



City of Hamilton

CITY COUNCIL AGENDA

23-004

Wednesday, February 22, 2023, 9:30 A.M.

Council Chambers

Hamilton City Hall

71 Main Street West

Call to Order

1. APPROVAL OF AGENDA

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

2. DECLARATIONS OF INTEREST

3. CEREMONIAL ACTIVITIES

3.1 High School Essay Contest Municipal Election 2022 - Award Presentation

4. APPROVAL OF MINUTES OF PREVIOUS MEETING

4.1 February 8, 2023

4.2 February 15, 2023 (Special)

5. COMMUNICATIONS

5.1 Correspondence respecting the City's Vaccination Policy:

- a. Frank & Louise Kunkel
- b. Joyce Webb
- c. Jay Peterman
- d. Daniel Freiheit, Lion Advocacy

Recommendation: Be received.

- 5.2 Correspondence from the County of Huron requesting support for their resolution respecting the review of the Cannabis Act.

Recommendation: Be received.

- 5.3 Correspondence from the Municipality of Shuniah requesting support for their resolution in opposition to Bill 3.

Recommendation: Be received.

- 5.4 Correspondence from Bird Friendly Hamilton Burlington requesting a Council resolution to support Hamilton being a Bird Friendly City.

Recommendation: Be received.

- 5.5 Correspondence from the Honourable Steve Clark, Minister of Municipal Affairs and Housing respecting Municipal Housing Targets and Municipal Housing Pledges for the City of Hamilton: 47,000.

Recommendation: Be received and referred to the General Manager of Planning and Economic Development for appropriate action.

- 5.6 Correspondence from Association of Municipalities Ontario (AMO) respecting 2022 - 2024 AMO Board of Directors Vacancies.

Recommendation: Be received and referred to the consideration of Item 7.4

- 5.7 Correspondence from Joanne Dallman respecting the 3-3-3 Chart (3 groups of people, 3 types of funding, 3 housing types).

Recommendation: Be received.

- 5.8 Correspondence from Tim Nolan, Accessibility Hamilton Alliance respecting the Hamilton Board of Health.

Recommendation: Be received.

6. COMMITTEE REPORTS

- 6.1 Board of Health Report 23-002 - February 13, 2023

- 6.2 Public Works Committee Report 23-002 - February 13, 2023
- 6.3 Planning Committee Report 23-003 - February 14, 2023
- 6.4 General Issues Committee Report 23-007 - February 15, 2023
- 6.5 Audit, Finance and Administration Committee Report 23-003 - February 16, 2023
- 6.6 Emergency and Community Services Committee Report 23-002 - February 16, 2023
- 6.7 STAFF REPORTS

- a. Obligations under Employment Standards Act (HUR23004) (City Wide)

7. MOTIONS

- 7.1 Breaks and Curfews for Council and Committee Meetings
- 7.2 Endorsement of Bill 5, Stopping Harassment and Abuse by Local Leaders Act, 2022
- 7.3 Changes to the Standing Committee Membership
- 7.4 Nomination for the Association of Municipalities Ontario (AMO) 2022 – 2024 Board of Directors
- 7.5 Coldest Night of the Year - Building Resiliency Through Social Services and Infrastructure Support, Ward 3

8. NOTICES OF MOTIONS

9. STATEMENT BY MEMBERS (non-debatable)

10. COUNCIL COMMUNICATION UPDATES

- 10.1 February 3, 2023 to February 16, 2023

11. PRIVATE AND CONFIDENTIAL

11.1 Closed Session Minutes February 8, 2023

Pursuant to Section 9.3, Sub-sections (e), (f), (h) and (i) of the City's Procedural By-law 21- 021, as amended, and Section 239(2), Sub-sections (e), (f), (h) and (i) of the Ontario Municipal Act, 2001, as amended, as the subject matters pertains to 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; information explicitly supplied in confidence to the City or a local board by Canada, a province or territory or a Crown agency of any of them and a trade secret or scientific, technical, commercial, financial or labour relations information, supplied in confidence to the City or local board, which, if disclosed, could reasonably be expected to prejudice significantly the competitive position or interfere significantly with the contractual or other negotiations of a person, group of persons, or organization.

11.2 Appointments to the Hamilton Police Services Board Selection Committee for the 2022-2026 Term of Council

Pursuant to Section 9.3, Sub-sections (b) of the City's Procedural By-law 21- 021, as amended, and Section 239(2), Sub-section (b) of the Ontario Municipal Act, 2001, as amended, as the subject matter pertains to personal matters about an identifiable individual, including City or local board employees.

11.3 Project Submission - Canada Mortgage and Housing Corporation (CMHC) Rapid Housing Initiative (RHI) Round 3 (HSC20056(d))

Pursuant to Section 9.3, Sub-section (h) and (i) of the City's Procedural By-law 21- 021, as amended, and Section 239(2), Sub-section (h) and (i) of the *Ontario Municipal Act*, 2001, as amended, as the subject matter pertains to information explicitly supplied in confidence to the City or a local board by Canada, a province or territory or a Crown agency of any of them and a trade secret or scientific, technical, commercial, financial or labour relations information, supplied in confidence to the City or local board, which, if disclosed, could reasonably be expected to prejudice significantly the competitive position or interfere significantly with the contractual or other negotiations of a person, group of persons, or organization.

12. BY-LAWS AND CONFIRMING BY-LAW

12.1 021

To Amend By-law No. 01-218, as amended, Being a By-law To Regulate On-Street Parking

Schedule 6 (Time Limit Parking Zones)

Schedule 8 (No Parking Zones)

Schedule 12 (Permit Parking Zones)

Schedule 13 (No Stopping Zones)

Schedule 14 (Wheelchair Loading Zones)

Ward: 2, 3, 6, 7, 11, 12

12.2 022

To Amend Zoning By-law No. 05-200 with Respect to Lands Located to 343 Springbrook Avenue, Ancaster

Ward: 12

ZAC-22-056

12.3 023

To Adopt Official Plan Amendment No. 181 to the Urban Hamilton Official Plan Respecting 220 and 222 Main Street West, 115 and 117 George Street, and portions of 107 and 109 George Street, City of Hamilton

Ward: 2

12.4 024

To Amend Zoning By-law No. 05-200 Respecting Lands Located at 220 and 222 Main Street West and 107, 109, 115 and 117 George Street, Hamilton

Ward: 2

ZAC-20-038 & UHOPA-20-025

12.5 025

To Amend Zoning By-law No. 05-200 Respecting Lands Located at 306 Parkside Drive, Hamilton

Ward: 15

ZAC-22-031

12.6 026
To Amend Zoning By-law No. 05-200 with Respect to Lands Located at 198 Lover's Lane, Ancaster
Ward: 12
ZAC-22-042

12.7 027
To Adopt Official Plan Amendment No. 182 to the Urban Hamilton Official Plan Respecting 2782 Barton Street East, Hamilton
Ward: 5

12.8 028
To Amend Zoning By-law No. 6593 for Lands Municipally Known as 2782 Barton Street East, Hamilton
ZAC-22-023 & UHOPA-22-012
Ward: 5

12.9 029
To Amend Zoning By-law No. 05-200 with Respect to Lands Located at 91 and 95 Strathearne Place, Glanbrook
Ward: 11
ZAC-22-033

12.10 030
To Amend Site Plan Control By-law No. 15-176, as amended by By-law Nos. 18-104, 19-026 and 21-069, Respecting Amendments to Section 41 of the *Planning Act*
Ward: City Wide

12.11 031
To Amend By-law No. 12-282, as amended by By-law Nos. 19-108 and 21-079, Respecting Tariff of Fees
Ward: City Wide

12.12 034
To Confirm Proceedings of Council

13. ADJOURNMENT



CITY COUNCIL MINUTES 23-002

9:30 a.m.

February 8, 2023
Council Chamber
Hamilton City Hall
71 Main Street West

Present: Mayor A. Horwath, Deputy Mayor N. Nann
Councillors J. Beattie; C. Cassar; B. Clark; J.P. Danko; M. Francis; T. Hwang; T. Jackson; C. Kroetsch; T. McMeekin; E. Pauls; M. Spadafora; M. Tadeson, A. Wilson and M. Wilson

Mayor A. Horwath called the meeting to order and recognized that Council 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.

APPROVAL OF THE AGENDA

The Clerk advised of the following changes to the agenda:

5. COMMUNICATIONS

5.2 Correspondence respecting making our waterfalls more accessible instead of blocking them off:

(g) Doug MacBean

Recommendation: Be received.

5.12 Correspondence from Kim Zivanovich respecting the City's vaccination policy.

(a) Additional Information from Kim Zivanovich

Recommendation: Be received and referred to the consideration of Item 2 of the General Issues Committee Report 23-006.

5.13 Lakewood Beach Community Council respecting Procedural Clarification for 310 Frances Avenue. *(Referred to Council by the Planning Committee on January 31, 2023)*

(a) Additional Information from Lakewood Beach Community Council.

Recommendation: Be received **and referred to the consideration of Item 11.3**

5.18 Correspondence respecting Restructuring of the Board of Health:

- (a) Claire Bodkin, MD
- (b) Dr. Anjali Menezes
- (c) Dr. Kassia Johnson
- (d) Ruth Rodney, RN
- (e) Stacey Marjerrison, MD
- (f) Natasha Johnson, MD

Recommendation: Be received and referred to the consideration of Item 7.1

5.19 Correspondence from Mark Harrington respecting Permit Parking on west side of East 18th Street between Concession and Mountville Avenue, opposite G.L. Armstrong School.

Recommendation: Be received and referred to the General Manager of Public Works for appropriate action.

5.20 Correspondence from the Ministry of Health in response to the Mayor's letter respecting the feasibility of including members of the public on Hamilton's Board of Health.

