



## City of Hamilton

### CITY COUNCIL ADDENDUM

22-007

Wednesday, March 30, 2022, 9:30 A.M.

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

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#### 5. COMMUNICATIONS

\*5.24. Correspondence respecting the Heritage Listing of Grace Lutheran Church (1107 Main Street West, Hamilton):

\*5.24.a. Rabbi David Green, Adas Israel Congregation of Hamilton

\*5.24.b. David Falletta, Bousfields Inc.

Recommendation: Be received and referred to the consideration of Item 1(g) of Planning Committee Report 22-004.

\*5.25. Correspondence respecting the Enhanced Parks By-law - Encampment Enforcement:

\*5.25.a. Mary Cep

\*5.25.b. Joshua Weresch

- \*5.25.c. Hamilton Social Medicine Response Team (HAMSMaRT)

Recommendation: Be received and referred to the consideration of Item 15 of Planning Committee Report 22-004

- \*5.26. Correspondence from the Lakewood Beach Community Council respecting the Public Beach in their Area.

Recommendation: Be received and referred to Items 2 and (g)(i) of Board of Health Report 22-003.

## **6. COMMITTEE REPORTS**

### **\*6.9. STAFF REPORTS**

- \*6.9.a. Encampment Process: Staffing Feasibility / Service Levels Impacts (PED22088) (City Wide)

## **8. NOTICES OF MOTIONS**

- \*8.1. Mayor's Ukrainian Humanitarian Crisis and Response Advisory Committee
- \*8.2. Demolition Permit Authorization to facilitate the Jamesville Re-Development for Renewed Affordable Housing

March 27, 2022

His Worship Mayor Fred Eisenberg & Hamilton City Council  
Hamilton City Hall  
71 Main Street West  
Hamilton, Ontario L8P 4Y5

**RE: RECOMMENDATION FOR HERITAGE LISTING OF GRACE LUTHERAN CHURCH (1107 MAIN STREET WEST, HAMILTON)**

Dear Mayor Eisenberg and City Council,

In 1959, the Adas Israel Congregation and Grace Lutheran Church built their congregations side-by-side with a shared vision to enhance the fabric of the Ainslie Wood and Westdale communities.

In 2016, our congregations began discussing together the trajectory of our future. In the course of these meetings, the church expressed its interest in selling its property and amalgamating with another Lutheran congregation.

For the synagogue, the major challenge was a scarcity of suitable family housing in the neighbourhood. To date, no apartments or condominiums have been built in the area since the 1960s. This predicament has been compounded by the ever-expanding conversion of family homes to student homes, which continually erode the character and nature of our neighborhood. The impact is particularly felt on seniors and young couples who are interested in residing in apartments within a short walking distance from the synagogue.

In a neighborly act recognizing our joint history, the church granted the synagogue the opportunity to secure the property and find a suitable developer that would share a community-minded vision for the project. This, despite the property's close proximity to McMaster University and the lucrative nature of purpose-built student housing.



The Board of Directors of the Adas Israel approved the current development group, who currently owns the property, and on April 21, 2020, with unanimous approval, supported the Application for Amendment at 1107 Main Street West, Hamilton (file No. UHOPA-20-012).

We are pleased with the features that have been incorporated into the development application that address both the heritage components of the property and our community's needs. These include the inclusion of the church facade and other heritage features, a suite mix with options geared to families, seniors, and young professionals, townhouses in the podium of the building with street access, accessible bungalow units, second-floor terraces, and 3 levels of underground parking.

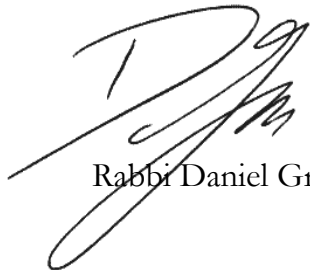
The project has garnered much excitement and interest within the community. Dozens of homeowners in the direct vicinity of the property have supported the application with letters of support as well.

It has come to our attention that if City Council approves the motion to register the property on the heritage listing, the site will immediately be placed on the City's work plan to assess whether it should receive heritage designation. We were informed by City Staff that the process to assess if the building should be designated would not happen immediately and could take 5 years or more, during which time no site plan approval would be granted placing the entire project in jeopardy.

This project is critical to the viability of our community and neighborhood. We ask for your consideration in deferring the recommendations of the City's Municipal Heritage Committee to list the property until after City Staff present their recommendations on the development application later this Spring. That way, City Council will be able to hear a comprehensive presentation reflecting all the needs of our community, including heritage, and avoid any unintended negative impact upon the community.

If you have any questions, please feel free to contact me directly at 905.317.6438.

Sincerely yours,

A handwritten signature in black ink, appearing to read 'D. Green', written over a white background.

Rabbi Daniel Green

March 27, 2022

His Worship Mayor Fred Eisenberg & Hamilton City Council  
Hamilton City Hall  
71 Main Street West  
Hamilton, Ontario L8P 4Y5

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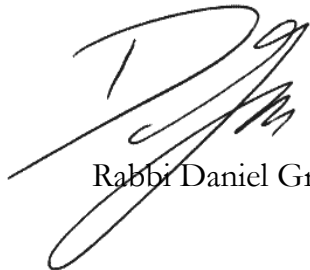
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This project is critical to the viability of our community and neighborhood. We ask for your consideration in deferring the recommendations of the City's Municipal Heritage Committee to list the property until after City Staff present their recommendations on the development application later this Spring. That way, City Council will be able to hear a comprehensive presentation reflecting all the needs of our community, including heritage, and avoid any unintended negative impact upon the community.

