



**City of Hamilton**  
**EMERGENCY & COMMUNITY SERVICES COMMITTEE**  
**AGENDA**

**Meeting #:** 22-003  
**Date:** February 17, 2022  
**Time:** 1:30 p.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

Tamara Bates, Legislative Coordinator (905) 546-2424 ext. 4102

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1. CEREMONIAL ACTIVITIES
2. APPROVAL OF AGENDA  
(Added Items, if applicable, will be noted with \*)
3. DECLARATIONS OF INTEREST
4. APPROVAL OF MINUTES OF PREVIOUS MEETING
  - 4.1. February 3, 2022
5. COMMUNICATIONS
  - 5.1. Seniors Advisory Committee - Member Resignations

- a. Jim McColl

Recommendation: Be received and referred to the Interview Sub-Committee for the Emergency and Community Services Committee

- b. Jeanne Mayo

Recommendation: Be received and referred to the Interview Sub-Committee for the Emergency and Community Services Committee

**6. DELEGATION REQUESTS**

**7. CONSENT ITEMS**

- 7.1. Procurement of Pharmacy Services (HSC22004) (Wards 7 and 13)

**8. STAFF PRESENTATIONS**

**9. PUBLIC HEARINGS / DELEGATIONS**

**10. DISCUSSION ITEMS**

- 10.1. Provincial Consultation Regarding Regulatory Changes to the Housing Services Act (HSC22010) (City Wide)

**11. MOTIONS**

**12. NOTICES OF MOTION**

**13. GENERAL INFORMATION / OTHER BUSINESS**

**14. PRIVATE AND CONFIDENTIAL**

**15. ADJOURNMENT**



## **EMERGENCY & COMMUNITY SERVICES COMMITTEE MINUTES 22-002**

1:30 p.m.

Thursday, February 3, 2022

Council Chambers

Hamilton City Hall

71 Main Street West

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**Present:** Councillors B. Clark (Chair), T. Jackson, S. Merulla, and N. Nann

**Regrets:** Councillors E. Pauls and T. Whitehead – Personal

Also Present: Councillors J.P Danko, J. Farr, and M. Wilson

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### **THE FOLLOWING ITEMS WERE REFERRED TO COUNCIL FOR CONSIDERATION:**

**1. Deputy Fire Chief Appointment (HSC19005(c)) (City Wide) (Item 10.1)**

**(Jackson/Nann)**

That the By-law to Amend By-law 19-035, Being a By-law to Appoint a Fire Chief, a Deputy Fire Chief, and Provincial Fire Co-ordinator pursuant to the Hamilton Fire Department Establishing and Regulating By-law 19-034, and to Repeal By-law 20-052, attached as Appendix "A" to Report HSC19005(c), which has been prepared in a form satisfactory to the City Solicitor, be passed.

**CARRIED**

**2. Poverty Reduction Investment Plan Update (CES16043(e)) (City Wide) (Item 10.2)**

**(Nann/Jackson)**

That Report CES16043(e), respecting Poverty Reduction Investment Plan Update, be received.

**CARRIED**

**3. Relocation of Garbage Dumpsters on the Property of 45 Montcalm Drive, Hamilton, Ward 8 Area Rating Funded (Item 11.1)**

**(Jackson/Nann)**

WHEREAS, CityHousing Hamilton owns the property located at 45 Montcalm Drive - a 76-unit multi-residential townhouse complex built in 1970;

WHEREAS, the three garbage dumpsters on the property are currently located at the front of the property near the city roadway;

WHEREAS, the current location of the garbage dumpsters has encouraged frequent misuse and has increased the amount of waste and associated waste management costs for CityHousing Hamilton; and,

WHEREAS, CityHousing Hamilton has committed and begun to work in consultation with the City of Hamilton's Waste Management Division to propose and assess strategies for waste diversion and viable options for the relocation of the garbage dumpsters to the back of the property.

THEREFORE, BE IT RESOLVED:

- (a) That the cost of \$20,387.50 for engineering design work required to relocate the garbage dumpsters be funded from the Ward 8 Area Rating Reserve No. 108058; and,
- (b) That the Mayor and City Clerk be authorized and directed to execute any required agreement(s) and ancillary documents, with such terms and conditions in a form satisfactory to the City Solicitor.