Recommendation: Be received and referred to the consideration of Item 7.1

5.21 Correspondence from Robert Cooper respecting the Unvaccinated Hiring Freeze.

Recommendation: Be received and referred to the consideration of Item 2 of the General Issue Committee Report 23-006.

7. MOTIONS

7.1 Restructuring the Board of Health **REVISED**

8. NOTICES OF MOTION

8.1 Amendment to Item 5 of the Emergency and Community Services Committee Report 21-013, respecting Adaptation and Transformation of Services for People Experiencing Homelessness Update 4 (HSC20020(d)), which was approved by Council on December 15, 2021

11. PRIVATE AND CONFIDENTIAL

- 11.3 Correspondence from Lakewood Beach Community Council respecting Procedural Clarification for OLT Appeal OLT-22-001995, 310 Frances Avenue (LS23014) (Ward 10)

(Spadafora/Pauls)

That the agenda for the February 8, 2023 meeting of Council be approved, as amended.

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

- YES - Ward 10 Councillor Jeff Beattie
- YES - Ward 12 Councillor Craig Cassar
- YES - Ward 9 Councillor Brad Clark
- NOT PRESENT - Ward 8 Councillor John-Paul Danko
- YES - Ward 5 Councillor Matt Francis
- YES - Mayor Andrea Horwath
- YES - Ward 4 Councillor Tammy Hwang
- YES - Ward 6 Councillor Tom Jackson
- YES - Ward 2 Councillor Cameron Kroetsch
- YES - Ward 15 Councillor Ted McMeekin
- YES - Deputy Mayor - Ward 3 Councillor Nrinder Nann
- YES - Ward 7 Councillor Esther Pauls
- YES - Ward 14 Councillor Mike Spadafora
- YES - Ward 11 Councillor Mark Tadeson
- YES - Ward 13 Councillor Alex Wilson
- YES - Ward 1 Councillor Maureen Wilson

DECLARATIONS OF INTEREST

Councillor M. Wilson declared a disqualifying interest respecting Communication Item 5.13, Lakewood Beach Community Council respecting Procedural Clarification for 310 Frances Avenue; Item 5.1 of the Planning Committee Report 23-002, Lakewood Beach Community Council respecting Procedural Clarification for 310 Frances Avenue and Private and Confidential Item 11.3, Correspondence from Lakewood Beach Community Council respecting Procedural Clarification for OLT Appeal OLT-22-001995, 310 Frances Avenue (LS23014) (Ward 10), as her spouse if a director of and shareholder in Fengate, who is involved in the land use development at 310 Frances Avenue.

Councillor B. Clark declared a non-disqualifying interest respecting Item 8 of the General Issues Committee Report 23-006, Update Regarding Ontario Land Tribunal Appeals of the Rural and Urban Hamilton Official Plans – Urban Boundary Expansion (LS16029(h)) (City Wide) (Item 14.4), as his son has a retail business interest with the principal.

APPROVAL OF MINUTES OF PREVIOUS MEETING**4. January 25, 2023 (Item 4.1)****(Hwang/Spadafora)**

That the Minutes of the January 25, 2023 meeting of Council be approved, as presented.

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

YES - Ward 10 Councillor Jeff Beattie
YES - Ward 12 Councillor Craig Cassar
YES - Ward 9 Councillor Brad Clark
YES - Ward 8 Councillor John-Paul Danko
YES - Ward 5 Councillor Matt Francis
YES - Mayor Andrea Horwath
YES - Ward 4 Councillor Tammy Hwang
YES - Ward 6 Councillor Tom Jackson
YES - Ward 2 Councillor Cameron Kroetsch
YES - Ward 15 Councillor Ted McMeekin
YES - Deputy Mayor - Ward 3 Councillor Nrinder Nann
YES - Ward 7 Councillor Esther Pauls
YES - Ward 14 Councillor Mike Spadafora
YES - Ward 11 Councillor Mark Tadeson
YES - Ward 13 Councillor Alex Wilson
YES - Ward 1 Councillor Maureen Wilson

COMMUNICATIONS**(Nann/A. Wilson)**

That Council Communications 5.1 to 5.21 be approved, as presented, as follows:

- 5.1 Correspondence from Brad Jones requesting that security cameras be installed at the escarpment stairs in Hamilton.

Recommendation: Be received.

- 5.2 Correspondence respecting making our waterfalls more accessible instead of blocking them off:

- (a) Tanya Davies
- (b) Debby McNair
- (c) Chih-Chi Bonenfant
- (d) Lisa Borsellino
- (e) Donna Poore
- (f) Brittney Bowen
- (g) Doug MacBean

Recommendation: Be received.

- 5.3 Correspondence from the Town of Cobourg requesting support for their resolution requesting that the Premier present and enact government legislation, *The Right of Passage Act*.

Recommendation: Be endorsed.

- 5.4 Correspondence from the Town of Halton Hills requesting support for their resolution urging the Provincial Government to repeal Bill 23.

Recommendation: Be received.

- 5.5 Correspondence from Bob Maton, President, Ancaster Village Heritage Community respecting the cancellation of Heritage Day in the City of Hamilton.

Recommendation: Be received.

- 5.6 Correspondence from the Township of Montague requesting support for their resolution supporting the World Thinking Day initiative.

Recommendation: Be received.

- 5.7 Correspondence from Maroussia Hajdukowski-Ahmed requesting that the City of Hamilton implement the Ontario Court ruling on encampments.

Recommendation: Be received.

- 5.8 Correspondence from Rita Bailey respecting the response of Hamilton City Council to Hamilton Alliance for Tiny Shelters.

Recommendation: Be received.

- 5.9 Correspondence from the City of Thunder Bay requesting support for their resolution supporting the passing of Bill 42 - *Gender Affirming Health Care Act*.

Recommendation: Be endorsed.

- 5.10 Correspondence from the Town of Petrolia requesting support for their resolution requesting that the school boards become responsible for conducting their own trustee elections or at a minimum, municipalities be compensated by the school boards for overseeing such trustees elections.

Recommendation: Be received.

- 5.11 Correspondence from Paul Parente respecting Book Road being returned to whitebelt status.

Recommendation: Be received.

5.12 Correspondence from Kim Zivanovich respecting the City's vaccination policy.

(a) Additional Information from Kim Zivanovich

Recommendation: Be received and referred to the consideration of Item 2 of the General Issues Committee Report 23-006.

5.13 Lakewood Beach Community Council respecting Procedural Clarification for 310 Frances Avenue. (*Referred to Council by the Planning Committee on January 31, 2023*)

(a) Additional Information from Lakewood Beach Community Council.

Recommendation: Be received and referred to the consideration of Item 11.3.

5.14 Correspondence from Norma Coe, Chair, Association of Dundas Churches suggesting that a committee be struck to investigate the feasibility of the proposal made by Hamilton and District Labour Council respecting free transit for the specific groups.

Recommendation: Be received.

5.15 Correspondence from the Township of Montague requesting support for their resolution respecting the Renfrew Inquest Recommendations.

Recommendation: Be received.

5.16 Correspondence from the Honourable Caroline Mulroney, Minister of Transportation respecting the shared goals for Ontario's transportation sector.

Recommendation: Be received.

5.17 Correspondence from the City of Brantford requesting support for their resolution respecting VIA Rail Cancellations.

Recommendation: Be received.

5.18 Correspondence respecting Restructuring of the Board of Health:

- (a) Claire Bodkin, MD
- (b) Dr. Anjali Menezes
- (c) Dr. Kassia Johnson
- (d) Ruth Rodney, RN
- (e) Stacey Marjerrison, MD
- (f) Natasha Johnson, MD

Recommendation: Be received and referred to the consideration of Item 7.1

- 5.19 Correspondence from Mark Harrington respecting Permit Parking on west side of East 18th Street between Concession and Mountville Avenue, opposite G.L. Armstrong School.

Recommendation: Be received and referred to the General Manager of Public Works for appropriate action.

- 5.20 Correspondence from the Ministry of Health in response to the Mayor's letter respecting the feasibility of including members of the public on Hamilton's Board of Health.

Recommendation: Be received and referred to the consideration of Item 7.1 **and 7.7**

- 5.21 Correspondence from Robert Cooper respecting the Unvaccinated Hiring Freeze.

Recommendation: Be received and referred to the consideration of Item 2 of the General Issue Committee Report 23-006.

Due to a declared conflict, Item 5.13 was voted on separately:

- 5.13 Lakewood Beach Community Council respecting Procedural Clarification for 310 Frances Avenue. (*Referred to Council by the Planning Committee on January 31, 2023*)

(a) Additional Information from Lakewood Beach Community Council.

Recommendation: Be received and referred to the consideration of Item 11.3.

Result: Motion on Item 5.13 of the Communication Items, CARRIED by a vote of 15 to 0, as follows:

YES - Ward 10 Councillor Jeff Beattie
YES - Ward 12 Councillor Craig Cassar
YES - Ward 9 Councillor Brad Clark
YES - Ward 8 Councillor John-Paul Danko
YES - Ward 5 Councillor Matt Francis
YES - Mayor Andrea Horwath
YES - Ward 4 Councillor Tammy Hwang
YES - Ward 6 Councillor Tom Jackson
YES - Ward 2 Councillor Cameron Kroetsch
YES - Ward 15 Councillor Ted McMeekin
YES - Deputy Mayor - Ward 3 Councillor Nrinder Nann
YES - Ward 7 Councillor Esther Pauls
YES - Ward 14 Councillor Mike Spadafora
YES - Ward 11 Councillor Mark Tadeson
YES - Ward 13 Councillor Alex Wilson
CONFLICT - Ward 1 Councillor Maureen Wilson

Result: Motion on the balance of the Communication Items, as Amended, CARRIED by a vote of 16 to 0, as follows:

- YES - Ward 10 Councillor Jeff Beattie
- YES - Ward 12 Councillor Craig Cassar
- YES - Ward 9 Councillor Brad Clark
- YES - Ward 8 Councillor John-Paul Danko
- YES - Ward 5 Councillor Matt Francis
- YES - Mayor Andrea Horwath
- YES - Ward 4 Councillor Tammy Hwang
- YES - Ward 6 Councillor Tom Jackson
- YES - Ward 2 Councillor Cameron Kroetsch
- YES - Ward 15 Councillor Ted McMeekin
- YES - Deputy Mayor - Ward 3 Councillor Nrinder Nann
- YES - Ward 7 Councillor Esther Pauls
- YES - Ward 14 Councillor Mike Spadafora
- YES - Ward 11 Councillor Mark Tadeson
- YES - Ward 13 Councillor Alex Wilson
- YES - Ward 1 Councillor Maureen Wilson

(Nann/A. Wilson)

That Council move into Committee of the Whole for consideration of the Committee Reports.