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Sincerely yours,

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Rabbi Daniel Green



Project No. 1926

March 28, 2022

Mayor & Members of Council  
City of Hamilton  
71 Main Street West  
Hamilton, ON L8P 4Y5

Dear Mayor Fred Eisenberger and Members of Council,

**Re: Council Meeting Agenda – Item 6.5  
Planning Committee Report 22-004 (Recommendation 1 (g))  
1107 Main Street West (Grace Lutheran Church)**

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We are the planning consultant for 1107 Main Inc. (the “**Owner**”) with respect to their lands located at 1107 Main Street West, Hamilton (the “**subject site**”). We are writing to request that you reconsider the recommendation from the March 22, 2022, Planning Committee.

### **Background and Issue**

More specifically, Item 6.5 of the upcoming Council Meeting on Wednesday March 30, 2022, relates to the aforementioned Planning Committee report, and Item 1(g) specifically states that the Planning Committee Respectfully Recommends:

*“That 1107 Main Street West, Grace Lutheran Church, be added to the Municipal Heritage Register and to the staff work plan for heritage designation under the Ontario Heritage Act.”*

This recommendation is problematic, since the Owner has filed an official plan amendment and rezoning applications (the “**applications**”) for the subject site, which proposes to redevelop the subject site for mixed-use ground floor retail and residential uses, while retaining portions of the existing church building and incorporating them into the redevelopment as a community space.

These applications were filed in 2020 and the Owner and its consultant team have been collaborating with City Staff and the community throughout the application

process. In this regard, the Owner and consultant team has worked closely with the Adas Israel Congregation and neighbourhood associations, which has resulted in overwhelming support for the proposed redevelopment. It is our understanding that City Planning Staff are planning to bring forward a recommendation report regarding the applications later this spring.

However, if the above recommendation is adopted by Council on March 30, 2022, it will delay the processing of the applications, since Council will have adopted the recommendation to add the subject site to the Municipal Heritage Register and the staff workplan for heritage designation under the Ontario Heritage Act. It is our understanding that the staff workplan for heritage designations includes a considerable number of potential properties and could take at least **five years** to review the subject site. This would create significant delays for the redevelopment of the subject site.

### **Our Request**

There are two recommendations before Council, the first is to add the subject site to the Municipal Heritage Register, which would require a 60-day notice prior to any demolition or removal of the building or structure. Currently there is no notice required. The second recommendation is to add the existing church on the subject site to the staff work plan for heritage designation. This would allow City Staff to review the subject site to determine if it meets the criteria for heritage designation under the Ontario Heritage Act, which could take at least 5 years to complete.

We respectfully request that **Council not adopt the recommendations** from Planning Committee (via the Municipal Heritage Committee), since:

- The Owner will not file any demolition application until the applications have been processed and a site plan application has been approved. The Owner is willing to confirm this in writing if required.
- The processing of the applications allows for a holistic and comprehensive review of the subject site including addressing the comments received from the Municipal Heritage Committee.

If Council does not adopt the recommendations of the Planning Committee, and instead rely on the current provincial and local heritage policy framework, it will avoid significant delays for the Applications and address the heritage components of the

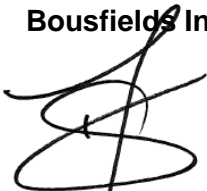


subject site holistically and comprehensively. This would include a review of the comments from the City's Municipal Heritage Committee.

Thank you for your consideration of the above and we look forward to collaborating with you and Staff as part of the processing of the applications.

Yours very truly,

**Bousfields Inc.**



David Falletta MCIP, RPP

/DF:jobs

cc. Client  
Rabbi Green, Adas Israel

**Pilon, Janet**

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**Subject:** Enhanced By-law Encampment Enforcement - Mary Cep's comments

**From:** Mary Cep

**Sent:** Friday, March 25, 2022 12:13 PM

**To:** [clerk@hamilton.ca](mailto:clerk@hamilton.ca)

**Subject:** Enhanced By-law Encampment Enforcement - Mary Cep's comments

Good afternoon!

I am a member of the Disability Justice of Ontario's Youth Action Council and would like to further discuss how ableism comes into play with the unjust nature of providing solutions to the homelessness and housing crisis. Upon receiving word from you and until I'm feeling well again, here are some words I've shared in a Youth-led blog relevant to the cause.

<https://www.youthfriendly.com/blog/youth-disability-advocates>

I attempted to send an email to you on the deadline for noon concerning the delegation council meeting I missed due to not feeling well, but the email did not go through. Thank you for taking the time to read this over. Take care and have a great day.

Best regards,

Mary Cep (*she/her*)

Dear Council,

Poverty isn't pretty. Just like the war going on across oceans and seas, not necessarily "our business" we are all entangled in corrupt systems that perpetuate fear and create harm that always comes full circle. There's no glory in war, and the increase of encampment evictions is the war on our streets which pose a direct threat to our local community members. The passing of this motion would be masquerading inhumane treatment as "justice." Legislation makes possible fairness and equality, however, the lack thereof equity is also reflected in harmful legal policies and practices. Police forcing homeless individuals to leave city park areas is telling of our society's refusal to see the on-going housing crisis for what it is and work towards solutions. "We all were once refugees" comes to mind when I think about the true story of how we all ended up on this great land—except refugees are permitted by a just and community-centred legal process, while Western colonization used trickster, militant and most despicable of all—genocide on the Indigenous stewards of Turtle Island to gain our current provinces and territories. Lightly acknowledged by mainstream culture, partially truthfully examined in literary and academic spaces, this reality echoes the power imbalances that have embedded itself in our "just business" relationship to the land and each other. If the law would rather sell out it's people to the highest bidder for property, *who is for the people?* This country forged with Indigenous blood spilt to obtain Western dominance and influence will not stand much longer placing economic profit over human lives, nature and unity within our community's ecosystem.

