliminary work on the structure of the 2026 Games has led us to reducing proposed budgeted costs significantly. The key changes relative to the 2030 plan include:

- a reduction in the planned number of athletes and officials;
- a reduction in the planned budget associated with infrastructure investments; and
- Some changes to the number and type of events competed in.

Key changes between 2030 bid plans and 2026

	Number of sports events	Number of athletes	Number of coaches and team officials
2026 Bid	18	3,600	1,900
2030 Bid	22	4,500	2,250

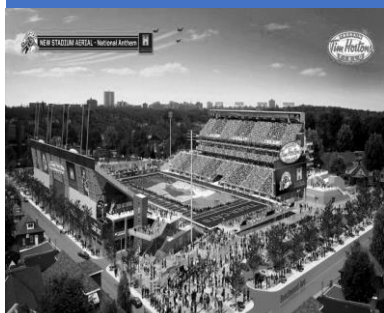
Note: information based on latest bid plans as at July 2020

The contemplated athletic program will include 18 sports, and notably, an inclusive program of para-sports, an equal number of male and female-medaled events, and for the first time at any large international sporting event, an equal number of male and female athletes.

The sports program is still being discussed and cannot be finalized until the commencement of the multi-party agreement negotiations, and therefore cannot be publicly discussed at this time. However, we can confirm that our core sport program will include lacrosse for the first time in Commonwealth Sport History, with a goal for the sport to be played on the grounds of the Six Nations of the Grand River.

Ultimately, over 11 days of competition, 3,600 athletes and team officials from 71 nations and territories will participate in Hamilton2026. The event will be viewed live by over 1 million spectators and broadcast to a cumulative global television audience of 1.5 billion people. Notwithstanding its reduced scale to account for current spending realities, the 2026 Games would be the largest, most significant event in Hamilton history and one of the biggest international multi-sport events in the world. We note with some pride that it will be the most inclusive and diverse event of its kind in athletic history, for any multi-sport games.

F. VENUE PLANNING – A RANGE OF OPTIONS



F. Venue Planning – A Range of Options

In revising and downscaling our sport and venue planning for 2026 relative to 2030, we sought to exploit one of the remarkable and unprecedented benefits arising from the application of the Games 2026 Transformation Strategy: its collaborative planning model. Whereas the typical multi-sport games bid obliges a host community to create a plan intended to win a competitive bidding process without the benefit of flexibility by the governing body, in this case we are able to embed flexible venue options into the hosting plan that permit downstream adjustment depending upon the needs and capacities of our community, senior levels of government and the Federation, as explored prior to and during the MPA process.

And because the requested ‘support in principle’ for the Games does not entail any financial commitment, this flexibility will also permit Hamilton, as the primary host community, to debate and resolve the competing interests within the community and Council as to the optimal balance of priorities between legacy benefits and cost mitigation.

We felt that this flexibility offered enormous benefits to our region—and to the planning process. Our approach readily accommodates decisions that may ultimately be driven by senior government budgeting commitments and transfer payments to municipalities over the following years which would be expected to have a bearing on the City’s capacity to entertain new strategic infrastructure investments that could be deployed through the Games.

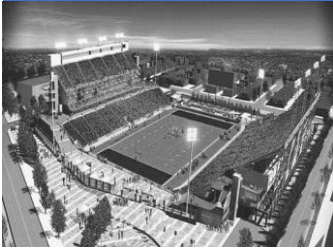
Accordingly, the majority of the proposed 2026 event venues (both sport and cultural) have a primary and contingent venue option which present one of two value profiles:

- greater legacy impact within Hamilton; or
- lower cost in Games delivery. In some cases, this entails hosting events in nearby regions where existing facilities would be capable of hosting the event with minimal upgrades.

The other notable change to our venue planning entailed by the Transformation Strategy is our ability to better distribute venues throughout the City with a view to more equitably distributing benefits among our wards.

As with the sport program, our consideration of venue options remains in the discussion phase and will require consideration and feedback from Council and staff before being presented publically. The presentation of further information regarding venues can therefore be expected in the context of our anticipated next attendance before Council where formal consideration of the proposed plan will be requested.

G. GAMES FINANCIAL MODELLING



G. Games Financial Modelling

Given the above, the financial modeling and tentative budget for the 2026 hosting proposal will be markedly different in process and outcome than that for 2030. Our work with the Federation and external experts to date has progressed considerably and is nearing completion as a working draft. However, as with the consideration of venue options, the completion of the prospective hosting budget will necessitate engagement with City Council and staff and other stakeholders. Nonetheless, we can say with considerable confidence on the basis of the invaluable collaboration in planning to date with the Commonwealth Games Federation and Commonwealth Sport Canada, that the scale and budgeted cost of the 2026 Games overall will be materially and thoughtfully reduced from the 2030 proposal and that the short and long term financial implications for the City have been completely re-engineered as further discussed below.



H.

HAMILTON 2026 MUNICIPAL FINANCIAL IMPACT STRATEGY

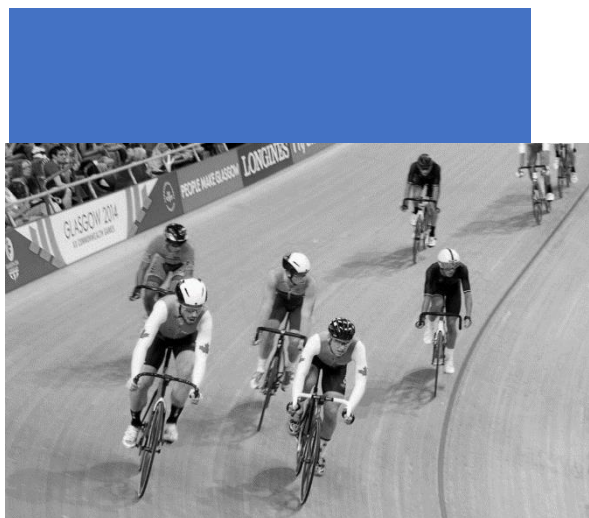


H. Hamilton 2026 Municipal Financial Impact Strategy

We understand that the primary threshold concern for Council and members of the public in assessing the Games opportunity is the question of its financial impact upon the City's balance sheet given the fiscal crisis brought on by the pandemic. Accordingly, our approach to the creation of the framework for a hosting plan across the spectrum of pre-games, games and legacy deliverables, is to address this concern squarely and present a hosting plan that not only seeks to avoid negative impacts on City finances, **but also, delivers an immediate and long-term net financial benefit to the City's balance sheet in specific and measurable ways.**

The key elements of our financial impact strategy include the following key attributes:

- **No Impact on the City's Tax Levy from hosting the Games.** With the reduced operating and capital budget resulting from a modified sport program, coupled with significantly greater private sector and institutional participation, the financial model for the 2026 Games is being structured in a manner that will have no impact on the tax levy of Hamiltonians.
- **No New Capital Funding Requests for Game Venues.** Our Games hosting plan requires no new capital spending requests from the City. Any capital funding commitments referenced in the hosting plan will be limited to capital commitments already made by the City and unrelated to the Games in relation to the construction or improvement of a venue that will be used during the Games. The expectation is, based on the Pan Am experience, that beyond any existing City capital commitments by the City that might be applicable, any new venues proposed as part of the Games sport program or infrastructure improvements to existing facilities would be funded by senior levels of government, through Games generated revenue or private sector contributions. Ultimately, if Council or other funding stakeholders which to commit incremental funding to more ambitious legacy venue plans it will be entirely a matter of choice and not a function of Federation dictate.
- **Flexible/Targeted Infrastructure Investment.** Infrastructure improvements for Games-related venues will be driven by specific existing community need (whether for amateur sport and recreation or elite sport training and tourism) and equitably distributed throughout the community and/or region to the extent possible. We will also be prioritizing opportunities that can be funded by senior levels of government or from educational institutions or the private sector.



- **Legacy Asset Operational Support.** To the extent possible, we will embed annuitized legacy funding sources for operational costs in our venue planning (through private sector partnerships of legacy funding coupled with standard Games venue legacy operating funds) such that the Games do not add to the City's financial obligations. Indeed, we anticipate obtaining operational funding for some existing City assets that will result of a reduction in overall operational costs to the City.
- **Scaled Private Sector Partnership.** This bid will entail the highest degree of private sector participation in Commonwealth Games history. This is consistent with the CGF Transformation strategy, has been expressed as an expectation by members of Council as a prerequisite in our moving forward, and is therefore a central pillar of our 2026 hosting proposal framework. This will ensure a minimal impact on taxpayers, incent greater government investment through the certainty of a higher return on government spending and will greatly accelerate our recovery from the public spending over the next few years. Private sector contributions will extend beyond Games-related infrastructure to operational subsidies and non-Games related (but Games-inspired) commitments.
- **No International Bid Costs.** International competitive bidding costs upwards of \$5 million and is completely avoided for our 2026 bid. The Games are ours to host. Any remaining expenses associated with fleshing out our plan will not be borne by taxpayers and will be devoted to community consultation and host planning. To the extent possible, the demands on City staff resources will be minimized.
- **Pre-Games Philanthropic Support.** Notably, these will be the first multi-sport Games in which private sector philanthropic support will be secured that will be dedicated to community needs *in advance* of the staging of the Games. Announcements regarding this initiative, its participants and beneficiaries will be begin imminently.

As referenced above, all of these commitments will involve consultation with community stakeholders, including City staff, in the finalization of our approach.

Ultimately, it is critical to appreciate that insofar as the forthcoming request before City Council is simply that of 'support in principle', which does not entail any financial commitment, the unprecedented exclusive and collaborative nature of this bid process vests control over the delivery of the approaches outlined above with the City of Hamilton, and senior levels of government. If dissatisfied following their deliberations, all stakeholders can withdraw without obligation.

I.

TARGETED SOCIAL IMPACT OBJECTIVES AND STRATEGIES

I. Targeted Social Impact Objectives and Strategies

The Games present an historic opportunity to achieve a wide range of legacy objectives for this region, many of pressing concern, and many of which would go unmet without the mechanism of the Games to catalyze real and permanent solutions.

There are several areas of focus in our planning:

(a) Affordable Housing

This is our key legacy priority. A standard legacy deliverable for multi-sport Games invariably involves some degree of affordable housing derived from facilities constructed to house athletes, officials, media and the non-local Games-related workforce.¹ Such a legacy would hold particular relevance for this community in light of its longstanding deficit of affordable housing and the increasing urgency relating to this need owing to the dislocation caused by the pandemic.