**CARRIED**

**FOR INFORMATION:**

**(a) APPROVAL OF AGENDA (Item 2)**

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

**5. COMMUNICATIONS**

- 5.1. Barbara Wallace, First Unitarian Church of Hamilton, respecting Hamilton Alliance for Tiny Shelters program plan

Recommendation: Be received

- 5.2. Sandy Shaw, MPP Hamilton West - Ancaster - Dundas, respecting project proposed by The Hamilton Alliance for Tiny Shelters

Recommendation: Be received

- 5.3. Bishop Douglas Crosby, Diocese of Hamilton, respecting support of the Hamilton Alliance for Tiny Shelters

Recommendation: Be received

## **6. DELEGATION REQUESTS**

- 6.4. Bishop Susan Bell, Anglican Diocese of Niagara, respecting support of a proposal to address homelessness in Hamilton - Video Delegation (For today's meeting)
- 6.5. Jennifer Bonner, The Hamilton Hub, respecting support of wrap around supports for the cabin committee (Tiny Homes project) being presented by Hamilton Community Legal Clinic and partners (For today's meeting)
- 6.6. Kojo Dampsey, Hamilton Centre for Civic Inclusion, respecting support of using part of Sir John A. Macdonald property for Hamilton Alliance of Tiny Shelters (HATS) (For today's meeting)
- 6.7. Deirdre Pike, Social Planning and Research Council of Hamilton, respecting Support for proposed response to homelessness (For today's meeting)
- 6.8. Paula Whitlow, Hamilton-Wentworth Chapter Native Women Inc. o/a Native Women's Centre, respecting Support the Hamilton Alliance for Tiny Shelters delegation (For today's meeting)
- 6.9. Gabriel Baribeau, respecting Support for Tiny Homes proposal as an Emergency response needed for unhoused community members (For today's meeting)
- 6.10. Ed Fothergill, Hamilton Alliance for Tiny Shelters, respecting Support for proposal for tiny shelter initiative - Planning Related Matters (For today's meeting)

## **7. CONSENT ITEMS**

- 7.1. Housing and Homelessness Advisory Committee Minutes
- 7.1.a. September 7, 2021
- 7.1.b. October 5, 2021

## **13. GENERAL INFORMATION / OTHER BUSINESS**

- 13.1. Amendments to the Outstanding Business List

(a) Items Considered Completed and to be Removed

1. Encampment Response Update  
 Item on OBL: 21-G  
 Addressed at the December 9, 2021 Emergency and  
 Community Services Committee meeting as Item 5

**(Nann/Jackson)**

That the agenda for the February 3, 2022 Emergency and Community Services Committee meeting be approved, as amended.

**CARRIED**

**(b) DECLARATIONS OF INTEREST (Item 3)**

There were no Declarations of Interest.

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

**(Jackson/Merulla)**

That the Minutes of the January 13, 2022 meeting of the Emergency and Community Services Committee, be approved, as presented.

**CARRIED**

**(d) COMMUNICATIONS (Item 5)**

**(Jackson/Nann)**

That the following Communication Items, be received:

- (a) Barbara Wallace, First Unitarian Church of Hamilton, respecting Hamilton Alliance for Tiny Shelters program plan (Added Item 5.1)
- (b) Sandy Shaw, MPP Hamilton West - Ancaster - Dundas, respecting project proposed by The Hamilton Alliance for Tiny Shelters (Added Item 5.2)
- (c) Bishop Douglas Crosby, Diocese of Hamilton, respecting support of the Hamilton Alliance for Tiny Shelters (Added Item 5.3)

**CARRIED**

**(e) DELEGATION REQUESTS (Item 6)**

**(Nann/Jackson)**

That the following Delegation Requests, be approved for today's meeting:

- (i) Julia Kollek, Hamilton Alliance for Tiny Shelters (HATS), respecting partnership with the city of Hamilton for foundational funding to deliver warm, and safe and temporary cabins with wraparound services for those experiencing homelessness (Item 6.1)

