



City of Hamilton
GENERAL ISSUES COMMITTEE
AGENDA

Meeting #: 22-004
Date: February 2, 2022
Time: 9:30 a.m.
Location: Due to the COVID-19 and the Closure of City Hall (CC)

All electronic meetings can be viewed at:

City's Website:
<https://www.hamilton.ca/council-committee/council-committee-meetings/meetings-and-agendas>

City's YouTube Channel:
<https://www.youtube.com/user/InsideCityofHamilton> or Cable 14

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

1. CEREMONIAL ACTIVITIES
2. APPROVAL OF AGENDA
(Added Items, if applicable, will be noted with *)
3. DECLARATIONS OF INTEREST
4. APPROVAL OF MINUTES OF PREVIOUS MEETINGS
 - 4.1. January 12, 2022
 - 4.2. January 17, 2022
5. COMMUNICATIONS
6. DELEGATION REQUESTS
7. CONSENT ITEMS

- 7.1. International Village Business Improvement Area (BIA) Revised Board of Management (PED22026) (Ward 2)

8. STAFF PRESENTATIONS

- 8.1. COVID-19 Verbal Update
- 8.2. Vacant Home Tax in Hamilton (FCS21017(b)) (City Wide)

9. PUBLIC HEARINGS / DELEGATIONS

10. DISCUSSION ITEMS

- 10.1. Business Improvement Area Advisory Committee Report 22-001, January 11, 2022
- 10.2. Advisory Committee for Persons with Disabilities Report 22-001, January 11, 2022

11. MOTIONS

- 11.1. All Our Relations Public Art Project – West Harbour James Street Plaza

12. NOTICES OF MOTION

13. GENERAL INFORMATION / OTHER BUSINESS

14. PRIVATE AND CONFIDENTIAL

15. ADJOURNMENT



GENERAL ISSUES COMMITTEE MINUTES 22-001

9:30 a.m.

January 12, 2022

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

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

Absent: Councillors B. Johnson, L. Ferguson – Personal

THE FOLLOWING ITEMS WERE REFERRED TO COUNCIL FOR CONSIDERATION:

1. **Mayor's Task Force on Economic Recovery – Update (PED22005) (City Wide) (Item 7.1)**

(Eisenberger/Pauls)

- (a) That the matter respecting the Final Report for the Mayor's Task Force on Economic Recovery continue to be updated and presented in a summary report to the General Issues Committee in Spring 2022;
- (b) *That Planning and Economic Development Department staff be directed to implement a local commercial areas economic recovery program for 2022 and 2023 that would support economic recovery by bringing events, programs and other animation activities to the City's BIAs, community downtowns and other commercial areas that encourage the public to visit the commercial areas and to support the local businesses;*
- (c) *That priority be given to programs and activities that would also engage local artists including, but not limited to, artistic performances, artistic programming and arts installations that draw the public to the commercial areas, support for the Concrete Canvas street art festival to support local artists to install murals in the City's commercial areas, and funding for BIAs to support street fairs and street festivals through partial offsetting of road closure costs;*

- (d) ***That the City support Hamilton's culinary sector by once again waiving City fees in 2022 for the temporary outdoor patio program including application fees, fees for temporary road closure permits, traffic safety measures, and parking meter charges;***
- (e) ***That \$750,000 over two years, to be funded from the Economic Development Initiatives Capital Project (3621708900), be allocated to support the local commercial areas economic recovery program;***
- (f) ***That the Planning and Economic Development Department staff be directed to seek opportunities to leverage the City's funding with funding from other partners including provincial and federal government programs;***
- (g) ***That the General Manager of Planning and Economic Development be authorized and directed to create a two-year, temporary contract Senior Project Manager position, to be funded from the Economic Development Initiatives Capital Project (3621708900), to lead the local commercial areas economic recovery program; and,***
- (h) ***That the General Manager of Planning and Economic Development be authorized and directed to enter into the necessary contracts and agreements with any external parties or vendors, to implement a local commercial areas economic recovery program for 2022 and 2023, in accordance with the City's procurement policies, and in a form satisfactory to the City Solicitor.***

Result: MAIN MOTION, As Amended, CARRIED by a vote of 13 to 0, as follows:

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

2. Dundas Business Improvement Area (BIA) Revised Board of Management (PED22010) (Ward 13) (Item 7.2)

(VanderBeek/Partridge)

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

- (a) Susan Preston
- (b) Rebecca Wasilewski
- (c) Jenn Hayes

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

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

3. Ancaster Village Business Improvement Area (BIA) Revised Board of Management (PED22011) (Ward 12) (Item 7.3)

(Pauls/Eisenberger)

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

- (a) Christina Mattina
- (b) Patricia Rastin

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

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

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

4. Ancaster Village Business Improvement Area (BIA) Proposed Budget and Schedule of Payments for 2022 (PED22012) (Ward 12) (Item 10.1)

(Powers/Pauls)

- (a) That the 2022 Operating Budget for the Ancaster Village Business Improvement Area, attached as Appendix "A" to Report PED22012, in the amount of \$100,450, be approved;
- (b) That the levy portion of the Operating Budget for the Ancaster Village Business Improvement Area, in the amount of \$100,450, be approved;
- (c) That the General Manager of the Finance and Corporate Services Department be authorized and directed to prepare the requisite By-law, pursuant to Section 208, *Ontario Municipal Act, 2001*, as amended, to levy the 2022 Operating Budget for the Ancaster Village Business Improvement Area; and,
- (d) That the following schedule of payments for 2022 Operating Budget for the Ancaster Village Business Improvement Area, be approved:
- | | | |
|------|---------|----------|
| (i) | January | \$50,225 |
| (ii) | June | \$50,225 |

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

Yes	-	Mayor Fred Eisenberger
Yes	-	Ward 1 Councillor Maureen Wilson
Yes	-	Ward 2 Councillor Jason Farr
Yes	-	Ward 3 Councillor Nrinder Nann
Yes	-	Ward 4 Councillor Sam Merulla
Yes	-	Ward 5 Councillor Russ Powers
Yes	-	Ward 6 Councillor Tom Jackson
Yes	-	Ward 7 Councillor Esther Pauls

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

5. Waterdown Business Improvement Area (BIA) Proposed Budget and Schedule of Payments for 2022 (PED22016) (Ward 15) (Item 10.2)

(Powers/Pauls)

- (a) That the 2022 Operating Budget for the Waterdown Business Improvement Area, attached as Appendix "A" to Report PED22016, in the amount of \$340,100, be approved;
- (b) That the levy portion of the Operating Budget for the Waterdown Business Improvement Area, in the amount of \$260 K, be approved;
- (c) That the General Manager of the Finance and Corporate Services Department be authorized and directed to prepare the requisite By-law, pursuant to Section 208, *Ontario Municipal Act, 2001*, as amended, to levy the 2022 Operating Budget for the Waterdown Business Improvement Area; and,
- (d) That the following schedule of payments for 2022 Operating Budget for the Waterdown Business Improvement Area, be approved:
- | | | |
|------|---------|-----------|
| (i) | January | \$130,000 |
| (ii) | June | \$130,000 |

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

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

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

6. Downtown Hamilton Business Improvement Area (BIA) Proposed Budget and Schedule of Payment for 2022 (PED22015) (Ward 2) (Item 10.3)

(Powers/Pauls)

- (a) That the 2022 Operating Budget for the Downtown Hamilton Business Improvement Area (BIA), attached as Appendix "A" to Report PED22015, in the amount of \$465 K, be approved;
- (b) That the levy portion of the Operating Budget for the Downtown Hamilton Business Improvement Area, in the amount of \$400 K, be approved;
- (c) That the General Manager of the Finance and Corporate Services Department be authorized and directed to prepare the requisite By-law, pursuant to Section 208, *Ontario Municipal Act, 2001*, as amended, to levy the 2022 Operating Budget for the Downtown Hamilton Business Improvement Area; and,
- (d) That the following schedule of payments for 2022 Operating Budget for the Downtown Hamilton Business Improvement Area, be approved:
- | | | |
|------|---------|-----------|
| (i) | January | \$200,000 |
| (ii) | June | \$200,000 |

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

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

7. Westdale Village Business Improvement Area (BIA) Proposed Budget and Schedule of Payment for 2022 (PED22014) (Ward 1) (Item 10.4)

(Powers/Pauls)

- (a) That the 2022 Operating Budget for the Westdale Village Business Improvement Area, attached as Appendix "A" to Report PED22014, in the amount of \$125 K, be approved;
- (b) That the levy portion of the Operating Budget for the Westdale Village Business Improvement Area, in the amount of \$125 K, be approved;
- (c) That the General Manager of the Finance and Corporate Services Department be authorized and directed to prepare the requisite By-law, pursuant to Section 208, *Ontario Municipal Act*, 2001, as amended, to levy the 2022 Operating Budget for the Westdale Village Business Improvement Area; and,
- (d) That the following schedule of payments for 2022 Operating Budget for the Westdale Village Business Improvement Area, be approved:
- | | | |
|------|---------|----------|
| (i) | January | \$62,500 |
| (ii) | June | \$62,500 |

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

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

8. Stoney Creek Business Improvement Area (BIA) Proposed Budget and Schedule of Payments for 2022 (PED22013) (Ward 5) (Item 10.5)

(Powers/Pauls)

- (a) That the 2022 Operating Budget for the Stoney Creek Business Improvement Area, attached as Appendix "A" to Report PED22013, in the amount of \$85,288, be approved;
- (b) That the levy portion of the Operating Budget for the Stoney Creek Business Improvement Area, in the amount of \$49 K, be approved;
- (c) That the General Manager of the Finance and Corporate Services Department be authorized and directed to prepare the requisite By-law, pursuant to Section 208, *Ontario Municipal Act, 2001*, as amended, to levy the 2022 Operating Budget for the Stoney Creek Business Improvement Area;
- (d) That the following schedule of payments for 2022 Operating Budget for the Stoney Creek Business Improvement Area be approved:
- | | | |
|------|---------|----------|
| (i) | January | \$24,500 |
| (ii) | June | \$24,500 |

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

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

9. Chedoke Creek Order - Update (PW19008(n)) (City Wide) (Item 10.6)

(Nann/Wilson)

That Report PW19008(n), respecting the Chedoke Creek Order – Update, be received.

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

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

10. Advisory Committee for Persons with Disabilities Report 21-023, December 14, 2021 (Item 10.7)

(Jackson/VanderBeek)

(a) Appointment of Committee Chair and Vice-Chair for 2022 (Item 12.5)

(i) Appointment of Chair

That Aznive Mallett be appointed as Chair of the Advisory Committee for Persons with Disabilities for 2022.

(ii) Appointment of Vice Chair

That James Kemp be appointed as Vice Chair of the Advisory Committee for Persons with Disabilities for 2022.

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

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

Yes	-	Ward 3	Councillor Nrinder Nann
Yes	-	Ward 4	Councillor Sam Merulla
Yes	-	Ward 5	Councillor Russ Powers
Yes	-	Ward 6	Councillor Tom Jackson
Yes	-	Ward 7	Councillor Esther Pauls
Yes	-	Ward 8	Councillor J. P. Danko
Yes	-	Ward 9	Councillor Brad Clark, Deputy Mayor
Yes	-	Ward 10	Councillor Maria Pearson
Absent	-	Ward 11	Councillor Brenda Johnson
Absent	-	Ward 12	Councillor Lloyd Ferguson
Yes	-	Ward 13	Councillor Arlene VanderBeeck
Absent	-	Ward 14	Councillor Terry Whitehead
Yes	-	Ward 15	Councillor Judi Partridge

11. Donation Agreement Between the City of Hamilton and the Nikola Tesla Educational Corporation respecting the Hamilton Electric City Public Art Project (Item 11.1)

(Powers/Pearson)

WHEREAS, the Hamilton Electric City Public Art Project was identified in the 2016 Council approved Public Art Master Plan and funding of \$200,000 was approved as part of the 2020 capital budget;

WHEREAS, the theme of the Hamilton Electric City Public Art Project is to reflect the history of hydro electric power in Hamilton that was first brought to Hamilton by the 5 Johns; using the technology developed by Nikola Tesla and resulting in the large industrial expansion that transformed Hamilton in the early 20th century;

WHEREAS, the Nikola Tesla Educational Corporation has agreed to take part in the City led Call for Artists process to commission a work of public art; and,

WHEREAS, the Nikola Tesla Educational Corporation has offered to donate \$25,000 to support the Hamilton the Electric City Public Art Project;

THEREFORE, BE IT RESOLVED:

That the Mayor and City Clerk be authorized and directed to execute, on behalf of the City, a Donation Agreement, together with all necessary ancillary documents, between the City of Hamilton and the Nikola Tesla Educational Corporation to accept a \$25,000 donation from the Nikola Tesla Educational Corporation to support the Hamilton Electric City Public Art Project, with content acceptable to the General Manager of Planning and Economic Development, and in a form satisfactory to the City Solicitor.

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

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

**12. Amendments to the City's Mandatory Vaccine Verification Policy (LS22008)
(City Wide) (Item 14.2)**

(Eisenberger/Farr)

- (a) That Report LS22008, respecting the Amendments to the City's Mandatory Vaccine Verification Policy, be received; and,
- (b) That Report LS22008, respecting the Amendments to the City's Mandatory Vaccine Verification Policy, remain confidential.

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

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

FOR INFORMATION:**(a) APPROVAL OF AGENDA (Item 2)**

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

6. DELEGATION REQUESTS

- 6.1. Tys Theysmeyer, Head of Natural Areas, Royal Botanical Gardens, respecting Item 10.6 - Report PW19008(n), Chedoke Creek Order Update (For the January 12, 2022 GIC)
- 6.2. Chris McLaughlin, Bay Area Restoration Council, respecting Item 10.6 - Report PW19008(n), Chedoke Creek Order Update (For the January 12, 2022 GIC)

THIS REQUEST HAS SINCE BEEN WITHDRAWN.

10. DISCUSSION ITEMS

- 10.7. Advisory Committee for Persons with Disabilities Report 21-013, December 14, 2021
- 10.8. Amendment to the Mandatory COVID-19 Vaccination Verification Policy (HUR21008)(a) (City Wide)

13. GENERAL INFORMATION / OTHER BUSINESS**13.1. Amendments to the Outstanding Business List****13.1.a. Items to be removed:**

- 13.1.a.a. Potential Solutions to the Chedoke Creek Matter (Addressed on this agenda as Item 10.6 - Report PW19008(n))
- 13.1.a.b. Mayor's Task Force on Economic Recovery (Addressed as item 7.1 on today's agenda - Report PED22005)

14. PRIVATE AND CONFIDENTIAL

14.2. Amendments to the City's Mandatory Vaccine Verification Policy (LS22008) (City Wide)

Pursuant to Section 9.1, Sub-sections (d), (e) and (f) of the City's Procedural By-law 21-021 and Section 239(2), Sub-sections (d), (e) and (f) of the Ontario Municipal Act, 2001, as amended, as the subject matter pertains to labour relations or employee negotiations; litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board; and, advice that is subject to solicitor-client privilege, including communications necessary for that purpose.

(Pearson/Eisenberger)

That the agenda for the January 12, 2022 General Issues Committee meeting, be approved, as amended.

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

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

(b) DECLARATIONS OF INTEREST (Item 3)

There were no declarations of interest.

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

(i) December 8, 2021 and December 10, 2021 (Items 4.1 and 4.2)

(Partridge/Pearson)

That the Minutes of the December 8, 2021 and December 10, 2021 General Issues Committee meetings, be approved, as presented.

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

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

(d) DELEGATION REQUESTS (Item 6)

(i) Tys Theysmeyer, Head of Natural Areas, Royal Botanical Gardens, respecting Item 10.6 - Report PW19008(n), Chedoke Creek Order Update (Item 6.1)

(Powers/Farr)

That the delegation request submitted by Tys Theysmeyer, Head of Natural Areas, Royal Botanical Gardens, respecting Item 10.6 - Report PW19008(n), Chedoke Creek Order Update, be approved for the January 12, 2022 General Issues Committee.