In our efforts to determine benchmark scope and budget for an appropriately sized affordable housing initiative that can also be used temporarily for the 2026 Commonwealth Games, we began with an estimate of the anticipated total Commonwealth Games Bed Requirements² based on our proposed revised sports plan during the Games Operating Period³:

- Athletes, Coaches & Team Officials⁴: ~5,500 Beds, ideally all located together
- Out-of-Town Technical Officials (referees, judges, timers, score keepers etc.): up to 1,100 Beds, ideally all located together
- Out-of-Town Workforce Members⁵ (typically 8.8% of total, estimated 50,000 Workforce needed during Games time) (temporary paid staff, interns, secondees, etc. / temporary paid contractors' staff /volunteers, etc.): up to 4,400 Beds

¹ The Games Workforce categories include:

- Paid staff - An individual that fulfils a budgeted role, as defined by the respective FA workforce plan.
- Volunteer - An individual who has registered with the Volunteer Programme, occupies an approved volunteer demand position, and receives no monetary compensation for their services.
- Contractor - Individuals employed & paid by a separate business entity engaged to provide services that are not directly managed by the Organizing Committee.

Workforce does not include - Technical officials and Host Broadcast personnel.

² Beds are typically configured as 2 beds/persons per room

³ The Games Operating Period is 23 days (10 days before the Games, 10 days of competition and 3 days after competition)

⁴ This excludes athletes, coaches & team officials from up to 3 sports who may be expected to compete in another region.

⁵ Workforce Members will be responsible for paying for their own games time accommodations



In our assessment of regional residential capacity for the Games, we have determined that there is a sufficient inventory of academic residences and hotel accommodation in the region to satisfy the requirements above. Such an approach would significantly reduce infrastructure spending associated with the Games. However, it would not meaningfully address the supply of affordable housing in the region.


We found in our discussions relating to Hamilton's 2030 bid, that ensuring a material legacy of affordable housing stock would be a key determinant of Council support. We understand this to remain the case in relation to the hosting of the 2026 Games. In creating a framework for housing legacy in the 2026 Games, therefore, we came to the view that working in concert with existing experienced stakeholders seeking to leverage the Games to accelerate and supplement existing affordable housing efforts and initiatives holds enormous promise.

This insight led us to seek out Indwell, a not-for-profit leader in affordable housing initiatives, and invite them to assist in this effort, along with other regional resources. After consultation with them aimed at ensuring an alignment of aspirations and resolve, they have agreed to assist in developing a strategy that seeks to graft the resources required to host one of the world's largest sporting events onto existing regional initiatives centered on the following foundational principle:

Given the magnitude of the opportunity and of the need, our ambition should be nothing less than solving the housing crisis completely as the core Games Legacy.

We are proceeding on that basis, acknowledging that the finalization of a credible plan to accomplish this goal will necessarily involve the collaboration and increased commitment of all levels of government and private sector partners, which can only be finalized through the Multi-Party Agreement process. We will, however, present our initial thinking around the framework to the public on August 10.





(b) Sports and Recreation

This is an obvious yet critical legacy deliverable for our region. We are focused on the following:

Sports Attraction – Beyond the critical need for new and upgraded community recreation and sport venues, Hamilton has struggled to attract high caliber provincial, national and international sporting events because of the relative absence of modern sport infrastructure locally and deficits in upper tier convention and hospitality venues,. The material upgrading of these assets owing to the Games will secure more programming with the correlated economic impacts.

- **Elite Sports** - The Games will aid considerably in encouraging elite sport organizations to relocate to Hamilton.
- **High Performance Training** - An increased inventory of high-quality sport venues and facilities, coupled with our existing strengths in world-renowned sport-based research, particularly at McMaster University, will result in an increase in the number of sport associations and organizations visiting Hamilton for high performance training.
- **Active and Healthy Living** - In partnership with Public Health, our health care institutions and our academic and research strengths in health and life sciences, the Games will yield a multitude of programs designed to directly benefit the community and promote social interaction, improve physical and mental wellbeing, and build active lifestyles. We are especially focused on designing recreation, health and wellness programming within the City's most challenged neighbourhoods and among its most impacted constituents.

(c) Accessible Tourism

Beyond our resolve to build on the past successes of the Commonwealth Games in ensuring a very significant commitment to integrated para-sports programming, we are committed to ensuring that people of all abilities feel welcomed as guests with equity and dignity and equal access to goods and services. We believe that this commitment will permit more significant investments in accessible tourism that will help to break down the barriers that hinder people with a disability from enjoying a holiday.



(d) Education Sector and Knowledge Economy

The Western GTA is home to a significant number of top tier educational and research institutions. All of our regional academic institutions are strong supporters of, and committed partners with, Hamilton2026.

The Games will accelerate our regional innovation ecosystem thereby attracting senior levels of government and private industry to invest in and partner with our educational institutions – and their current and prospective private sector partners - in the commercialization of research and the growth of our skilled workforce.

Initiatives under consideration include:

- Targeting media from Commonwealth Nations to evangelize Hamilton as a key global destination for research and development, education and training opportunities.
- Inspiring Hamilton students through an experiential learning-centered study and volunteer program that will allow students to complete their studies in Hamilton while gaining invaluable work experience in areas such as hospitality, digital media, construction and skilled trades, sports and event management through their training as a Hamilton2026 volunteer.
- Inviting our regional academic institutions to create exchange programs with affiliated academic institutions throughout the Commonwealth.

Training and experiential learning initiatives by which Hamilton2026 will create significant opportunities for residents to obtain new skills, training, and experience. Training initiatives will be created in the lead-up to the Games across a broad range of industries including events, construction, hospitality and digital media that will seek to prioritize at risk youth and communities.

In these efforts, we are delighted to announce our partnership with Hamilton's Industry Education Council. <https://iechamilton.ca/>



J. PIONEERING A COMMUNITY BENEFITS AGREEMENT

J. Pioneering A Community Benefits Agreement

In our initial consultation with community leaders relating to the merits of a pivot to a 2026 Games, including those who had expressed concern or opposition to the Games, it was suggested that consideration should be given to the creation of a Community Benefit Agreement (“CBA”). CBA’s are becoming increasingly popular in the context of initiatives that have broad community impact and invite a transparent and consultative process of community engagement—most especially with marginalized communities—which leads to the creation of binding commitments and structures of accountability around the delivery of community benefits. Having explored the opportunity, we are resolved to employ one or more CBA’s in advancing the Hamilton2026 Commonwealth Games bid and have secured the support and encouragement of both Commonwealth Sport Canada and the Commonwealth Games Federation to do so.

In our initial assessment of potential regional partners and credible models for the creation of a CBA, we see considerable promise in the work of the [Hamilton Centre for Civic Inclusion](#) and the [Hamilton Community Benefits Network](#), specifically its Foundation Document, which outlines a compelling framework for our efforts. We invite direction from the City of Hamilton as to how best to move this effort forward but see it as a necessary element of our hosting plan.

K.

HAMILTON2026 – A POWERFUL PARTNER IN HAMILTON'S URBAN INDIGENOUS STRATEGY

K. Hamilton2026 – A Powerful Partner in Hamilton's Urban Indigenous Strategy

A relatively recent but critical civic practice in our community is the reading of the Hamilton Land Acknowledgment:

“The City of Hamilton is situated upon the traditional territories of the Erie, Neutral, Huron-Wendat, Haudenosaunee and Mississaugas. This land is covered by the Dish With One Spoon Wampum Belt Covenant, which was an agreement between the Haudenosaunee and Anishinaabek to share and care for the resources around the Great Lakes. We further acknowledge that this land is covered by the Between the Lakes Purchase, 1792, between the Crown and the Mississaugas of the Credit First Nation.”

Our region's commitment to promoting the cause of Indigenous reconciliation has resulted in a comprehensive [Urban Indigenous Strategy](#) and the issuance of a UIS Final Report on July 8, 2019 inviting stakeholders to develop an implementation plan for the strategy and, thereafter, to execute it.

Indigenous reconciliation and engagement is a key priority of the Commonwealth sports movement and all levels of the Canadian government, and will be a defining priority of Games planning, operation and legacy. Indeed, after consultation with the Commonwealth Games Federation and Commonwealth Sports Canada, we are resolved that Hamilton 2026 be the first Canadian multi-sport Games in history to have a Reconciliation Action Plan (RAP) that will commit to the delivery of legacy outcomes for our aboriginal communities and people of Indigenous ancestry. Such measures will include, but not be limited to, concrete commitments around:

- The medaling of Lacrosse, Canada's national game and Indigenous legacy, for the first time in Commonwealth sport history.
- Procurement practices;
- Education and skills training;
- Employment;
- Showcasing arts and cultures; and,
- Building a culturally capable workforce.



Our efforts to finalize this plan will, following engagement with all relevant stakeholders, align with and support the City's Urban Indigenous Strategy. The magnitude of these Games will materially accelerate and scale our region's Indigenous strategy and positively impact the lives and wellbeing of our Indigenous communities as we celebrate and share with the world their histories, cultures, experiences and contributions.

L.

DIVERSITY/ INCLUSION /EQUALITY

L. Diversity/Inclusion/Equality

Hamilton 2026 will be heavily focused on, and will meaningfully accelerate, the many social and cultural initiatives in this region that are centered on promoting diversity and inclusion consistent with the Commonwealth Games Federation's Transformation 2022 values of Humanity, Equality and Destiny which necessitate a strong commitment to respecting equality, promoting fairness, and ensuring non-discrimination and inclusion in delivering a hosting plan. Our efforts in this regard will necessarily involve consultation with organizations and individuals within our region and beyond, the prospect of collaboration with thought leaders in this space outside of our region, and engagement with all levels of government to create a framework that can inform the composition of the governance and managerial structures of the hosting entity and the operation of the Games themselves. We are committed to laying the foundation for a truly groundbreaking approach to diversity and inclusion through the Commonwealth Games.



M. CONCLUSION

M. Conclusion

As referenced above, our Country, Province and City, are the beneficiaries of an unexpected and unprecedented offer of partnership by one of the world's leading sports organizations, The Commonwealth Games Federations, to craft a recovery and regeneration plan leveraging the power of the Games to help in this moment of need. We will soon be calling on all levels of government to simply declare their interest, without obligation or commitment, and explore the potential for an agreement that will serve the needs of so many communities. We will never see such an offer again.