- (ii) Jeff Willmer, A Better Tent City Waterloo Region, respecting support of Julia Kollek's request regarding a supported encampment (Item 6.2)
- (iii) Tom Cooper, Hamilton Roundtable for Poverty Reduction, respecting support of a proposal to address homelessness in Hamilton (Item 6.3)
- (iv) Bishop Susan Bell, Anglican Diocese of Niagara, respecting support of a proposal to address homelessness in Hamilton - Video Delegation (Added Item 6.4)
- (v) Jennifer Bonner, The Hamilton Hub, respecting support of wrap around supports for the cabin committee (Tiny Homes project) being presented by Hamilton Community Legal Clinic and partners (Added Item 6.5)
- (vi) Kojo Dampsey, Hamilton Centre for Civic Inclusion, respecting support of using part of Sir John A. Macdonald property for Hamilton Alliance of Tiny Shelters (HATS) (Added Item 6.6)
- (vii) Deirdre Pike, Social Planning and Research Council of Hamilton, respecting Support for proposed response to homelessness (Added Item 6.7)
- (viii) Paula Whitlow, Hamilton-Wentworth Chapter Native Women Inc. o/a Native Women's Centre, respecting Support the HATS delegation (Added Item 6.8)
- (ix) Gabriel Baribeau, respecting Support for Tiny Homes proposal as an Emergency response needed for unhoused community members (Added Item 6.9)
- (x) Ed Fothergill, Hamilton Alliance for Tiny Shelters, respecting Support for proposal for tiny shelter initiative - Planning Related Matters (Added Item 6.10)

**CARRIED**

**(f) CONSENT ITEMS (Item 7)**

**(i) Housing and Homelessness Advisory Committee Minutes**

**(Jackson/Nann)**

That the following Minutes of the Housing and Homelessness Advisory Committee, be received:

- (a) September 7, 2021 (Added Item 7.1(a))

(b) October 5, 2021 (Added Item 7.1(b))

**CARRIED**

**(g) PUBLIC HEARINGS / DELEGATIONS (Item 9)**

- (i) Julia Kollek, Hamilton Alliance for Tiny Shelters (HATS), respecting partnership with the City of Hamilton for foundational funding to deliver warm, and safe and temporary cabins with wraparound services for those experiencing homelessness (Added Item 9.1)**

Julia Kollek, Hamilton Alliance for Tiny Shelters (HATS), addressed the Committee respecting partnership with the City of Hamilton for foundational funding to deliver warm, and safe and temporary cabins with wraparound services for those experiencing homelessness, with the aid of a presentation.

- (ii) Jeff Willmer, A Better Tent City Waterloo Region, respecting support of Julia Kollek's request regarding a supported encampment (Added Item 9.2)**

Jeff Willmer, A Better Tent City Waterloo Region, addressed the Committee respecting support of Julia Kollek's request regarding a supported encampment.

- (iii) Tom Cooper, Hamilton Roundtable for Poverty Reduction, respecting support of a proposal to address homelessness in Hamilton (Added Item 9.3)**

Tom Cooper, Hamilton Roundtable for Poverty Reduction, addressed the Committee respecting support of a proposal to address homelessness in Hamilton.

- (iv) Bishop Susan Bell, Anglican Diocese of Niagara, respecting support of a proposal to address homelessness in Hamilton - Video Delegation (Added Item 9.4)**

Bishop Susan Bell, Anglican Diocese of Niagara, addressed the Committee by pre-recorded video respecting support of a proposal to address homelessness in Hamilton.

- (v) Jennifer Bonner, The Hamilton Hub, respecting support of wrap around supports for the cabin committee (Tiny Homes project) being presented by Hamilton Community Legal Clinic and partners (Added Item 9.5)**

Jennifer Bonner, The Hamilton Hub, addressed the Committee respecting support of wrap around supports for the cabin committee (Tiny Homes



project) being presented by Hamilton Community Legal Clinic and partners.

- (vi) Kojo Damphey, Hamilton Centre for Civic Inclusion, respecting support of using part of Sir John A. Macdonald property for Hamilton Alliance of Tiny Shelters (HATS) (Added Item 9.6)**

Kojo Damphey, Hamilton Centre for Civic Inclusion, addressed the Committee respecting support of using part of Sir John A. Macdonald property for Hamilton Alliance of Tiny Shelters (HATS).

- (vii) Deirdre Pike, Social Planning and Research Council of Hamilton, respecting Support for proposed response to homelessness (Added Item 9.7)**

Deirdre Pike, Social Planning and Research Council of Hamilton, addressed the Committee respecting Support for proposed response to homelessness.