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

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

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

(e) CONSENT ITEMS (Item 7)

**(i) Mayor's Task Force on Economic Recovery – Update (PED22005)
(City Wide) (Item 7.1)**

(Eisenberger/Pauls)

WHEREAS, many of the City's local commercial areas, including the community downtowns and the City's thirteen Business Improvement Areas, have been hard-hit by the COVID pandemic;

WHEREAS, the Report of the Mayor's Task Force on Economic Recovery includes a number of recommendations related to supporting economic recovery by encouraging people to shop local, explore local, visit local business areas, and support local businesses;

WHEREAS, the Report of the Mayor's Task Force on Economic Recovery includes a number of recommendations related to supporting the City's arts community by providing opportunities for artists to perform or to create and display their work;

WHEREAS, the City of Hamilton is committed to supporting local businesses and local artists as one component of its broader economic recovery planning;

WHEREAS, City Council approved \$2 million in the 2021 Capital Budget and \$1 million in the 2022 Capital Budget for the Economic Development Initiatives Capital Project (3621708900) to support economic development including post-COVID economic recovery;

WHEREAS, a number of economic development initiatives to support some of the city's major economic sectors, already supported through the Economic Development Initiatives Capital Project in 2021 and 2022, include the FIRE (Finance, Insurance and Real Estate) Sector Strategy,

Life Sciences Sector Strategy, Advanced Manufacturing Strategy and the Bayfront Industrial Area Strategy;

WHEREAS, in 2021 the City supported local businesses as part of the implementation of the recommendations of the Mayor's Task Force on Economic Recovery through a number of initiatives including creating the COVID Concierge for Business, one-time grants to local Business Improvement Areas to support special programming, deferring business license fee increases, waiving fees for the outdoor dining program, and an enhanced focus on supporting local tourism and local businesses through Tourism Hamilton and other City social media channels;

THEREFORE, BE IT RESOLVED:

That Report PED22005, respecting the Mayor's Task Force on Economic Recovery, **be amended** by adding new sub-sections (b) through (h) to read as follows:

- (b) ***That Planning and Economic Development Department staff be directed to implement a local commercial areas economic recovery program for 2022 and 2023 that would support economic recovery by bringing events, programs and other animation activities to the City's BIAs, community downtowns and other commercial areas that encourage the public to visit the commercial areas and to support the local businesses;***
- (c) ***That priority be given to programs and activities that would also engage local artists including, but not limited to, artistic performances, artistic programming and arts installations that draw the public to the commercial areas, support for the Concrete Canvas street art festival to support local artists to install murals in the City's commercial areas, and funding for BIAs to support street fairs and street festivals through partial offsetting of road closure costs;***
- (d) ***That the City support Hamilton's culinary sector by once again waiving City fees in 2022 for the temporary outdoor patio program including application fees, fees for temporary road closure permits, traffic safety measures, and parking meter charges;***
- (e) ***That \$750,000 over two years, to be funded from the Economic Development Initiatives Capital Project (3621708900), be allocated to support the local commercial areas economic recovery program;***

- (f) ***That Planning and Economic Development Department staff be directed to seek opportunities to leverage the City's funding with funding from other partners including provincial and federal government programs;***
- (g) ***That the General Manager of Planning and Economic Development be authorized and directed to create a two-year, temporary contract Senior Project Manager position, to be funded from the Economic Development Initiatives Capital Project (3621708900), to lead the local commercial areas economic recovery program; and,***
- (h) ***That the General Manager of Planning and Economic Development be authorized and directed to enter into the necessary contracts and agreements with any external parties or vendors, to implement a local commercial areas economic recovery program for 2022 and 2023, in accordance with the City's procurement policies, and in a form satisfactory to the City Solicitor.***

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

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

For further disposition of this matter, please refer to Item 1.

(f) PRESENTATIONS (Item 8)**(i) COVID-19 Verbal Update (Item 8.1)**

Jason Thorne, General Manager, Planning and Economic Development and Director of the Emergency Operations Centre; and, Dr. Elizabeth Richardson, Medical Officer of Health, provided the verbal update regarding COVID-19.

(VanderBeek/Pearson)

That the verbal update respecting the COVID-19, be received.

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

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

(g) PUBLIC HEARINGS / DELEGATIONS (Item 9)**(i) Tys Theysmeyer, Head of Natural Areas, Royal Botanical Gardens, respecting Item 10.6 - Report PW19008(n), Chedoke Creek Order Update (Item 9.1)**

Tys Theysmeyer, Head of Natural Areas, Royal Botanical Gardens, provided a PowerPoint presentation respecting Item 10.6 - Report PW19008(n), Chedoke Creek Order Update.

(VanderBeek/Nann)

That the presentation provided by Tys Theysmeyer, Head of Natural Areas, Royal Botanical Gardens, respecting Item 10.6 - Report PW19008(n), Chedoke Creek Order Update, be received.

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

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

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

(h) DISCUSSION ITEMS (Item 10)

(i) Amendment to the Mandatory COVID-19 Vaccination Verification Policy (HUR21008(a)) (City Wide) (Item 10.8)

1. DEFERRAL MOTION

(Eisenberger/Jackson)

That consideration of Report HUR21008(a), respecting the Amendment to the Mandatory COVID-19 Vaccination Verification Policy, be DEFERRED until after Committee reconvenes in Open Session.

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

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

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

2. AMENDMENT

(Danko/Farr)

- (a) That the recommended amendments to the Mandatory COVID-19 Vaccination Verification Policy (attached as Appendix "A" to Report HUR21008(a)), requiring proof of full vaccination in the workplace, and that, save and except members of Council and members of Council appointed committees, those unvaccinated staff, or those staff choosing not to disclose their vaccination status, without an approved medical exemption, be subject to discipline up to and including termination of employment, be approved;
- (b) That those unvaccinated staff or those who have not disclosed their vaccination status will have until May 31, 2022 to provide proof of full vaccination, or an approved medical exemption, at which time any failure to do so will result in their termination of employment with the City;
- (c) That unvaccinated employees or those who do not disclose their vaccination status, and those employees who are subject to an approved exemption, will be required to continue to participate in the rapid testing program until May 31, 2022;
- (d) That, in the event the City is unable to secure an adequate and appropriate supply of rapid tests between the date of the amended policy and May 31, 2022, any employee who would otherwise be restricted from attendance at work will be placed on a paid leave of absence, pending the continuation of the program at the earliest available opportunity; and,
- (e) That the amended Mandatory COVID-19 Vaccination Verification Policy (attached as Appendix "A" to Report HUR21008(a)), continues to apply to all City employees, including permanent, temporary, full-time, part-time, casual, volunteers, students, members of Council and members of Council appointed committees, as appropriate and except

where excluded otherwise, subject to the terms and conditions of applicable collective agreements.

(Danko/Farr)

- (a) That sub-section (a) to Report HUR21008(a), respecting the Amendment to the Mandatory COVID-19 Vaccination Verification Policy **be amended** by deleting the words "**save and except members of Council and members of Council appointed committees**", to read as follows:
- (a) That the recommended amendments to the Mandatory COVID-19 Vaccination Verification Policy (attached as Appendix "A" to Report HUR21008(a)), requiring proof of full vaccination in the workplace, and that, ~~save and except members of Council and members of Council appointed committees~~, those unvaccinated staff, or those staff choosing not to disclose their vaccination status, without an approved medical exemption, be subject to discipline up to and including termination of employment, be approved;
- (b) That Report HUR21008(a), respecting the Amendment to the Mandatory COVID-19 Vaccination Verification Policy **be further amended** by adding a new sub-section (f), to read as follows:
- (f) ***That the City Clerk be directed to report to the Governance Review Sub-Committee with recommendations for amendments to the Council Code of Conduct and the Code of Conduct for local Boards and Council mandated Committees to ensure Member compliance with the Corporate Vaccination Policy and how sanctions may be applied to members of Council who do not comply.***

At the request of Councillor Danko, sub-section (d) was voted on separately, as follows:

(Danko/Farr)

- (d) That, in the event the City is unable to secure an adequate and appropriate supply of rapid tests between the date of the amended policy and May 31, 2022, any employee who would otherwise be restricted from attendance at work will be placed on a paid leave of

absence, pending the continuation of the program at the earliest available opportunity;

Result: Sub-section (d), 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
Yes	-	Ward 3 Councillor Nrinder Nann
Yes	-	Ward 4 Councillor Sam Merulla
Yes	-	Ward 5 Councillor Russ Powers
Yes	-	Ward 6 Councillor Tom Jackson
No	-	Ward 7 Councillor Esther Pauls
No	-	Ward 8 Councillor J. P. Danko
Yes	-	Ward 9 Councillor Brad Clark, Deputy Mayor
Yes	-	Ward 10 Councillor Maria Pearson
Absent	-	Ward 11 Councillor Brenda Johnson
Absent	-	Ward 12 Councillor Lloyd Ferguson
Yes	-	Ward 13 Councillor Arlene VanderBeek
No	-	Ward 14 Councillor Terry Whitehead
Yes	-	Ward 15 Councillor Judi Partridge

- (a) ***That the recommended amendments to the Mandatory COVID-19 Vaccination Verification Policy (attached as Appendix “A” to Report HUR21008(a)), requiring proof of full vaccination in the workplace, and that, those unvaccinated staff, or those staff choosing not to disclose their vaccination status, without an approved medical exemption, be subject to discipline up to and including termination of employment, be approved;***
- (b) That those unvaccinated staff or those who have not disclosed their vaccination status will have until May 31, 2022 to provide proof of full vaccination, or an approved medical exemption, at which time any failure to do so will result in their termination of employment with the City;
- (c) That unvaccinated employees or those who do not disclose their vaccination status, and those employees who are subject to an approved exemption, will be required to continue to participate in the rapid testing program until May 31, 2022;
- (e) That the amended Mandatory COVID-19 Vaccination Verification Policy (attached as Appendix “A” to Report HUR21008(a)), continues to apply to all City employees, including permanent, temporary, full-time, part-time, casual, volunteers, students, members of Council and members of Council appointed committees, as appropriate and except where excluded otherwise,

subject to the terms and conditions of applicable collective agreements; and,

- (f) ***That the City Clerk be directed to report to the Governance Review Sub-Committee with recommendations for amendments to the Council Code of Conduct and the Code of Conduct for local Boards and Council mandated Committees to ensure Member compliance with the Corporate Vaccination Policy and how sanctions may be applied to members of Council who do not comply.***

Result: The balance of the MAIN MOTION, As Amended, 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
Yes	-	Ward 3 Councillor Nrinder Nann
Yes	-	Ward 4 Councillor Sam Merulla
Yes	-	Ward 5 Councillor Russ Powers
Yes	-	Ward 6 Councillor Tom Jackson
No	-	Ward 7 Councillor Esther Pauls
Yes	-	Ward 8 Councillor J. P. Danko
Yes	-	Ward 9 Councillor Brad Clark, Deputy Mayor
Yes	-	Ward 10 Councillor Maria Pearson
Absent	-	Ward 11 Councillor Brenda Johnson
Absent	-	Ward 12 Councillor Lloyd Ferguson
Yes	-	Ward 13 Councillor Arlene VanderBeek
Absent	-	Ward 14 Councillor Terry Whitehead
Yes	-	Ward 15 Councillor Judi Partridge

This matter was referred to the special Council of January 12, 2022 for consideration.

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

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

(Farr/Pearson)

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

- (1) Items to be Removed (Item 13.1.a.)

(aa) Potential Solutions to the Chedoke Creek Matter

(Addressed on this agenda as Item 10.6 - Report
PW19008(n))

(bb) Mayor's Task Force on Economic Recovery

(Addressed as item 7.1 on today's agenda - Report
PED22005)

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

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

(Powers/Jackson)

That the General Issues Committee recess for 20 minutes until 1:15 p.m.

Result: MOTION, CARRIED by a vote of 11 to 1, as follows:

No	-	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 Russ Powers
Yes	-	Ward 6 Councillor Tom Jackson
Yes	-	Ward 7 Councillor Esther Pauls
Yes	-	Ward 8 Councillor J. P. Danko
Yes	-	Ward 9 Councillor Brad Clark, Deputy Mayor
Absent	-	Ward 10 Councillor Maria Pearson

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

(j) PRIVATE & CONFIDENTIAL (Item 14)

(i) Closed Session Minutes – December 10, 2021

(Eisenberger/Farr)

- (a) That the Closed Session Minutes of the December 10, 2021 General Issues Committee meeting, be approved; and,
- (b) That the Closed Session Minutes of the December 10, 2021 General Issues Committee meeting, remain confidential.

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

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

(Eisenberger/Farr)

That Committee move into Closed Session respecting Item 14.2, pursuant to Section 9.1, Sub-sections (d), (e) and (f) of the City's Procedural By-law 21-021 and Section 239(2), Sub-sections (d), (e) and (k) of the *Ontario Municipal Act*, 2001, as amended, as the subject matter pertains to labour relations or employee negotiations; litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board; and, advice that is subject to solicitor-client privilege, including communications necessary for that purpose.

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

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

(k) ADJOURNMENT (Item 14)

(Eisenberger/Nann)

That there being no further business, the General Issues Committee be adjourned at 4:51 p.m.

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

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

Respectfully submitted,

Brad Clark, Deputy Mayor
Chair, General Issues Committee

Stephanie Paparella
Legislative Coordinator,
Office of the City Clerk



SPECIAL GENERAL ISSUES COMMITTEE MINUTES 22-003

9:30 a.m.

Monday, January 17, 2021

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

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

Absent: Councillors S. Merulla, T. Whitehead – Personal
Councillor B. Johnson – Other City Business

THE FOLLOWING ITEMS WERE REFERRED TO COUNCIL FOR CONSIDERATION:

1. Code of Conduct for Boards and Committees - Integrity Commissioner Work Plan (FCS21081(a)) (City Wide) (Item 8.1)

(Wilson/Nann)

- (a) That Report FCS21081(a), respecting the Code of Conduct for Boards and Committees - Integrity Commissioner Work Plan, be REFERRED to the January 19, 2022 meeting of Council for consideration; and,
- (b) That the following Motion be REFERRED to the January 19, 2022 meeting of Council for consideration:
 - (a) That Report FCS21081(a), respecting the Code of Conduct for Boards and Committees - Integrity Commissioner Work Plan, be REFERRED back to staff for a participatory model of consultation and education that is designed to enable input and feedback from local boards and committees to help finalize a revised Code of Conduct, with a report back to the General Issues Committee; and,
 - (b) That an upset limit of \$30,000 for the consultation and education process on the Code of Conduct, to be funded through the Tax Stabilization Reserve account 110046, be approved.

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

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

FOR INFORMATION:

(a) APPROVAL OF AGENDA (Item 1)

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

(Clark/VanderBeek)

That the agenda for January 17, 2022 special General Issues Committee meeting, be approved, as presented.

Result: Motion CARRIED by a vote of 10 to 0, as follows:

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

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

(b) DECLARATIONS OF INTEREST (Item 2)

There were no declarations of interest.

(c) STAFF PRESENTATIONS (Item 8)

(i) Code Conduct for Boards and Committees - Integrity Commissioner Work Plan (FCS21081(a)) (City Wide) (Item 8.1)

Jeff Abrams and Janice Atwood-Petkovski, Co-Principals of Principles Integrity, provided a PowerPoint presentation respecting Report FCS21081(a) - Code Conduct for Boards and Committees - Integrity Commissioner Work Plan, and answered questions of Committee.

(Clark/Farr)

That the presentation, respecting Report FCS21081(a) - Code Conduct for Boards and Committees - Integrity Commissioner Work Plan, be received.

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

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

(Nann/Eisenberger)

That consideration of Report FCS21081(a), respecting the Code of Conduct for Boards and Committees - Integrity Commissioner Work Plan, be DEFERRED until after the delegates have been heard.

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

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

(d) PUBLIC HEARINGS / DELEGATIONS (Item 9)**(i) Rebecca Banky (Chair) and Cameron Kroetsch, LGBTQ Advisory Committee, respecting Changes to the Code of Conduct as it relates to Advisory Committees (Item 9.1)**

Rebecca Banky (Chair) and Cameron Kroetsch, LGBTQ Advisory Committee, addressed Committee respecting changes to the Code of Conduct, as it relates to Advisory Committees.

(Farr/Powers)

That Rebecca Banky (Chair) and Cameron Kroetsch, LGBTQ Advisory Committee, be permitted an additional 10 minutes, beyond the 5-minute time limit, to complete their delegation respecting changes to the Code of Conduct, as it relates to Advisory Committees.