While acknowledging the many challenges of this moment in our civic history, we collectively stand at the precipice of a remarkable opportunity for civic recovery and regeneration. Possessed of optimism, and with a resolve to work together, we can craft a civic plan of action engaging all stakeholders whose benefits can be directed to those most in need.

We look forward to our continuing dialogue in the days and weeks ahead.


The Hamilton 2026 Commonwealth Games Bid Corporation.

www.Hamilton2026.ca





CITY OF HAMILTON
PUBLIC WORKS DEPARTMENT
Energy, Fleet and Facilities Management Division

TO:	Mayor and Members General Issues Committee
COMMITTEE DATE:	July 6, 2020
SUBJECT/REPORT NO:	Tim Hortons Field – End Guard Anchor Repair/Replacement (PW20039(a)) (City Wide)
WARD(S) AFFECTED:	City Wide
PREPARED BY:	Janet Warner (905) 546-2424 Ext. 2616 Rob Gatto (905) 546-2424 Ext. 5448
SUBMITTED BY:	Rom D'Angelo Director, Energy, Fleet and Facilities Management Public Works Department
SIGNATURE:	

RECOMMENDATION

- (a) That staff be directed to repair and/or replace the perimeter end guards that surround the upper bowl of the east and west stands, along with the north and south upper-lower end guards of Tim Hortons Field at an upset limit of \$1.1 million;
- (b) That Facilities Management use existing Capital Budget WIPs through appropriation to fund this work by reprioritizing existing projects for the current year, itemized in Appendix "A" to Report PW20039(a).

EXECUTIVE SUMMARY

The purpose of this Report is to seek Council's direction to proceed with the replacement of the perimeter end guards that surround the upper bowl of the east and the west stands, along with the north and south upper-lower end guards of Tim Hortons Field (the "Stadium") and Council's approval to the use capital WIP funding for the said work.

City staff retained the services of an Engineering firm as part of the overhead review resulting from the fall of the speaker in 2016, at which time, immediate, targeted repairs were undertaken at specific locations within the stadium upon the completion of their

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: Tim Hortons Field – End Guard Anchor Repair/Replacement
(PW20039(a)) (City Wide) - Page 2 of 5**

review in 2017. It was during this review that the City committed to ongoing, regular inspections of the stadium, and in particular, the end and back guards. These reviews resulted in additional, isolated repairs in 2019, however, additional, compromised areas were identified through continued assessments of the Stadium guard rails in September, November, and December of 2019, and February 2020. The most recent reports resulted in additional safety concerns being highlighted due to both installations, deterioration and weather, and are considered latent defects.

Based on the Engineering Firms comprehensive assessment it was clearly outlined, or identified that -- as opposed to continuing a localized approach to mitigate the risk based on the practical difficulties with the ongoing monitoring of the conditions, City staff in collaboration with the consulting firm consider strategies to manage risks more generally and proactively with consideration of the longer-term maintenance needs and costs to the owner.

City staff have been working with a team of consulting experts and have undertaken multiple design tests for targeted repairs such as replacements with mock-ups which have determined that the holistic repair and replacement of the guard installations throughout the Stadium would not only be less disruptive but can be implemented in a wider range of conditions and be less costly.

Alternatives for Consideration – N/A

FINANCIAL – STAFFING – LEGAL IMPLICATIONS

Financial: Facilities Management will use existing Capital Budget WIPs through appropriation to fund this work by reprioritizing existing projects for the current year. Several Capital Budget Projects have already been identified. The list includes but is not limited to:

3541641638	Overhead Door Replacement Program
3541641532	Facility Capital Maintenance
3541741648	Parking Lot Rehabilitation
3541755001	Yard Capital Renewal Program
3541757001	Archibus - Facility Maintenance
3541941648	Parking Lot Rehabilitation
3541941532	Facility Capital Maintenance
3721841805	Hamilton Convention Centre, FirstOntario Concert Hall & FirstOntario Centre Lifecycle Renewal
3721941805	Hamilton Convention Centre, FirstOntario Concert Hall & FirstOntario Centre Lifecycle Renewal
7101454710	Sir Wilfred Laurier Recreation Centre Independence

**SUBJECT: Tim Hortons Field – End Guard Anchor Repair/Replacement
(PW20039(a)) (City Wide) - Page 3 of 5**

Exact amounts appropriated from each will be based on available funds at time of appropriation.

Staffing: There are no staffing implications.

Legal: There are no legal implications with respect to the proposed construction work or the proposed funding source outside of the ordinary course of business (e.g. tort liability for accidents at Tim Hortons Field).

HISTORICAL BACKGROUND

As part of a successful bid process to host occur for the 2015 Pan/Parapan American Games, it was decided in June 2011, that the renovations proposed to the North Stands of Ivor Wynn was not possible. Senior Representatives for the City, Toronto 2015, Federal and Provincial Governments agreed at this time to build a new Stadium. It was at this point the Stadium design changed to a north/south orientation.

One of the main reasons for Hamilton's bidding on the Pan Am Games was the opportunity to renew its aging stadium. The Stadium is a state-of-the-art facility that can host international, provincial and community uses from sport to entertainment. The new Stadium will attract events; provide long-term tangible opportunities and economic impacts from users and spectators.

In February 2014, Council approved the 20 Year License Agreement with the Hamilton Tiger-Cats Football Club for use of the Stadium for Football Games and Practices.

In May 8th, 2015, the Stadium officially received substantial completion and the City of Hamilton formally took possession of the site.

The Stadium was scheduled to be completed on June 30th, 2014 however, in 2016 the City of Hamilton launched a litigation with the contractor, the Province of Ontario (Infrastructure Ontario - IO), and the Hamilton Tiger Cats. The litigation was due to the delay of the project and the numerous deficiencies throughout the Stadium.

In May 2018, a settlement agreement was reached with all parties. City staff worked in good faith to achieve this resolution with no additional cost for the Stadium passed on to Hamilton taxpayers.

City staff have continued to work on deficiencies such as, and not limited to, ongoing leak remediation throughout the Stadium, burst pipes due to lack of heat tracing installation, faulting main transformer, lighting controls, incomplete audio-visual system, video scoreboard steel modifications, floor drains on the concourses, pre-cast joint

**SUBJECT: Tim Hortons Field – End Guard Anchor Repair/Replacement
(PW20039(a)) (City Wide) - Page 4 of 5**

renewal, metal cladding, missing hatches for units that require maintenance, guard rail extensions, and adjustments to various mechanical systems.

In June 2016, a 150-pound speaker had fallen 200 feet from the east side of the Stadium's light standard. As a result of this, City staff took immediate action and undertook an extensive review/audit of all suspended and installed elements related to the health and safety throughout the Stadium. The review noted that the areas of end guard installation were noted as suspect and in need of repair and re-installation. Due to the amount of ongoing deterioration throughout the Stadium, reviews were conducted on a yearly basis, with the initial, temporary repairs completed in 2017 and now considered latent defects.

Upon ongoing inspections and assessments, additional areas were found to be deteriorating and thus, became critical, resulting in additional repairs in 2019.

POLICY IMPLICATIONS AND LEGISLATED REQUIREMENTS

Not applicable.

RELEVANT CONSULTATION

Ongoing consultation with internal staff and experts/engineers to determine both cause, and correction of the end guard installation.

Additional consultation with the following Corporate Services:

- Budgets and Financial Planning
- Legal Services
- Procurement

ANALYSIS AND RATIONALE FOR RECOMMENDATION

It is imperative that the end guards be replaced to mitigate risk for the public's overall safety in the noted areas of the Stadium. The outlined within this Report are both systemic and progressive and are continuing to deteriorate. Staff cannot predict the rate of the declining performance of the end guards as the conditions are getting heightened. The guards are interconnected and have no redundancy in the system, which adds to the overall risk.

ALTERNATIVES FOR CONSIDERATION

N/A

**SUBJECT: Tim Hortons Field – End Guard Anchor Repair/Replacement
(PW20039(a)) (City Wide) - Page 5 of 5**

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.

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 PW20039(a) - Appropriations

Appropriations

Project ID	Description	Appropriation Amount
3541641638	Overhead Door Replacement Program	\$54,370
3541641532	Facility Capital Maintenance	\$21,199
3541741648	Parking Lot Rehabilitation	\$43,602
3541755001	Yard Capital Renewal Program	\$10,964
3541757001	Archibus - Facility Maintenance	\$23,864
3541941648	Parking Lot Rehabilitation	\$179,858
3541941532	Facility Capital Maintenance	\$24,571
3721841805	Hamilton Convention Centre, FirstOntario Concert Hall & FirstOntario Centre Lifecycle Renewal	\$87,946
3721941805	Hamilton Convention Centre, FirstOntario Concert Hall & FirstOntario Centre Lifecycle Renewal	\$377,770
7101454710	Sir Wilfred Laurier Recreation Center Independence	\$377,007
TOTAL		\$1,201,151



CITY OF HAMILTON
CORPORATE SERVICES DEPARTMENT
Financial Planning, Administration and Policy Division

TO:	Mayor and Members General Issues Committee
COMMITTEE DATE:	August 10, 2020
SUBJECT/REPORT NO:	Police Station 40 (Waterdown) Financing Strategy (FCS20062) (City Wide)
WARD(S) AFFECTED:	City Wide
PREPARED BY:	James Dowling (905) 546-2424 Ext. 5598
SUBMITTED BY:	Brian McMullen Director, Financial Planning, Administration and Policy Corporate Services Department
SIGNATURE:	

RECOMMENDATION(S)

- (a) That Appendix "A" attached to Report FCS20062 respecting the financing strategy for Police Station 40, in partnership with the Hamilton Fire Department, be approved and funded by Tax Supported Development Charges debt;
- (b) That the General Manager, Finance and Corporate Services, be authorized to negotiate and confirm the terms, placement and issuance of all debenture issue(s), and / or private placement debenture issue(s), in either a public or private market and / or bank loan agreements and debenture issue(s) and / or variable interest rate bank loan agreements and debenture issue(s), in an amount not to exceed \$8,000,000 Canadian currency in Tax Supported Development Charges municipal debt for the Hamilton Police Station 40 project;
- (c) That the General Manager, Finance and Corporate Services, be authorized to engage the services of all required professionals to secure the terms and issuance of the debenture issue(s) described in Recommendation (b) including, but not limited to, external legal counsel, fiscal agents and Infrastructure Ontario's Loan Program and the cost of such services be funded from one of the following sources as deemed appropriate by the General Manager of the Finance and Corporate Services: Development Charge Reserves, Non-Obligatory Reserves or Corporate Services Approved Budgets;