- (viii) Paula Whitlow, Hamilton-Wentworth Chapter Native Women Inc. o/a Native Women's Centre, respecting Support the HATS delegation (Added Item 9.8)**

Paula Whitlow, Hamilton-Wentworth Chapter Native Women Inc. o/a Native Women's Centre, addressed the Committee respecting Support the HATS delegation.

- (ix) Gabriel Baribeau, respecting Support for Tiny Homes proposal as an Emergency response needed for unhoused community members (Added Item 9.9)**

Gabriel Baribeau addressed the Committee respecting Support for Tiny Homes proposal as an Emergency response needed for unhoused community members.

- (x) Ed Fothergill, Hamilton Alliance for Tiny Shelters, respecting Support for proposal for tiny shelter initiative - Planning Related Matters (Added Item 9.10)**

Ed Fothergill, Hamilton Alliance for Tiny Shelters, addressed the Committee respecting Support for proposal for tiny shelter initiative - Planning Related Matters.

**(Nann/Merulla)**

That the following Delegations, be received:

- (i) Julia Kollek, Hamilton Alliance for Tiny Shelters (HATS), respecting partnership with the city of Hamilton for foundational funding to**

deliver warm, and safe and temporary cabins with wraparound services for those experiencing homelessness (Added Item 9.1)

- (ii) Jeff Willmer, A Better Tent City Waterloo Region, respecting support of Julia Kollek's request regarding a supported encampment (Added Item 9.2)
- (iii) Tom Cooper, Hamilton Roundtable for Poverty Reduction, respecting support of a proposal to address homelessness in Hamilton (Added Item 9.3)
- (iv) Bishop Susan Bell, Anglican Diocese of Niagara, respecting support of a proposal to address homelessness in Hamilton - Video Delegation (Added Item 9.4)
- (v) Jennifer Bonner, The Hamilton Hub, respecting support of wrap around supports for the cabin committee (Tiny Homes project) being presented by Hamilton Community Legal Clinic and partners (Added Item 9.5)
- (vi) Kojo Dampsey, Hamilton Centre for Civic Inclusion, respecting support of using part of Sir John A. Macdonald property for Hamilton Alliance of Tiny Shelters (HATS) (Added Item 9.6)
- (vii) Deirdre Pike, Social Planning and Research Council of Hamilton, respecting Support for proposed response to homelessness (Added Item 9.7)
- (viii) Paula Whitlow, Hamilton-Wentworth Chapter Native Women Inc. o/a Native Women's Centre, respecting Support the HATS delegation (Added Item 9.8)
- (ix) Gabriel Baribeau, respecting Support for Tiny Homes proposal as an Emergency response needed for unhoused community members (Added Item 9.9)
- (x) Ed Fothergill, Hamilton Alliance for Tiny Shelters, respecting Support for proposal for tiny shelter initiative - Planning Related Matters (Added Item 9.10)

**CARRIED**

**(Nann/Clark)**

That City Staff be directed to work with Hamilton Alliance for Tiny Shelters and community stakeholders to identify the role(s) of the City of Hamilton in the development of tiny shelters as a community-led response to address short-term, temporary housing needs of Hamilton's unhoused residents, including appropriate site supports, and report back to the Emergency and Community Services Committee on February 17, 2022, with recommendations.

**CARRIED**

**(h) GENERAL INFORMATION / OTHER BUSINESS (Item 13)**

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

**(Merulla/Jackson)**

That the following amendment to the Outstanding Business List, be approved:

**(a) Items Considered Completed and to be Removed**

1. Encampment Response Update  
Item on OBL: 21-G  
Addressed at the December 9, 2021 Emergency and  
Community Services Committee meeting as Item 5  
**CARRIED**

**(i) ADJOURNMENT (Item 15)**

**(Merulla/Nann)**

That there being no further business, the Emergency and Community Services Committee be adjourned at 4:59 p.m.

**CARRIED**

Respectfully submitted,

Councillor B. Clark  
Chair, Emergency and Community Services  
Committee

Tamara Bates  
Legislative Coordinator  
Office of the City Clerk



Hamilton

**COMMITTEE MEMBER RESIGNATION FORM**

I, Jim McColl, would like to submit my resignation, effective January 26, 2021, from the Seniors advisory committee, for the following reason(s):

- My circumstances have changed and I know longer have the time to effectively participate on the Committee.
- Personal reasons.
- Other (please explain briefly):

I've learned so much in my time here.  
Thank you all, and to the city.