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

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

**Special General Issues Committee
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**January 17, 2022
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Yes	-	Ward 3	Councillor Nrinder Nann
Absent	-	Ward 4	Councillor Sam Merulla
Yes	-	Ward 5	Councillor Russ Powers
Yes	-	Ward 6	Councillor Tom Jackson
Yes	-	Ward 7	Councillor Esther Pauls
Yes	-	Ward 8	Councillor J. P. Danko
Yes	-	Ward 9	Councillor Brad Clark
Yes	-	Ward 10	Councillor Maria Pearson
Absent	-	Ward 11	Councillor Brenda Johnson
Yes	-	Ward 12	Councillor Lloyd Ferguson, Deputy Mayor
Yes	-	Ward 13	Councillor Arlene VanderBeek
Absent	-	Ward 14	Councillor Terry Whitehead
Yes	-	Ward 15	Councillor Judi Partridge

(Powers/Partridge)

That the delegation by Rebecca Banky (Chair) and Cameron Kroetsch, LGBTQ Advisory Committee, respecting changes to the Code of Conduct, as it relates to Advisory Committees, be received.

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

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

For disposition of this matter, please refer to Item 1.

(e) ADJOURNMENT (Item 15)

(Pearson/Powers)

That there being no further business, the General Issues Committee be adjourned at 12:30 p.m.

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

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

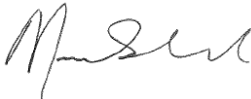
Respectfully submitted,

Lloyd Ferguson, Deputy Mayor
Chair, General Issues Committee

Stephanie Paparella
Legislative Coordinator,
Office of the City Clerk



CITY OF HAMILTON
PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT
Economic Development Division

TO:	Mayor and Members General Issues Committee
COMMITTEE DATE:	February 2, 2022
SUBJECT/REPORT NO:	International Village Business Improvement Area (BIA) Revised Board of Management (PED22026) (Ward 2)
WARD(S) AFFECTED:	Ward 2
PREPARED BY:	Julia Davis (905) 546-2424 Ext. 2632
SUBMITTED BY:	Norm Schleeahn Director, Economic Development Planning and Economic Development Department
SIGNATURE:	

RECOMMENDATION

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

Kristin Kusturin

EXECUTIVE SUMMARY

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

Alternatives for Consideration – Not Applicable

FINANCIAL – STAFFING – LEGAL IMPLICATIONS

Financial: Not Applicable

Staffing: Not Applicable

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SUBJECT: International Village Business Improvement Area (BIA) Revised Board of Management (PED22026) (Ward 2) - Page 2 of 4

Legal: *The Municipal Act 2001*, Sections 204-215 governs BIAs. Section (204) Subsection (3) stipulates “A Board of Management shall be composed of, (a) one or more Directors appointed directly by the Municipality; and (b) the remaining Directors selected by a vote of the membership of the improvement area and appointed by the Municipality”. Section 204 Subsection (12) stipulates “...if a vacancy occurs for any cause, the Municipality may appoint a person to fill the vacancy for the unexpired portion of the term and the appointed person is not required to be a member of the improvement area.”

HISTORICAL BACKGROUND

The Board of Management of the International Village BIA held a meeting on November 24, 2021, at which Kristin Kusturin was appointed to the Board of Management.

Should Council adopt the recommendation in Report PED22026, the aforementioned nominated person would fill the vacancy from the resignation of Melanie Amato and be appointed to serve on the International Village BIA Board of Management for the remainder of this term, through the end of 2022.

POLICY IMPLICATIONS AND LEGISLATED REQUIREMENTS

Section 204 of the *Municipal Act* (the “Act”), together with the Procedural By-law adopted by the Board of Management (the “BIA Procedural By-law”), govern the election of Directors, Appointment of Directors by Council, and the Filling of Vacancies within a Board of Management.

Section 204(3) Act provides, “A board of management shall be composed of:

- (a) one or more directors appointed directly by the municipality; and,
- (b) the remaining directors selected by a vote of the membership of the improvement area and appointed by the municipality.”

Section 204(9) of the Act provides, “Subject to subsection (9), if a vacancy occurs for any cause, the municipality may appoint a person to fill the vacancy for the unexpired portion of the term and the appointed person is not required to be a member of the improvement area.”

Article 4, Section 1 of the Procedural By-law provides, “All Directors of the Board of Management are appointed by City Council.

SUBJECT: International Village Business Improvement Area (BIA) Revised Board of Management (PED22026) (Ward 2) - Page 3 of 4

- (a) The Board of Management shall consist 7 Directors (which will provide for a minimum of 3 Directors and a maximum of 20 Directors), selected by a vote of the Members of the BIA and then appointed as Directors by City Council. In addition, the Board of Management shall consist of the Councillor(s) of the Ward(s) in which the BIA is located, directly appointed as Directors by the City.”

Article 4, Section 3 of the Procedural By-law provides, “Appointment to the Board In the event of a vacancy occurring on the Board of Management:

- (a) The remaining Directors *may* nominate for the City’s consideration and appointment an individual for Directorship to fill the vacancy for the remaining portion of the term of office.
- (b) In the event that the remaining Directors no longer constitute a quorum, a meeting of the Members *shall* be called by the remaining Directors for the purpose of nominating an individual for Directorship for consideration and appointment by the City.
- (c) The Board of Management shall notify the Co-ordinator of Business Improvement Areas, Economic Development Division, Planning and Economic Development Department, as soon as any vacancy occurs and shall further notify him or her if and when a nomination is made by the remaining Directors or the Members for appointment to the Board of Management by the City.”

Shortly put, pursuant to the Act and the Procedural By-law, Council is permitted to directly appoint the Councillor(s) of the Ward in which the BIA is located and appoint person(s) who have been selected by a vote of the BIA membership to fill a vacancy on the Board of Management. Where a vacancy occurs and the remaining Directors no longer constituting a quorum, the BIA membership is required to hold a meeting for the purpose of nominating an individual to fill the vacancy, for consideration and appointment by Council.

While the provisions of the City of Hamilton Policy respecting the Appointment of Citizens to the City’s Agencies, Boards, Commissions, Advisory (Volunteer) Committees and Sub-Committees (the “Policy”) restrict the filling of vacancies within 12 months of the end of the Term of Council where there are insufficient applicants on file to fill the vacancy, the Policy has no application to the filling of vacancies on a Board of Management. As outlined above, this process is within the control and responsibility of the Board itself and is governed under the Act and the Procedure By-law. Therefore, the Policy does not restrict Council from making the appointments being recommended by this Report.

SUBJECT: International Village Business Improvement Area (BIA) Revised Board of Management (PED22026) (Ward 2) - Page 4 of 4

RELEVANT CONSULTATION

N/A

ANALYSIS AND RATIONALE FOR RECOMMENDATION

N/A

ALTERNATIVES FOR CONSIDERATION

N/A

ALIGNMENT TO THE 2016 – 2025 STRATEGIC PLAN

Community Engagement and Participation

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

Economic Prosperity and Growth

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



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

TO:	Mayor and Members General Issues Committee
COMMITTEE DATE:	February 2, 2022
SUBJECT/REPORT NO:	Vacant Home Tax in Hamilton (FCS21017(b)) (City Wide)
WARD(S) AFFECTED:	City Wide
PREPARED BY:	Gloria Rojas (905) 546-2424 Ext. 6247
SUBMITTED BY:	Mike Zegarac General Manager, Finance and Corporate Services Corporate Services Department
SIGNATURE:	

RECOMMENDATION(S)

- (a) That the Mayor and the General Manager, Finance and Corporate Services, be authorized and directed to request to the Minister of Finance that the City of Hamilton be a designated municipality under Part IX.1 Optional Tax on Residential Vacant Units, of the *Municipal Act, 2001* starting in the 2022 taxation year;
- (b) That the 2022 implementation costs estimated at \$2,600,000 for the Vacant Home Tax be funded through an internal loan plus interest from the Investment Stabilization Reserve (110046) to be repaid from revenues collected from the program over a 5-year term;
- (c) That the estimated gross annual operating costs of \$2,200,000 for administration of the Vacant Home Tax Program and related 16 Full Time Equivalents (FTE), to be funded from revenues generated by the program, be referred to the 2022 Budget Process.
- (d) That the matter respecting Vacant Home Tax, be removed from the Outstanding Business List.

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**SUBJECT: Vacant Home Tax in Hamilton (FCS21017(b)) (City Wide) –
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EXECUTIVE SUMMARY

Following direction from City Council, staff prepared Information Reports (FCS21017, “Considerations to Implement a Vacant Home Tax in Hamilton” and FCS21017(a) / PED21114, “Considerations to Implement a Vacant Home Tax in Hamilton”) regarding the possibility of implementing a tax on properties that have been left unoccupied for a period of time (Vacant Home Tax or VHT). A motion was approved for staff to report back with a draft by law, guidelines and framework for public consultation and consideration (GIC July 5, 2021, Report 21-014. Report FCS21017(b), “Vacant Home Tax in Hamilton”, presents the results of the public engagement conducted from September 7 to 30, 2021, as well as, a high level estimate of the financial implications of imposing the tax and a draft framework of the program and makes recommendations on next steps for Council’s consideration.

Under Ontario’s Fair Housing Plan of 2017, the Province announced a series of measures to address a number of housing issues including permitting designated municipalities to impose a tax on vacant homes in order to “encourage property owners to sell unoccupied units or rent them out, to address concerns about residential units potentially being left vacant by speculators”. A tax on vacant houses is, therefore, designed primarily as a housing tool rather than a revenue tool. The main objective of implementing a VHT is to encourage owners to rent out empty properties in order to increase the supply and affordability of housing.

The only jurisdiction in Canada that has a similar tax is Vancouver, with the Cities of Toronto and Ottawa currently working on implementing this tax starting in 2022. Staff has prepared analysis on the possible implementation of a VHT in Hamilton following the experience and previous analysis from these municipalities.

Part IX.1 of the *Municipal Act, 2001* contains provisions permitting municipalities to impose a tax for vacant units that are classified in the residential property class and that are taxable under that Act for municipal purposes. However, a municipality has to be designated by the Province in order to be able to impose such tax. Therefore, if the City of Hamilton would like to impose a Vacant Home Tax, the first step would be to submit a request to the Minister of Finance for this purpose.

Staff is estimating that approximately 1,135 properties would be taxed for the first year of this program, which would result in a revenue of \$4.3 M based on a 1% rate at the current average residential assessment of \$381,000. Initial upfront implementation costs

**SUBJECT: Vacant Home Tax in Hamilton (FCS21017(b)) (City Wide) –
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are estimated at \$2.6 M and ongoing operating costs are estimated at \$2.2 M annually. For 2022, costs are prorated as not all of the required staff need to be hired immediately. Some resources, such as IT analysts, may be needed earlier in the implementation while other staff could be hired later.

It is estimated that upon full implementation of the program, 16 Full Time Equivalents (FTEs) will be required to support the implementation and ongoing operation of the VHT program. Staff is recommending that the one-time implementation costs be funded through an internal loan from the Investment Stabilization Reserve (110046) to be repaid with a portion of the revenues collected. Over the next six years, it is estimated that the program will provide the City with a net revenue of \$3.3 M to be invested in City priorities as identified by Council.

Appendix “A” to Report FCS21017(b) – City of Hamilton Vacant Home Tax Draft Framework contains the draft details including the proposed definition of a vacant home, identification of the properties, the proposed tax rate and possible exemptions to the tax.

With the purpose of getting input on the need to implement the VHT, an online survey in the Engage Hamilton platform was launched from September 7, 2021 to September 30, 2021. A total of 3,860 responses were recorded in the webpage showing strong support for the tax (91.4%), with 80.7% supporting a mandatory declaration and 52.7% supporting a tax rate of 2% or more. Details of the survey are included in Appendix “B” to Report FCS21017(b) – Project Details and the response from the West End Hamilton Builders Association is included in Appendix “C” to Report FCS21017(b) – WE HBA Submission.

In Report FCS21017(a) staff is recommending that Council authorizes the initiation of the process in 2022 by seeking designation for the City of Hamilton to impose the Vacant Home Tax, by hiring the necessary staff (16 FTEs) to design and implement the VHT program.

Alternatives for Consideration – Page 12

FINANCIAL – STAFFING – LEGAL IMPLICATIONS

Financial: Staff is estimating that if a tax of 1% of the property assessed value of the property was imposed, the City could receive \$4.3 M in VHT revenue in the

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first year the tax is imposed. Staff is recommending that the implementation costs estimated at \$2.6 M be borrowed from the Investment Stabilization Reserve (110046) and repaid from VHT revenue plus interest once the City starts collecting the tax in the 2023 tax year over five years. The annual program administration costs estimated at \$2.2 M annually will be funded from the VHT revenue. Two scenarios are illustrated in Tables 1 and 2 later in Report FCS21017(b).

Staffing: Staff is estimating that the program, once fully implemented, will need 16 FTEs to cover the annual administration of the VHT program including audit and appeals, IT support and maintenance and customer service.

Legal: In order to proceed with the program, the City will need to be designated under Part IX.1 of *the Municipal Act, 2001*. Other legal requirements of the program include an annual by-law.

HISTORICAL BACKGROUND

At its meeting of December 11, 2019, Council approved a motion directing staff to review the feasibility of imposing a tax, fee or charge to the owners of vacant properties (GIC Report 19-026, Item 12.1).

Staff prepared Report FCS21017, “Considerations to Implement a Vacant Home Tax in Hamilton” which presented information on the implications of imposing a vacant home tax in the City of Hamilton. Staff received further direction to prepare a report on using the Vacant Building Registry as a means to identify vacant homes (GIC February 25, 2021, Report (Budget) 21-002(j)).

Report FCS21017(a) / PED21114, “Considerations to Implement a Vacant Home Tax in Hamilton” provided information on the Hamilton Vacant Building Registry, as well as, additional information on the implementation of a vacant home tax in Vancouver, Ottawa and Toronto, the housing information from the 2016 Census and an update on Hamilton’s rental market. A motion was approved for staff to report back with a draft by-law, guidelines and framework for public consultation and consideration (GIC July 5, 2021, Report 21-014).

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POLICY IMPLICATIONS AND LEGISLATED REQUIREMENTS

Part IX.1 of the *Municipal Act, 2001* contains provisions permitting municipalities to impose a tax for vacant units that are classified in the residential property class and that are taxable under that Act for municipal purposes. To be able to impose such tax, a municipality must be designated by regulation. Currently, the only municipality in Ontario that has the power to impose the tax is the City of Toronto, through the *City of Toronto Act, 2006*.

If the Council of the City of Hamilton would like to impose a Vacant Home Tax, the first step would be to submit a request to the Minister of Finance that the City be designated under Part IX.1 of the *Municipal Act, 2001*. The designation would have to be in place no later than the year in which the tax is imposed. Other provisions needed to impose the tax include a by-law passed in the year to which it relates stating the tax rate, definition of a vacant home, exemptions, rebates, as well as, audit and inspections powers.

RELEVANT CONSULTATION

The Financial Planning, Administration and Policy Division with the support from Corporate Communications conducted a “Vacant Home Tax” online engagement project with the goal of getting input from interested stakeholders on the need to implement a tax on properties that are left vacant for a certain period of time, as well as, the issues to consider in implementing such a tax.

An online survey in the Engage Hamilton platform was launched on September 7, 2021 and closed on September 30, 2021. The communication plan included the following:

- E-mail to City Council
- Media release
- Social media posts during the length of the survey
- Digital signage around the City
- Communication with external stakeholders (Realtor’s Association of Hamilton-Burlington, Hamilton and District Apartment Association and West End Home Builders' Association)
- Printed surveys were available at City Hall and the Municipal Service Centres

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The Engagement Hamilton website had 5,400 visitors including:

- 5,043 visited a project or tool page
- 4,098 visited multiple project pages, downloaded documents or contributed to a tool
- 3,860 participated in survey
- 7 printed surveys were also received from the Municipal Service Centres

A summary of demographic findings is below:

- females represented 48.4% of the respondents while 44.5% were male, 7.1% non-binary or preferred not to answer
- the age groups with the highest representation were 25-44 (58.6%) and 45-64 (25.6%)
- the three wards with the highest representation in the survey were Ward 3 (21.1%), Ward 1 (14.6%) and Ward 2 (12.6%)
- 94.9% of respondents reside in the urban areas of the City while 5.1% reside in rural areas
- 66.8% of respondents own their residence while 33.2% rent

Some of the highlights in the findings of the survey are below:

- 91.4% of respondents support the idea of a vacant home tax
- 71.5% think that the number of vacant homes in Hamilton is negatively impacting the supply of affordable housing
- 80.7% support a mandatory declaration
- 52.7% support a tax rate of 2% or more
- there was strong support for the City to consider a variety of exemptions to the residential vacant unit tax

Detailed survey results can be found in Appendix “B” to Report FCS21017(b) – Project Report, 07 September 2021 – 30 September 2021 – Engage Hamilton – Vacant Home Tax.