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- (d) That the General Manager, Finance and Corporate Services, Mayor and City Clerk are individually authorized and directed, on behalf of the City of Hamilton, to enter into and execute all agreements and necessary ancillary documents to implement Recommendation (b) to Report FCS20062 and in order to secure the terms and issuance of the debenture issue(s) described in Recommendation (b) to Report FCS20062, on terms and conditions satisfactory to the General Manager, Finance and Corporate Services and in a form satisfactory to the City Solicitor;
- (e) That the Mayor and City Clerk are authorized and directed to enter into and / or execute, on behalf of the City of Hamilton, all agreements and necessary ancillary documents not requiring any specific signing authority, to secure the terms and issuance of the debenture issue(s) described in Recommendation (b) to Report FCS20062, in a form satisfactory to the City Solicitor and with content acceptable to the General Manager, Finance and Corporate Services;
- (f) That the General Manager, Finance and Corporate Services be authorized and directed to administer all agreements and necessary ancillary documents described in recommendations (d) and (e) to Report FCS20062;
- (g) That staff be authorized and directed to prepare all necessary by-laws, for Council's consideration, for the purpose of authorizing the debenture issue(s) negotiated, placed and secured in accordance with Recommendations (b), (c), (d), (e) and (f) to Report FCS20062.

EXECUTIVE SUMMARY

On June 11, 2020, the Hamilton Police Services (HPS) Board approved Report PSB 20-052 approving the construction of Police Station 40 in partnership with the Hamilton Fire Department (HFD) resulting in a combined Police and Fire facility to service the growth-related needs in Waterdown.

Cost and operational efficiencies will be realized by combining the Fire and Police facilities on a single site, which allows for the Police to have a smaller scale station that still meets the community need, while delivering it several years sooner at a fraction of the cost. Figures provided by the Hamilton Police Service indicate a total project cost of \$8.0 M with avoided capital costs from the initial project estimates of \$17.5 M exclusive of interest-related implications associated with the Development Charge (DC) debt financing.

HPS concluded in its Board Report (PSB 20-052) that a combined station will allow for efficient and effective delivery of Police services, would avoid higher costs of a standalone station and will provide local Police Services to the Waterdown community several years earlier than originally planned.

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The purpose of Report FCS20062 is to obtain Council approval, in accordance with the Ontario Regulation 403/02 and the City's Debt Policy, of the debt financing strategy in order to move forward with the design work required for the combined station as approved in Report PSB 20-052 to the HPS Board. As per Appendix "A" to Report FCS20062, Tax Supported Development Charges municipal debt for the Hamilton Police Station 40 project of an amount not to exceed \$8.0 M Canadian currency is being recommended. DC Debt charges, including interest estimated at \$771.0 K annually over fifteen years, are to be fully funded by the Police DC Reserve, with no direct impact on future Tax Operating Budgets as outlined in Appendix "A" to Report FCS20062.

Using the 2020 Annual Repayment Limit (ARL) sent by the Ministry, the City Treasurer has calculated an updated ARL of \$202.0 M, shown on Appendix "B" to Report FCS20062. According to this calculation, the updated ARL of \$202.0 M represents a maximum amount which the City could commit to payments related to debt and financial obligations before the statutory limit is breached. The annual debt service requirement for Police Station 40 of \$771.0 K, is not in excess of the updated ARL of \$202.0 M.

Within the City's Debt Policy, DC Debt must be below the limit of 25% of total DC Eligible Costs. Currently, the City's DC Debt as a percentage of eligible costs is forecasted to be at approximately 2.4% in 2020. Therefore, the DC Debt required to complete this project will not significantly increase the risk of exceeding the Council approved limit in the short term.

Alternatives for Consideration – Not Applicable**FINANCIAL – STAFFING – LEGAL IMPLICATIONS**

Financial: The financing strategy of Police Station 40 (Waterdown) will have an immediate impact to the Development Charge (DC) debt and overall debt forecasts for the City. Short-term debt obligations will increase by moving the DC Debt requirement from 2025 to 2022. However, the cost avoidance from combining the fire and police facilities will be realized in the long-term debt forecast.

DC Debt charges estimated at \$771.0 K annually over fifteen years on the total DC debt of \$8.0 M will be funded from Police DC Reserves and will have no direct impact on the HPS or the City's Tax Supported Operating Budget.

HPS will review and analyze the annual operating budget impact for Station 40 and will report back to the Hamilton Police Services Board for review and approval.

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Staffing: Staffing implications associated with Station 40 will be referred to the annual budget process.

Legal: Legal Services provides advice with regard to the City's debt financing transactions and may also obtain external legal counsel. This advice will extend to the various contracts and agreements that will need to be executed in conjunction with the issuance of future DC Debt including the debt for Station 40.

HISTORICAL BACKGROUND

In 2014, the Hamilton Police Service (HPS) identified the need for a new Police Station (Station 40) to support the population growth in Waterdown, as well as other outlying communities.

Currently, this area is being serviced by Station 30 (Mountain Station), which covers the largest geographic area of the City making it a challenge to meet acceptable response times and provide quality service.

This proposed new Police Station 40 has been identified in the 2014 and 2019 Development Charge (DC) Background Studies as a standalone facility estimated at \$25.5 M. HPS has also identified it in its annual Ten-Year Capital Plan Report since 2015 and the City of Hamilton has recognized it in its Ten-Year Tax Supported Capital Forecast.

In 2007, the Hamilton Fire Department (HFD) identified the need for a Waterdown Fire Station during the Capital Budget process. The total project cost for the station, apparatus and equipment is \$9.4 M. To date, Council has approved \$5.7 M for land acquisition and facility construction with the remaining funding to be approved via the 2021 budget process. Land acquisition is expected to be completed mid-summer 2020, and subsequently, the design phase will be completed shortly after.

On June 11, 2020, the Hamilton Police Services Board approved report PSB 20-052 for the construction of Police Station 40 in partnership with the Hamilton Fire Department resulting in a combined Police and Fire facility in Waterdown.

The report indicates that HPS approached HFD to discuss a partnership for a combined Police and Fire facility to support the growth-related needs of Waterdown. Both Services have identified the needs in Waterdown and a combined facility will result in significant efficiencies and cost savings for the City, compared to building two separate facilities. This partnership approach is similar to the Multi-Agency Training Academy (MATA) on Stone Church Road East.

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HPS and HFD created a joint working committee to examine the feasibility of a combined Police and Fire facility and engaged the City's Energy, Fleet and Facility Management (EFFM) division to discuss facility requirements, operational needs and preliminary budget requirements. HPS also visited a detachment of the Niagara Regional Police Service, which was combined with the Niagara Emergency Medical Services, to examine the scope and feasibility of co-locating with another emergency service provider.

EFFM provided preliminary space programming, high level construction estimates and a preliminary block plan for the HPS portion of the construction project. The HPS portion is proposed to be comprised of 9,250 square feet, costing approximately \$8.0 M including contingency with anticipated completion in 2021 / 2022. These plans and estimates are yet to be validated by a class B estimate by an external consultant and will be completed as part of the preliminary capital works.

HPS created an internal working committee to examine the feasibility of this smaller scale station, rather than a full standalone station. It will require reviewing things such as operational deliverables, realigning existing patrol / division boundaries, review staffing requirements and response times, population densities and growth rates, traffic patterns, redeployment of existing staff and all other operating impacts.

As a result of the work of the internal committee, HPS concluded that a combined HPS / HFD station will meet the needs of the community, will allow for the efficient and effective delivery of both services, would result in potential cost savings to the City and will provide a Police Station to the Waterdown community several years earlier, compared to a standalone police station.

POLICY IMPLICATIONS AND LEGISLATED REQUIREMENTS

Report FCS20062 meets the requirements of Ontario Regulation 403/02 and the City of Hamilton's Debt Policy, whereby Council authority is required to issue debt.

RELEVANT CONSULTATION

Hamilton Police Service, Finance staff, was consulted in the writing of Report FCS20062.

Legal Services staff was consulted in the writing of Report FCS20062.

SUBJECT: Police Station 40 (Waterdown) Financing Strategy (FCS20062) (City Wide) – Page 6 of 7

ANALYSIS AND RATIONALE FOR RECOMMENDATIONS

The 2019 DC Background Study identified a standalone \$25.5 M Police Station 40 forecasted in 2025. The service standard limitation and the forecasted pace of growth only permitted \$3.5 M of the overall cost to be included in the calculation of the current DC rates. The balance of \$22.0 M was identified as a post period benefit, meaning that it would service growth that would occur post-2031.

While the combined Police Fire facility allows the timing of the Police Station 40 to move forward and the costs to decrease compared to expectations when the 2019 DC Background Study was completed, the in-period cost being levied on developers through the current DC rates is not affected. The changes allow the Police DC Reserves to be forecasted at a sustainable position. The previous plan would have required the experienced pace of growth to accelerate, the timing of the project to be delayed or contributions from the Tax Capital Levy in order for the project to be affordable.

By partnering with Fire, Police is able to meet the service demands resulting from growth in the Waterdown area at an earlier timeframe through generating cost efficiencies and an affordable financing plan of the station.

Tax Supported Development Charges municipal debt for the Hamilton Police Station 40 project of an amount not to exceed \$8.0 M Canadian currency is being recommended.

According to Ontario Regulation 403/02, Council shall, before giving authorization for capital work that would require a long-term debt or financial obligation, have the City Treasurer calculate an updated ARL using the most recent ARL determined by the Ministry. The most recent ARL, determined and sent in writing by the Ministry to the City Treasurer, is the 2020 ARL in the amount of \$275.8 M and is based on 2018 Financial Information Returns.