Additional Comments (optional)

I know the committee members will continue to be a progressive voice for all older adults and seniors in Hamilton. That's what makes this city the best place to raise a child and age successfully.

J McColl  
 Signature

January 26, 2021  
 Date

**Bates, Tamara**

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**Subject:** FW: Resignation from SAC

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

From: Jeanne Mayo < >

Sent: Wednesday, February 2, 2022 8:32 PM

To: >

Cc: Maychak, Lisa <Lisa.Maychak@hamilton.ca>

Subject: Resignation from SAC

Dear Penelope,

It is with great sadness that I must resign from the Seniors Advisory Committee.

I enjoyed being a member of SAC and am confident that all of the members will continue to work hard to improve the lives of seniors in Hamilton.

Jeanne Mayo



**CITY OF HAMILTON**  
**HEALTHY AND SAFE COMMUNITIES DEPARTMENT**  
**Long Term Care**

<b>TO:</b>	Chair and Members Healthy and Safe Communities Committee
<b>COMMITTEE DATE:</b>	February 17, 2022
<b>SUBJECT/REPORT NO:</b>	Procurement of Pharmacy Services (HSC22004) (Wards 7 and 13)
<b>WARD(S) AFFECTED:</b>	Wards 7 and 13
<b>PREPARED BY:</b>	Holly Odoardi (905) 546-2424 Ext. 1906
<b>SUBMITTED BY:</b>	Angela Burden General Manager Healthy and Safe Communities Department
<b>SIGNATURE:</b>	

## RECOMMENDATION

That Council approve the single source procurement with CareRx Holdings Inc. pursuant to Procurement Policy #11 – Non-competitive Procurements, and extend the current contract for the supply of pharmaceutical services at Macassa and Wentworth Lodges until June 30, 2023 or until a new contract is awarded (whichever is earlier) and that the General Manager, Healthy and Safe Communities Department be authorized to negotiate and execute the amendment to the Contract and any ancillary documents required to give effect thereto, in a form satisfactory to the City Solicitor.

## EXECUTIVE SUMMARY

This Report is requesting Council's approval for the extension of Contract C5-04-15, the Supply of Pharmaceutical Services for residents of Macassa and Wentworth Lodges (the "Homes") until June 30, 2023 or until another competitive procurement process can be issued and a new contract awarded (whichever is earlier).

## Alternatives for Consideration – Not Applicable

## FINANCIAL – STAFFING – LEGAL IMPLICATIONS

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

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

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

**SUBJECT: Procurement of Pharmacy Services (HSC22004) (Wards 7 and 13) -  
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Financial: N/A

Staffing: N/A

Legal: Legal Services staff may be required to assist with any amendment to extend the Contract.

**HISTORICAL BACKGROUND**

The current contract for the Supply of Pharmaceutical Services for Macassa and Wentworth Lodges, Contract C5-04-15 ("Contract") was awarded to Rexall/Pharma Plus Pharmacies Ltd. ("Rexall") on January 5, 2015 and was scheduled to expire on January 4, 2021.

Since their sole focus was to provide enhanced care to the residents and support the staff during the COVID-19 pandemic, staff at the Homes were not able to undertake a competitive procurement process and award a new contract prior to the expiry of the Contract. In order to maintain continuous services to the residents, a Policy 11 Non-Competitive Procurement was approved in June 2020 to extend the Contract for an additional 12 months until January 5, 2022 to allow staff the time to issue and award a new contract.

In mid-2021, the City was requested to consider an assignment/corporate change from Rexall/Pharma Plus Pharmacies Ltd. to CareRx Holdings Inc. and in October 2021, the assignment was completed, and the applicable contracts were changed. The new vendor for the Contract was CareRx Holdings Inc. ("CareRx").

In September of 2021, the nursing leadership team worked with the Procurement Section to begin to develop a new Request for Proposals ("RFP") to secure a new a proponent to provide pharmacy services for the residents of both Homes. However, due to staffing shortages and the COVID-19 pandemic, it was necessary to delay the work on the competitive procurement by both LTC and Procurement staff.

Once again, in order to maintain the services, a second extension to the Contract was approved in October 2021 through another Policy 11 Non-Competitive Procurement, extending the Contract with CareRx to July 5, 2022.