I would like to dive into my solutions, however as I'm not feeling well currently, I'd like to discuss them at a later date. Thank you for your time.

To the ward councillors in Hamilton, Ontario:

Hope this finds you well. I write as a life-long resident and home-owner in Ward 8 in Hamilton, Ontario.

Last Tuesday, on March 22<sup>nd</sup>, 2022, the city's planning committee heard over forty delegates speak to the committee in behalf of and with unhoused folks, asking the committee to vote against Councillor Farr's motion to direct staff to:

- (i) complete their activities under the Encampment Process, including notifying the Hamilton Police Service that a Trespass Notice has been issued, within 12 to 72 hours after staff receive the first complaint regarding unauthorized camping in a City park or public place;
- (ii) enforce the Encampment Process 7 days per week;
- and (iii) report any staffing feasibility/service levels impacts to Council at their March 30, 2022 meeting.

The motion was carried, with 4 councillors voting in favour, and 2, one of whom was Councillor Danko, voting against. 6 councillors on a planning committee effectively decided the fates, though not the destinies, of unhoused people in this city.

I ask you, as more than 6 councillors on this council, to overturn the planning committee's motion, Item 15 of Planning Committee Report 22-004, which one of the city's legislative coordinators has informed me can legislatively be done. People in need need rest and care, not the constant motion that endless surveillance and eviction provides.

Regards,

Joshua Weresch

27 March 2022



March 29, 2022

City Hall  
71 Main St. W.  
Hamilton, Ontario, Canada  
L8P 4Y5

Open letter to Hamilton City Council

**Re: Enhanced Parks By-law - Encampment Enforcement**

It's been two years that the Hamilton Social Medicine Response Team has been engaging in sometimes highly public conversations, debates and even litigation about encampments in this city. Really, we and many other encampment residents and advocates have made the best case we can for not displacing people with nowhere else to go. But we have not convinced you in the majority. And so, over two years into a pandemic that has exacerbated a housing calamity that runs much deeper than the 600 or so people staying in shelters and living outside, who are the subject of this discussion in council chambers, **we aim to appeal here only to your democratic sensibilities as governors.**

On January 13, 2022 a motion on a **Comprehensive, Human-rights Based, Health-focused Housing Solutions for Residents Living Encamped across Hamilton** was tabled by Councilor Nann and **unanimously passed** by the Emergency and Community Services committee. The motion directed City staff:

to host solution-focused planning session(s) made up of representatives from the health sector, housing service providers, organizations that provide frontline support to the unhoused, people with lived experiences of being unhoused and living in encampments, and other community stakeholders be convened to identify comprehensive, human-rights based, health-focused housing solutions to directly address the needs of those 80 to 140 unhoused residents living encamped in Hamilton.

Before that table was even convened, Ward 2 Councilor Farr, who supported Councilor Nann's motion, brought a motion which can only be described as undermining the above, to the Planning Committee, where it passed 4-2. This resulted in the Enhanced Parks By-law coming

before council on March 30, 2022. We are not experts in governance, but **would appreciate understanding if and how circumventing one motion with a second at another committee is consistent with good governance practice.** As non-experts we certainly can assess that it is not within the spirit of it.

Regardless of your position on encampments or people experiencing homelessness, we hope you will consider that, **on this principle of democratic process alone, there is reason to reject this motion.** Your constituents and the electorate deserve accountability on this question of process and the precedent it sets. **We hope that this and the way that this motion undermines council's stated commitment to engage people deprived of housing and those doing the work on the ground in real solutions constitute part of the debate around the motion Wednesday.** That is to say, we hope that those considering voting in favour of it can respond to why they support the circumventing of democratic process.

Sincerely,

The Hamilton Social Medicine Response Team  
CC: Office of the City Clerk

**From:** [Carson, Katie](#)  
**To:** [Kolar, Loren](#)  
**Subject:** FW: Board of Health Report - Public Beach Signage and Water Testing  
**Date:** Tuesday, March 29, 2022 11:03:26 AM  
**Attachments:** [image.png](#)  
[image002.png](#)  
[image003.png](#)  
[image004.png](#)  
[image005.png](#)

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**From:** Lakewood Beach Community Council <[LakewoodBeachCC@hotmail.com](mailto:LakewoodBeachCC@hotmail.com)>  
**Sent:** Saturday, March 26, 2022 10:34 AM  
**To:** DL - Council Only <[dlcouncilonly@hamilton.ca](mailto:dlcouncilonly@hamilton.ca)>; [clerk@hamilton.ca](mailto:clerk@hamilton.ca)  
**Subject:** Board of Health Report - Public Beach Signage and Water Testing

Dear Honourable Mayor & Council,

Further to our correspondence dated March 17<sup>th</sup> regarding the public beach in our community, we now see that Staff was provided with direction "to prepare an evaluation of the beach area ... to determine if it can be classified as a public beach, with a report back to a future Board of Health meeting"

It appears to us that Council wishes to find out what the municipality **has** to do before you decide on what **should** be done in the interests of Public Health & Safety.