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

- YES - Ward 10 Councillor Jeff Beattie
- YES - Ward 12 Councillor Craig Cassar
- YES - Ward 9 Councillor Brad Clark
- YES - Ward 8 Councillor John-Paul Danko
- YES - Ward 5 Councillor Matt Francis
- YES - Mayor Andrea Horwath
- YES - Ward 4 Councillor Tammy Hwang
- YES - Ward 6 Councillor Tom Jackson
- YES - Ward 2 Councillor Cameron Kroetsch
- YES - Ward 15 Councillor Ted McMeekin
- YES - Deputy Mayor - Ward 3 Councillor Nrinder Nann
- YES - Ward 7 Councillor Esther Pauls
- YES - Ward 14 Councillor Mike Spadafora
- YES - Ward 11 Councillor Mark Tadeson
- YES - Ward 13 Councillor Alex Wilson
- YES - Ward 1 Councillor Maureen Wilson

GENERAL ISSUES COMMITTEE (SPECIAL) REPORT 23-005**(Nann/Tadeson)**

That General Issues Committee (Special) Report 23-005, being the meeting held on Friday, January 27, 2023, be received.

Result: Motion on General Issues Committee (Special) Report 23-005, CARRIED by a vote of 16 to 0, as follows:

- YES - Ward 10 Councillor Jeff Beattie
- YES - Ward 12 Councillor Craig Cassar
- YES - Ward 9 Councillor Brad Clark
- YES - Ward 8 Councillor John-Paul Danko
- YES - Ward 5 Councillor Matt Francis
- YES - Mayor Andrea Horwath
- YES - Ward 4 Councillor Tammy Hwang
- YES - Ward 6 Councillor Tom Jackson
- YES - Ward 2 Councillor Cameron Kroetsch
- YES - Ward 15 Councillor Ted McMeekin
- YES - Deputy Mayor - Ward 3 Councillor Nrinder Nann
- YES - Ward 7 Councillor Esther Pauls
- YES - Ward 14 Councillor Mike Spadafora
- YES - Ward 11 Councillor Mark Tadeson
- YES - Ward 13 Councillor Alex Wilson
- YES - Ward 1 Councillor Maureen Wilson

PLANNING COMMITTEE REPORT 23-002**(Spadafora/Tadeson)**

That Planning Committee Report 23-002, being the meeting held on Tuesday, January 31, 2023, be received and the recommendations contained therein be approved.

Result: Motion on Planning Committee Report 23-002, CARRIED by a vote of 16 to 0, as follows:

- YES - Ward 10 Councillor Jeff Beattie
- YES - Ward 12 Councillor Craig Cassar
- YES - Ward 9 Councillor Brad Clark
- YES - Ward 8 Councillor John-Paul Danko
- YES - Ward 5 Councillor Matt Francis
- YES - Mayor Andrea Horwath
- YES - Ward 4 Councillor Tammy Hwang
- YES - Ward 6 Councillor Tom Jackson
- YES - Ward 2 Councillor Cameron Kroetsch
- YES - Ward 15 Councillor Ted McMeekin
- YES - Deputy Mayor - Ward 3 Councillor Nrinder Nann
- YES - Ward 7 Councillor Esther Pauls
- YES - Ward 14 Councillor Mike Spadafora
- YES - Ward 11 Councillor Mark Tadeson
- YES - Ward 13 Councillor Alex Wilson

YES - Ward 1 Councillor Maureen Wilson

GENERAL ISSUES COMMITTEE REPORT 23-006

(Nann/Spadafora)

That General Issues Committee Report 23-006, being the meeting held on Wednesday, February 1, 2023, be received and the recommendations contained therein be approved.

(Clark/Francis)

That Item (i)(i)(1) respecting the Encampment Pilot Evaluation (HSC20038(e) / PED21188(b)) (City Wide) be lifted from the Information Section and added as Item 11 of General Issues Committee Report 23-006, as follows:

**11. Encampment Pilot Evaluation (HSC20038(e) / PED21188(b)) (City Wide)
(Outstanding Business List Item) (Item 10.4)**

- (b) That, as the pilot program for the Coordination Response Team (CRT) ended on December 31, 2022, a permanent, dedicated CRT to coordinate response and service delivery related to encampments throughout the City, on a housing-outreach first approach, supported by a secondary role for enforcement only when needed, be established;
- (c) That, in order facilitate the permanent Coordination Response Team, the respective General Manager, or their designate, be authorized and directed to:
 - (i) Increase the Healthy and Safe Communities Department, Housing Services Division's budgeted complement by the following two full-time, permanent positions:
 - (1) Manager of Housing-focused Street Outreach, at an annual cost of approximately \$149,000 for salary, benefits and ancillary charges;
 - (2) Project Manager of Housing-focused Street Outreach, at an annual cost of approximately \$102,000 for salary, benefits and ancillary charges;
 - (ii) Increase the Public Works Department, Parks Section's budgeted complement by one full-time permanent position:
 - (1) Supervisor, at an annual cost of approximately \$124,000 for salary, benefits and ancillary charges;
 - (iii) Increase the Planning and Economic Development Department budgeted complement by two full-time, permanent positions:
 - (1) Two Municipal Law Enforcement Officers, at an annual cost of approximately \$138,500 each (\$277,000 for both) for salary, benefits, and ancillary charges;

- (d) That the General Manager of the Healthy and Safe Communities Department, or designate, be authorized and directed, on behalf of the City of Hamilton, to enter into, execute and administer all agreements and documents necessary to hire the equivalent of 3.5 seconded Street Outreach Workers, at an approximate cost of \$61,500 each (total for 3.5 FTEs \$216,000) on terms and conditions satisfactory to the General Manager of the Healthy and Safe Communities Department, or designate, and in a form satisfactory to the City Solicitor;
- (e) That, based on last year's costing as an indicator, the Public Works Department's operating budget be increased by \$200,000 annually, to be used for ad hoc clean up or other costs incurred as a result of encampments on City property;
- (f) That, although the Hamilton Police Service (HPS) is willing to support for the Coordination Response Team, but it is not in the mandate of the HPS to do so, an additional 2 FTEs (police officers) be hired to support the delivery of the coordinated encampment response at an annual cost of \$268,646 for salary, benefits and one-time costs of \$30,000 for ancillary equipment, to be fully funded by the City from Dept ID 673247; and,
- (g) That Report HSC20038(e) / PED21188(b), respecting the Encampment Pilot Evaluation, in its entirety, be referred to the 2023 Operating Budget process (February 21, 2023 GIC) for consideration.

Result: Motion on the lifting of Item (i)(i)(1) the General Issues Committee Report 23-006, CARRIED by a vote of 16 to 0, as follows:

YES - Ward 10 Councillor Jeff Beattie
YES - Ward 12 Councillor Craig Cassar
YES - Ward 9 Councillor Brad Clark
YES - Ward 8 Councillor John-Paul Danko
YES - Ward 5 Councillor Matt Francis
YES - Mayor Andrea Horwath
YES - Ward 4 Councillor Tammy Hwang
YES - Ward 6 Councillor Tom Jackson
YES - Ward 2 Councillor Cameron Kroetsch
YES - Ward 15 Councillor Ted McMeekin
YES - Deputy Mayor - Ward 3 Councillor Nriender Nann
YES - Ward 7 Councillor Esther Pauls
YES - Ward 14 Councillor Mike Spadafora
YES - Ward 11 Councillor Mark Tadeson
YES - Ward 13 Councillor Alex Wilson
YES - Ward 1 Councillor Maureen Wilson

**11. Encampment Pilot Evaluation (HSC20038(e) / PED21188(b)) (City Wide)
(Outstanding Business List Item) (Item 10.4)**

(i) (Clark/Francis)

- (b) That, as the pilot program for the Coordination Response Team (CRT) ended on December 31, 2022, a permanent, dedicated CRT to coordinate response and service delivery related to encampments throughout the City, on a housing-outreach first approach, supported by a secondary role for enforcement only when needed, be established;
- (c) That, in order facilitate the permanent Coordination Response Team, the respective General Manager, or their designate, be authorized and directed to:
 - (i) Increase the Healthy and Safe Communities Department, Housing Services Division's budgeted complement by the following two full-time, permanent positions:
 - (1) Manager of Housing-focused Street Outreach, at an annual cost of approximately \$149,000 for salary, benefits and ancillary charges;
 - (2) Project Manager of Housing-focused Street Outreach, at an annual cost of approximately \$102,000 for salary, benefits and ancillary charges;
 - (ii) Increase the Public Works Department, Parks Section's budgeted complement by one full-time permanent position:
 - (1) Supervisor, at an annual cost of approximately \$124,000 for salary, benefits and ancillary charges;
 - (iii) Increase the Planning and Economic Development Department budgeted complement by two full-time, permanent positions:
 - (1) Two Municipal Law Enforcement Officers, at an annual cost of approximately \$138,500 each (\$277,000 for both) for salary, benefits, and ancillary charges;
- (d) That the General Manager of the Healthy and Safe Communities Department, or designate, be authorized and directed, on behalf of the City of Hamilton, to enter into, execute and administer all agreements and documents necessary to hire the equivalent of 3.5 seconded Street Outreach Workers, at an approximate cost of \$61,500 each (total for 3.5 FTEs \$216,000) on terms and conditions satisfactory to the General Manager of the Healthy and Safe Communities Department, or designate, and in a form satisfactory to the City Solicitor;

- (e) That, based on last year's costing as an indicator, the Public Works Department's operating budget be increased by \$200,000 annually, to be used for ad hoc clean up or other costs incurred as a result of encampments on City property;
- (f) That, although the Hamilton Police Service (HPS) is willing to support for the Coordination Response Team, but it is not in the mandate of the HPS to do so, an additional 2 FTEs (police officers) be hired to support the delivery of the coordinated encampment response at an annual cost of \$268,646 for salary, benefits and one-time costs of \$30,000 for ancillary equipment, to be fully funded by the City from Dept ID 673247; and,
- (g) That Report HSC20038(e) / PED21188(b), respecting the Encampment Pilot Evaluation, in its entirety, be referred to the 2023 Operating Budget process (February 21, 2023 GIC) for consideration.