**POLICY IMPLICATIONS AND LEGISLATED REQUIREMENTS**

The Long-Term Care Homes have an obligation under the *Long- Term Care Homes Act 2007 (2010)* and Ontario O. Reg. 79/10: 119(1) Every licensee of a long-term care home shall retain a pharmacy service provider for the Home.

**SUBJECT: Procurement of Pharmacy Services (HSC22004) (Wards 7 and 13) -  
Page 3 of 4**

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The recommendations in Report HSC22004 comply with the City of Hamilton's By-law 21-215, Procurement Policy 4.11, Policy #11 – Non-Competitive Procurements, section 2, subsection (b):

- “(2) Council must approve any requests for negotiations for:
- (b) an extension as set out in subsection (1)(c) of this Policy #11, where the extension exceeds 18 months from the expiry of the Contract with a vendor.”

### **RELEVANT CONSULTATION**

Procurement Section staff was consulted and support the Recommendation in this Report.

### **ANALYSIS AND RATIONALE FOR RECOMMENDATION**

These services provided to residents at the Homes under the Contract are at zero cost to the City. All costs are paid by the either the Province or the resident where applicable. Additional services provided to City staff by the pharmaceutical vendor are also included in the Contract's scope of work and are also at zero cost to the City.

CareRx has proved to be a competent and satisfactory vendor to the City, without any vendor performance issues. They have been supportive of the recent Contract extensions and have provided the services without interruption or concern.

Due to continuance of the pandemic, and specifically Wave 4, staff is requesting an additional 12-month extension to the Contract with CareRx until July 4, 2023, to allow the leadership team to continue to focus on the health and safety of our residents, staff, and Homes. The extension of the Contract will allow staff to continue to work with the Procurement Section on a new Request for Proposal process to ensure a successful competitive procurement. The further extension will also ensure there are no service disruptions to our 430 residents across both Homes.

The Procurement Policy, Policy #4.11, Policy 11 Non-Competitive Procurement requires Council approval where the extension of a contract “exceeds 18 months from the expiry of the contract with a vendor”. Since the Contract has been extended from January 5, 2021 to July 5, 2022, Council approval is required to extend the Contract further.

### **ALTERNATIVES FOR CONSIDERATION**

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**SUBJECT: Procurement of Pharmacy Services (HSC22004) (Wards 7 and 13) -  
Page 4 of 4**

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None

**ALIGNMENT TO THE 2016 – 2025 STRATEGIC PLAN**

**Healthy and Safe Communities**

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

**APPENDICES AND SCHEDULES ATTACHED**

None



**CITY OF HAMILTON**  
**HEALTHY AND SAFE COMMUNITIES DEPARTMENT**  
**Housing Services Division**

<b>TO:</b>	Chair and Members Emergency and Community Services Committee
<b>COMMITTEE DATE:</b>	February 17, 2022
<b>SUBJECT/REPORT NO:</b>	Provincial Consultation Regarding Regulatory Changes to the Housing Services Act (HSC22010) (City Wide)
<b>WARD(S) AFFECTED:</b>	City Wide
<b>PREPARED BY:</b>	Brian Kreps (905) 546-2424 Ext. 1782
<b>SUBMITTED BY:</b>	Edward John Director, Housing Services Division Healthy and Safe Communities Department
<b>SIGNATURE:</b>	

### RECOMMENDATION

That City of Hamilton's submission to the Province of Ontario's consultation regarding regulatory changes within the *Housing Services Act, 2011*, attached as Appendix "A" to Report HSC22010 be endorsed.

### EXECUTIVE SUMMARY

The Ministry of Municipal Affairs and Housing is consulting with the public regarding regulatory changes to the *Housing Services Act, 2011*. The changes are in the service of modernizing and expanding community housing system.

The hallmarks of the current system include an exclusive focus on Rent-Geared-to-Income (RGI) assistance, coordinated access to RGI assistance and a focus on legacy social housing programs built between the 1960's and 1990's. In many regards, this system is now outdated as non-profit projects built since 1997 fall outside of these rules. Similarly, older federal projects are reaching their end of agreement and facing decisions about the future, such as should they continue, sell or redevelop. Selling or redeveloping removes these projects from the existing system.