As part of the engagement process, staff also met with representatives from the West Hamilton Home Builders Association who provided their input on the possible implementation of the tax. In their comments, which are included in Appendix “C” to Report FCS21017(b), WE HBA Submission, they express that “WE HBA does not

**SUBJECT: Vacant Home Tax in Hamilton (FCS21017(b)) (City Wide) –
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believe that the number of vacant homes in Hamilton is significantly impacting the supply of affordable housing in Hamilton and that the growth in the supply of new housing units is the best method to address the housing crisis, as new supply continues to lag behind our population growth in the GTHA”.

ANALYSIS AND RATIONALE FOR RECOMMENDATION(S)

Draft VHT Framework

Staff has developed an initial framework for the VHT. Should Council decide to implement the tax, staff will undertake further study and develop a complete framework which will be presented to the Ministry of Finance in order to support the City’s request to be authorized to impose the tax. Once the City has been designated by regulation, detailed policies and the supporting by-laws containing the details of the program as approved by the Ministry of Finance will be prepared for Council consideration.

If the recommendations are adopted, the first reference year could be 2022 and mandatory declarations regarding the status of the properties would have to be completed early in 2023. The properties that are deemed or declared vacant would be billed in June of 2023 at a rate determined by Council in addition to the applicable property tax rate.

The tax would apply to properties in the residential property class according to MPAC’s classification (RT) that have been unoccupied for more than six months during the preceding calendar year. Apartments (MT or NT property classes) and vacant land are not included.

There are a number of exemptions that could apply, based on exemptions identified by other jurisdictions including:

- A residential property that is undergoing renovations and has the appropriate building permits
- A residential property that is vacant due to the death of the owner(s)
- A residential property that is vacant because the occupant was residing in a healthcare facility for medical care
- A residential property that is vacant because it is under a court order prohibiting the owner from selling, occupying or renting the property
- A residential property that has been listed for sale and unoccupied during this time

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- A property transferred under a non-arm's length sale in the previous calendar year
- A residential property that has been listed for rent and unoccupied during this time
- A federal or provincial court order prohibiting occupancy, sale or rental of a property

Appendix "A" to Report FCS21017(b), Draft Framework, contains additional details on some of the items that need to be considered and defined for the implementation of the tax.

Estimated VHT Revenue and VHT Program Costs

One of the most challenging components of implementing the vacant home tax is the unknown number of empty properties that would be eligible for the tax in the City. However, based on the experience from Vancouver, which is the only municipality in Canada that has already implemented the tax and has a similar number of residential properties to Hamilton but different and higher average residential assessed values, as well as, the analysis by the City of Ottawa's staff, which is in process of implementing the tax, staff estimated the number of properties that could be taxed under this regime.

In 2017, the year Vancouver imposed the tax, there were 186,038 total residential properties and based on the 2016 Census, there were 25,202 unoccupied properties. However, ultimately 2,538, which is 10% of the unoccupied properties, were actually deemed vacant and were charged the tax.

Hamilton has 176,000 residential properties and according to the 2016 Census, 11,350 dwellings were unoccupied. If Hamilton follows the same trend as Vancouver, the City would have approximately 1,135 properties that would pay the vacant home tax. Under this estimate of 1,135 residential units being subject to the VHT and based on the average residential assessment of \$381,000, the City could expect to receive \$4.3 M in revenue in the first year the tax is imposed, assuming a 1.0% tax rate.

A portion of the revenues generated would be used to fund the administration of the program. Implementation costs include the development of the software for the taxation and collection systems, as well as, the mandatory declaration, the development of the administrative processes for the program, the audit and the appeals process and education and awareness campaigns. Staff is estimating that the implementation costs will be approximately \$2.6 M in 2022 and annual operating costs of \$2.2 M, which include 16 new FTEs, billing, printing, communication, audit and dispute resolution costs, as well as, interest on the loan. A significant portion of the operations is the

**SUBJECT: Vacant Home Tax in Hamilton (FCS21017(b)) (City Wide) –
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compliance function as every property that declares an exemption must be audited. Vancouver initially estimated 10 FTEs for the compliance function (audit) but this number has been increased to 15 FTEs. The City's estimate includes eight FTEs for this purpose.

In Ottawa, staff estimate that the start-up costs will be \$3.5 M over 2.5 years, after which, the ongoing operating costs would be \$1.3 M annually. In Vancouver, the start-up costs were \$7.5 M and after that, \$2.5 M for the ongoing annual operating cost of running the program.

Table 1 outlines a summary of the preliminary estimate on the net revenue that the program will generate in the first six years. Following Vancouver's experience, the estimate assumes a reduction of 20% in the number of eligible properties in the first year, followed by a gradual reduction of 5% every year. This annual reduction in the number of properties being taxed is a way to measure the success of the program.

Although the number of properties is expected to decrease every year, costs do not decrease as some of the costs are related to the maintenance of the IT solution and the printing and mailing of the declarations which do not depend on the number of properties paying the tax. The bulk of the associated costs are for the staff who will be administering the program and still have to review all the declarations (approximately 176,000 as of 2021), perform the audits, follow up on payments, etc. which are tasks that must be completed regardless of the number of properties that have to pay the tax in any given year.

Table 1
Estimated Total Vacant Units, Tax Revenues and Program Costs
(Assumed 1,135 Properties and 1% Tax Rate)

	Number of Properties	Estimated Revenue	Estimated Expenses	Net Revenue
2022			\$ 2,556,427	\$ (2,556,427)
2023	1,135	\$ 4,324,000	\$ 2,201,000	\$ 2,123,000
2024	908	\$ 3,459,000	\$ 2,227,000	\$ 1,232,000
2025	863	\$ 3,287,000	\$ 2,255,000	\$ 1,032,000
2026	819	\$ 3,122,000	\$ 2,284,000	\$ 838,000
2027	778	\$ 2,966,000	\$ 2,313,000	\$ 653,000
Total		\$ 17,158,000	\$ 13,836,427	\$ 3,321,573

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The actual cash flow per year will depend on the schedule to repay the loan from the reserves. The remaining funds would be available for Council priorities.

It is important to recognize that the residential market is strongly related to the composition of the population as properties owned by non-residents are more likely to be left vacant for speculative purposes. The 2016 Census showed that in Vancouver 15% of the population were non-Canadian citizens and 5% were not residents. In contrast, in Hamilton, only 6% of the population were non-Canadian citizens and only 1% were not residents. Based on these statistics, staff believes that having only 0.5% of the properties (880 properties) paying the tax is also a possibility. For additional context, Ottawa has 307,000 residential properties and is estimating that only 1,500 properties, which is 0.5% of total, would be subject to the tax.

Table 2 shows the net revenue over the next six years of the program with an estimate of 880 properties paying the tax, which is equivalent to 0.5% of the total residential properties and is the parameter that Ottawa is using for their estimates.

Table 2
Estimated Total Vacant Units, Tax Revenues and Program Costs
(Assumed 880 Properties and 1% Tax Rate)

	Number of Properties	Estimated Revenue	Estimated Expenses	Net Revenue
2022			\$ 2,556,427	\$ (2,556,427)
2023	880	\$ 3,353,000	\$ 2,201,000	\$ 1,152,000
2024	704	\$ 2,682,000	\$ 2,227,000	\$ 455,000
2025	669	\$ 2,548,000	\$ 2,255,000	\$ 293,000
2026	635	\$ 2,421,000	\$ 2,284,000	\$ 137,000
2027	604	\$ 2,300,000	\$ 2,313,000	\$ (13,000)
Total		\$ 13,304,000	\$ 13,836,427	\$ (532,427)

Under this scenario, the revenues will not be sufficient to cover the expenses of the program in the mid-term. While the main objective of the program is to increase the stock of properties by creating an incentive to rent or sell unoccupied properties, it is important to note that there would not be funds available from this program to dedicate to City priority initiatives.

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: Vacant Home Tax in Hamilton (FCS21017(b)) (City Wide) –
Page 11 of 13**

The implementation costs of the program have not been included in the 2022 capital or operating budgets and, staff is recommending that, should Council wish to pursue implementation of a Vacant Home Tax Program, these costs be borrowed from the Investment Stabilization Reserve and be repaid with the revenue generated from the program which the City will start receiving in 2023.

The estimated 16 FTE's are being referred to the 2022 budget process for consideration. Some of these FTE's need to be hired early in the process to support the creation, set up and implementation of the program, while others would need to be hired and trained by the end of Q4 2022 to be ready for the administration of the program.

Administrative Considerations

As staff continues to work on a framework for the program, there will be a number of administrative considerations that will need to be developed, including:

- Job descriptions for positions responsible for the program
- Audit and enforcement processes
- Appropriate dispute resolution mechanism
- Development of a billing and payment system
- Development of a reporting system
- Annual coding of properties
- Record keeping of mailed declarations versus received responses
- Ensuring that property owners get the declaration
- What penalties are appropriate
- How this will affect seniors

Municipal Property Tax Billing Software

In February of 2020, Council authorized the Taxation Section's participation in the Early Adopter Program for a realty tax billing and collections solution with Tempest Development Group (a division of Central Square Technologies) as this allowed the City to have some input into the final product, while not committing the City in any way (Report FCS20006, "Municipal Property Tax Billing Software"). Taxation will report back to Council with the results of the program and recommendations on how best to proceed with respect to the property tax billing software.

**SUBJECT: Vacant Home Tax in Hamilton (FCS21017(b)) (City Wide) –
Page 12 of 13**

Should Council decide to approve the implementation of the VHT for the 2022 taxation year, it will have to be done in the current system (Vailtech) and will require significant support from internal IT resources. This investment may be of short-term value if the City chooses a new property tax billing software by 2023.

Federal Under-used Housing Tax (UHT)

In the 2021 Federal Budget, the federal government announced its intention to implement, effective January 1, 2022, a national, annual 1.0% tax on the value of non-resident, non-Canadian owned residential real estate that is considered to be vacant or underused. Consultations with stakeholders took place between August 6, 2021 to September 17, 2021. This 1.0% tax would go into effect on January 1, 2022, to help support investments in housing affordability. Under the proposed framework, the UHT would apply in respect of a calendar year to an “owner” of “residential property” in Canada as of December 31 of the calendar year if: (1) the owner is required to file an annual declaration in respect of the property for the calendar year; and (2) the owner is not eligible to claim an exemption in respect of their interest in the property for the calendar year.

Every owner of a residential property, other than an excluded owner, would be required to file an annual declaration with the Canada Revenue Agency (CRA) for each residential property they own on or before April 30 of the following calendar year. This means that an owner’s declaration in respect of a property for the 2022 calendar year would be required to be filed on or before April 30, 2023.

While the City acknowledges that there may be a property which is subject to both the City’s Vacant Home Tax and the federal government’s Underused Housing Tax programs once both are in place, the City is in no position to control any issues regarding the federal program.

ALTERNATIVES FOR CONSIDERATION

Alternative: Implement a Vacant Home Tax Program in 2023 rather than in 2022

Under this alternative, the implementation of the VHT would begin in mid-2023 with 2024 being the first year to collect the Vacant Home Tax.

**SUBJECT: Vacant Home Tax in Hamilton (FCS21017(b)) (City Wide) –
Page 13 of 13**

Financial: Potential VHT revenues will be available beginning in 2024. Estimated costs will be reviewed and may change based on any new information available between January 2022 and January 2023 when another report would be written.

Staffing: Existing City of Hamilton staff who are working on the planning phase of the VHT program and would be working on the design and implementation of the VHT program would continue to work on the planning phase of the VHT in 2022 along with other priorities.

Legal: The legal considerations of the recommended VHT program will continue to apply under this alternative but would be deferred for one year.

ALIGNMENT TO THE 2016 – 2025 STRATEGIC PLAN

Community Engagement and Participation

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

Economic Prosperity and Growth

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

Healthy and Safe Communities

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

APPENDICES AND SCHEDULES ATTACHED

Appendix “A” to Report FCS21017(b) – City of Hamilton Vacant Home Tax – Draft Framework

Appendix “B” to Report FCS21017(b) – Project Report, 07 September 2021 – 30 September 2021 – Engage Hamilton – Vacant Home Tax

Appendix “C” to Report FCS21017(b) – WE HBA Submission dated September 28, 2021

CITY OF HAMILTON VACANT HOME TAX – DRAFT FRAMEWORK

Features	Details
Tax	Vacant Home Tax
First Reference Year	January 1 – December 30, 2022
Collection	<p>2023 will be the first homeowner declarations, first billing, collection, audit, etc.</p> <p>The tax would be included in the final tax bill (June).</p> <p>Any outstanding vacant home tax would be considered a lien on the property in the same manner as regular outstanding property taxes.</p>
Definition of Home	<p>Properties in the residential property class according to provincial legislation (RT). This includes single-family homes, semi-detached homes, townhomes, residential condominiums, duplexes, triplexes, fourplexes, fiveplexes, sixplexes and other multifamily homes assessed in the residential tax class.</p> <p>Apartments (MT or NT property classes) and vacant land are not included.</p>
Definition of Vacant	Unoccupied for more than six months during the preceding calendar year. Final definition to be refined.
Exemptions	<ul style="list-style-type: none"> • A residential property that is undergoing renovations and has the appropriate building permits • A residential property that is vacant due to the death of the owner(s) • A residential property that is vacant because the occupant was residing in a healthcare facility for medical care • A residential property that is vacant because it is under a court order prohibiting the owner from selling, occupying, or renting the property • A residential property that has been listed for sale and unoccupied during this time • A property transferred under a non-arm's length sale in the previous calendar year • A residential property that has been listed for rent and unoccupied during this time • A federal or provincial court order prohibiting occupancy, sale or rental of a property

Features	Details
Tax Rate	1.0% of CVA
Identification of Properties	Mandatory Declaration on the status of all properties Declaration period is to be determined.
Audit	Audits would happen throughout the year. Requested documentation to support status of the property must comply with the requirements of the <i>Municipal Freedom of Information and Protection of Privacy Act</i> . All properties that declare an exemption will be audited. Additional details are to be determined.
Dispute Resolution	The <i>Municipal Act</i> requires municipalities to include a dispute resolution mechanism in designing the residential vacant unit tax program. Homeowners would be able to file disputes with the City on an annual basis. Disputes will be filed, in writing, by the set disputes due date. Various proofs would be required when filing a dispute. Additional details are to be determined.
Penalties and Enforcement	Failure to make a property status declaration by the due date will result in a fine. Late and unpaid Vacant Homes Taxes are subject to the same penalties for non-payment as property taxes. False property status declarations may result in fines in addition to payment of the tax. Additional details are to be determined.