Using this 2020 ARL, the City Treasurer has calculated an updated ARL of \$202.0 M, shown on Appendix “B” to Report FCS20062. The 2020 ARL was adjusted for possible debt service charges of \$64.1 M corresponding to approximately \$669.2 M of debt which has been approved by Council in 2020 and prior years but not yet issued. The 2020 ARL was then further adjusted for debt service charges assumed or discharged on debt in 2018 and 2019, as well as City Housing Debt. According to this calculation, the updated ARL of \$202.0 M represents a maximum amount which the City could commit to payments related to debt and financial obligations before the statutory limit is breached. The annual repayment requirement for Police Station 40 of \$771.0 K, is not in excess of the updated ARL of \$202.0 M. Assuming a 15-year term and 5% interest rate, the \$202.0 M updated ARL corresponds to approximately \$2.1 B of additional borrowing capacity.

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Within the City's Debt Policy, DC Debt must be below the limit of 25% of total DC Eligible Costs.

Currently, the City's DC Debt as a percentage of eligible costs is forecasted to be at approximately 2.4% in 2020. Therefore, the DC Debt required to complete this project will not significantly increase the risk of exceeding the Council approved limit in the short term.

The remaining recommendations in Report FCS20062 are required to obtain the necessary approvals to engage professionals, negotiate, place and secure debt and execute the necessary agreements.

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.

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 FCS20062 – Police Station 40 Proposed Financing Strategy

Appendix "B" to Report FCS20062 – City of Hamilton Treasurer's Updated 2020 Annual Repayment Limit

JD/dt

Police Station 40 Proposed Financing Strategy

2019 DC Background Study Standalone Station in 2025	
Gross Capital	\$ 25,500,000
DC Res Share (Debt*)	\$ 15,810,000
DC Non-Res Share (Debt*)	\$ 9,690,000
Net Capital Cost***	\$ 3,519,000
Post Period Benefit****	\$ 21,981,000

Proposed Change: Combined Station in 2021	
Gross Capital	\$ 8,000,000
DC Res Share (Debt*)	\$ 4,960,000
DC Non-Res Share (Debt*)	\$ 3,040,000
Net Capital Cost***	\$ 3,519,000
Post Period Benefit****	\$ 4,481,000

Impact**	
Gross Capital	\$ (17,500,000)
DC Res Share (Debt*)	\$ (10,850,000)
DC Non-Res Share (Debt*)	\$ (6,650,000)
Net Capital Cost***	\$ -
Post Period Benefit****	\$ (17,500,000)

- * Development Charge (DC) Debt used to finance this cost, to be repaid by DC Reserves
- ** Does not include additional interest-related savings on debt
- *** Net Capital Cost reflects the portion of the total project cost included in the 2019 to 2031 DC Background Study Period
- **** Post Period Benefit reflects the portion of the total project cost will be included in subsequent DC study updates to reflect the portion of capital that benefits growth in the post period DC forecasts

Proposed DC Debt Schedule	
Year	Amount
2022	(385,369)
2023	(770,738)
2024	(770,738)
2025	(770,738)
2026	(770,738)
2027	(770,738)
2028	(770,738)
2029	(770,738)
2030	(770,738)
2031	(770,738)
2032	(770,738)
2033	(770,738)
2034	(770,738)
2035	(770,738)
2036	(770,738)
2037	(385,369)

Proposed DC Debt Details	
Debt Principal	8,000,000
Interest Rate	5%
Term (Years)	15
Payment Source	DC Reserves

City of Hamilton Treasurer's Updated 2020 Annual Repayment Limit	
Annual Repayment Limit - <i>effective January 1, 2020, as calculated by the Ministry of Municipal Affairs and Housing, based on 2018 Financial Information Return</i>	\$275,795,317
Annual debt service charges on City Municipal debt approved to-date 2020 and prior years but not yet issued (\$465.0 M @ 5% for 15-year term)	-\$44,795,926
Annual debt service charges on City Municipal debt in respect of ICIP Transit debt approved but not yet issued (\$83.6 M @ 5% for 15-year term)	-\$8,055,294
Annual debt service charges on City Municipal debt in respect of West Harbour debt approved but not yet issued (\$2.9 M @ 5% for 15-year term)	-\$282,283
Annual debt service charges on City Municipal debt in respect of Housing 10-year Strategy debt approved but not yet issued (\$10.0 M @ 1.75% for 20-year term)	-\$596,912
Annual debt service charges on City Housing Hamilton debt approved but not yet issued and guaranteed by City of Hamilton (\$59.3 M @ 5% for 30-year term)	-\$3,856,250
Annual debt service charges on Municipal and Development Charges debt approved but not yet issued - 2020 Tax & Rate Supported Budget (\$107.7 M @ 5% for 15-year term)	-\$10,373,174
Annual debt service charges in 2020 resulting from 2018 debenture issue of \$110.82 M;	-\$10,587,004
Annual debt service charges on debentures discharged in 2018 and 2019	\$4,707,558
Adjustment for annual debt service charges on outstanding City Housing Hamilton mortgages and City of Hamilton Tangible Capital Leases	-\$2,506
Updated 2020 Annual Repayment Limit - a calculation by the Treasurer representing an estimate of the maximum amount available to commit to annual debt service charges	\$201,953,524
Debenture amount at 5% interest rate for 15-year term (amortizer) corresponding to the annual debt service charges of \$201,953,524	\$2,096,208,516



INFORMATION REPORT

TO:	Mayor and Members General Issues Committee
COMMITTEE DATE:	August 10, 2020
SUBJECT/REPORT NO:	Bill 197—The <i>COVID-19 Economic Recovery Act, 2020</i> (LS20020) (City Wide)
WARD(S) AFFECTED:	City Wide
PREPARED BY:	Various Departments, Divisions and Contributors
SUBMITTED BY:	Nicole Auty City Solicitor Corporate Services
SIGNATURE:	

COUNCIL DIRECTION

N/A

INFORMATION

Bill 197, the *Covid-19 Economic Recovery Act, 2020* was introduced by the provincial government on July 8, 2020 and passed into law on July 21, 2020. It is a comprehensive omnibus bill that contains 20 Schedules and affects 43 Ontario statutes in total as summarized in this report. From a municipal perspective, highlights include Ontario statutes in total, as summarized in this report from a municipal perspective.

While not all elements of Bill 197—the *Covid-19 Economic Recovery Act, 2020*—have a direct impact on the City of Hamilton or Ontario municipalities, this report summarizes all significant changes given the breadth and significance of the legislation by way of reference to each of its 20 schedules:

1. ***Building Code Act, 1992***—amendments transfer the regulation-making authority from the Lieutenant Governor in Council to the Minister of Municipal Affairs and Housing;
2. ***City of Toronto Act, 2006***—amendments permit electronic participation in meetings and proxy voting;
3. ***Development Charges Act, 1997***—amendments:
 - a. expand the list of services for which a development charge can be imposed

**SUBJECT: Bill 197—The *COVID-19 Economic Recovery Act, 2020*
(LS20020) (City Wide) - Page 2 of 7**

- relative to the list that was included in the *More Homes, More Choice Act, 2019*;
- b. set out the relationship between development charges and the community benefits charges (“CBC”) that can be imposed by by-law under the *Planning Act*;
 - c. outline the services to be included in classes and stipulates that a class set out in a by-law is deemed to be a single service relation to reserve funds, the use of money from reserve funds and credits; and
 - d. to summarize, combined with the *Planning Act* amendments discussed below, municipalities can continue recover the costs of soft services (such as libraries, community and daycare centres) through development charges. While municipalities may be able to choose whether a particular service is funded through development charges or a new CBC, those costs can only be recovered once;
- 4. *Drainage Act***—amendments relate primarily to the service of documents and to the processes involved in amending engineers’ reports, approving improvement projects and requesting environmental appraisals;
- 5. *Education Act***—amendments:
- a. remove the requirement that directors of education must be supervisory officers that are qualified as teachers;
 - b. stipulate that boards shall not appoint or employ a person as a director of education unless the person holds the qualifications outlined in the regulations;
 - c. permit the Minister, in response to the outbreak of COVID-19 operate one or more demonstration schools for exceptional pupils in either a residential or non-residential setting for the 2020-2021 school year; and
 - d. authorize regulations providing that pupils in specified grades of elementary school shall not be suspended or can only be suspended in rare circumstances;
- 6. *Environmental Assessment Act***—amendments come into force in three phases to transition gradually to ‘a more modern approach’ to environmental assessments and include:
- a. a focus on projects that have the “highest impact on the environment”

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(LS20020) (City Wide) - Page 3 of 7**

while simultaneously reducing assessment timelines from six to three years for the largest projects;

- b. giving the Lieutenant Governor in Council power to make regulations designating enterprises and activities, and proposals, plans and programs in respect of enterprises and activities, as projects to which the Act applies;
- c. revising the environmental assessment process that the person must complete in order to obtain the approval;
- d. permitting proponents of undertakings under an approved class environmental assessment to follow a less onerous environmental assessment process;
- e. immediately stipulating that no further class environmental assessments will be approved and will subsequently implement a streamlined environmental assessment process for certain projects;
- f. preserving existing aboriginal and treaty rights of the aboriginal peoples of Canada as recognized and affirmed in the *Constitution Act, 1982*;
- g. requiring a proponent to obtain municipal support if project requires a landfilling site;
- h. allowing the Minister to require changes after the project is approved; and
- i. imposing a 10-year expiry date for previously approved projects if they did not specify an expiry date although Minister may exempt certain projects from this requirement;

7. *Farm Registration and Farm Organizations Funding Act, 1993*—amendments relate to the:

- a. appeal process for a person who has been denied a farming business registration number;
- b. eligibility of francophone organizations to receive special funding; and
- c. power to make regulations governing service of documents;

8. *Justices of the Peace Act*—amendments to speed up the appointment process primarily are aimed at the composition and functions of the Justices of the Peace Appointments Advisory Committee:

**SUBJECT: Bill 197—The *COVID-19 Economic Recovery Act, 2020*
(LS20020) (City Wide) - Page 4 of 7**

- a. Committee’s composition changed to have three core members and fewer regional members;
 - b. confidentiality protections extended to certain records/information collected, prepared, maintained or used by the Committee or the Attorney General;
 - c. Committee now required to include statistics about the sex, gender, race and other characteristics of all candidates who volunteer that information in its annual report;
 - d. Committee submits a list of all candidates and associated recommendations to the Attorney General who may only recommend a candidate who has been classified as “Recommended” or “Highly Recommended” although Attorney General may reject the Committee’s recommendations and require that a new list be prepared; and
 - e. Attorney General may terminate the appointment of members for the purpose of transitioning the Committee to its new composition while limiting compensation/damages and barring certain causes of action/proceedings;
- 9. *Marriage Act***—as many marriages postponed due the pandemic amendments provide that, if a provincial emergency is declared during the valid period of a marriage licence (presently three months), its validity is extended beyond its term until 24 months after the emergency ends, if particular conditions are met;
- 10. *Ministry of Municipal Affairs and Housing Act***—amendments establish a ‘Provincial Land and Development Facilitator’ who shall, at the direction of the Minister, advise and make recommendations to the Minister in respect of growth, land use and other matters, including Provincial interests;
- 11. *Modernizing Ontario for People and Businesses Act, 2020***—amendments:
- a. repeal and replace both the *Burden Reduction Reporting Act, 2014* and the *Reducing Regulatory Costs for Business Act, 2017* with this new Act; and,
 - b. introduce various measures to reduce regulatory costs for business (such as adopting recognized industry standards; applying less onerous requirements; providing digital services to stakeholders; reducing unnecessary reporting; and) including the requirement to introduce ‘offsets’ for legislative changes that increase administrative costs for business.