A response, attached as Appendix "A" to this Report, has been developed to the provincial consultation (proposal 21-MMAH031). The response urges the provincial

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**SUBJECT: Provincial Consultation Regarding Regulatory Changes to the Housing Services Act (HSC22010) (City Wide) - Page 2 of 4**

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government to update the existing system by expanding beyond legacy social housing's focus on RGI assistance. It should expand the types of housing assistance around which the system is organized to focus on lower cost, but still deeply affordable housing assistance that take into account the shelter allowance provided by social assistance programs. This would mean that these forms of assistance should form part of any new service level standards. The response also supports the development of regulations to spell out common expectations for agreements with providers that have reached the end of their operating agreement or new providers whose projects were not funded under legacy social housing programs. It also reminds the province that almost all community housing administration is funded by the municipal tax base and that any changes should not result in increased costs or be accompanied by increased funding.

**Alternatives for Consideration – Not Applicable**

**FINANCIAL – STAFFING – LEGAL IMPLICATIONS**

Financial: N/A

Staffing: N/A

Legal: N/A

**HISTORICAL BACKGROUND**

On July 22, 2020, the *Protecting Tenants and Strengthening Community Housing Act, 2020* received Royal Assent. It amended the *Housing Services Act, 2011* (the Act) in several fundamental ways.

- Allowing community housing providers to move into a new streamlined part of the Act once they have reached the end of their original obligations. In addition, community housing providers and projects that are not currently in the Act could enter the system under this new framework.
- Broadening the types of housing assistance that could be counted towards a Service Manager's required service levels. The Ministry plans to work in partnership with Service Managers and sector partners to propose a modern, outcomes-based approach to accountability and service level standards in regulation. This would consider how different types of housing assistance could be counted towards new service level requirements.
- Expand the types of assistance offered through the housing access system beyond just rent-geared-to-income assistance and could include other types of housing assistance set out in regulation.

**SUBJECT: Provincial Consultation Regarding Regulatory Changes to the Housing Services Act (HSC22010) (City Wide) - Page 3 of 4**

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On December 20, 2021, the Ministry of Municipal Affairs and Housing posted a consultation document regarding proposed changes to O. Reg 367/11 under the Housing Services Act. The deadline for the consultation is February 18, 2022.

**POLICY IMPLICATIONS AND LEGISLATED REQUIREMENTS**

The City of Hamilton is designated as the Service Manager (SM) under the *Housing Services Act, 2011*. The Act requires the SM to fund certain social housing providers through prescribed formulas. It further requires that the Service Level Standards for the number of Rent-Geared-to-Income (RGI) units are maintained. The Act also requires that SMs maintain a coordinated access system for RGI assistance.

Performance against the Service Level Standard is reported to the Ministry of Municipal Affairs and Housing annually in a Service Manager Annual Information Return. The Act lays out penalties if a SM does not fulfil their obligations.

**RELEVANT CONSULTATION**

Ontario Works was consulted in the preparation of the response. They identified that the regulatory changes recommended in the response would not have an adverse effect on the City as social assistance is funded by the province.

**ANALYSIS AND RATIONALE FOR RECOMMENDATION**

It is important for the City of Hamilton to participate in the consultation process as the proposed regulatory changes could have financial and administrative implications. These implications could include:

- what types of financial assistance must be provided to community housing providers whose operating agreement has ended;
- what types of assistance are included in the new Service Level Standards; and,
- what types of assistance must be provided through an expanded mandate for coordinated access to housing assistance.

**ALTERNATIVES FOR CONSIDERATION**

N/A

**ALIGNMENT TO THE 2016 – 2025 STRATEGIC PLAN**

**Healthy and Safe Communities**

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

**SUBJECT: Provincial Consultation Regarding Regulatory Changes to the  
Housing Services Act (HSC22010) (City Wide) - Page 4 of 4**

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**APPENDICES AND SCHEDULES ATTACHED**

Appendix "A" to Report HSC22010: Response to Consultation Regarding Changes  
to O. Reg 367/11

**Response to Consultation Regarding Changes to O. Reg 367/11**

This document outlines the City of Hamilton’s response to the Ministry of Municipal Affairs and Housing’s proposed regulatory changes to O. Reg 367/11 as outlined in proposal 21-MMAH031.

As a general comment, it should be noted that municipal Service Managers pay most of the operating costs associated with legacy social housing programs. In addition, the City of Hamilton has allowed providers to keep their full operating surplus and has provided municipally-funded capital dollars totalling \$3 M annually. The City of Hamilton has also provided used municipal tax dollars for capital contributions to the development of new community housing as well as annual rent subsidy for new community housing. These contributions are significant and still the costs of maintaining legacy social housing units grows beyond municipal means.