Project Report

07 September 2021 - 30 September 2021

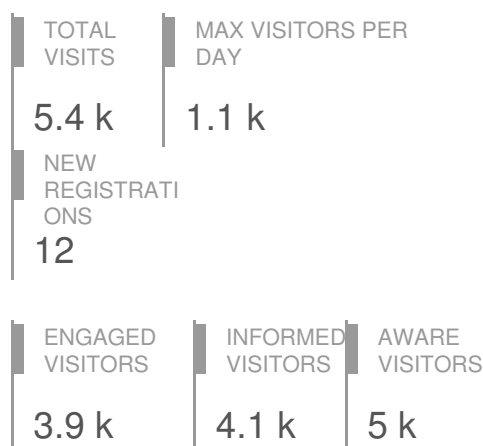
Engage Hamilton Vacant Home Tax



Visitors Summary

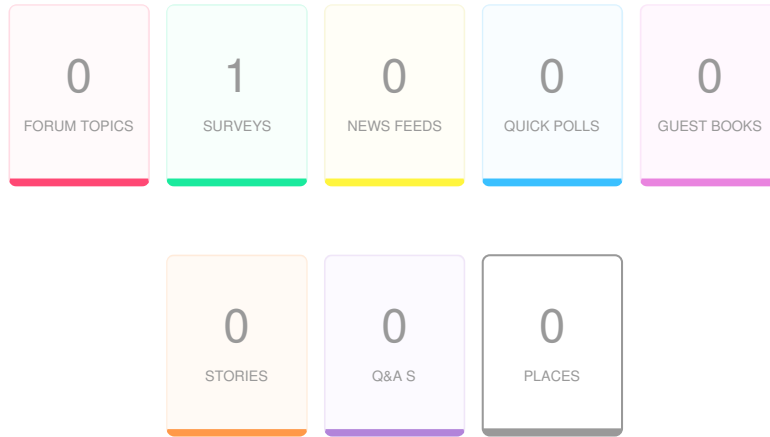


Highlights



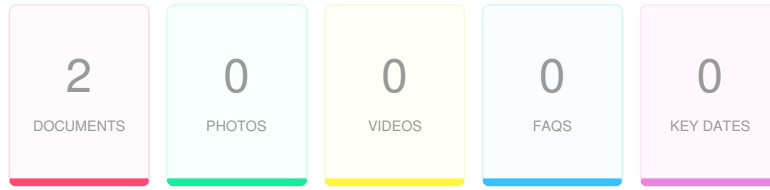
Aware Participants		Engaged Participants	
	5,041		3,860
Aware Actions Performed	Participants	Engaged Actions Performed	Registered Unverified Anonymous
Visited a Project or Tool Page	5,041		
Informed Participants	4,097	Contributed on Forums	0 0 0
Informed Actions Performed	Participants	Participated in Surveys	78 1 3,781
Viewed a video	0	Contributed to Newsfeeds	0 0 0
Viewed a photo	0	Participated in Quick Polls	0 0 0
Downloaded a document	8	Posted on Guestbooks	0 0 0
Visited the Key Dates page	1	Contributed to Stories	0 0 0
Visited an FAQ list Page	0	Asked Questions	0 0 0
Visited Instagram Page	0	Placed Pins on Places	0 0 0
Visited Multiple Project Pages	269	Contributed to Ideas	0 0 0
Contributed to a tool (engaged)	3,860		

ENGAGEMENT TOOLS SUMMARY



Tool Type	Engagement Tool Name	Tool Status	Visitors	Contributors		
				Registered	Unverified	Anonymous
Survey Tool	Vacant Home Tax Survey	Archived	4384	78	1	3781

INFORMATION WIDGET SUMMARY



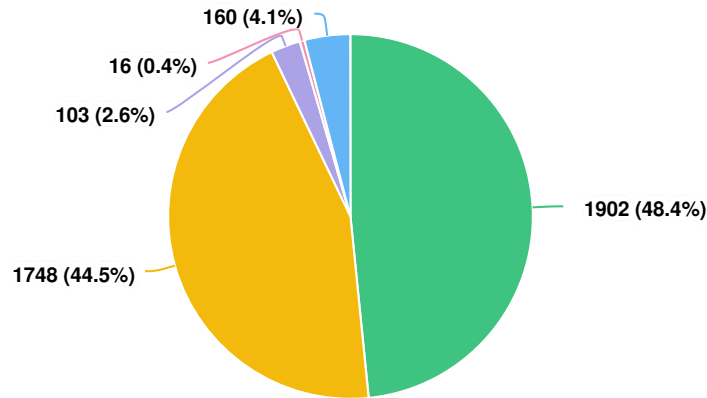
Widget Type	Engagement Tool Name	Visitors	Views/Downloads
Document	Considerations to Implement a Vacant Home Tax in Hamilton (FCS21017)	8	11
Document	Considerations to Implement a Vacant Home Tax in Hamilton (FCS21017...	4	7
Key Dates	Key Date	1	1

ENGAGEMENT TOOL: SURVEY TOOL

Vacant Home Tax Survey

Visitors	4384	Contributors	3860	CONTRIBUTIONS	3929
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How do you identify yourself?



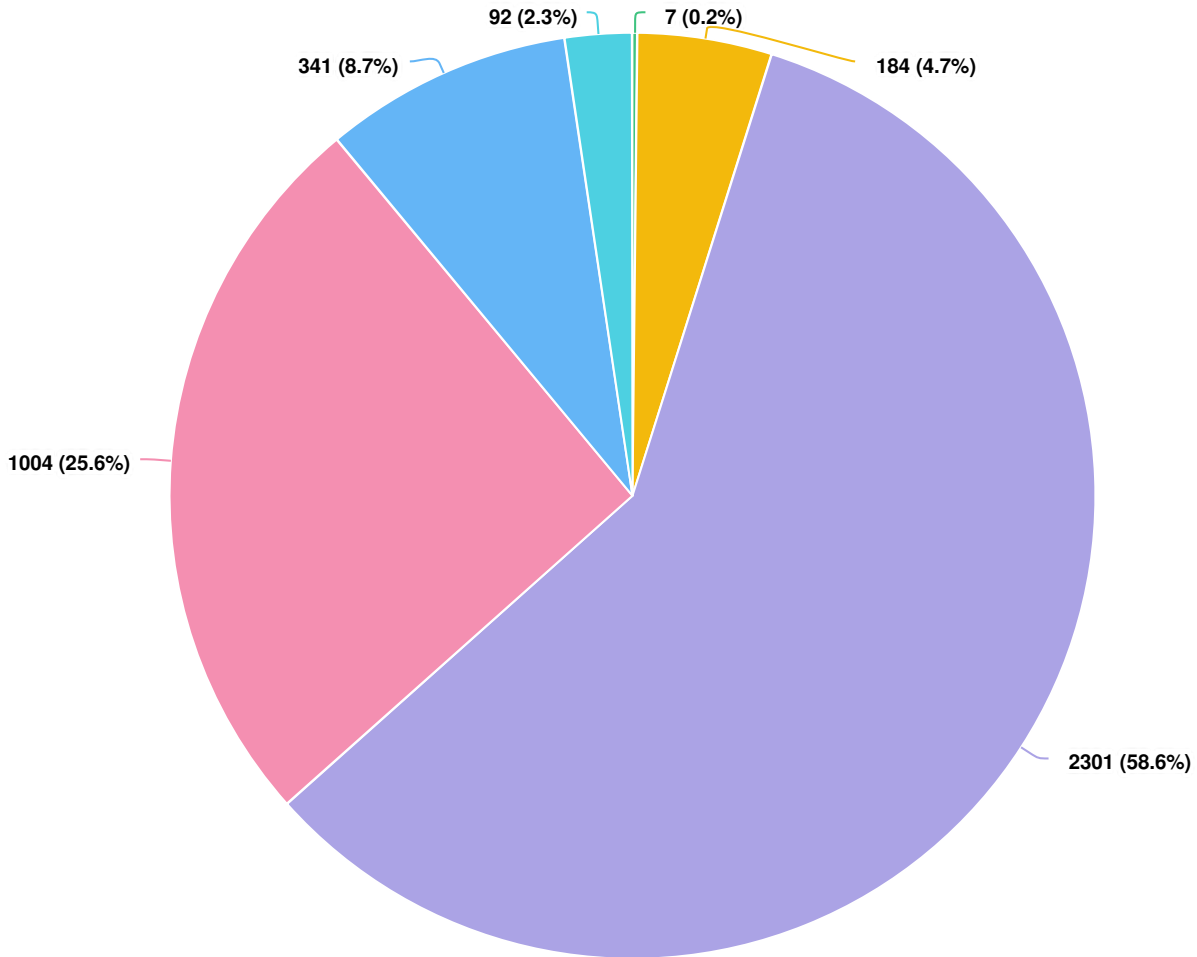
Question options

- Female
- Male
- Non-binary
- Other
- Prefer not to answer

Mandatory Question (3929 response(s))

Question type: Radio Button Question

What range best describes your age?



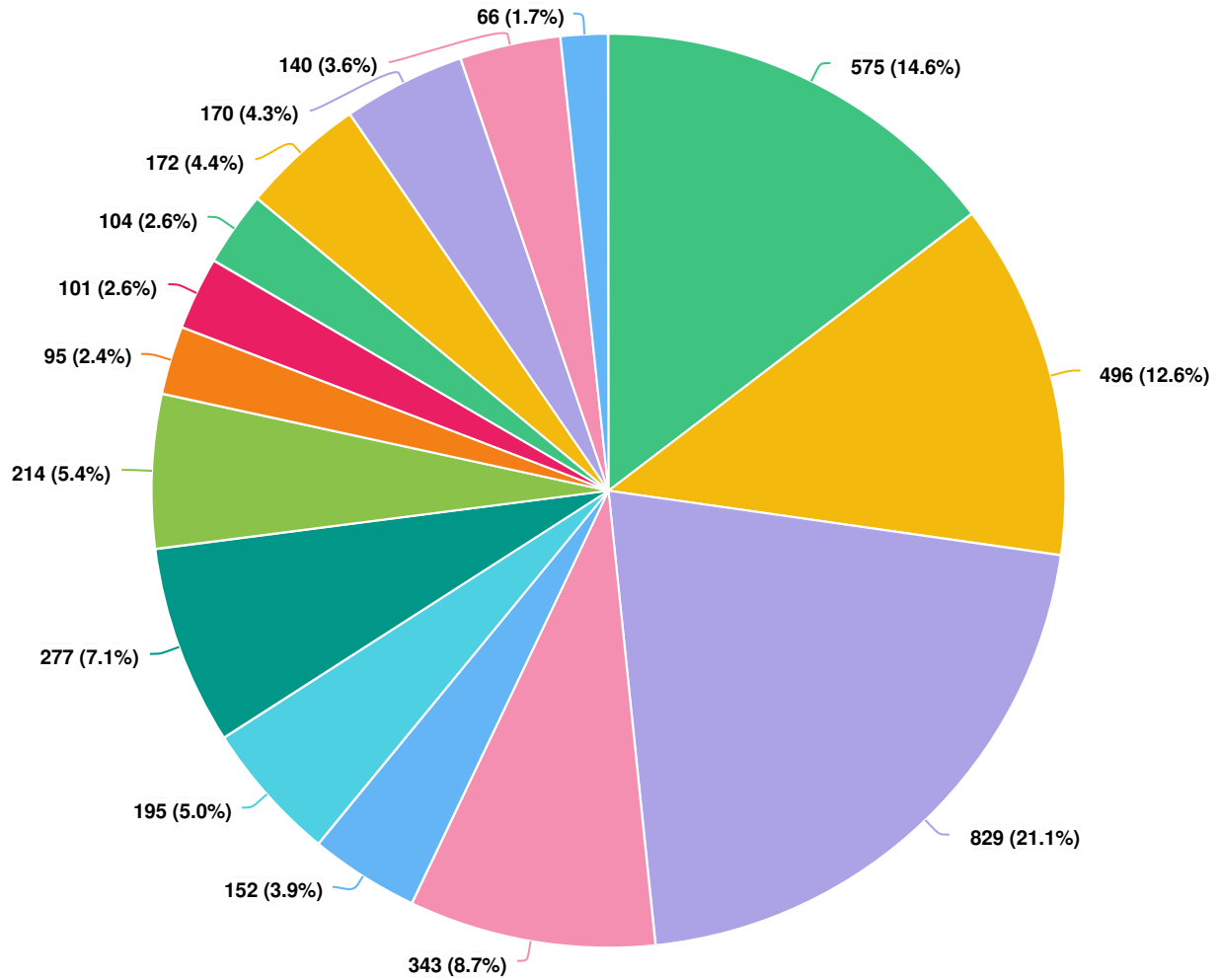
Question options

- 0 to 17 years
- 18 to 24 years
- 25 to 44 years
- 45 to 64 years
- 65 years or older
- Prefer not to answer

Mandatory Question (3929 response(s))

Question type: Radio Button Question

In which ward is your main residence located?



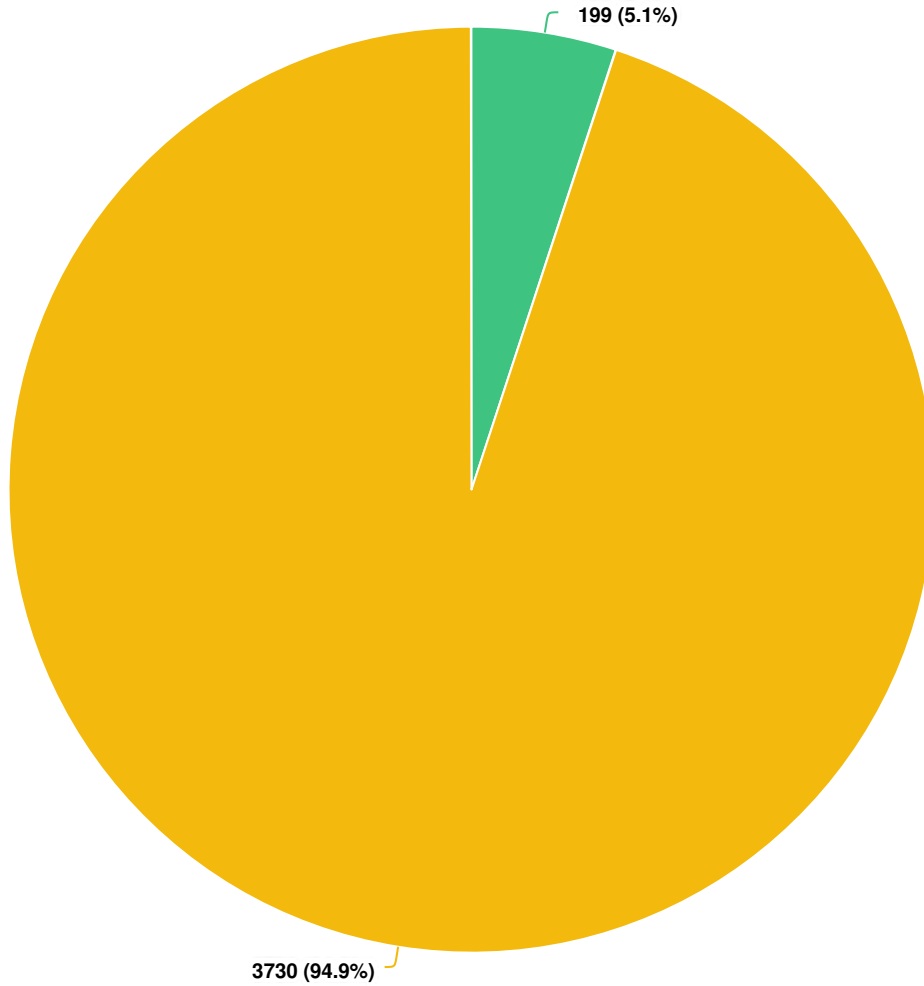
Question options

- Ward 1
- Ward 2
- Ward 3
- Ward 4
- Ward 5
- Ward 6
- Ward 7
- Ward 8
- Ward 9
- Ward 10
- Ward 11
- Ward 12
- Ward 13
- Ward 14
- Ward 15

Mandatory Question (3929 response(s))

Question type: Dropdown Question

Where do you currently reside in the City of Hamilton?



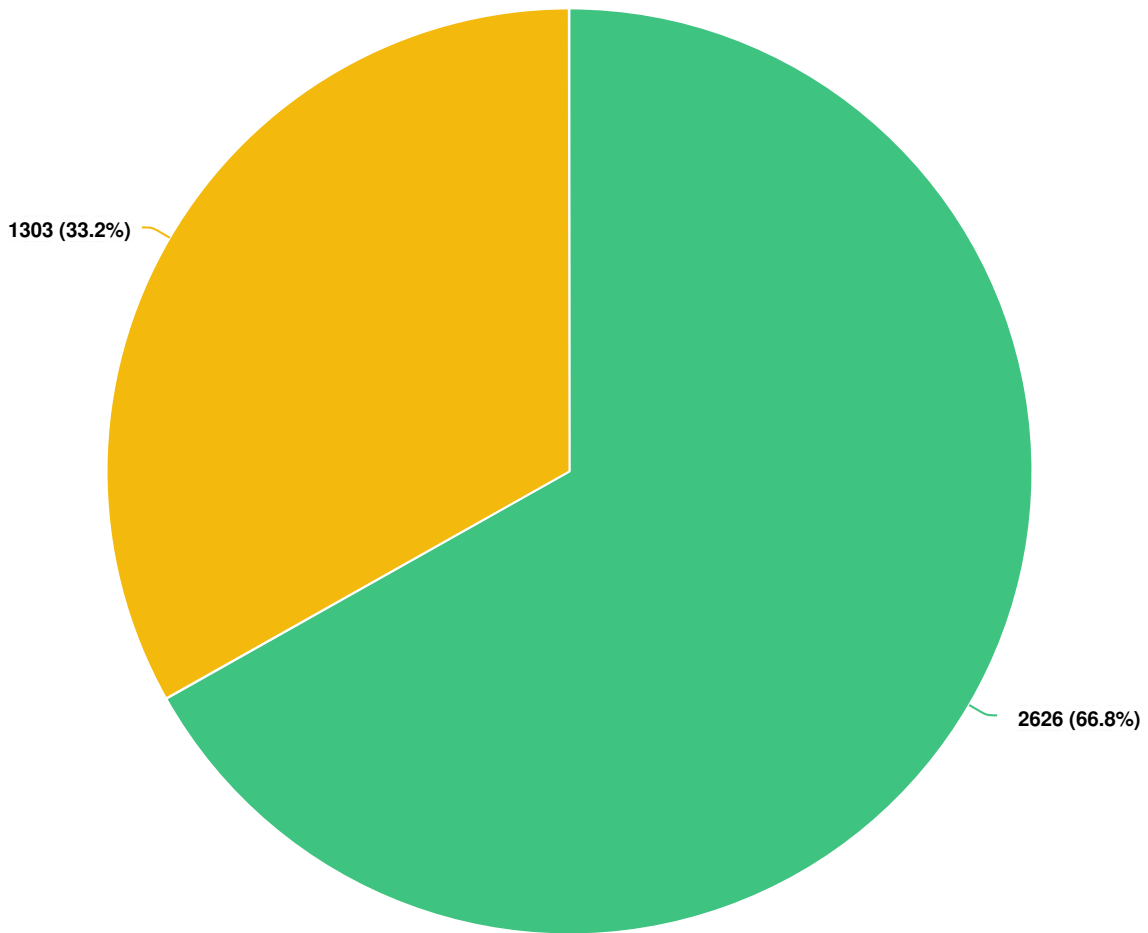
Question options

- Rural Area (does not receive transit service)
- Urban Area (receives transit service)

Mandatory Question (3929 response(s))

Question type: Radio Button Question

Do you own or rent your main residence (whether it is a house, apartment, condominium, or any other place you call "home") ?