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(LS20020) (City Wide) - Page 5 of 7**

- 12. Municipal Act, 2001**—as seen in the revisions to the COTA, amendments permit virtual meetings outside of a declared emergency period and allows councillors to vote by proxy if permitted by the procedural by-law;
- 13. Occupational Health and Safety Act**—amendments grant the authority to adopt by regulation certain codes, standards, criteria and guides as they are amended rather than amend the Act each time one is revised to reflect the new standard;
- 14. Ontario Educational Communications Authority Act**—amendments expand the objectives of the Act to include supporting the establishment, administration and coordination of distance education programs and adding related regulation-making powers;
- 15. Ontario French-language Educational Communications Authority Act, 2008**—amendments expand the objectives of the Act to include supporting the establishment, administration and coordination of distance education programs and adding related regulation-making powers;
- 16. Payday Loans Act, 2008**—amendments:
- a. set a maximum interest rate of 2.5 per cent per month (not to be compounded) on the outstanding principal if the advance under the payday loan agreement is \$1,500 or less and the term of the agreement is 62 days or less (which limits can be changed by regulation); and
 - b. stipulate that a fee no greater than \$25 may be charged for a dishonoured cheque, pre-authorized debit or other instrument of payment and a lender cannot impose such a fee more than once with respect to each payday loan agreement;
- 17. Planning Act**—amendments include:
- a. changes to the community benefits charge (the “**CBC**”) regime which was passed in 2019’s Bill 108 but had not yet come in force. Under the new CBC regime, municipal councils, via by-law, may impose CBCs to fund the “capital costs of facilities, services and matters required because of development or redevelopment in the area to which the bylaw applies.” However, a CBC cannot be imposed on a development with fewer than five stories at or above ground or fewer than ten residential units. Municipalities may also pass CBC bylaws that include the costs of development charge services or parkland;

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- b. retains section 42(3) of the *Planning Act*, which was scheduled for repeal in Bill 108, so that a municipality may pass a bylaw requiring an alternative parkland dedication rate, subject to a Local Planning Appeal Tribunal appeal;
- c. granting the Minister broader order-making powers in relation to site plan control and inclusionary zoning including require the inclusion of affordable housing units in the development or redevelopment of specified lands, buildings or structures.

18. *Provincial Offences Act*—additional technical and housekeeping amendments will come into force on July 21, 2021 but current amendments ‘will enable municipalities, in consultation with the judiciary, to make greater use of technology to deliver justice services remotely’ including allowing:

- a. defendants to request a trial in early resolution courts and in first attendance municipalities that administer parking, by mail or other electronic method permitted by the court house;
- b. defendants and prosecutors to conduct early resolution discussions remotely in all cases. However, additional criteria must be met before a court can accept a plea of guilty from a defendant who is making the plea by electronic method;
- c. any participant, including a clerk of the court, witness, judge, or justice of the peace, to attend any proceeding remotely by audio or video, unless the presiding judicial official orders otherwise;
- d. the judiciary to order in-person attendance where the interests of justice or a fair trial require it;
- e. provincial offences officers to seek search warrants remotely in all cases and to replace telewarrants—an information given by a means of telecommunication that produces a writing—with electronic warrants, to reflect other electronic communication technologies; and
- f. defendants to provide credible and trustworthy information upon applying for a re-opening without the need to attend court to have an affidavit commissioned;

19. *Public Transportation and Highway Improvement Act*—amendments eliminate hearings of necessity for expropriations of property under the Act and provides that the Minister may establish a process for receiving comments from

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(LS20020) (City Wide) - Page 7 of 7**

property owners about such expropriations; and

20. *Transit-Oriented Communities Act, 2020*—amendments enact this new Act and also amend the pre-existing *Ministry of Infrastructure Act, 2011* as follows:

- a. *Transit-Oriented Communities Act, 2020*—defines, and permits the Lieutenant Governor in Council to designate land as, ‘transit-oriented community land’ and provides that if any part of ‘transit-oriented community land’ is expropriated in specified circumstances, a related hearings process under the *Expropriations Act* does not apply in relation to the expropriation although a process may be established for receiving/considering comments from property owners; and
- b. *Ministry of Infrastructure Act, 2011*—amended to permit the Minister to make investments supporting or developing transit-oriented community projects related to priority transit projects.

APPENDICES AND SCHEDULES ATTACHED

N/A



CITY OF HAMILTON
City Manager's Office

INFORMATION REPORT

TO:	Mayor and Members General Issues Committee
COMMITTEE DATE:	August 10, 2020
SUBJECT/REPORT NO:	COVID-19 Emergency Delegated Authority By-Law Update (CM20004(b)) (City Wide)
WARD(S) AFFECTED:	City Wide
PREPARED BY:	Janette Smith (905) 546-2424 Ext. 5420
SUBMITTED BY:	Janette Smith City Manager
SIGNATURE:	

The purpose of this Information Report is to provide Council with an update on the use of the Emergency Delegated Authority By-law from June 1, 2020 to July 24, 2020.

BACKGROUND

On March 12, 2020, the City activated its Emergency Operation Centre under the City's Emergency Management Plan, pursuant to the Emergency Management and Civil Protection Act (EMCPA).

On March 17, 2020 the Province of Ontario declared a state of emergency under the EMCPA.

On March 20, 2020 Council adopted Emergency Delegated Authority By-law 20-044 granting the City Manager delegated authority to take certain actions during the COVID-19 Emergency. At the time the By-law was passed, Council requested updates be provided on the exercise of authority under the By-law.

On June 3rd, 2020 an Information Report titled "COVID-19 Emergency Delegated Authority By-Law Update (CM20004(a))" was tabled with Council. It included the use of the delegated authority from March 23, 2020 to May 29, 2020.

This report is the second update on the use of Emergency Delegated Authority By-law 20-044.

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**SUBJECT: COVID-19 Emergency Delegated Authority By-law Update
(CM20004(b)) (City Wide) - Page 2 of 2**

INFORMATION

Similar to the first update, the By-law was used to facilitate the acceptance and quick distribution of funding from other levels of government for the COVID-19 emergency response related to housing and shelter services.

The City of Hamilton has received Federal and Provincial funding to help support the response to COVID-19 in our community. The amounts received are as follows:

- a) \$2,651,550 from Canada's COVID-19 Economic Response Plan: Support for People Experiencing and at Risk of Homelessness; and
- b) \$6,880,800 from Ontario's Social Services Relief Fund, provided through the Community Homelessness Prevention Initiative (CHPI).

Since the last update report, the City received an additional \$376,584 from the Federal Government. This additional amount is reflected in the total above.

In this reporting period, these funds were distributed to various community organizations under the terms of the funding agreements, as outlined in Appendix "A" to Report CM20004(b).

In addition, the Federal Economic Development Agency for Southern Ontario has provided funding to support economic recovery associated with the COVID-19 outbreak. The funds are administered by the Tourism Industry Association of Ontario. These funds are from a pool of \$30M dedicated to tourism efforts and targeted to destination marketing organizations. The City is Hamilton's designated marketing organization under the brand of Tourism Hamilton. Staff are currently confirming the terms of the funding to determine how it will be allocated.

APPENDICES ATTACHED

Appendix "A" to Report CM20004(b) – COVID-19 Emergency Delegated Authority By-law Update.

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**COVID-19 SERVICES AND EXPENDITURES FUNDED BY FEDERAL AND PROVINCIAL GOVERNMENTS AND APPROVED
BY THE COVID-19 EMERGENCY DELEGATED AUTHORITY BY-LAW FROM JUNE 1, 2020 TO JULY 24, 2020**

FEDERAL FUNDING

PROVIDER	SERVICES PROVIDED	AMOUNT	PERIOD	DEPARTMENT
Good Shepherd Centre Hamilton	Rent bank, additional nursing support, wage enhancements, food supplies, grocery cards Note – approved by EOC	\$154,401.01	One time	Healthy and Safe Communities (HSC)
TOTAL AMOUNT		\$154,401.01		

PROVINCIAL FUNDING

PROVIDER	SERVICES PROVIDED	AMOUNT	PERIOD	DEPARTMENT
Sheltering				
Note – approved by EOC				
Hotel (family)	Sheltering for family overflow	\$400,000.00	June - August 2020	Healthy and Safe Communities (HSC)
SuperShine Janitorial Services	Additional janitorial and sanitation services for sheltering in hotel (family)	\$11,000.00	April – Aug 31 2020	HSC
Hotel (women)	Sheltering for single women's overflow	\$210,000.00	June - August 2020	HSC
YWCA	Food for hotel (women)	\$250,000.00	June 2020 – March 2021	HSC

Appendix "A" to Report CM20004(b)

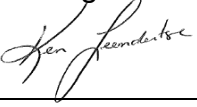
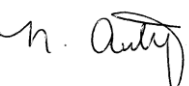
PROVIDER	SERVICES PROVIDED	AMOUNT	PERIOD	DEPARTMENT
Hotel (men and couples)	Sheltering for single men and couples overflow	\$180,000.00	June - August 2020	HSC
Hamilton Cleaners	Laundry services for sheltering in hotel (men and couples)	\$6,000.00	June - August 2020	HSC
Carmen's Catering Services	Food at FOC (men)	\$460,000.00	June – Oct 31 2020	HSC
Isolation Centre				
Note – approved by EOC				
Hamilton Cleaners	Laundry service for isolation centre and townhouses	\$4,000.00	One time	HSC
Wesley Urban Ministries	Food services for isolation centre and townhouses	\$40,000.00	May – August 2020	HSC
Various Cleaning Services				
Note – approved by EOC				
SuperShine Janitorial Services	Good Shepherd Centre	\$5,000.00	July – August 2020	HSC
Mission Services	Cleaning Services	\$20,000.00	July – August 2020	HSC