Result: Motion on Item 11 (i) of the General Issues Committee Report 23-006, CARRIED by a vote of 11 to 5, as follows:

YES - Ward 10 Councillor Jeff Beattie
 YES - Ward 12 Councillor Craig Cassar
 YES - Ward 9 Councillor Brad Clark
 YES - Ward 8 Councillor John-Paul Danko
 YES - Ward 5 Councillor Matt Francis
 YES - Mayor Andrea Horwath
 YES - Ward 4 Councillor Tammy Hwang
 YES - Ward 6 Councillor Tom Jackson
 NO - Ward 2 Councillor Cameron Kroetsch
 NO - Ward 15 Councillor Ted McMeekin
 NO - Deputy Mayor - Ward 3 Councillor Nrinder Nann
 YES - Ward 7 Councillor Esther Pauls
 YES - Ward 14 Councillor Mike Spadafora
 YES - Ward 11 Councillor Mark Tadeson
 NO - Ward 13 Councillor Alex Wilson
 NO - Ward 1 Councillor Maureen Wilson

11. Encampment Pilot Evaluation (HSC20038(e) / PED21188(b)) (City Wide) (Outstanding Business List Item) (Item 10.4)

(ii) (Nann/Hwang)

- (a) That staff be directed to make recommendations to reallocate resources approved for encampment response towards implementing a new encampment protocol once approved by Council; and
- (b) That staff be directed to develop an evaluation framework for the new encampment protocol in consultation with community partners.

Result: Motion on Item 11 (ii) of the General Issues Committee Report 23-006, CARRIED by a vote of 16 to 0, as follows:

YES - Ward 10 Councillor Jeff Beattie
YES - Ward 12 Councillor Craig Cassar
YES - Ward 9 Councillor Brad Clark
YES - Ward 8 Councillor John-Paul Danko
YES - Ward 5 Councillor Matt Francis
YES - Mayor Andrea Horwath
YES - Ward 4 Councillor Tammy Hwang
YES - Ward 6 Councillor Tom Jackson
YES - Ward 2 Councillor Cameron Kroetsch
YES - Ward 15 Councillor Ted McMeekin
YES - Deputy Mayor - Ward 3 Councillor Nrinder Nann
YES - Ward 7 Councillor Esther Pauls
YES - Ward 14 Councillor Mike Spadafora
YES - Ward 11 Councillor Mark Tadeson
YES - Ward 13 Councillor Alex Wilson
YES - Ward 1 Councillor Maureen Wilson

(Pauls/Jackson)

That Item (g)(i) respecting the Amendment to Appendix “A” of Item 4.1 or the August 26, 2021 Council Minutes, respecting Report HUR21008, the Mandatory COVID-19 Vaccination Verification Policy, which was approved by Council on August 26, 2021 – REVISED, be lifted from the Information Section and added as Item 12 of General Issues Committee Report 23-006, as follows:

12. Amendment to Appendix “A” of Item 4.1 or the August 26, 2021 Council Minutes, respecting Report HUR21008, the Mandatory COVID-19 Vaccination Verification Policy, which was approved by Council on August 26, 2021 - REVISED (Item 11.1)

That Item 4.1 of the August 26, 2021 Council Minutes, respecting Report HUR21008, the Mandatory COVID-19 Vaccination Verification Policy, which was approved by Council on August 26, 2021, be **amended** to read as follows:

4.1 Mandatory COVID-19 Vaccination Verification Policy (HUR21008) (City Wide)

- (a) That Council approve the recommendation that the City implement the Mandatory COVID-19 Vaccination Verification Policy, attached hereto as Appendix “A”, **as further amended**, requiring proof of vaccination in the workplace, including a comprehensive testing, education and communication plan for unvaccinated staff:
- (i) That Appendix “A”, as amended, to Item 4.1 of the August 26, 2021 Council Minutes, respecting Report HUR21008, the Mandatory COVID-19 Vaccination Verification Policy (HR-66-21), be **amended**, as follows:

- (a) That paragraphs one and two of the Scope section of Appendix “A”, as amended, be **further amended** by deleting the words “of the City of Hamilton, including full-time, part-time, permanent, temporary, casual, volunteers; and students, and including Members of Council”; and by adding the words “**at the Lodges, Hamilton Paramedic Service and the Red Hill Child Care Centre**”, to read as follows:

SCOPE

This policy applies to all employees of the City of Hamilton, including full-time, part-time, permanent, temporary, casual, volunteers; and students, and including Members of Council **at the Lodges, Hamilton Paramedic Service and the Red Hill Child Care Centre.**

New Employees **at the Lodges, Hamilton Paramedic Service and the Red Hill Child Care Centre** will be subject to this policy as a condition of their employment contract with the City of Hamilton. It requires Employees to be fully vaccinated against the COVID-19 virus and requires Employees to provide proof of vaccination satisfactory to the employer.

- (b) That the Operational Areas Subject to Differential Terms and Conditions Requirements for New Employees section of Appendix “A”, as amended, be **further amended** by deleting bullet points 5 and 6, in their entirety, as follows:

Operational Areas Subject to Differential Terms and Conditions Requirements for New Employees

- ~~fully vaccinated or provide proof of valid exemption satisfactory to the employer prior to their start date. By signing the conditional offer letter, they acknowledge and agree to comply with any future vaccine policy requirements as an ongoing condition of employment at the City of Hamilton.~~
- ~~All Members of Council are required to be fully vaccinated against COVID-19, unless subject to an approved exemption. Failure to comply will result in a condition of employment, new hires are required to provide proof that they are complaint to the Integrity Commissioner.~~

- (c) That the Requirements for Members of Council Additional Provisions section of Appendix “A”, as amended, be **further amended** by adding the following words “***That for the***” and “***at the Lodges, Hamilton Paramedic Service and the Red Hill Child Care Centre who are still***” to the following bullet point, to read as follows:

Requirements for Members of Council Additional Provisions

1. Providing Proof of COVID-19 Vaccination Status
 - ***That for the*** employees ***at the Lodges, Hamilton Paramedic Service and the Red Hill Child Care Centre*** who are still required to provide proof of their vaccination series approved by Health Canada and recommended by Ontario Ministry of Health by providing one of the following:

- (d) That the Requirements for Members of Council Additional Provisions section of Appendix “A”, as amended, be **further amended** by deleting the words “and Members of Council” from the following bullet points:

Requirements for Members of Council Additional Provisions

2. Providing Proof of An Approved Exemption
 - The City will comply with its human rights obligations and accommodate Employees ***and Members of Council*** who are legally entitled to accommodation.
 - Employees ***and Members of Council*** are required to provide proof of their medical exemption by providing one of the following:

- (e) That the Compliance section of Appendix “A”, as amended, be **further amended**, by deleting the words “Non-compliance with the Policy by Members of Council will result in a complaint to the Integrity Commissioner”, as follows:

COMPLIANCE

~~Non-compliance with the Policy by Members of Council will result in a complaint to the Integrity Commissioner.~~

- (b) That the Mandatory COVID-19 Vaccination Verification Policy applies to all ***City employees at the Lodges, Hamilton Paramedic Service and the Red Hill Child Care Centre***; and,

- (c) That Appendix “B” to Report HUR21008, remain confidential and not be released publicly.