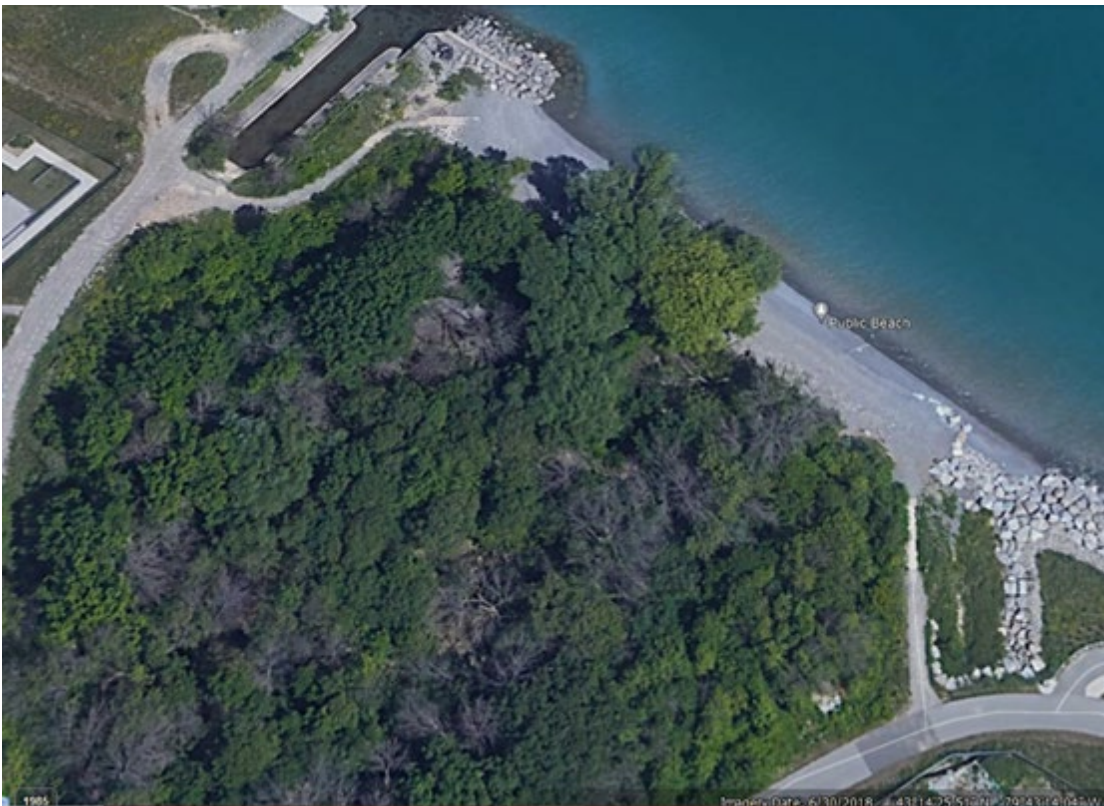
Hence, for your information, a quick Google search for the definition of a Public Beach in the *Operational Approaches for Recreational Water Guideline, 2018* is as follows:

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**Public Beach:** includes any public bathing area owned/operated by a municipality to which the general public has access, and where there is reason to believe that there is recreational use of the water (e.g., beach signage, sectioned off swimming area, water safety/rescue equipment, lifeguard chairs, etc.), which may result in waterborne illness or injury as determined by the local medical officer of health.

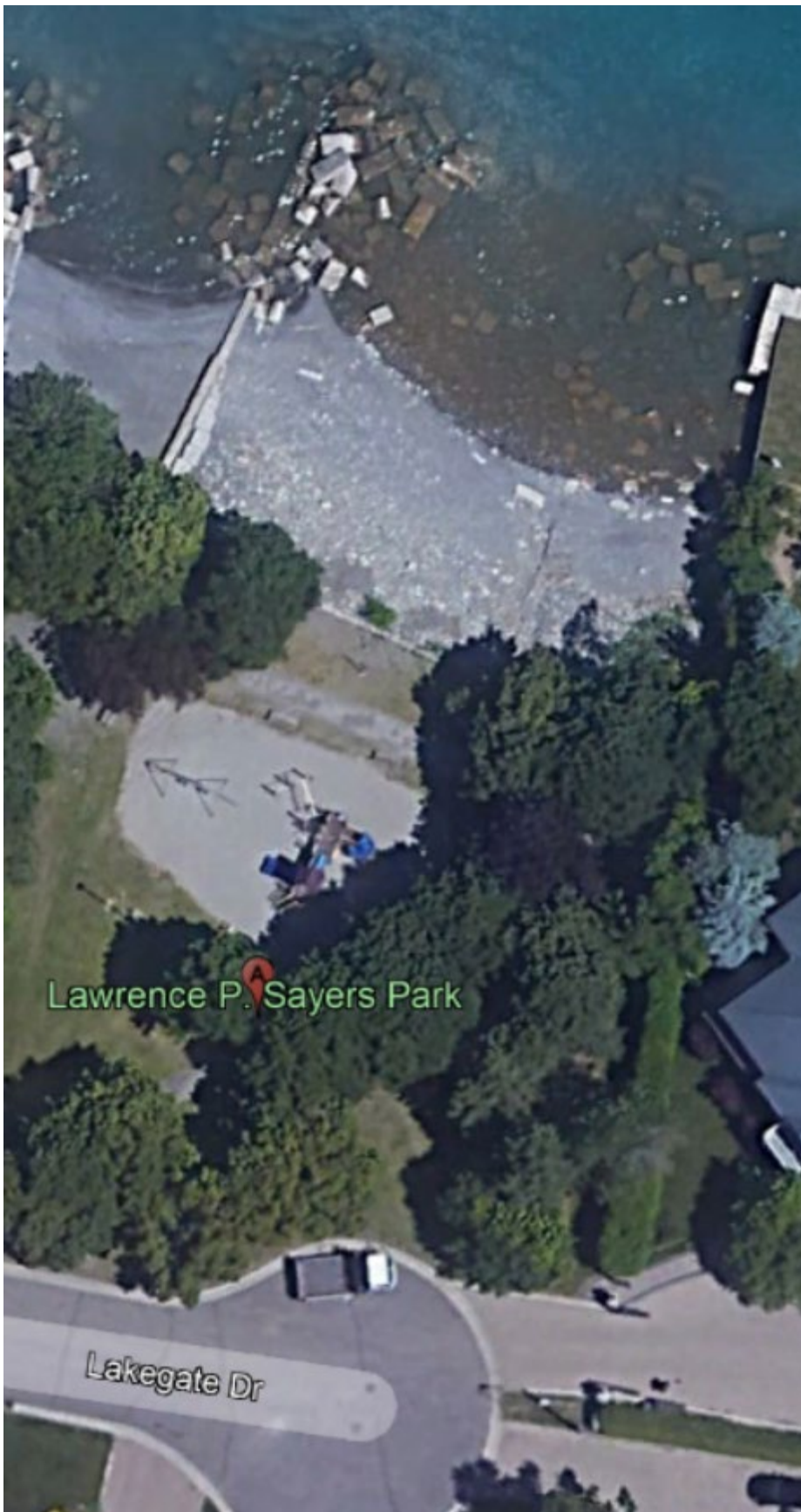
While we appreciate this matter has finally gotten your attention, do we really need to waste City resources / Staff's time /Council's time on an exercise that a quick google search can provide?