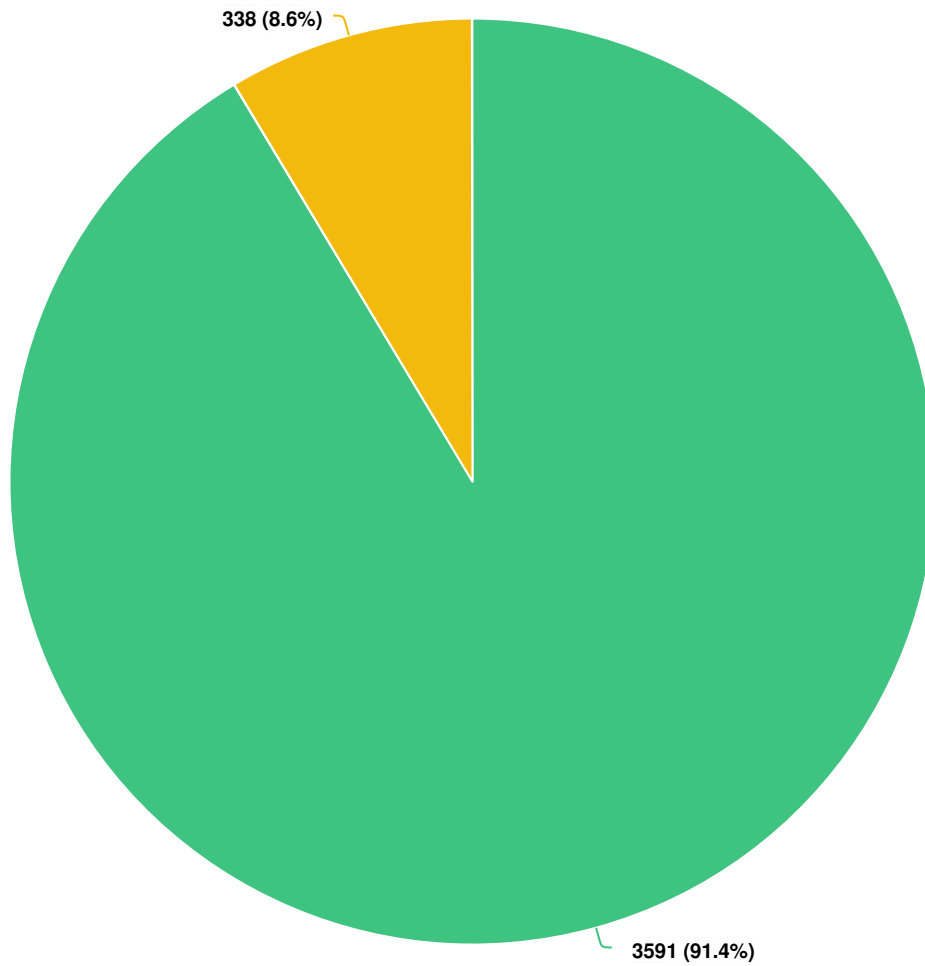
Question options

- I own
- I rent

Mandatory Question (3929 response(s))

Question type: Radio Button Question

Do you support the idea of a vacant home tax?



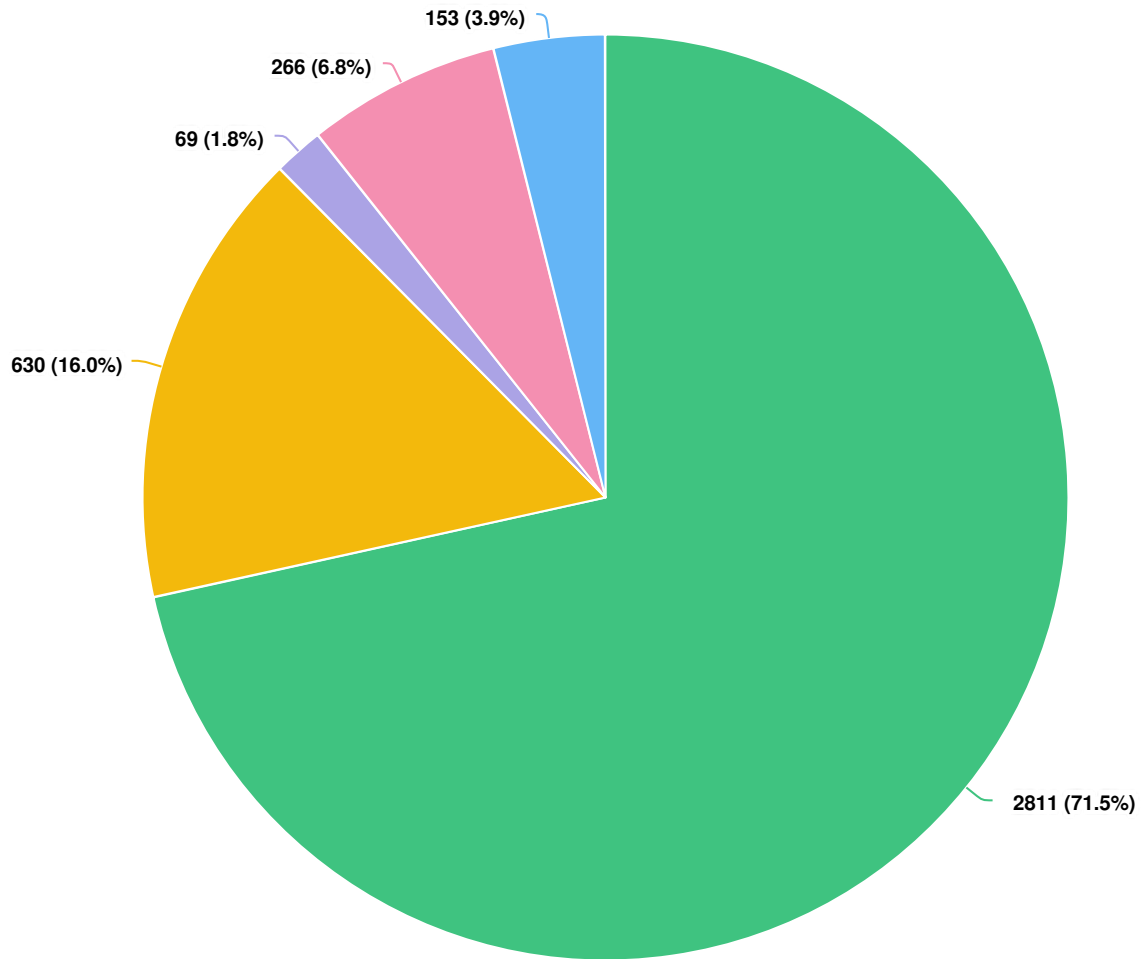
Question options

- Yes
- No

Mandatory Question (3929 response(s))

Question type: Radio Button Question

Do you think the number of vacant homes in Hamilton is negatively impacting the supply of affordable housing?



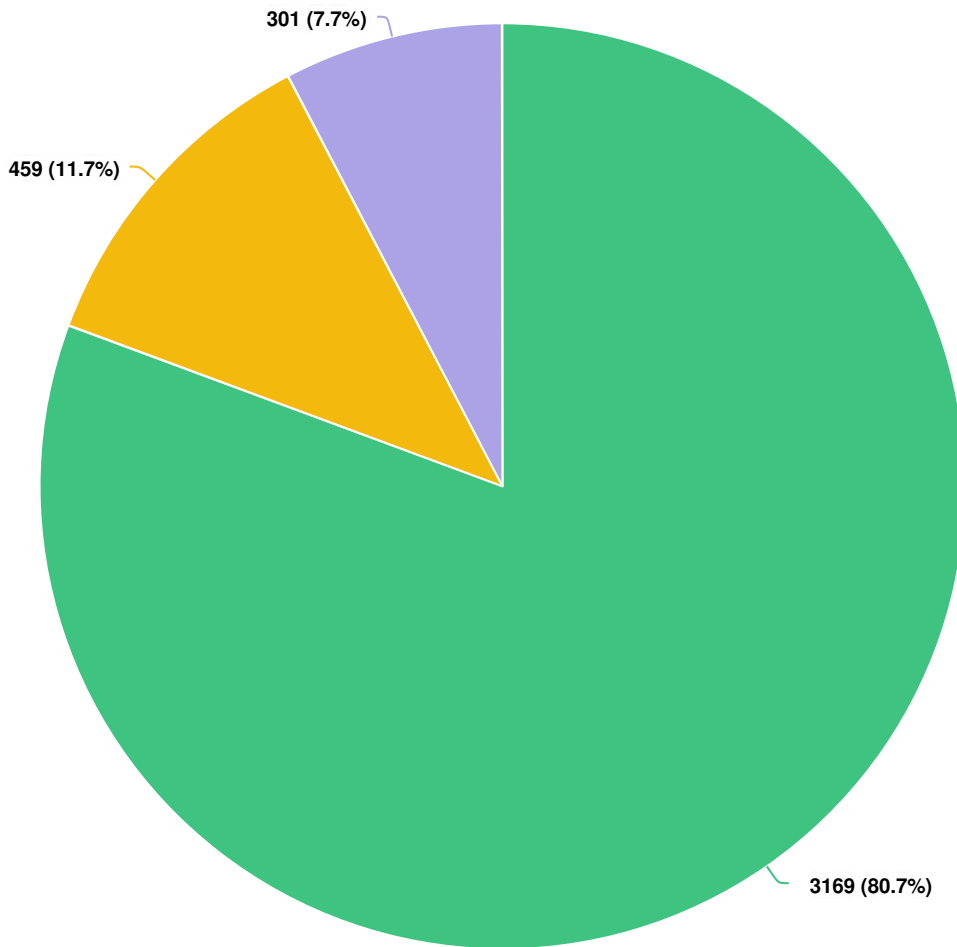
Question options

- Agree
- Somewhat Agree
- Somewhat Disagree
- Disagree
- Don't Know

Mandatory Question (3929 response(s))

Question type: Radio Button Question

**The City of Hamilton is considering a mandatory declaration to identify vacant homes:
Every homeowner in Hamilton would be required to tell the City if their home is
occupied or vacant each year. Residents who do not report their status to the City...**



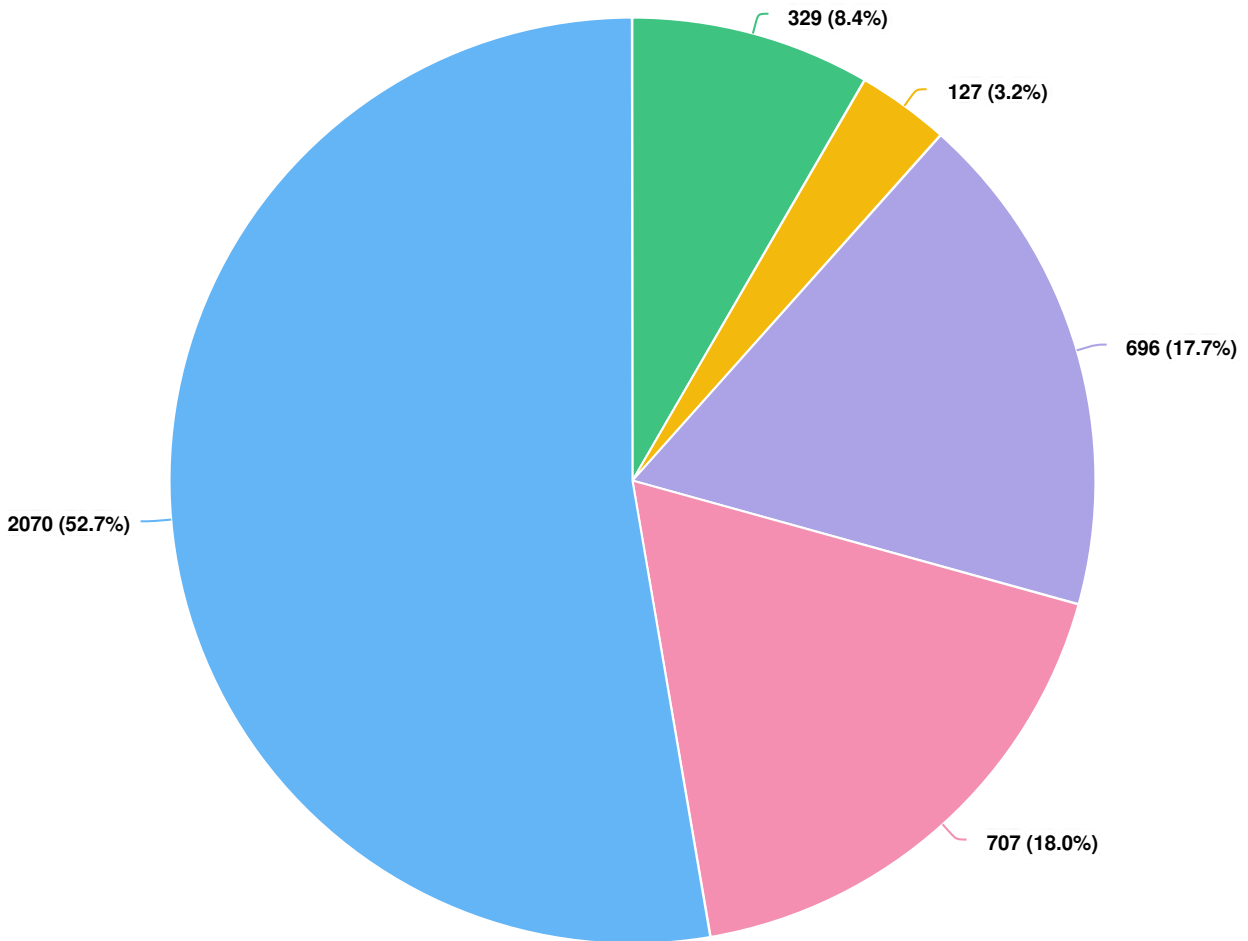
Question options

- I support this approach
- I do not support this approach
- I am not sure

Mandatory Question (3929 response(s))

Question type: Radio Button Question

If the City of Hamilton was to implement a vacant home tax, what rate of tax should be applied? (For illustration purposes, assume a property with a \$381,000 assessment).