Result: Motion on the lifting of Item (g)(i) the General Issues Committee Report 23-006, CARRIED by a vote of 10 to 6, as follows:

YES - Ward 10 Councillor Jeff Beattie
 YES - Ward 12 Councillor Craig Cassar
 YES - Ward 9 Councillor Brad Clark
 NO - Ward 8 Councillor John-Paul Danko
 YES - Ward 5 Councillor Matt Francis
 NO - Mayor Andrea Horwath
 YES - Ward 4 Councillor Tammy Hwang
 YES - Ward 6 Councillor Tom Jackson
 YES - Ward 2 Councillor Cameron Kroetsch
 NO - Ward 15 Councillor Ted McMeekin
 NO - Deputy Mayor - Ward 3 Councillor Nrinder Nann
 YES - Ward 7 Councillor Esther Pauls
 YES - Ward 14 Councillor Mike Spadafora
 YES - Ward 11 Councillor Mark Tadeson
 NO - Ward 13 Councillor Alex Wilson
 NO - Ward 1 Councillor Maureen Wilson

12. **Amendment to Appendix “A” of Item 4.1 or the August 26, 2021 Council Minutes, respecting Report HUR21008, the Mandatory COVID-19 Vaccination Verification Policy, which was approved by Council on August 26, 2021 - REVISED (Item 11.1)**

(Pauls/Francis)

That Item 4.1 of the August 26, 2021 Council Minutes, respecting Report HUR21008, the Mandatory COVID-19 Vaccination Verification Policy, which was approved by Council on August 26, 2021, be **amended** to read as follows:

4.1 Mandatory COVID-19 Vaccination Verification Policy (HUR21008) (City Wide)

- (a) That Council approve the recommendation that the City implement the Mandatory COVID-19 Vaccination Verification Policy, attached hereto as Appendix “A”, **as further amended**, requiring proof of vaccination in the workplace, including a comprehensive testing, education and communication plan for unvaccinated staff:
- (i) That Appendix “A”, as amended, to Item 4.1 of the August 26, 2021 Council Minutes, respecting Report HUR21008, the Mandatory COVID-19 Vaccination Verification Policy (HR-66-21), be **amended**, as follows:
- (a) That paragraphs one and two of the Scope section of Appendix “A”, as amended, be **further amended** by deleting the words “of the City of Hamilton, including full-time, part-time, permanent, temporary, casual, volunteers; and

students, and including Members of Council”; and by adding the words “***at the Lodges, Hamilton Paramedic Service and the Red Hill Child Care Centre***”, to read as follows:

SCOPE

This policy applies to all employees of the City of Hamilton, including full-time, part-time, permanent, temporary, casual, volunteers; and students, and including Members of Council ***at the Lodges, Hamilton Paramedic Service and the Red Hill Child Care Centre***.

New Employees ***at the Lodges, Hamilton Paramedic Service and the Red Hill Child Care Centre*** will be subject to this policy as a condition of their employment contract with the City of Hamilton. It requires Employees to be fully vaccinated against the COVID-19 virus and requires Employees to provide proof of vaccination satisfactory to the employer.

- (b) That the Operational Areas Subject to Differential Terms and Conditions Requirements for New Employees section of Appendix “A”, as amended, be ***further amended*** by deleting bullet points 5 and 6, in their entirety, as follows:

Operational Areas Subject to Differential Terms and Conditions Requirements for New Employees

- ~~***fully vaccinated or provide proof of valid exemption satisfactory to the employer prior to their start date. By signing the conditional offer letter, they acknowledge and agree to comply with any future vaccine policy requirements as an ongoing condition of employment at the City of Hamilton.***~~
- ~~***All Members of Council are required to be fully vaccinated against COVID-19, unless subject to an approved exemption. Failure to comply will result in a condition of employment, new hires are required to provide proof that they are complaint to the Integrity Commissioner.***~~

- (c) That the Requirements for Members of Council Additional Provisions section of Appendix “A”, as amended, be ***further amended*** by adding the following words “***That for the***” and “***at the Lodges, Hamilton Paramedic Service and the Red Hill Child Care Centre who are still***” to the following bullet point, to read as follows:

Requirements for Members of Council Additional Provisions

1. Providing Proof of COVID-19 Vaccination Status
 - ***That for the employees at the Lodges, Hamilton Paramedic Service and the Red Hill Child Care Centre*** who are still required to provide proof of their vaccination series approved by Health Canada and recommended by Ontario Ministry of Health by providing one of the following:
- (d) That the Requirements for Members of Council Additional Provisions section of Appendix “A”, as amended, be ***further amended*** by deleting the words “and Members of Council” from the following bullet points:

Requirements for Members of Council Additional Provisions

2. Providing Proof of An Approved Exemption
 - The City will comply with its human rights obligations and accommodate Employees ***and Members of Council*** who are legally entitled to accommodation.
 - Employees ***and Members of Council*** are required to provide proof of their medical exemption by providing one of the following:
- (e) That the Compliance section of Appendix “A”, as amended, be ***further amended***, by deleting the words “Non-compliance with the Policy by Members of Council will result in a complaint to the Integrity Commissioner”, as follows:

COMPLIANCE

~~Non-compliance with the Policy by Members of Council will result in a complaint to the Integrity Commissioner.~~

- (b) That the Mandatory COVID-19 Vaccination Verification Policy applies to all ***City employees at the Lodges, Hamilton Paramedic Service and the Red Hill Child Care Centre***; and,
- (c) That Appendix “B” to Report HUR21008, remain confidential and not be released publicly.

Mayor Horwath relinquished the Chair to Deputy Mayor Nann, in order to move the following motion:

(Horwath/Clark)

That Item 12 of the General Issues Committee Report 23-006, respecting an Amendment to Appendix "A" of Item 4.1 or the August 26, 2021 Council Minutes, respecting Report HUR21008, the Mandatory COVID-19 Vaccination Verification Policy, which was approved by Council on August 26, 2021 – REVISED, be REFERRED to the Medical Officer of Health (MOH) to prepare a report for General Issues Committee in Q2 of 2023 on the efficacy of the existing staff vaccination policy that includes a recommendation on whether to: renew the policy in its current form, update the policy, remove the policy for all or certain parts of the organization, or any other recommendations that the MOH sees fit to make.

Result: Motion to Refer Item 12 of the General Issues Committee Report 23-006, CARRIED by a vote of 13 to 3, as follows:

YES - Ward 10 Councillor Jeff Beattie
YES - Ward 12 Councillor Craig Cassar
YES - Ward 9 Councillor Brad Clark
YES - Ward 8 Councillor John-Paul Danko
YES - Ward 5 Councillor Matt Francis
YES - Mayor Andrea Horwath
YES - Ward 4 Councillor Tammy Hwang
YES - Ward 6 Councillor Tom Jackson
NO - Ward 2 Councillor Cameron Kroetsch
YES - Ward 15 Councillor Ted McMeekin
YES - Deputy Mayor - Ward 3 Councillor Nrinder Nann
YES - Ward 7 Councillor Esther Pauls
NO - Ward 14 Councillor Mike Spadafora
NO - Ward 11 Councillor Mark Tadeson
YES - Ward 13 Councillor Alex Wilson
YES - Ward 1 Councillor Maureen Wilson

Mayor Horwath assumed the Chair.

Result: Motion on the balance of the General Issues Committee Report 23-006, CARRIED by a vote of 16 to 0, as follows:

YES - Ward 10 Councillor Jeff Beattie
YES - Ward 12 Councillor Craig Cassar
YES - Ward 9 Councillor Brad Clark
YES - Ward 8 Councillor John-Paul Danko
YES - Ward 5 Councillor Matt Francis
YES - Mayor Andrea Horwath
YES - Ward 4 Councillor Tammy Hwang
YES - Ward 6 Councillor Tom Jackson
YES - Ward 2 Councillor Cameron Kroetsch
YES - Ward 15 Councillor Ted McMeekin
YES - Deputy Mayor - Ward 3 Councillor Nrinder Nann
YES - Ward 7 Councillor Esther Pauls

- YES - Ward 14 Councillor Mike Spadafora
- YES - Ward 11 Councillor Mark Tadeson
- YES - Ward 13 Councillor Alex Wilson
- YES - Ward 1 Councillor Maureen Wilson

AUDIT, FINANCE AND ADMINISTRATION COMMITTEE REPORT 23-002

(Kroetsch/Hwang)

That Audit, Finance and Administration Committee Report 23-002, being the meeting held on Thursday, February 2, 2023, be received and the recommendations contained therein be approved.

Result: Motion on the Audit, Finance and Administration Committee Report 23-002, CARRIED by a vote of 16 to 0, as follows:

- YES - Ward 10 Councillor Jeff Beattie
- YES - Ward 12 Councillor Craig Cassar
- YES - Ward 9 Councillor Brad Clark
- YES - Ward 8 Councillor John-Paul Danko
- YES - Ward 5 Councillor Matt Francis
- YES - Mayor Andrea Horwath
- YES - Ward 4 Councillor Tammy Hwang
- YES - Ward 6 Councillor Tom Jackson
- YES - Ward 2 Councillor Cameron Kroetsch
- YES - Ward 15 Councillor Ted McMeekin
- YES - Deputy Mayor - Ward 3 Councillor Nrinder Nann
- YES - Ward 7 Councillor Esther Pauls
- YES - Ward 14 Councillor Mike Spadafora
- YES - Ward 11 Councillor Mark Tadeson
- YES - Ward 13 Councillor Alex Wilson
- YES - Ward 1 Councillor Maureen Wilson

(Kroetsch/A. Wilson)

That Council recess until 12:35 p.m.

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

- YES - Ward 10 Councillor Jeff Beattie
- YES - Ward 12 Councillor Craig Cassar
- YES - Ward 9 Councillor Brad Clark
- YES - Ward 8 Councillor John-Paul Danko
- YES - Ward 5 Councillor Matt Francis
- YES - Mayor Andrea Horwath
- YES - Ward 4 Councillor Tammy Hwang
- YES - Ward 6 Councillor Tom Jackson
- YES - Ward 2 Councillor Cameron Kroetsch
- YES - Ward 15 Councillor Ted McMeekin
- YES - Deputy Mayor - Ward 3 Councillor Nrinder Nann
- YES - Ward 7 Councillor Esther Pauls
- YES - Ward 14 Councillor Mike Spadafora

YES - Ward 11 Councillor Mark Tadeson
YES - Ward 13 Councillor Alex Wilson
YES - Ward 1 Councillor Maureen Wilson

(Spadafora/Kroetsch)

That Council rise from Committee of the Whole.