Bush beach (our name for it) **is clearly a Public Beach**. It is located on municipally owned property and it has 2 mostly paved/groomed access points from the Waterfront Trail (as per pic below) with City of Hamilton posted signage that access is restricted after 11 p.m. There is, and always has been, recreational use by many citizens in the area. ***The water quality should be tested.***



In addition, it has also occurred to us the **public** beach at the **public** Lawrence P Sayers parkette on Lakegate should also be tested. (see pic)

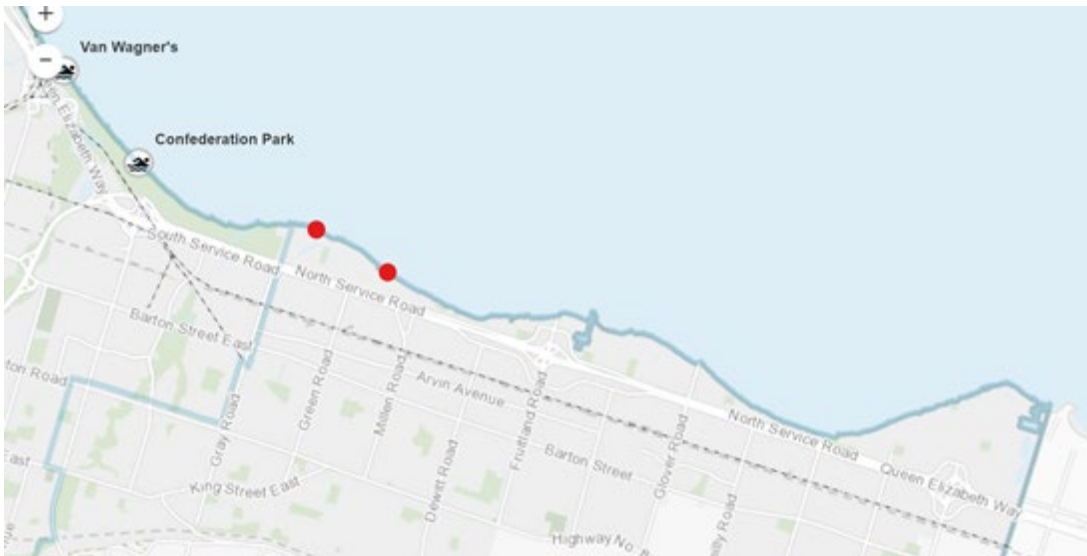




Although our previous email stated the beach at Fifty Point Conservation beach is tested, we

should clarify that this testing does not appear to be conducted by the City of Hamilton. It is the Township of Grimsby which does the testing of that beach.

Hence, there is a significant stretch of Lake Ontario that is not currently tested by the City of Hamilton. For your ease, the pic below is the 2 spots where testing occurs within the old Hamilton boundaries, and the red dots are the 2 public beaches in our community that are not currently tested. Lawrence P Sayers parkette's beach is located ~ 2.15 km from the Confed Park testing location and Bush beach is located ~ 3 km from the Confed Park testing location. As you can see, there are no City of Hamilton testing locations at all in the former Stoney Creek/Fruitland/Winona lakefront strip.



In our opinion, a Staff Report is not needed on whether these beaches "can be classified as public beaches" and such a report is a waste of resources.

In our respectful submission, we have provided you with enough information to address the community's concerns & Council should provide direction to Staff for at least 1 of these 2 public beaches to be added to the list of beaches that are tested for water quality; if not both.

Kind regards,

Viv / Anna / Nancy

Lakewood Beach Community Council

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**From:** Lakewood Beach Community Council

**Sent:** Thursday, March 17, 2022 2:38:12 PM

**To:** [loren.kolar@hamilton.ca](mailto:loren.kolar@hamilton.ca) <[loren.kolar@hamilton.ca](mailto:loren.kolar@hamilton.ca)>

**Cc:** Hamilton Council <[dlcouncilonly@hamilton.ca](mailto:dlcouncilonly@hamilton.ca)>

**Subject:** Board of Health ? INFORMATION ? Report on Public Beach Signage

Dear Mayor & Council,

Generally Information Reports are to receive and not discussed. We trust Council will make an exception in this case.