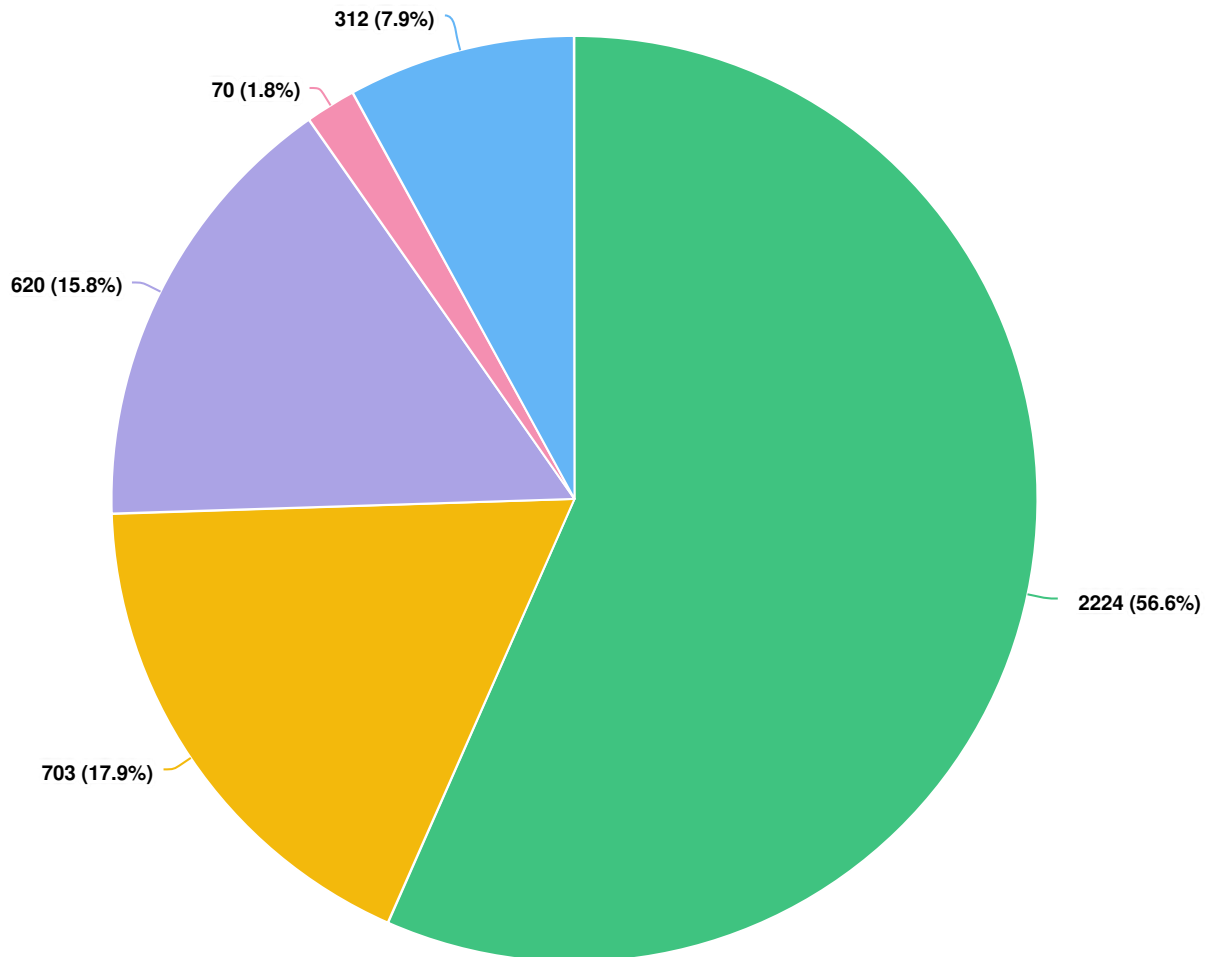
Question options

- None; I don't think the city should tax vacant homes
- Less than 0.5% of the assessed property value (\$1,900 for a home assessed at \$381,000)
- 1% of the assessed property value (\$3,800 for a home assessed at \$381,000)
- 1.5% of the assessed property value (\$5,700 for a home assessed at \$381,000)
- More than 2% of the assessed property value (\$7,600 or more for a home assessed at \$381,000)

Mandatory Question (3929 response(s))

Question type: Radio Button Question

How long should a property be unoccupied to be considered vacant, for the purpose of applying the vacant home tax?



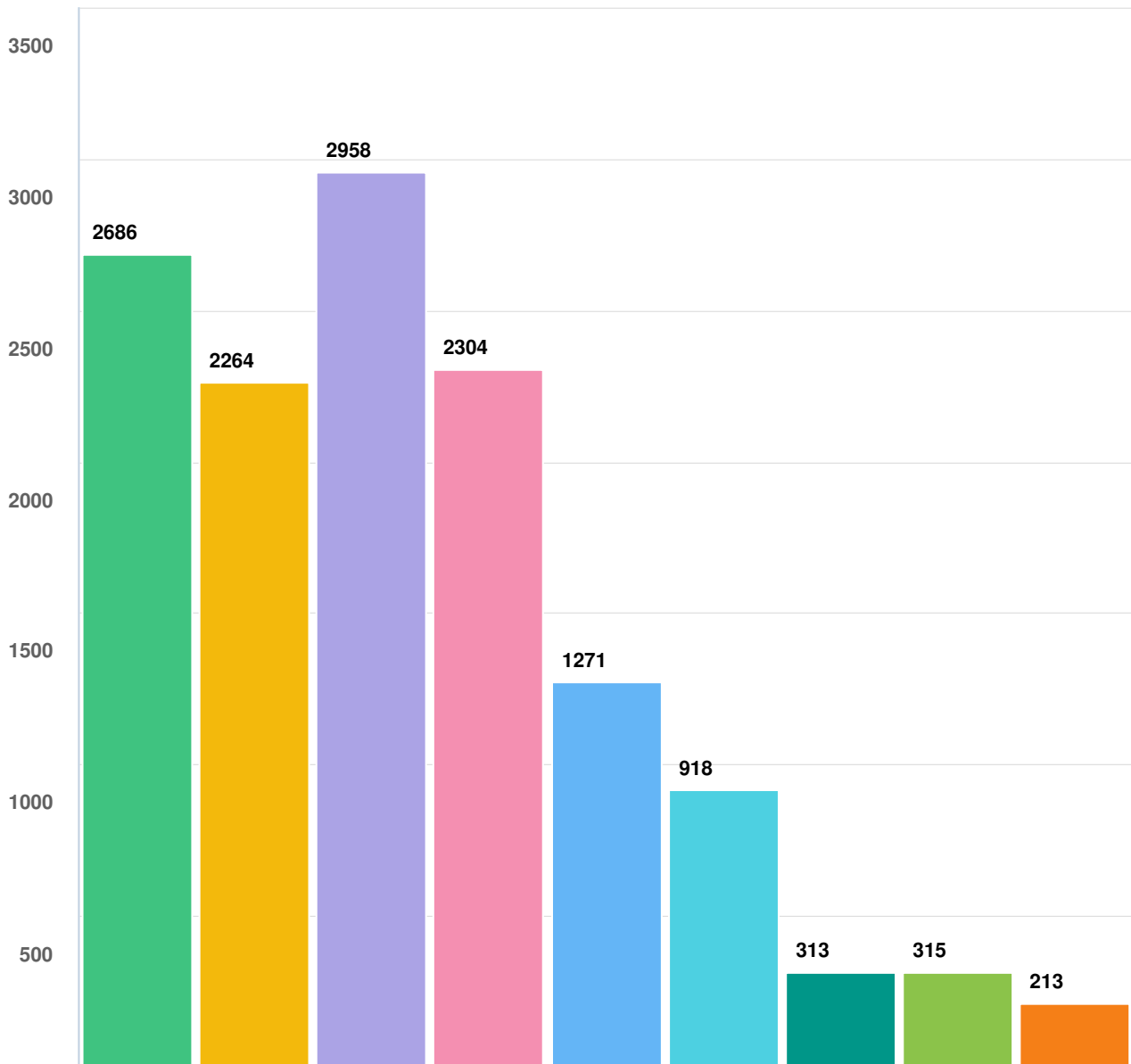
Question options

- 6 consecutive months
- 9 consecutive months
- 12 consecutive months
- 18 consecutive months
- I don't think the city should tax vacant homes

Mandatory Question (3929 response(s))

Question type: Radio Button Question

The City may grant exemptions for vacant properties if they meet specific criteria. Select all exemptions to the vacant home tax (VHT) that you support.



Question options

- A residential property that is undergoing renovations and has the appropriate building permits
- A residential property that is vacant due to the death of the owner(s)
- A residential property that is vacant because the occupant was residing in a healthcare facility for medical care
- A residential property that is vacant because it is under a court order prohibiting the owner from selling, occupying, or renting the property
- A residential property that has been listed for sale and unoccupied during this time
- A residential property that has been listed for rent and unoccupied during this time
- There should be no exemptions to the VHT
- I don't think the city should tax vacant homes
- Other (please specify)

Mandatory Question (3929 response(s))

Question type: Checkbox Question

September 28th, 2021
Delivered via Email

Gloria Rojas
Senior Tax Policy Advisor
City of Hamilton

West End Home Builders' Association Comments: City of Hamilton Vacant Homes Tax Policy

The West End Home Builders' Association (WE HBA) is the voice of the land development, new housing and professional renovation industries in Hamilton and Halton Region. The WE HBA represents nearly 300 member companies made up of all disciplines involved in land development and residential construction, including: builders, developers, professional renovators, trade contractors, consultants, and suppliers. The residential construction industry employed over 20,180 people, paying \$1.3 billion in wages, and contributed over \$2.3 billion in investment value within the Hamilton Census Metropolitan Area in 2020.

The West End Home Builders' Association appreciates the opportunity to provide comments on the City of Hamilton's proposed analysis regarding a Vacant Home Tax. We would also like to thank City Staff for making the time to discuss the concept of the tax and proposed structure with our association. WE HBA appreciates that the intent of the tax is to discourage the unproductive use of housing with an objective to make more housing supply available in the City of Hamilton.

WE HBA is not opposed to the development of a Vacant Home Tax, though we do believe the implementation of the tax must not interfere with the construction of new housing supply. Any action with respect to a new tax must be undertaken with extreme precision and caution to avoid unintended consequences. Furthermore, any proposed tax should be designed in such a way as to target only unproductive use of properties that are being used to capture appreciation and equity. WE HBA does not believe that the number of vacant homes in Hamilton is significantly impacting the supply of affordable housing in Hamilton. We maintain that the growth in the supply of new housing units is the best method to address the housing crisis, as new supply continues to lag behind our population growth in the GTHA.

Furthermore, in light of the federal election and the return of a Liberal Minority Government to Parliament Hill, WE HBA would like to draw the City of Hamilton's attention to a proposed federal Vacant Home Tax that was recently available for consultation. WE HBA would recommend that the City of Hamilton proceed with caution and delay further consultation for a municipal vacant homes tax until the federal program is designed to ensure it does not duplicate a federal tax through this initiative.

Potential for Duplication of a Federal Tax

Prior to the calling of the recent federal election, the federal government had begun consultations on a Canada-wide vacant home tax. As the new federal government is formed, it is likely the development of this federal tax will resume. The Liberal election platform contains a section titled "curb unproductive foreign ownership" which targets January 1, 2022 for a national tax on non-resident, non-Canadian owners of vacant, underused housing. WE HBA understands that City Staff would not wish to duplicate a tax at the local level if the Government of Canada will be implementing a tax at the federal level. WE HBA would suggest the City of Hamilton monitor the emergence of the federal vacant home tax

structure, and WE HBA recommends waiting to consult further on a Hamilton Vacant Home tax until the future of the federal vacant home tax is confirmed.

Exemptions That Must Be Considered

Below are a number of exemptions the WE HBA recommends be considered as part of any Vacant Home Tax structure:

- *Properties Under Renovation* – WE HBA members support the City of Hamilton providing an exemption from the tax for properties that are undergoing renovations with the appropriate building permits. The Vacant Home Tax should not penalize property owners for improving their properties, despite needing to have the property vacant for a period of time.
- *Properties Vacant Due to Death or Health of Owners* – WE HBA supports the City not taxing properties that are vacant due to the death of an owner or if the owner has left the home vacant while receiving medical or supportive care.
- *Court Order Prohibiting Sale, Rental or Occupation of the Property* – WE HBA supports the City not taxing properties that are vacant due to a prohibition on occupation of the home.
- *Properties Listed for Rent or Sale* – WE HBA strongly supports the City not taxing properties that are vacant as owners are working to continue occupation of the property.
- *Uninhabitable Properties* – Often, property owners or developers will purchase a property which may include a vacant but uninhabitable home (derelict, presenting dangerous health and safety concerns) with the intention to redevelop the site. Occasionally these properties may have had previous tenants, but the expense of bringing the unit or home up to an acceptable property standard to rent to new tenants is prohibitive given the intention of demolishing and redeveloping the site. Given it is not possible for developers to complete the redevelopment process as required by the City within a timeframe of two years, there must be an exemption made for these types of properties. This is important to ensure the tax does not add unnecessary costs or inhibit the redevelopment and addition of new or improved new housing supply.
- *Properties Proceeding Through the Development Permitting and Approvals Process* – WE HBA strongly recommends the City provide an exemption for properties that have active applications for redevelopment submitted with the City. Due to the time it takes to develop land and obtain demolition permits, and the uncertainty and lack of predictability about when permits will be issued it can be a significant challenge to find tenants to inhabit the units during that time. Additionally, when the time does come to demolish the unit, our members have concerns with the need to evict tenants. Therefore, the City should exempt properties that have applications for redevelopment open, as requiring these properties or homes to be occupied is not conducive to stable and predictable tenures for potential tenants.

Conclusion

WE HBA appreciates that the purpose of the Vacant Home Tax is to increase the available supply of homes in the City of Hamilton. WE HBA cautions that a vacancy tax would address symptoms of the housing supply problem in Hamilton, rather than the root cause. Through research from the Smart Prosperity Institute that WE HBA has funded, the high costs of housing in Hamilton result from a lack of new housing construction, as our housing completions in Hamilton have not kept pace with the rate of population growth in the province.

The WE HBA wishes to make it clear that we are not opposed to the implementation of demand-side measures such as a municipal Vacant Homes Tax, if it is properly designed to encourage existing unproductive vacant properties to become available for rent or for ownership. When it comes then to the possible adoption of a tax on underused housing, it is important that such a measure is carefully crafted to ensure it properly targets only unproductive housing demand and does not stifle much needed new housing supply. WE HBA therefore strongly recommends the City of Hamilton be cautious in its approach and that two key recommendations be adopted should the City proceed with a Vacant Homes Tax:

- a) Delay advancing a new tax until the Federal Vacant Homes Tax has been consulted on, designed, and implemented to avoid any duplication and to learn from that federal consultation; and
- b) Adopt appropriate exemptions to avoid unintended consequences and harm caused by inappropriately taxing properties, inadvertently creating pent-up demand, or inadvertently limiting housing supply.

Our membership is supportive of measures to enhance housing supply. Furthermore, our membership strongly feels that for our residents to find housing at affordable prices, the City of Hamilton should ensure that the development of new housing supply is easier to facilitate. This is because bringing new housing supply into the Hamilton market is often a long multi-year process that carries significant risk and often local opposition for our members. Addressing the core issues and barriers to increasing the supply of both available and affordable housing are critical to the future of Hamilton.

Kind Regards,



Michelle Diplock, M. Pl.
Manager of Planning and Government Relations
West End Home Builders' Association

Item 8.2



Hamilton

VACANT HOME TAX

GENERAL ISSUES COMMITTEE

Report FCS21017(b)

GIC February 2, 2022
Corporate Services

Recommended Approach

- a. Seek Provincial designation
- b. Approval for implementation costs
- c. Referral of Operating costs and FTE to 2022 Budget

Historical Background

- February 2021
 - Report FCS21017 “Considerations to Implement a Vacant Home Tax in Hamilton”
- July 2021:
 - FCS21017(a) / PED21114 “Considerations to Implement a Vacant Home Tax in Hamilton”
- September 2021: Public engagement.
- February 2022:
 - Report FCS21017(b) “Vacant Home Tax in Hamilton”

Purpose of the Tax

- An Optional Tax on Vacant Residential Units was included under the *Ontario's Fair Housing Plan of 2017* to address housing issues.
- The main objective of implementing a Vacant Home Tax is to encourage owners to rent out empty properties in order to increase the supply and affordability of housing.
- It is designed primarily as a housing tool rather than a revenue tool.
- An additional outcome of the VHT would be additional revenue for the municipality.