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

YES - Ward 10 Councillor Jeff Beattie
YES - Ward 12 Councillor Craig Cassar
YES - Ward 9 Councillor Brad Clark
YES - Ward 8 Councillor John-Paul Danko
NOT PRESENT - Ward 5 Councillor Matt Francis
YES - Mayor Andrea Horwath
YES - Ward 4 Councillor Tammy Hwang
YES - Ward 6 Councillor Tom Jackson
YES - Ward 2 Councillor Cameron Kroetsch
YES - Ward 15 Councillor Ted McMeekin
NOT PRESENT - Deputy Mayor - Ward 3 Councillor Nringer Nann
NOT PRESENT - Ward 7 Councillor Esther Pauls
YES - Ward 14 Councillor Mike Spadafora
YES - Ward 11 Councillor Mark Tadeson
YES - Ward 13 Councillor Alex Wilson
YES - Ward 1 Councillor Maureen Wilson

MOTIONS

7.1 Restructuring the Board of Health REVISED

Councillor Kroetsch withdrew the motion respecting the Restructuring of the Board of Health REVISED.

7.2 Light Rail Transit Sub-Committee

(M. Wilson/Danko)

That Councillor Nann, be appointed to the Light Rail Transit Sub-Committee, for the remainder of the 2022-2026 Term of Council.

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

YES - Ward 10 Councillor Jeff Beattie
YES - Ward 12 Councillor Craig Cassar
YES - Ward 9 Councillor Brad Clark
YES - Ward 8 Councillor John-Paul Danko
YES - Ward 5 Councillor Matt Francis
YES - Mayor Andrea Horwath
YES - Ward 4 Councillor Tammy Hwang
YES - Ward 6 Councillor Tom Jackson
YES - Ward 2 Councillor Cameron Kroetsch

YES - Ward 15 Councillor Ted McMeekin
NOT PRESENT - Deputy Mayor - Ward 3 Councillor Nrinder Nann
YES - Ward 7 Councillor Esther Pauls
YES - Ward 14 Councillor Mike Spadafora
YES - Ward 11 Councillor Mark Tadeson
YES - Ward 13 Councillor Alex Wilson
YES - Ward 1 Councillor Maureen Wilson

7.3 Hamilton100 Committee

(Beattie/Francis)

WHEREAS, Council is designate two elected officials to serve as the City's representative(s) on the Hamilton100 Committee, as per the Memorandum of Understanding between the City of Hamilton and the Hamilton100 Commonwealth Games Bid Corporation;

THEREFORE, BE IT RESOLVED:

That Councillor Pauls, be appointed to the Hamilton100 Committee, for the remainder of the 2022-2026 Term of Council.

(Clark/Kroetsch)

That the consideration of the motion respecting the appointment to the Hamilton100 Committee, be DEFERRED until after Council has received the report on this matter at the General Issues Committee meeting on February 15, 2023.

Result: Amendment to Item 7.3 CARRIED by a vote of 15 to 0, as follows:

YES - Ward 10 Councillor Jeff Beattie
YES - Ward 12 Councillor Craig Cassar
YES - Ward 9 Councillor Brad Clark
YES - Ward 8 Councillor John-Paul Danko
YES - Ward 5 Councillor Matt Francis
YES - Mayor Andrea Horwath
YES - Ward 4 Councillor Tammy Hwang
YES - Ward 6 Councillor Tom Jackson
YES - Ward 2 Councillor Cameron Kroetsch
YES - Ward 15 Councillor Ted McMeekin
NOT PRESENT - Deputy Mayor - Ward 3 Councillor Nrinder Nann
YES - Ward 7 Councillor Esther Pauls
YES - Ward 14 Councillor Mike Spadafora
YES - Ward 11 Councillor Mark Tadeson
YES - Ward 13 Councillor Alex Wilson
YES - Ward 1 Councillor Maureen Wilson

7.4 Stoney Creek Historical Society**(Francis/Beattie)**

WHEREAS, the Stoney Creek Historical Society's mission is preserving, recording, and capturing the history of Stoney Creek;

WHEREAS, the Stoney Creek Historical Society is the steward of a local Reference Library and Archive consisting of historic documents, records, and photos;

WHEREAS, the Stoney Creek Historical Society is supportive of the events and programs of the City of Hamilton's Battlefield House Museum & Park; and

WHEREAS, the City of Hamilton has a compensation agreement with GFL Environmental Inc. (formerly Terrapure Environmental), for the City's local infrastructure projects and charitable initiatives within the former City of Stoney Creek;

THEREFORE, BE IT RESOLVED:

- (a) That \$1,500 be allocated from the Stoney Creek Compensation Royalties (Terrapure Landfill) Reserve 117036 to the Stoney Creek Historical Society to support some unexpected operating costs; 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.

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

YES - Ward 10 Councillor Jeff Beattie
YES - Ward 12 Councillor Craig Cassar
YES - Ward 9 Councillor Brad Clark
YES - Ward 8 Councillor John-Paul Danko
YES - Ward 5 Councillor Matt Francis
YES - Mayor Andrea Horwath
YES - Ward 4 Councillor Tammy Hwang
YES - Ward 6 Councillor Tom Jackson
YES - Ward 2 Councillor Cameron Kroetsch
YES - Ward 15 Councillor Ted McMeekin
YES - Deputy Mayor - Ward 3 Councillor Nrinde Nann
YES - Ward 7 Councillor Esther Pauls
YES - Ward 14 Councillor Mike Spadafora
YES - Ward 11 Councillor Mark Tadeson
YES - Ward 13 Councillor Alex Wilson
YES - Ward 1 Councillor Maureen Wilson

7.5 Stoney Creek Business Improvement Area (BIA)**(Francis/Beattie)**

WHEREAS, the Stoney Creek Business Improvement Area (BIA) promotes small business and economic vibrancy within Stoney Creek;

WHEREAS, residents of Stoney Creek enjoy enhanced seasonal lighting on the hydro poles within the BIA;

WHEREAS, improvements to the lighting on the street increases activity and vitality to the neighbourhood and promotes a healthy and engaged community;

WHEREAS, the state of the current lighting infrastructure requires investment; and

WHEREAS, the City of Hamilton has a compensation agreement with GFL Environmental Inc. (formerly Terrapure), for the City's local infrastructure projects and charitable initiatives within the former City of Stoney Creek;

THEREFORE, BE IT RESOLVED:

- (a) That \$2,000 be allocated from the Stoney Creek Compensation Royalties (Terrapure Landfill) Reserve 117036 to the to Downtown Stoney Creek Business Improvement Area (BIA) for upgrades to support the BIA's annual holiday lighting event; 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.

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

YES - Ward 10 Councillor Jeff Beattie
YES - Ward 12 Councillor Craig Cassar
YES - Ward 9 Councillor Brad Clark
YES - Ward 8 Councillor John-Paul Danko
YES - Ward 5 Councillor Matt Francis
YES - Mayor Andrea Horwath
YES - Ward 4 Councillor Tammy Hwang
YES - Ward 6 Councillor Tom Jackson
YES - Ward 2 Councillor Cameron Kroetsch
YES - Ward 15 Councillor Ted McMeekin
YES - Deputy Mayor - Ward 3 Councillor Nrinder Nann
YES - Ward 7 Councillor Esther Pauls
YES - Ward 14 Councillor Mike Spadafora
YES - Ward 11 Councillor Mark Tadeson
YES - Ward 13 Councillor Alex Wilson
YES - Ward 1 Councillor Maureen Wilson

7.6 Upper Paradise Road In-Service Road Safety Review (Ward 14)**(Spadafora/M. Wilson)**

WHEREAS, the City of Hamilton Vision Zero Action Plan 2019-2025 identifies that no loss of life is acceptable, and that traffic fatalities and injuries are preventable;

WHEREAS, ensuring the safety of vulnerable road users is a priority.

WHEREAS, on Dec 22, 2017 two pedestrians from the local neighborhood were struck by a motor vehicle resulting in a woman losing her life and her husband having sustained serious injury on Upper Paradise near the intersection of Stone Church Road West;

WHEREAS, on January 11, 2023 a student pedestrian from St. Thomas More Catholic Secondary School lost their life in a motor vehicle collision on Upper Paradise Road near the intersection of Stone Church Road West;

WHEREAS, Ward 14 residents have expressed safety concerns for children attending St. Thomas More Catholic Secondary School;

WHEREAS, Ward 14 residents have expressed safety concerns and accessibility concerns, in regards to getting to and accessing the commercial plazas in this area which provide pharmacies, grocery stores and many other necessities for our community, and

WHEREAS, the Transportation Operations & Maintenance Division is facilitating an in-service road safety review of Upper Paradise Road between Rymal Road West and Stone Church Road West to identify possible safety enhancements.

THEREFORE, BE IT RESOLVED:

That upon the conclusion of the Upper Paradise Road in-service road safety review that the Transportation Operations & Maintenance Division, staff report back to the Public Works Committee with the review's findings inclusive of costs and a proposed implementation plan in Q3 of 2023.

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

YES - Ward 10 Councillor Jeff Beattie
YES - Ward 12 Councillor Craig Cassar
YES - Ward 9 Councillor Brad Clark
YES - Ward 8 Councillor John-Paul Danko
YES - Ward 5 Councillor Matt Francis
YES - Mayor Andrea Horwath
YES - Ward 4 Councillor Tammy Hwang
YES - Ward 6 Councillor Tom Jackson
YES - Ward 2 Councillor Cameron Kroetsch
YES - Ward 15 Councillor Ted McMeekin
YES - Deputy Mayor - Ward 3 Councillor Nrinder Nann
YES - Ward 7 Councillor Esther Pauls

YES - Ward 14 Councillor Mike Spadafora
YES - Ward 11 Councillor Mark Tadeson
YES - Ward 13 Councillor Alex Wilson
YES - Ward 1 Councillor Maureen Wilson

7.7 Report on Recommendations for a Board of Health Advisory Committee

(Danko/Jackson)

WHEREAS, Hamilton Public Health Services offers a range of services and supports to address the growing and changing needs of our community; and,

WHEREAS, Council is committed to ensuring that there is equitable consideration of all advisory committees, community partners, healthcare professionals, interested parties and members of the public in the provision and oversight of Hamilton Public Health Services;

WHEREAS, Council through the Board of Health will be receiving further information on the principles and models for governance of public health at an upcoming Board of Health meeting; and,

WHEREAS, Council is committed to transparency, engaged and informed decision making and meaningful public consultation.