To begin with, we've previously pointed out that Hamilton doesn't have only 7 public beaches. It has 8; granted the 8<sup>th</sup> one in Ward 10 is mostly under water in the Spring and prior to new developments was a little hidden gem. With the developments between Green Rd and Millen, this public beach is now however well used. Just this past summer there was a lot of inquiries about whether the water quality was okay due to some residents noticing the postings at Confed but further east, it wasn't until a few days later signs were posted at Fifty Conservation. In the middle of the 2 beaches, there's another public beach which NEVER gets tested and attempts to get it tested or find out why it isn't tested have fallen on deaf ears. (see pic below for location).

Hence, we are formally requesting Board of Health direct that our community beach be added to the list of beaches to be tested.

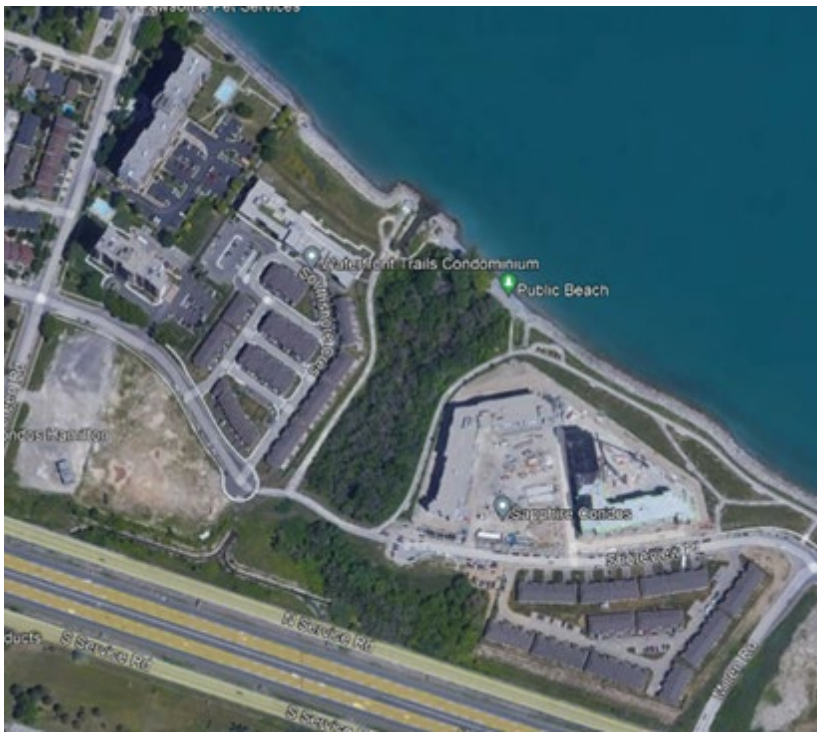
Secondly, not all of us who walk (with and without our dogs usually first thing in the morning) and not all of our children who head to the beaches (#8 and at Confed) have access or will think to check the city's website on **a daily basis**

Respectfully, in our opinion it is the city's responsibility to ensure everyone's health is your top priority & that anyone about to go for a dip or let their dog drink the water know at the time whether it's safe or not.

As such, we are asking for the Postings at our beaches to continue in the same manner as previous years.

Kindest regards,


Viv / Anna/ Nancy  
Lakewood Beach Community Council



*P.S. If there's a naming contest for this beach please let us know. We believe New Horizons has referred to it as Ethel? beach in their sales materials but it would be fun if the residents got to choose a name. Graduation Beach seems fitting based on the historical usage.*



**CITY OF HAMILTON**  
**PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT**  
**Licensing and By-law Services Division**

|                           |  |
|---------------------------|--|
| <b>TO:</b>                | Mayor and Members<br>City Council  |
| <b>COMMITTEE DATE:</b>    | March 30, 2022   |
| <b>SUBJECT/REPORT NO:</b> | Encampment Process: Staffing Feasibility / Service Levels Impacts (PED22088) (City Wide)                   |
| <b>WARD(S) AFFECTED:</b>  | City Wide  |
| <b>PREPARED BY:</b>       | Kelly Barnett (905) 546-2424 Ext. 1344<br>Monica Ciriello (905) 546-2424 Ext. 5809                         |
| <b>SUBMITTED BY:</b>      | Monica Ciriello<br>Director, Licensing and By-law Services<br>Planning and Economic Development Department |
| <b>SIGNATURE:</b>         |                           |

### RECOMMENDATION

- (a) That staff in the Licensing and By-law Services Division be authorized to create a dedicated team of 4 full-time temporary Municipal Law Enforcement (MLE) Officer positions on a pilot basis until December 31, 2022 to enforce City by-laws related to encampments, at an estimated total cost of \$416,673.73, to be funded through the Tax Stabilization Reserve.

### EXECUTIVE SUMMARY

At its meeting of March 22, 2022, Planning Committee approved Motion 11.3 as follows:

*That staff be directed to:*

- (i) *complete their activities under the Encampment Process, including notifying the Hamilton Police Service that a Trespass Notice has been issued, within 12 to 72 hours after staff receive the first complaint regarding unauthorized camping in a City park or public place;*
- (ii) *enforce the Encampment Process 7 days per week; and,*

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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: Encampment Process: Staffing Feasibility / Service Levels Impacts (PED22088) (City Wide) - Page 2 of 5**

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- (iii) *report any staffing feasibility/service levels impacts to Council at their March 30, 2022 meeting.*

The purpose of this report is to respond to item (iii) of the motion.