PROVIDER	SERVICES PROVIDED	AMOUNT	PERIOD	DEPARTMENT
Various Residential Care Facilities (52 RCFs)	Staffing, Food, Cleaning, PPE Note – approved by EOC	\$219,950.00	May 2020	HSC
Various Residential Care Facilities (52 RCFs)	Staffing, Food, Cleaning, PPE Note – approved by EOC	\$219,950.00	June 2020	HSC
Other				
Note – approved by EOC				
Security Services	Housing Services at 350 King St. E.	\$10,000.00	April – August 2020	HSC
YMCA	Food services for YMCA residents (men)	\$324,000.00	June – August 2020	HSC
TOTAL AMOUNT		\$2,359,900.00		

PROVIDER	SERVICES PROVIDED	AMOUNT	PERIOD	DEPARTMENT
Community Applications (Supporting COVID19 Responses)				
Note: Approved by EOC				
Wesley Community Homes Inc.	Cleaning/disinfecting at 195 Ferguson	\$10,640.00	June – Aug 31 2020	HSC
Township of Glanbrook Non-Profit Housing Corporation	Increased cleaning/sanitation for residents and staff at Orchard Court Apartments	\$3,854.49	One time	HSC
Portuguese Support Services for Quality Living	Food, grocery gift cards, personal care items, and program kits	\$11,065.00	One time	HSC
Dr. Bob Kemp Foundation	Increased infection control cleaning and sanitation services	\$4,800.00	One time	HSC
Mishka Social Services	Halal food boxes for vulnerable individuals and families, including newcomers and refugees	\$38,750.00	One time	HSC
AIDS Network	Food, food cards and PPE	\$11,000.00	One time	HSC
AIDS Network	Sex Workers Action Program	\$5,000.00	One time	HSC
Indwell	Food, admin, staffing, cleaning/sanitization, and communication	\$48,653.00	One time	HSC
Hamilton Regional Indian Centre	Food, admin and staffing	\$38,647.00	One time	HSC
Global Citizens Care for Refugee Empowerment Inc.	Food, administration, personal protective equipment, transportation and hygiene products	\$12,800.00	One time	HSC
TOTAL AMOUNT		\$185,209.49		



CITY OF HAMILTON
PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT
 Licensing and By-law Services Division
 and
CORPORATE SERVICES DEPARTMENT
 Legal and Risk Management Services Division

TO:	Chair and Members General Issues Committee
COMMITTEE DATE:	August 10, 2020
SUBJECT/REPORT NO:	Physical Distancing By-Law (PED20148/LS20022) (City Wide)
WARD(S) AFFECTED:	City Wide
PREPARED BY:	Monica Ciriello (905) 546-2424 Ext. 5809 Leanne Fioravanti (905) 546-2424 Ext. 4223
SUBMITTED BY:	Ken Leendertse Director, Licensing and By-law Services Planning and Economic Development Department
SIGNATURE:	
SUBMITTED BY:	Nicole Auty City Solicitor, Corporate Services Legal Services Department
SIGNATURE:	

RECOMMENDATION

- (a) That the Physical Distancing By-law attached as Appendix "A" to Report PED20148/LS20022 which has been prepared in a form satisfactory to the City Solicitor, be enacted effective immediately by Council.
- (b) That subject to the approval of Recommendation (a) the City's Administrative Penalties By-law 17-225 be amended accordingly.

EXECUTIVE SUMMARY

The COVID-19 declared provincial emergency came to an end on July 24, 2020 with the result that the City's By-law to Promote and Regulate Physical Distancing (the "Physical Distancing By-law") is no longer in force.

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SUBJECT: Physical Distancing By-Law (PED20148/LS20022) (City Wide) - Page 2 of 5

Although the declared provincial emergency technically ended, the Province of Ontario enacted new legislation on July 24, 2020, the *Reopening Ontario (A Flexible Response to COVID-19) Act* (“ROA”) which empowers the provincial government to extend its current emergency orders made under the *Emergency Management and Civil Protection Act* (“EMCPA”).

As there is still a need to practice physical distancing in Hamilton to protect residents from the ongoing risk of COVID-19, staff are recommending a new Physical Distancing By-law attached as Appendix “A” which would complement the existing emergency orders that were continued under the ROA and provide further municipal enforcement measures to be taken if necessary.

Alternatives for Consideration – See Page 5

FINANCIAL – STAFFING – LEGAL IMPLICATIONS

Financial: N/A

Staffing: N/A

Legal: N/A

HISTORICAL BACKGROUND

On April 8, 2020 Council passed the Physical Distancing Bylaw, which was initially filling a gap in the EMCPA legislation since the Province had not legislated the two-metre rule at that time.

The City’s Physical Distancing By-law was only meant to remain in force during the COVID Emergency which was defined as follows:

“COVID-19 Emergency” means the period of time commencing upon the date of passing this By-law until the declaration of emergency made by the Province of Ontario under the Act in relation to the COVID-19 Pandemic has been terminated; [Emphasis added.]

On July 21, 2020, the Provincial government gave Royal Assent to Bill 195, the ROA. This new Act came into force on July 24, 2020. The ROA terminated the COVID-19 declared emergency, effective July 24, and provides the Province with flexibility to address the ongoing risks and effects of the COVID-19 outbreak once the declared provincial emergency under the EMCPA ended.

It provides that:

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SUBJECT: Physical Distancing By-Law (PED20148/LS20022) (City Wide) - Page 3 of 5

- Emergency orders in effect under the *EMCPA*, as of July 24, are continued under the *ROA* for an initial 30 days.
- The Lieutenant Governor in Council may further extend these orders under the *ROA* for up to 30 days at a time.
- The Lieutenant Governor in Council may amend certain orders continued under the *ROA* if the amendment relates to:
 - labour redeployment or workplace and management rules;
 - closure of places and spaces or regulation of how businesses and establishments can be open to provide goods or services in a safe manner;
 - compliance with public health advice; or,
 - rules related to gatherings and organized public events.

The *ROA* does not allow new orders to be created.

Since the Province's declared state of emergency has terminated, the City's Physical Distancing By-law is no longer in force.

POLICY IMPLICATIONS AND LEGISLATED REQUIREMENTS

N/A

RELEVANT CONSULTATION

Legal Services and Public Health were consulted in the preparation of the Report and Bylaw.

ANALYSIS AND RATIONALE FOR RECOMMENDATION

The COVID-19 declared provincial emergency came to an end on July 24, 2020 with the result that the City's Physical Distancing By-law is no longer in force.

Now, the rules for areas in stage 3 cover physical distancing fairly comprehensively for indoor spaces in Ontario Regulation 364/20 (one of the continued emergency orders).

Ontario Regulation 364/20, places a general obligation for a person responsible for a place of business or facility open to the public to limit the number of persons in the place of business or facility so that every member of the public is able to maintain a physical distance of at least two metres from every other person in the business or facility,

SUBJECT: Physical Distancing By-Law (PED20148/LS20022) (City Wide) - Page 4 of 5

except in certain circumstances that are prescribed in the regulation. This rule does not require persons who are in compliance with public health guidance on households or social circles to maintain a physical distance of at least two metres from each other while in a place of business or facility.

Ontario Regulation 364/20 also has specific rules, including physical distancing rules, for various types of businesses and facilities, including organized public events and social gatherings.

Under section 10 of the *ROA*, every person who fails to comply with a continued section 7.0.2 [emergency] order is guilty of an offence:

- (a) In the case of an individual, subject to clause (b), to a fine of not more than \$100,000 and for a term of imprisonment of not more than one year;
- (b) In the case of an individual who is a director or officer of a corporation, to a fine of not more than \$500,000 and for a term of imprisonment of not more than one year; and
- (c) In the case of a corporation, to a fine of not more than \$10,000,000.

Municipal law enforcement officers, public health inspectors and Hamilton Police can also utilize the set fines available under the *ROA* against individuals who fail to comply with a continued section 7.0.2 order (\$750.00) and for individuals who obstruct an officer (\$1,000). The short form wording and set fines under the *ROA* are similar to the short form wording and set fines that were provided under the *EMCPA*.

Municipal law enforcement officers, public health inspectors and Hamilton Police have the authority to enforce orders that have been continued under the *ROA*.

Although Ontario Regulation 364/20 addresses physical distancing, the liability often falls on the operator or business owner to ensure compliance with the regulation, not the individuals attending the establishment. Sometimes it is more appropriate to fine an individual who is not adhering to physical distancing rules, especially on crowded beaches, parks, hiking trails and other open public spaces where people tend to congregate but where it is not necessarily considered an organized public event or social gathering.

Staff recommend adopting the Physical Distancing By-law attached as Appendix "A" to allow for Authorized Staff including, Municipal Law Enforcement Officers to respond to and enforce the individual obligation to maintain a distance of at least two metres from another person. The Medical Officer of Health has recommended physical distancing measures to prevent the spread of COVID-19, including maintaining a distance of at least two metres from other individuals who are not members of the same household or who are not members of the same social circle. The proposed Physical Distancing By-

SUBJECT: Physical Distancing By-Law (PED20148/LS20022) (City Wide) - Page 5 of 5

law incorporates by reference the Province of Ontario's guidelines regarding social circles, as amended, and therefore will remain current with whatever guidelines are released regarding social circles or bubbles.

Unlike the previous by-law, this proposed by-law will not have a termination date, but rather can be repealed by Council when it is deemed no longer necessary to practice physical distancing in Hamilton.

Municipal Law Enforcement officers will continue to utilize progressive enforcement, always seeking to ensure voluntary compliance with all regulations and by-laws.

ALTERNATIVES FOR CONSIDERATION

Council may decide that the progressive enforcement tools available under the ROA are sufficient and that some or all of the additional tools proposed by the new Physical Distancing Bylaw is not required.

ALIGNMENT TO THE 2016 – 2025 STRATEGIC PLAN**Our People and Performance**

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

APPENDICES AND SCHEDULES ATTACHED

Appendix A: Physical Distancing By-law

Appendix “A” to Report PED20148/LS20022
Page 1 of 5

Authority: Item ,
Report
CM:
Ward: City Wide

Bill No.