These investments have been made recognizing the significant need for affordable housing in Hamilton. Given limited municipal tax dollars, these investments are made by Council in careful consideration of the full range of municipal needs. While many aspects of the proposed regulatory changes are welcome, they cannot unilaterally impose additional costs to the municipal taxpayer.

**Service Agreements:**

The City of Hamilton supports the creation of a regulatory framework that would enable existing housing providers with matured operating agreements and mortgages to remain in the community housing system by signing a Service Agreement with their municipal Service Manager (SM) and spell out provisions governing entry of new housing providers into the community housing system.

While the current legacy social housing system’s focus on Rent-Geared-to-Income (RGI) and chronological coordinated access has its challenges, it provides useful underlying principles and common expectations for tenants, housing providers and SMs. Without a minimum framework, the SM and provider must negotiate each agreement separately. One of the primary challenges in the current environment is that agreements with the federal government for co-investment or rapid housing funding become the foundation for these agreements. These agreements reflect Canada Mortgage and Housing Corporation’s focus on risk management and securing the public investment and only minimal attention to the needs of tenants and SM.

- The framework must be flexible to reflect the needs of individual projects. Creating rigid expectations for funding arrangements could result in over or underfunding projects and unnecessary costs to the municipality.
- It should also speak to protections for affordability for existing tenants at the end of an agreement. Similarly, phase out periods at the end of agreements should be limited to ensure units are available for the full duration of the agreement.

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- The new framework must remain committed to coordinated access. In an attempt to house tenants whom, they believe to be “lower risk”, some housing providers prefer to hand select tenants rather than rely on coordinated access.
- It is also important to maintain the system of quasi-judicial review of decisions regarding social assistance. This provides a useful system to review decisions made by housing providers and the service manager regarding eligibility for housing assistance.
- Creation of the requirement for an exit agreement for providers whose mortgages have expired is also beneficial. Currently, when a federal provider’s mortgage expires, the decision about what to do with the property is left largely to the non-profit board. In some cases, boards see the project as their asset and do not recognize the significant public investment made over the years. Exit agreements should require short- and long-term plans for the property and affordability to tenants.

**Service Level Requirements:**

The City of Hamilton appreciates the move to reform Service Level Requirements. The current requirements are based on the number of social housing units downloaded from the Province to the municipality in 2001. They also focus almost exclusively on Rent-Geared-to-income (RGI) assistance.

Any revised approach should include the considerations listed below:

- The focus should be expanded beyond RGI to reflect the variety of forms of assistance that are provided by Service Managers (SM) and that they meet different needs. A new system should include RGI assistance, assistance calculated according to the municipally-funded portable housing benefit formula even if it applied to properties, and units made available at 80% of Average Market Rent (AMR).
- The new service level standard should be negotiated regularly to reflect changing community need and current investments by both levels of governments.
- The renegotiation of service level standards could be tied to the regular renewal and update of 10-year housing and homelessness plans.
- Currently, the provincial government provides no funding for general administration of social/community housing programs. As a result, reporting expectations must not be expanded as this would result in additional costs to the municipality.

**Access:**

The current coordinated access system focuses exclusively on RGI. Legislatively, households offered other forms of assistance must remain on the centralized waiting list.

Changes to coordinated access should reflect the concerns listed below:

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- Any form of assistance that results in “deep affordability” or a household paying no more than 30% of its net income in rent should be considered an offer of housing and those households should be removed.
- RGI rules currently state that households in receipt of provincially-funded social assistance pay on a discounted scale rather than a percentage of income. This makes RGI assistance very expensive for providers and municipalities to offer. Allowing SM to offer assistance that requires social assistance recipients to pay the maximum shelter allowance would stretch limited municipal tax dollars further.
- The basic requirements of eligibility and coordinated access should be included in any new agreements discussed above.
- Provincial rules need to support better integration between By-Name Priority Lists for people experiencing homelessness and coordinated access to community housing. SMs are required to operate both systems, but the logic of the two systems is hard to reconcile, yet they are expected to work in tandem.
- Coordinated access is funded directly by municipalities. Hamilton’s coordinated access system has no capacity to provide additional services or forms of assistance without funding from the provincial government.