In order to achieve the service level outlined in Motion 11.3, an expanded Municipal Law Enforcement staff complement is required. At present, there are no full-time dedicated MLE Officers in this portfolio, and currently MLE Officers work a 5-day operation. To implement Motion 11.3, staff are recommending that four full-time temporary MLE Officer positions be created. If Council approves Report HSC20038(d)/PED21188(a), these officers would report to the MLE Supervisor within the centralized Encampment Coordination Team. The four MLE Officers (MLEOs) will support the encampment related response work alongside the seven Housing Outreach members that are in the community 7 days a week.

**Alternatives for Consideration – See Page 4**

**FINANCIAL – STAFFING – LEGAL IMPLICATIONS**

Financial: The staff recommendation would have an approximate cost of \$416, 673.73 to be funded through the Tax Stabilization Reserve.

Staffing: The staff recommendation will have a staffing impact with the creation of four new temporary FTE MLE officers until the end of 2022.

Legal: N/A

**HISTORICAL BACKGROUND**

On September 9, 2021, Emergency and Community Services Committee received Report PED21188/HSC20038(c) – Encampment Response Update.

On March 22, 2022, Planning Committee approved Motion 11.3 directing staff to:

- (i) complete their activities under the Encampment Process, including notifying the Hamilton Police Service that a Trespass Notice has been issued within 12 to 72 hours after staff receive the first complaint regarding unauthorized camping in a City park or public place;
- (ii) enforce the Encampment Process 7 days per week; and,
- (iii) report any staffing feasibility/service level impacts to Council at their March 30, 2022 meeting.

**POLICY IMPLICATIONS AND LEGISLATED REQUIREMENTS**

N/A

**RELEVANT CONSULTATION**

Licensing and By-law Services.

**ANALYSIS AND RATIONALE FOR RECOMMENDATION**

To satisfy a service level of enforcing the Parks By-law 01-291 and issuing Trespass Notices within 12 to 72 hours, 7 days a week, staff are recommending expanding the MLE staff complement by four FTE MLE Officers.

If Motion 11.3 is approved by Council, City staff would respond to a complaint within the timeline, however if compliance is not achieved, HPS (Hamilton Police Services) remains the last step and will be notified. MLE cannot direct or prioritize HPS enforcement.

A dedicated team of four full-time MLE Officers would allow for:

- Two teams of two MLE Officers providing coverage for a seven-day operation inclusive of evenings and weekends;
- Ability to proactively monitor recurring sites;
- Ability to reactively respond to new complaints received within the 12 to 72 hour service level timeframe;
- Focused approach to coordinating the process with other City departments including: Housing Street Outreach, Social Navigator, Hamilton Police and Parks staff to achieve full compliance within the 12 to 72 hour service level timeframe;
- Back up coverage for planned or unexpected staff absences (illness, vacation, etc.);
- MLE Officers' safety under the *Occupational Health and Safety Act* when responding to unknown situations and environments including when Hamilton Police are not on site; and,
- Ensuring data entry is accurate and timely for enforcement process timeline tracking and reporting purposes, which may require operating databases (AMANDA) be updated and enhanced.

If Council approves Report HSC20038(d)/PED21188(a), these officers would report to the MLE Supervisor within the centralized Encampment Coordination Team. The Municipal Law Enforcement Supervisor of Encampment Enforcement would be responsible for the following:



- Scheduling MLE Officers and ensuring adequate coverage;
- Attending Encampment Response Team meetings;
- Communicating with various City departments on emerging issues and priorities;
- Problem solving challenging situations that can occur in encampments including enlisting the help of Animal Services for assistance with pets;
- Coordinating encampment dismantling efforts and directing field operations including clean-ups;
- Tracking 12 - 72-hour Notice of Trespass timelines to ensure compliance is met and notifying HPS regarding non-compliance; and,
- Developing P&P's and operational plans so roles and responsibilities are clearly defined.

### **Private Property Encampments Complaints**

MLE Officers assigned to encampments will respond to private property complaints to access the situation. MLE Officers will educate the encampment occupants that living in tents on private property is not permitted for human habitation unless you are in a registered campground under City of Hamilton Zoning By-Law 05-200 and that being there could be trespassing. MLE Officers will notify Outreach/SNP and HPS (Hamilton Police Services) to engage with occupants and will contact the property owner to advise of the situation and provide information on their responsibilities for property maintenance including any identified by-law violations found during their inspection.

In most situations, encampments on private property result in Yard Maintenance, Property Standards, Zoning and/or Noise by-law violations and MLE Officers will work with the property owners to achieve voluntary compliance. If there is no voluntary compliance by the property owner, an Order will be issued by the MLE Officer and the appropriate enforcement actions would be taken. Property owners would need the assistance of Hamilton Police to enforce Trespass to Property Act which is not enforced by MLE Officers. The property owner would be responsible to ensure compliance with City of Hamilton By-laws and incur any associated costs.

### **ALTERNATIVES FOR CONSIDERATION**

Council could decide to establish the enhanced 12 to 72 hour and seven-day-per-week service level without adding any additional Municipal Law Enforcement Officers. In this circumstance, staff would re-assign four full-time Municipal Law Enforcement Officers from the current staffing complement and to the Encampment Coordination Team until December 31, 2022. Staff does not recommend this option as it would result in service level impacts with respect to the enforcement of other City by-laws.