THEREFORE, BE IT RESOLVED:

- (a) That staff engage in consultation with appropriate City of Hamilton Advisory Committees, community partners, healthcare professionals, members of the public and other interested stakeholders to identify issues and opportunities with the current Board of Health's governance process;
- (b) That based on the results of the consultation, staff report back with options for the Board of Health's governance which will include as an option a dedicated Board of Health Advisory Committee as well as an option for a semi-autonomous board of health, and report back to the Governance Review Sub-Committee with recommendations prior to the end of Q3 of 2023; and
- (c) That staff be provided with a budget of up to \$50,000 for the purpose of soliciting input and feedback from Hamiltonians to inform their work, and that this be funded through the Tax Stabilization Reserve 110046.

Result: Motion CARRIED by a vote of 9 to 7, as follows:

YES - Ward 10 Councillor Jeff Beattie
NO - Ward 12 Councillor Craig Cassar
YES - Ward 9 Councillor Brad Clark
YES - Ward 8 Councillor John-Paul Danko
YES - Ward 5 Councillor Matt Francis
YES - Mayor Andrea Horwath
NO - Ward 4 Councillor Tammy Hwang
YES - Ward 6 Councillor Tom Jackson

NO - Ward 2 Councillor Cameron Kroetsch
NO - Ward 15 Councillor Ted McMeekin
NO - Deputy Mayor - Ward 3 Councillor Nrinder Nann
YES - Ward 7 Councillor Esther Pauls
YES - Ward 14 Councillor Mike Spadafora
YES - Ward 11 Councillor Mark Tadeson
NO - Ward 13 Councillor Alex Wilson
NO - Ward 1 Councillor Maureen Wilson

7.8 Amendment to Item 5 of the Emergency and Community Services Committee Report 21-013, respecting Adaptation and Transformation of Services for People Experiencing Homelessness Update 4 (HSC20020(d)), which was approved by Council on December 15, 2021

(Kroetsch/A. Wilson)

WHEREAS, Council on December 15, 2021 approved funding for the Hamilton Young Women's Christian Association (YWCA) for capital renovations required to continue to operate Carol Anne's Place as a temporary drop in program for 22 single homeless women until June 30, 2022;

WHEREAS, Council on December 7, 2022 amended its previous approval of report HSC20020(d) for the funding of capital renovations for Carol Anne's place so as to provide that it continues to operate until March 31st, 2023;

WHEREAS, delays beyond the control of YWCA had continue to be encountered preventing them from meeting the March 31st, 2023 and require a further extension until May 31st, 2023; and

WHEREAS, the building permits have been issued for the capital improvements for Carol Anne's Place, and YWCA has advised they will be completed by May 31, 2023;

THEREFORE, BE IT RESOLVED:

That sub-section (b) of Item 5 of the Emergency and Community Services Committee Report 21-013, respecting Adaptation and Transformation of Services for People Experiencing Homelessness Update 4 (HSC20020(d)), be **amended** to read as follows:

5. Adaptation and Transformation of Services for People Experiencing Homelessness Update 4 (HSC20020(d)) (City Wide) (Item 8.2)

- (b) That an additional grant in the **maximum** amount of \$500 K (**the "Grant"**) to **the Hamilton Young Women's Christian Association ("YWCA")** for **costs incurred for** capital renovations required to continue to operate Carol Anne's Place as a temporary drop in program for 22 single homeless women **at the property municipally known as 75 MacNab Street South, Hamilton (the "Property")** until **May 31, 2023, or for such longer period and at a greater capacity as deemed appropriate by the General Manager of Healthy and Safe**

Communities Department provided that the YWCA has sufficient operating funds to accommodate such extensions; and the capital renovations, be funded from the Tax Stabilization Reserve #110046 and advanced as follows:

- (i) a first advance, for the actual costs of the work, including HST, permitted by Building Permit Number 2112156800C3 that is equal to the lesser of \$200,000.00 or the actual cost, of the work, which shall be advanced after the capital work pertaining to said Building Permit has been completed to the satisfaction of the City's Building Department and proof of the cost of the work has been provided to the General Manager of Healthy and Safe Communities Department to her satisfaction; and***

- (ii) a second and final advance for the actual costs, including HST, of the work permitted by Building Permit Number 2211916800 in an amount, that is equal to \$500,000 minus the amount of the first advance, which shall be advanced after completion of work permitted by the Building Permit issued for Building Permit Application Number 2211916800 and which is necessary to accommodate a 22 single women's temporary drop in space, to the satisfaction of the City's Building Department and proof of the cost of the work has been provided to the General Manager of Healthy and Safe Communities Department to her satisfaction;***

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

YES - Ward 10 Councillor Jeff Beattie
YES - Ward 12 Councillor Craig Cassar
YES - Ward 9 Councillor Brad Clark
YES - Ward 8 Councillor John-Paul Danko
YES - Ward 5 Councillor Matt Francis
YES - Mayor Andrea Horwath
YES - Ward 4 Councillor Tammy Hwang
YES - Ward 6 Councillor Tom Jackson
YES - Ward 2 Councillor Cameron Kroetsch
YES - Ward 15 Councillor Ted McMeekin
YES - Deputy Mayor - Ward 3 Councillor Nrinder Nann
YES - Ward 7 Councillor Esther Pauls
YES - Ward 14 Councillor Mike Spadafora
YES - Ward 11 Councillor Mark Tadeson
YES - Ward 13 Councillor Alex Wilson
YES - Ward 1 Councillor Maureen Wilson

NOTICES OF MOTION

- 8.1 Amendment to Item 5 of the Emergency and Community Services Committee Report 21-013, respecting Adaptation and Transformation of Services for People Experiencing Homelessness Update 4 (HSC20020(d)), which was approved by Council on December 15, 2021**

(Kroetsch/A. Wilson)

That the Rules of Order be waived to allow for the introduction of a motion respecting Amendment to Item 5 of the Emergency and Community Services Committee Report 21-013, respecting Adaptation and Transformation of Services for People Experiencing Homelessness Update 4 (HSC20020(d)), which was approved by Council on December 15, 2021.

Result: Motion CARRIED by a 2/3rds vote of 15 to 0, as follows:

NOT PRESENT - Ward 10 Councillor Jeff Beattie
 YES - Ward 12 Councillor Craig Cassar
 YES - Ward 9 Councillor Brad Clark
 YES - Ward 8 Councillor John-Paul Danko
 YES - Ward 5 Councillor Matt Francis
 YES - Mayor Andrea Horwath
 YES - Ward 4 Councillor Tammy Hwang
 YES - Ward 6 Councillor Tom Jackson
 YES - Ward 2 Councillor Cameron Kroetsch
 YES - Ward 15 Councillor Ted McMeekin
 YES - Deputy Mayor - Ward 3 Councillor Nrinder Nann
 YES - Ward 7 Councillor Esther Pauls
 YES - Ward 14 Councillor Mike Spadafora
 YES - Ward 11 Councillor Mark Tadeson
 YES - Ward 13 Councillor Alex Wilson
 YES - Ward 1 Councillor Maureen Wilson

For further disposition of this matter, refer to Item 7.8.

STATEMENTS BY MEMBERS

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

COUNCIL COMMUNICATION UPDATES

(Nann/McMeekin)

That the listing of Council Communication Updates from January 20, 2023 to February 2, 2023, be received.

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

YES - Ward 10 Councillor Jeff Beattie
 YES - Ward 12 Councillor Craig Cassar
 YES - Ward 9 Councillor Brad Clark

- YES - Ward 8 Councillor John-Paul Danko
- YES - Ward 5 Councillor Matt Francis
- YES - Mayor Andrea Horwath
- YES - Ward 4 Councillor Tammy Hwang
- YES - Ward 6 Councillor Tom Jackson
- YES - Ward 2 Councillor Cameron Kroetsch
- YES - Ward 15 Councillor Ted McMeekin
- YES - Deputy Mayor - Ward 3 Councillor Nrinder Nann
- YES - Ward 7 Councillor Esther Pauls
- YES - Ward 14 Councillor Mike Spadafora
- YES - Ward 11 Councillor Mark Tadeson
- YES - Ward 13 Councillor Alex Wilson
- YES - Ward 1 Councillor Maureen Wilson

PRIVATE AND CONFIDENTIAL

Council determined that discussion of Item 11.1 was not required in Closed Session; therefore, the matter was addressed in Open Session, as follows:

11.1 Closed Session Minutes – January 25, 2023

(Hwang/Clark)

That the Closed Session Minutes dated January 25, 2023 be approved, as presented, and remain confidential.

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

- YES - Ward 10 Councillor Jeff Beattie
- YES - Ward 12 Councillor Craig Cassar
- YES - Ward 9 Councillor Brad Clark
- YES - Ward 8 Councillor John-Paul Danko
- YES - Ward 5 Councillor Matt Francis
- YES - Mayor Andrea Horwath
- YES - Ward 4 Councillor Tammy Hwang
- YES - Ward 6 Councillor Tom Jackson
- YES - Ward 2 Councillor Cameron Kroetsch
- YES - Ward 15 Councillor Ted McMeekin
- YES - Deputy Mayor - Ward 3 Councillor Nrinder Nann
- YES - Ward 7 Councillor Esther Pauls
- YES - Ward 14 Councillor Mike Spadafora
- YES - Ward 11 Councillor Mark Tadeson
- YES - Ward 13 Councillor Alex Wilson
- YES - Ward 1 Councillor Maureen Wilson

(Hwang/Spadafora)

That the Committee move into Closed Session to discuss Items 11.2 and 11.3 respecting Canada Mortgage and Housing Corporation (CMHC) Rapid Housing Initiative (RHI) Round 3 (HSC20056(c)) and Correspondence from Lakewood Beach Community Council respecting Procedural Clarification for OLT Appeal OLT-22-001995, 310 Frances Avenue (LS23014) (Ward 10), pursuant to Section 9.3, Sub-sections (e), (f), (h) and (i) of the City's Procedural By-law 21- 021, as amended, and Section 239(2), Sub-sections (e), (f), (h) and (i) of the Ontario Municipal Act, 2001, as amended, as the subject matters pertains to 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; information explicitly supplied in confidence to the City or a local board by Canada, a province or territory or a Crown agency of any of them and a trade secret or scientific, technical, commercial, financial or labour relations information, supplied in confidence to the City or local board, which, if disclosed, could reasonably be expected to prejudice significantly the competitive position or interfere significantly with the contractual or other negotiations of a person, group of persons, or organization.