CITY OF HAMILTON
BY-LAW NO.

A By-law to promote and regulate physical distancing in the City of Hamilton and to amend City of Hamilton By-law 17-225, being a By-law to Establish a System of Administrative Penalties

WHEREAS on March 11, 2020 the World Health Organization declared a worldwide pandemic regarding the Novel Coronavirus (“**COVID-19 Pandemic**”);

AND WHEREAS on March 17, 2020, a Declaration of Emergency was made by the Province of Ontario pursuant to section 7.0.1 of the *Emergency Management and Civil Protection Act*, R.S.O. 1990, c. E. 9 (“EMCPA”) related to the COVID-19 Pandemic and a number of emergency orders were made under that Act to address the COVID-19 Pandemic in Ontario;

AND WHEREAS Council of the City of Hamilton enacted a by-law on April 8, 2020 to support the intent and purpose of the emergency orders made under the EMCPA in order to protect the health, safety and well-being of persons in the City of Hamilton by prohibiting certain activities and regulating physical distancing during the COVID-19 Emergency;

AND WHEREAS on July 24, 2020, the COVID-19 Emergency was terminated, however the Province of Ontario gave Royal Assent to Bill 195, the *Reopening Ontario (A Flexible Response to COVID-19) Act, 2020, S.O. 2020, c. 17*, which empowered the Provincial government to extend its current emergency orders made under the EMCPA every 30 days, for up to two years;

AND WHEREAS section 10(2) of the *Municipal Act, 2001, S.O. 2001, c.25* provides that a municipality may pass by-laws respecting the health, safety and well-being of persons;

AND WHEREAS the Medical Officer of Health has recommended physical distancing measures to prevent the spread of COVID-19, including maintaining a distance of at least two metres from other individuals who are not members of the same household or who are not members of the same social circle;

AND WHEREAS Council deems it necessary to re-enact another physical distancing by-law to reflect the fact that although the emergency declaration regarding COVID-19 is technically over, COVID-19 is still present in Hamilton and poses a serious risk to the health, safety and well-being of its residents;

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

PART 1- DEFINITIONS

1.1 For the purposes of this By-law,

“**Authorized Staff**” means a Municipal Law Enforcement Officer or any employee of the City whose duties include those provided for or assigned under this By-law, and shall include a Police Officer, the Director, the Medical Officer of Health and public health inspectors;

“**City**” means the City of Hamilton;

“**Director**” means the Director of Licensing and By-law Services, or their respective designate, for the City of Hamilton;

“**Head of Council**” means the Mayor of the City;

“**Medical Officer of Health**” means the officer appointed to such position by the City of Hamilton under the *Health Protection and Promotion Act*, R.S.O. 1990, c. H.7, their deputies and designates for the purposes of this By-law;

“**Police Officer**” includes an officer of the Hamilton Police Service;

“**Provincial Offences Act**” means the *Provincial Offences Act*, R.S.O. 1990, c. P.33; and

“**Social Circle**” means a social circle in accordance with the Province of Ontario’s guidelines, as amended, regarding creating a social circle during COVID-19 (such guidelines at the time of passing of this by-law can be found here: <https://www.ontario.ca/page/create-social-circle-during-covid-19>).

PART 2 – OFFENCES

2.1 Every person shall maintain a distance of at least two (2) metres from every other person who is not a member of the same household or who is not a member of their Social Circle, except:

- a) children who are participating in a day camp that is operated in a manner consistent with the safety guidelines for COVID-19 for summer day camps produced by the Office of the Chief Medical Officer of Health;
- b) people in a school or private school within the meaning of the *Education Act* that is operated in accordance with a return to school direction issued by the Ministry of Education and approved by the Office of the Chief Medical Officer of Health or a school operated by:
 - i. a band, a council of a band, of the Crown in right of Canada;
 - ii. an education authority that is authorized by a band, a council of a band or the Crown in right of Canada; or

Appendix "A" to Report PED20148/LS20022**Page 3 of 5**

- iii. an entity that participates in the Anishinabek Education system;
- c) child care providers and children in child care facilities;
- d) hospitals, independent health facilities, or offices of regulated health professionals;
- e) when driving in a vehicle;
- f) where necessary for the purposes of facilitating the purchase of admission, goods or services;
- g) where necessary for the provision or receipt of goods and services;
- h) where necessary to provide or receive support, services, or other accommodations;
- i) where necessary for the purposes of health and safety; and
- j) any other person who is exempt from this requirement under provincial or federal legislation.

PART 3 – GENERAL EXEMPTIONS

3.1 This By-law does not apply to Police Officers, City employees or persons hired or engaged by the City to do work or perform services in a Public Space, while performing policing, municipal, or enforcement services, including but not limited to, the enforcement of this By-law.

PART 4 - ADMINISTRATION AND ENFORCEMENT

4.1 The Director is responsible for the administration and enforcement of this By-law and may appoint delegates or assign duties to City staff under this By-law.

4.2 City staff who carry out any action under this By-law are deemed to be Authorized Staff for the purposes of this By-law, in the absence of evidence to the contrary.

4.3 Authorized Staff may, at any reasonable time, enter and inspect all lands, buildings, structures or parts thereof that are subject to this By-law for the purposes of determining compliance with this By-law.

4.4 Despite section 4.3, inspections of any dwelling unit may only be performed in accordance with the *Municipal Act, 2001*.

4.5 For the purposes of this By-law, Authorized Staff may:

- a) require the production for inspection of documents or things relevant to the inspection;

Appendix “A” to Report PED20148/LS20022**Page 4 of 5**

- b) inspect and remove documents or things relevant to an inspection for the purposes of making copies or extracts;
- c) require information from any person concerning a matter related to an inspection; and
- d) alone or in conjunction with a person possessing special or expert knowledge, make examinations or take tests, samples or photographs necessary for the purposes of an inspection.

4.6 Where any person contravenes any provision of this By-law, Authorized Staff may direct such person, verbally or in writing, to comply with this By-law. Every person so directed shall comply with such direction without delay.

4.7 No person shall prevent, hinder or obstruct, or attempt to hinder or obstruct any Authorized Staff in the exercise of any power or the performance of any activity or duty under this By-law.

PART 5 – OFFENCES AND PENALTIES

5.1 Every person who contravenes any provision of this By-law is guilty of an offence and is liable to pay a fine, and such other penalties, as provided for in the *Provincial Offences Act* and the *Municipal Act, 2001*.

5.2 Every person, other than a corporation, who contravenes any provision of this By-law, is guilty of an offence and on conviction is liable, for every day or part thereof upon which such offence occurs or continues, to a fine of not more than \$10,000 for a first conviction; and not more than \$25,000 for any subsequent conviction.

5.3 Every corporation which contravenes any provision of this By-law, is guilty of an offence and on conviction is liable, for every day or part thereof upon which such offence occurs or continues, to a fine of not more than \$50,000 for a first conviction and not more than \$100,000 for any subsequent conviction.

5.4 If an offence under the By-law is continued on more than one day, the person who committed it is liable to be convicted for a separate offence for each day on which it is continued.

5.5 Without limiting the above, every person who contravenes this By-law may also be liable, upon issuance of a penalty notice, to pay an Administrative Penalty in an amount specified in the City’s Administrative Penalties By-law No. 17-225 (the “**APS By-law**”).

PART 6 – AMENDMENTS TO THE APS BY-LAW

6.1 Schedule A of By-law No. 17-225 is amended by repealing Table 22 and replacing it with the following:

Appendix "A" to Report PED20148/LS20022

Page 5 of 5

TABLE 22: BY-LAW NO. 20- XXX To Promote and Regulate Physical Distancing				
ITEM	COLUMN 1 DESIGNATED BY-LAW & SECTION		COLUMN 2 SHORT FORM WORDING	COLUMN 3 SET PENALTY
1	20-xxx	2.1	Fail to maintain a distance of at least two (2) metres from another person	\$500.00
4	20-xxx	4.7	Obstructing an Officer or Authorized staff	\$500.00

6.2 In all other respects the APS By-law is confirmed.

PART 7 – MISCELLANEOUS

7.1 **Conflict:** In the event of a discrepancy between this By-law and any statute, regulation, rule, by-law, order or instrument of the Province of Ontario or the Government of Canada, the provision that is the most restrictive prevails.

7.2 **Severability:** Should any section of this By-law be declared by a Court of competent jurisdiction to be ultra vires or illegal for any reason, the remaining parts shall nevertheless remain valid and binding, and shall be read as if the offending section or part had been struck out.

7.3 **Short Title:** This By-law may be referred to as the Hamilton Physical Distancing By-law.

7.4 **Effective Date:** This By-law shall become effective on the date approved by City Council.

PASSED this _____, _____, _____

F. Eisenberger
Mayor

A. Holland
City Clerk

CITY OF HAMILTON

MOTION

General Issues Committee: August 10, 2020

MOVED BY MAYOR / COUNCILLOR E. PAULS.....

SECONDED BY MAYOR / COUNCILLOR

**City of Hamilton’s Contribution Towards Business Improvement Area (BIA)
Operating Budgets via the Commercial Districts and Small Business Section
Operating Budget**

WHEREAS, the City of Hamilton provides an annual Contribution to Operating Budget Grant to the Business Improvement Areas (BIAs);

WHEREAS, this Contribution to Operating Budget Grant is funded through Planning and Economic Development’s Operating Budget to each BIA and is calculated based on the ratio of the BIA levy to their jurisdictional assessment to the overall BIA assessment;

WHEREAS, the funds allocated from the Contribution to Operating Budget Grant must be spent during the year that they were allocated for;

WHEREAS, due to COVID-19, many planned expenditures for 2020 have been cancelled;

THEREFORE, BE IT RESOLVED:

- (a) That the funds allocated to the BIAs for the 2020 Contribution to Operating Budget Grant that are unused, be carried over and used in accordance with the Contribution to Operating Budget Grant terms prior to December 31, 2021;
- (b) That staff be authorized and directed to establish an appropriate reserve for the unused Contribution to Operating Budget Grant funds that were allocated to the BIAs for 2020; and,
- (c) That staff be directed to close the reserve at the end of 2021 and report back to the General Issues Committee advising where any remaining balance in the reserve should be allocated.