**SUBJECT: Encampment Process: Staffing Feasibility / Service Levels Impacts (PED22088) (City Wide) - Page 5 of 5**

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Since the repeal of the last COVID-19 regulations on March 21, 2022, MLE Officers are beginning their transition to investigating a backlog of files and complaints related to other City by-laws. Re-assigning four full-time MLE Officers to the Encampment Coordination Team will delay the LBS recovery to our pre-pandemic service levels, and drastically impact response times of the most commonly enforced By-laws. The table below outlines the number of complaints received in 2021. It is anticipated that response times for Yard Maintenance, Noise, Snow and Property Standards complaints would be the most significantly impacted.

| <b>By-Law</b>      | <b>Number of Complaints Received</b> |
|--------------------|--------------------------------------|
| Yard Maintenance   | 6927                                 |
| Property Standards | 4013                                 |
| Zoning             | 928                                  |
| Tree               | 219                                  |
| Fence              | 434                                  |
| Street             | 695                                  |
| Noise              | 2338                                 |
| Snow               | 1921                                 |

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

**Healthy and Safe Communities**

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

**Our People and Performance**

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

**APPENDICES AND SCHEDULES ATTACHED**

N/A

MC:eo

# CITY OF HAMILTON

## NOTICE OF M O T I O N

COUNCIL DATE: March 30, 2022

**MOVED BY MAYOR F. EISENBERGER .....**

### **Mayor's Ukrainian Humanitarian Crisis and Response Advisory Committee**

WHEREAS, an estimated 3.8 million Ukrainian citizens have been forced to flee from their homeland due to the unjust war initiated by Russia on February 24, 2022;

WHEREAS, many Ukrainians are now seeking temporary refuge until such time they can safely return to their homeland;

WHEREAS, it is anticipated that tens of thousands of displaced Ukrainians will make their way to Canada, hundreds of whom will settle in the City of Hamilton;

WHEREAS, the Provincial and Federal Governments are financially responsible for newcomer and refugee settlement services;

WHEREAS the Federal Government has created the Canada-Ukraine Authorization for Emergency Travel (CUAET), that allows visitors to temporarily reside and work in Canada for up to three years;

WHEREAS, the Federal CUAET process differs from past newcomer and refugee support programs, and has not established what level of funding will flow through to settlement service organizations or the Port of Entry funding model;

WHEREAS, the Provincial Government has yet to announce a financial support program for displaced Ukrainians; and

WHEREAS, the City of Hamilton and its partner organizations led by Hamilton Immigration Partnership Council (HIPC) and the robust Canadian Ukrainian Hamilton community, has the experience and expertise required to assist newcomers;

THEREFORE, BE IT RESOLVED

- (a) That Council approve the creation of the Mayor's Ukrainian Humanitarian Crisis and Response Advisory Committee;

- (b) That the committee membership be comprised of key community organizations, stakeholders and city departments with the objective of providing the necessary supports to Hamilton's displaced Ukrainians;
- (c) That the General Manager of Healthy and Safe Communities, relevant HSC divisional Directors, the Senior HIPC Project Manager, and the Mayor's Ukrainian Humanitarian Crisis and Response Advisory Committee work with Federal and Provincial government partners on a comprehensive settlement plan to welcome these Ukrainians to the City of Hamilton;
- (d) That the settlement plan include but not be limited to, the necessary Provincial and Federally funded supports for housing, health, education, translation and labour services; and
- (e) That staff report back to the General Issues Committee with a progress update, the number of displaced Ukrainians that could be supported and any resource requirements.

# CITY OF HAMILTON

## NOTICE OF M O T I O N

COUNCIL DATE: March 30, 2022

**MOVED BY COUNCILLOR FARR.....**

### **Demolition Permit Authorization to facilitate the Jamesville Re-Development for Renewed Affordable Housing**

WHEREAS, there is a housing crisis across Canada and here at home and new affordable units are desperately needed fast;

WHEREAS, On October 22, 2020, the CityHousing Hamilton Corporation (“CHH”) approved the plan to redevelop and intensify 405 James St N., the site bounded by James St. N., Ferrie St. W., MacNab St. N. and Strachan St. W. (known as “Jamesville”);

WHEREAS, the redevelopment of Jamesville would transform the 91-townhouse site into a mixed-income community that includes a 46-unit CHH building and up to 120 supportive housing units owned by Indwell Community Homes (“Indwell”), integrated within a mixed-use development that includes private market rental and/or ownership residential units built and marketed across the spectrum of affordability;

WHEREAS, the Successful Proponent known as the Jamesville Redevelopment Limited Partnership (“JRLP”) was secured through a competitive Request for Proposals (RFP) process and was approved by the CHH Resolution;

WHEREAS, CHH made application to the City for an ERG on 405 James ST N (ERG-19-06) on August 19, 2019 and the developer has agreed to take responsibility for both the demolition and the environmental remediation of the site; and

WHEREAS, the unique timing, partnership arrangement, and public policy rationale for the Jamesville redevelopment requires several Council directives be considered in order to expedite the demolition and redevelopment;

THEREFORE, be it resolved:

- (a) That the Chief Building Official be authorized to issue demolition permits for the 13 townhouse dwellings located at 405 James Street North, Hamilton, also known as, 2-8 Strachan Street West, 10-22 Strachan Street West, 24-38 Strachan Street West, 405-411 James Street North, 413-425 James Street North, 427-441 James Street North, 443-457 James Street North, 459-471 James Street North, 15-29 Ferrie Street West, 312-322 MacNab Street North, 324-338 MacNab Street North, 340-354 MacNab Street North and 356-372 MacNab Street North, in accordance with By-law 09-208, as amended by By-law 13-185, pursuant to Section 33 of The Planning Act as amended, without having to comply with conditions 6(a), (b), and (c) of the Demolition Control By-law 09-208; and

- (b) That Staff be directed to prepare and bring forward a report to General Issues Committee and Council for the consideration of the applicable ERG application (ERG-19-06), along with any necessary program amendments to the ERASE Redevelopment Grant Program required to facilitate site remediation for the Jamesville affordable housing Development