Public Engagement

- Online survey from September 7, 2021 to September 30, 2021.
- A total of 3,860 responses were recorded
 - 91.4% of respondents support the idea of a vacant home tax
 - 71.5% think that the number of vacant homes in Hamilton is negatively impacting the supply of affordable housing
 - 80.7% support a mandatory declaration
 - 52.7% support a tax rate of 2% or more

Draft VHT Framework

- Residential properties that have been unoccupied for more than six months during the preceding calendar year
- Exemptions will be in place
- 1.0% Tax rate
- Mandatory declaration
- Audits throughout the year; All properties that declare an exemption will be audited.
- Dispute mechanism in place
- Penalties for failure to make a declaration, false declarations and late payments will be in place

Financial Considerations

- Unknown number of empty properties
- Estimated 1,135 properties will pay the tax (based on Vancouver's experience)
- Estimated revenue of \$4.3M in the first year of the VHT program
- Implementation costs estimated at \$2.6 M
- Annual operating costs estimated at \$2.2 M including 16 Full Time Equivalents

Financial Considerations

Estimated Total Vacant Units, Tax Revenues and Program Costs (Assumed 1,135 Properties and 1% Tax Rate)

	Number of Properties	Estimated Revenue	Estimated Expenses	Net Revenue
2022			\$ 2,556,427	\$ (2,556,427)
2023	1,135	\$ 4,324,000	\$ 2,201,000	\$ 2,123,000
2024	908	\$ 3,459,000	\$ 2,227,000	\$ 1,232,000
2025	863	\$ 3,287,000	\$ 2,255,000	\$ 1,032,000
2026	819	\$ 3,122,000	\$ 2,284,000	\$ 838,000
2027	778	\$ 2,966,000	\$ 2,313,000	\$ 653,000
Total		\$ 17,158,000	\$ 13,836,427	\$ 3,321,573

Financial Considerations

Estimated Total Vacant Units, Tax Revenues and Program Costs (Assumed 880 Properties and 1% Tax Rate)

	Number of Properties	Estimated Revenue	Estimated Expenses	Net Revenue
2022			\$ 2,556,427	\$ (2,556,427)
2023	880	\$ 3,353,000	\$ 2,201,000	\$ 1,152,000
2024	704	\$ 2,682,000	\$ 2,227,000	\$ 455,000
2025	669	\$ 2,548,000	\$ 2,255,000	\$ 293,000
2026	635	\$ 2,421,000	\$ 2,284,000	\$ 137,000
2027	604	\$ 2,300,000	\$ 2,313,000	\$ (13,000)
Total		\$ 13,304,000	\$ 13,836,427	\$ (532,427)

Other Jurisdictions

	Vancouver	Toronto (*)	Ottawa (*)	Peel Region (*)
Implementation	2017	2022	2022	2024
One-time Costs	\$7.5 M	\$11 M	\$3.5 M	\$12-\$15 M
Operating	\$2.5 M	\$3.1 M	\$1.3 M	\$5M
# Properties	1% of housing stock (2,500)	1% of housing stock	0.5% of housing stock (1,500)	0.8% of housing stock (3,200)
Tax Rate	1.0%	1.0%	1.0%	1.0%
Revenue	\$38 M	\$55 – \$66M	\$6.6 M	\$17 M

(*) Toronto, Ottawa and Peel are estimates

(**) Vancouver increased the tax rate to 1.25% in 2020 and to 3.0% in 2021

Other Considerations

- Implementation and Administration
- Municipal Property Tax Billing Software
- Federal Under-used Housing Tax (UHT)



THANK YOU





Hamilton

BUSINESS IMPROVEMENT AREA ADVISORY COMMITTEE

REPORT 22-001

8:00 a.m.

Tuesday, January 11, 2022

Virtual Meeting

Hamilton City Hall

71 Main Street West

Present: Councillor Esther Pauls (Chair)
 Susie Braithwaite – International Village BIA
 Tracy MacKinnon – Westdale Village BIA and Stoney Creek BIA
 Cristina Geissler – Concession Street BIA
 Kerry Jarvi – Downtown Hamilton BIA
 Katie Poissant-Paul – Ancaster BIA
 Bettina Schormann – Locke Street BIA
 Susan Pennie – Waterdown BIA

Absent: Michal Cybin – King West BIA
 Bender Chug – Main West Esplanade BIA
 Rachel Braithwaite – Barton Village BIA
 Emily Burton – Ottawa Street BIA
 Lisa Anderson – Dundas BIA

THE BUSINESS IMPROVEMENT AREA ADVISORY COMMITTEE PRESENTS REPORT 22-001 AND RESPECTFULLY RECOMMENDS:

1. Appointment of Chair and Vice-Chair (Item 1)

- (a) That Councillor E. Pauls be appointed as Chair of the Business Improvement Area Advisory Committee for 2022; and,
- (b) That the Vice-Chair position rotate among Committee members for the Business Improvement Area Advisory Committee for 2022.

FOR INFORMATION:

(a) CHANGES TO THE AGENDA (Item 2)

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

The agenda for the November 9, 2021 Business Improvement Area Advisory Committee meeting was approved, as presented.

(b) DECLARATIONS OF INTEREST (Item 3)

There were no declarations of interest.

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

(i) November 9, 2021 (Item 4.1)

The November 9, 2021 Minutes of the Business Improvement Area Advisory Committee were approved, as presented.

(d) STAFF PRESENTATIONS (Item 8)

(i) Cannabis Program Update (Item 8.1)

Dan Smith, Manager of Licensing addressed the Committee with an update on the Cannabis Program.

The staff presentation respecting the Cannabis Program Update, was received.

(ii) 2021 BIA Audit Information (Item 8.2)

Shelley Hesmer, Manager of Accounting Services, Isabela Herman, Senior Financial Analyst, and Kyle Rooney, KPMG Senior Manager of Audit addressed the Committee with a presentation on the 2021 BIA Audit Information.

The presentation respecting the 2021 BIA Audit Information, was received.

(e) DISCUSSION ITEMS (Item 10)

(i) Hamilton Day Debrief and Results (Item 10.1)

Cassandra D'Ambrosio, Hamilton Chamber of Commerce Manager of Marketing and Katie Stiehl, Hamilton Chamber of Commerce Project Coordinator addressed the Committee respecting the Hamilton Day Debrief and Results.

The discussion respecting the Hamilton Day Debrief and Results, was received.

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

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

Julia Davis reminded Committee that the link to the BIA Board Meetings should be shared to the membership via newsletters or email as they are required to be open to public. Julia also requested that the BIAs record their board meetings and save them so that they can be shared at a later date.

As this is a municipal election year, Council and Committee meetings will be recessed between September 28th to December 7th, with the municipal

election happening on October 24th, 2022. Julia also advised Committee that the BIA's will be electing new boards at their next AGMs and she will share an auto populated timetable with the BIAs as that gets closer. Additionally, any expenditure requests will have to be submitted to the September 13th, 2022 BIA Advisory Committee meeting for approval.

Julia reminded the Committee to send her any photos of the projects that were funded through the Shop Local Grant funding. Julia also requested that the BIA's send her any receipts for expenditures related to that funding.

Julia advised Committee that a report is being prepared for the Planning Committee respecting the Outdoor Dining District Program and the making it a permanent program. In addition, Julia will be emailing Committee members respecting the On-Street Patio Structures to get their feedback prior to launching the applications for the program.

Julia advised Committee that the My Main Street Community Activator Grant applications are open until February 1, 2022. This program is for expenses incurred in 2022. Julia can provide a letter of support for BIAs who want to apply and need one.

Julia also advised Committee that the City will also be conducting another Business and Workforce Needs Survey and she will be sharing the link with the BIAs over the next few days.

The verbal update from Julia Davis, Business Development and BIA Officer, was received.

(ii) Statements by Members (Item 13.2)

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

The updates from Committee Members, were received.

(g) ADJOURNMENT (Item 15)

There being no further business, the Business Improvement Area Advisory Committee adjourned at 9:46 a.m.

Respectfully submitted,

Councillor E. Pauls
Chair Business Improvement Area
Advisory Committee

Angela McRae
Legislative Coordinator
Office of the City Clerk



Hamilton

**ADVISORY COMMITTEE FOR PERSONS WITH DISABILITIES
REPORT 22-001**

4:00 p.m.

Tuesday, January 11, 2022

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

Present: Mayor F. Eisenberger
A. Mallett (Chair), J. Kemp (Vice-Chair) S. Aaron,
P. Cameron, J. Cardno, M. Dent, A. Frisina,
L. Janosi, P. Kilburn, T. Manzuk, M. McNeil,
T. Murphy, K. Nolan, T.Nolan, R. Semkow

Absent

with Regrets: L. Dingman, S. Geffros, C. McBride

Chair Mallett called the meeting to order and recognized that the Committee is meeting on the traditional territories of the Erie, Neutral, HuronWendat, 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. It was further acknowledged that this land is covered by the Between the Lakes Purchase, 1792, between the Crown and the Mississaugas of the Credit First Nation. The City of Hamilton is home to many Indigenous people from across Turtle Island (North America) and it was recognized that we must do more to learn about the rich history of this land so that we can

better understand our roles as residents, neighbours, partners and caretakers.

**THE ADVISORY COMMITTEE FOR PERSONS WITH
DISABILITIES PRESENTS REPORT 22-001 AND
RESPECTFULLY RECOMMENDS:**

**1. Request from Corbin McBride for a Leave of Absence
from the Advisory Committee for Persons with
Disabilities for a Duration of Three Months (Item 11.1)**

WHEREAS, pursuant to the Advisory Committee Procedural Handbook, members of the Committee who miss more than three meetings during their term without Committee approval, may be subject to replacement on the Committee and may not be eligible for re-appointment.

THEREFORE, BE IT RESOLVED:

That the request from Corbin McBride for a leave of absence from the Advisory Committee for Persons with Disabilities for the duration of three months due to a scheduling conflict with a post-secondary education class, be approved.

**2. Committee for Persons with Disabilities to Correspond
with CityHousing Hamilton to Request CityHousing
Hamilton Review their Policies Respecting Accessibility
(Item 11.2)**

WHEREAS, CityHousing Hamilton is the Housing Corporation responsible for providing affordable housing in the City;

WHEREAS, in accordance with the *Accessibility for Ontarians with Disabilities Act, 2005*, it is a requirement for

public sector organizations to develop, implement and enforce standards for accessibility to goods, services, facilities, employment, accommodation and buildings, for persons with disabilities; and

WHEREAS, the aim of the *Accessibility for Ontarians with Disabilities Act, 2005*, is to have a fully accessible Ontario by 2025.

THEREFORE, BE IT RESOLVED:

That the Advisory Committee for Persons with Disabilities respectfully requests that Council authorize the Advisory Committee for Persons with Disabilities' Housing Working Group to correspond with CityHousing Hamilton to request CityHousing Hamilton review their policies for compliance with the *Accessibility for Ontarians with Disabilities Act, 2005*.

3. Invitation to the City of Hamilton Chief of Police to Discuss Topics of Interest to the Advisory Committee for Persons with Disabilities Related to Police Services (Item 11.3) (REVISED)

WHEREAS, the Advisory Committee for Persons with Disabilities will benefit from meeting with the City of Hamilton Chief of Police to discuss topics of interest to the Advisory Committee for Persons with Disabilities related to Police Services.

THEREFORE, BE IT RESOLVED:

That the City of Hamilton Chief of Police be invited to attend the March 2022 meeting (or earliest meeting thereafter) to discuss topics of interest to the Advisory Committee for

Persons with Disabilities related to Police Services and any items of concern the Chief of Police may want to bring forward.

4. Request from Lance Dingman for a Leave of Absence from the Advisory Committee for Persons with Disabilities for a Duration of Three Months (Added Item 11.4)

WHEREAS, pursuant to the Advisory Committee Procedural Handbook, members of the Committee who miss more than three meetings during their term without Committee approval, may be subject to replacement on the Committee and may not be eligible for re-appointment.

THEREFORE, BE IT RESOLVED:

That the request from Lance Dingman for a leave of absence from the Advisory Committee for Persons with Disabilities for the duration of three months due to a scheduling conflict with training, be approved.

FOR INFORMATION:

(a) CHANGES TO THE AGENDA (Item 2)

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

The agenda for the January 11, 2022 meeting of the Advisory Committee for Persons with Disabilities, was approved.

(b) DECLARATIONS OF INTEREST (Item 3)

There were no declarations of interest.

(c) APPROVAL OF MINUTES (Item 4)**(i) December 6, 2021 (Item 4.1)**

The minutes of the December 6, 2021 meeting of the Advisory Committee for Persons with Disabilities, were approved, as presented.

(d) CONSENT ITEMS (Item 7)**(i) Built Environment Working Group Update (Item 7.1)**

No update.

(ii) Housing Issues Working Group Update (Item 7.2)

No update.

(iii) Outreach Working Group Update (Item 7.3)

No update.

(iv) Transportation Working Group Update (Item 7.4)

No update.

(v) Strategic Planning Working Group Update (Item 7.5)

No update.

(e) DISCUSSION ITEMS (Item 10)**(i) ACPD Research Proposal with CityLAB and McMaster affiliates: Office for Community Engagement and the Research Lab (Item 10.1)**

J. Cardno provided an update respecting the ACPD Research proposal with CityLAB and McMaster affiliates: the Office for Community Engagement and the Research Lab. J. Cardno advised that the proposal is to develop an information management strategy to address information gaps and provide easier access to information resources to fulfil the ACPD mission.

J. Cardno and K. Nolan will review and formalize the proposal to present to the Outreach Working Group prior to bringing it back to the ACPD.

The presentation by Jayne Cardno respecting the ACPD Research Proposal with CityLAB and McMaster affiliates: Office for Community Engagement and the Research Lab, was received.

(f) NOTICES OF MOTION (Item 12)**(i) Request from Lance Dingman for a Leave of Absence from the Advisory Committee for Persons with Disabilities for a Duration of Three Months (Added Item 12.1)**

The Rules of Order were waived to allow for the introduction of a motion respecting a request from Lance Dingman for a Leave of Absence from the Advisory Committee for Persons with Disabilities for a duration of three months.

For further disposition of this matter, refer to Item 4.

(ii) Invitation to the Crisis Outreach and Support Team (COAST) to attend a future meeting of the Advisory Committee for Persons with Disabilities (Added Item 12.2)

T. Manzuk announced his intention to introduce a Motion at the February 8, 2022 meeting of the Advisory Committee for Persons with Disabilities to invite the Crisis Outreach and Support Team (COAST) to attend a future ACPD meeting.

(iii) Invitation to Rich Padulo, Founder of Treat Accessibly to attend a future meeting of the Advisory Committee for Persons with Disabilities (Added Item 12.3)

A. Frisina announced his intention to introduce a Motion at the February 8, 2022 meeting of the Advisory Committee for Persons with Disabilities to invite Rich Padulo, founder of Treat Accessibly, to attend a future ACPD meeting.

(g) GENERAL ISSUES / OTHER BUSINESS (Item 13)

(i) Accessibility Complaints to the City of Hamilton (Item 13.1)

No update.

(ii) *Accessibility for Ontarians with Disabilities Act, 2005 (AODA) Update (Item 13.2)*

No update.

(iii) *Presenters List for the Advisory Committee for Persons with Disabilities (Item 13.3)*

City of Hamilton Chief of Police will be added to the Presenter's List.

(iv) *Update on Presentation to All Advisory Committee Meeting - Deferred from October 12, 2021 and November 9, 2021 (Item 13.4)*

J. Kemp provided an update respecting the presentation to the All Advisory Committee Meeting.

The update from James Kemp respecting the presentation to the All Advisory Committee Meeting, was received.

(g) *ADJOURNMENT (Item 15)*

There being no further business, the Advisory Committee for Persons with Disabilities adjourned at 5:50 p.m.

Respectfully submitted,

Aznive Mallett, Chair
Advisory Committee for
Persons with Disabilities

**Advisory Committee for Persons with Disabilities
Report 22-001**

**January 11, 2022
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Carrie McIntosh
Legislative Coordinator
Office of the City Clerk

CITY OF HAMILTON MOTION

General Issues Committee: February 2, 2022

MOVED BY COUNCILLOR J. FARR.....

SECONDED BY COUNCILLOR N. NANN.....

All Our Relations Public Art Project – West Harbour James Street Plaza

WHEREAS, the All Our Relations Public Art Project was Awarded in 2019 at a cost of \$420,000, and is in fabrication by an artist selected through the City of Hamilton Call for Artists Policy and contracted to the City or its agents through a fixed price Artist Agreement;

WHEREAS, due to the COVID-19 pandemic and resulting supply chain issues, artists are identifying sudden unanticipated increases in the cost and delivery of materials required to complete their art works in excess of the typical 10% contingences they carried in their budgets;

WHEREAS, these sudden and unanticipated material and delivery cost increases now make the completion of the art works unfeasible within the original budget;

WHEREAS, the Public Art Reserve #10844 had a balance of \$1,150,000 as of March 31, 2021, including an unallocated contingency of approximately \$85,000 and allocations are set to be updated as part of the Public Art Master Plan review in 2023; and,

WHEREAS, the West Harbour Project ID 4411806104 has a balance of \$415,000 as of January 8, 2022, which is identified for future public art;

THEREFORE, BE IT RESOLVED:

That cost increases for material supply and delivery in excess of the original budgeted amount with documented current competitive bids, for the public art project All Our Relations by Angela DeMontigny to be installed at the West Harbour James Street Plaza, in an amount up to \$50,000, to be funded from Project ID #4411806104 West Harbour Public Art, be approved.