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

- YES - Ward 10 Councillor Jeff Beattie
- YES - Ward 12 Councillor Craig Cassar
- YES - Ward 9 Councillor Brad Clark
- YES - Ward 8 Councillor John-Paul Danko
- YES - Ward 5 Councillor Matt Francis
- YES - Mayor Andrea Horwath
- YES - Ward 4 Councillor Tammy Hwang
- YES - Ward 6 Councillor Tom Jackson
- YES - Ward 2 Councillor Cameron Kroetsch
- YES - Ward 15 Councillor Ted McMeekin
- YES - Deputy Mayor - Ward 3 Councillor Nrinder Nann
- YES - Ward 7 Councillor Esther Pauls
- YES - Ward 14 Councillor Mike Spadafora
- YES - Ward 11 Councillor Mark Tadeson
- YES - Ward 13 Councillor Alex Wilson
- YES - Ward 1 Councillor Maureen Wilson

11.2 Canada Mortgage and Housing Corporation (CMHC) Rapid Housing Initiative (RHI) Round 3 (HSC20056(c))**(Beattie/Clark)**

- (a) That Report HSC20056(c), respecting Canada Mortgage and Housing Corporation (CMHC) Rapid Housing Initiative (RHI) Round 3, be referred to the February 15, 2023 General Issues Committee for consideration;
- (b) That a Special Council meeting be convened following the February 15, 2023 General Issues Committee meeting;
- (c) That the Mayor be directed to continue to meet with local MPs to advance discussions surrounding the CMHC Rapid Housing Initiative Phase 3; and

- (d) That the Mayor be permitted to share closed session discussion with local MPs, without prejudice, to relay Council's position on the CMHC Rapid Housing Initiative funding requirements.

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

YES - Ward 10 Councillor Jeff Beattie
 YES - Ward 12 Councillor Craig Cassar
 YES - Ward 9 Councillor Brad Clark
 YES - Ward 8 Councillor John-Paul Danko
 YES - Ward 5 Councillor Matt Francis
 YES - Mayor Andrea Horwath
 YES - Ward 4 Councillor Tammy Hwang
 YES - Ward 6 Councillor Tom Jackson
 YES - Ward 2 Councillor Cameron Kroetsch
 YES - Ward 15 Councillor Ted McMeekin
 YES - Deputy Mayor - Ward 3 Councillor Nrinder Nann
 YES - Ward 7 Councillor Esther Pauls
 YES - Ward 14 Councillor Mike Spadafora
 YES - Ward 11 Councillor Mark Tadeson
 YES - Ward 13 Councillor Alex Wilson
 NOT PRESENT - Ward 1 Councillor Maureen Wilson

11.3 Correspondence from Lakewood Beach Community Council respecting Procedural Clarification for OLT Appeal OLT-22-001995, 310 Frances Avenue (LS23014) (Ward 10)

(Beattie/Clark)

- (a) That Report LS23014, respecting Correspondence from Lakewood Beach Community Council respecting Procedural Clarification for OLT Appeal OLT-22-001995, 310 Frances Avenue, be received;
- (b) That Appendix 'B' to Report LS18054, be released publicly;
- (c) That the balance of Report LS23014, respecting Correspondence from Lakewood Beach Community Council respecting Procedural Clarification for OLT Appeal OLT-22-001995, 310 Frances Avenue, remain confidential; and
- (d) That the City Solicitor be directed to review the process and instruction summary for planning act appeals report back to Planning Committee.

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

YES - Ward 10 Councillor Jeff Beattie
 YES - Ward 12 Councillor Craig Cassar
 YES - Ward 9 Councillor Brad Clark
 YES - Ward 8 Councillor John-Paul Danko
 YES - Ward 5 Councillor Matt Francis
 YES - Mayor Andrea Horwath
 YES - Ward 4 Councillor Tammy Hwang

YES - Ward 6 Councillor Tom Jackson
YES - Ward 2 Councillor Cameron Kroetsch
YES - Ward 15 Councillor Ted McMeekin
YES - Deputy Mayor - Ward 3 Councillor Nrinder Nann
YES - Ward 7 Councillor Esther Pauls
YES - Ward 14 Councillor Mike Spadafora
YES - Ward 11 Councillor Mark Tadeson
YES - Ward 13 Councillor Alex Wilson
NOT PRESENT - Ward 1 Councillor Maureen Wilson

BY-LAWS AND CONFIRMING BY-LAW

(Nann/Jackson)

That Bills No. 23-010 to No. 23-019, be passed and that the Corporate Seal be affixed thereto, and that the By-laws, be numbered, be signed by the Mayor and the City Clerk to read as follows:

- 010 To Amend By-law No. 01-215 Being a By-law to Regulate Traffic
Schedule 9 (No Right Turn on Red)
Schedule 11 (No Left Turn on Red)
Schedule 12 (No U-Turns)
Schedule 18 (Bike Lanes)
Ward: 2, 3, 4, 6
- 011 To Amend By-law No. 01-218, as amended, Being a By-law to Regulate On-Street Parking
Schedule 8 (No Parking)
Schedule 12 (Permit Parking Zones)
Schedule 13 (No Stopping Zones)
Schedule 15 (Commercial Vehicle Loading Zones)
Schedule 23 (Special Enforcement Area)
Ward: 1, 2, 3, 4, 7, 11, 12, 13
- 012 To Amend Zoning By-law No. 464 Respecting Lands located at 39 Garinger Crescent, in the Former Town of Glanbrook, now in the City of Hamilton
Ward: 11
ZAH-22-039
- 013 To Amend Zoning By-law No. 05-200 Respecting Lands Located at 2544 Regional Road 56, in the Former Town of Glanbrook, now in the City of Hamilton
Ward: 11
ZAH-22-039
- 014 To Adopt Official Plan Amendment No. 179 to the Urban Hamilton Official Plan Respecting 3250 Homestead Drive (former Township of Glanbrook)
Ward: 11

- 015 To Amend Zoning By-law No. 05-200 with Respect to Lands Located at 3250 and 3260 Homestead Drive, Glanbrook
Ward: 11
ZAC-22-020
- 016 To Adopt Official Plan Amendment No. 180 to the Urban Hamilton Official Plan Respecting 15 Ridgeview Drive (Former City of Stoney Creek)
Ward: 9
- 017 To Amend Zoning By-law No. 3692-92 Respecting Lands Located at 15 Ridgeview Drive, Stoney Creek
Ward: 9
ZAC-17-001/25T-201701/UHOPA-17-001
- 018 To Amend Zoning By-law No. 05-200 with Respect to Lands Located at 15 Ridgeview Drive, Stoney Creek
Ward: 9
ZAC-17-001/25T-201701/UHOPA-17-001
- 019 To Confirm the Proceedings of City Council

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

- YES - Ward 10 Councillor Jeff Beattie
- YES - Ward 12 Councillor Craig Cassar
- YES - Ward 9 Councillor Brad Clark
- YES - Ward 8 Councillor John-Paul Danko
- YES - Ward 5 Councillor Matt Francis
- YES - Mayor Andrea Horwath
- YES - Ward 4 Councillor Tammy Hwang
- YES - Ward 6 Councillor Tom Jackson
- NOT PRESENT - Ward 2 Councillor Cameron Kroetsch
- YES - Ward 15 Councillor Ted McMeekin
- YES - Deputy Mayor - Ward 3 Councillor Nrinder Nann
- YES - Ward 7 Councillor Esther Pauls
- YES - Ward 14 Councillor Mike Spadafora
- YES - Ward 11 Councillor Mark Tadeson
- YES - Ward 13 Councillor Alex Wilson
- NOT PRESENT - Ward 1 Councillor Maureen Wilson

(Spadafora/Hwang)

That, there being no further business, City Council be adjourned at 4:07 p.m.

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

- YES - Ward 10 Councillor Jeff Beattie
- YES - Ward 12 Councillor Craig Cassar
- YES - Ward 9 Councillor Brad Clark
- YES - Ward 8 Councillor John-Paul Danko
- YES - Ward 5 Councillor Matt Francis

YES - Mayor Andrea Horwath
YES - Ward 4 Councillor Tammy Hwang
YES - Ward 6 Councillor Tom Jackson
NOT PRESENT - Ward 2 Councillor Cameron Kroetsch
YES - Ward 15 Councillor Ted McMeekin
YES - Deputy Mayor - Ward 3 Councillor Nrinder Nann
YES - Ward 7 Councillor Esther Pauls
YES - Ward 14 Councillor Mike Spadafora
YES - Ward 11 Councillor Mark Tadeson
YES - Ward 13 Councillor Alex Wilson
NOT PRESENT - Ward 1 Councillor Maureen Wilson

Respectfully submitted,

Mayor Andrea Horwath

Andrea Holland
City Clerk



SPECIAL CITY COUNCIL MINUTES 23-003

3:55 p.m.

February 15, 2023

Council Chambers

Hamilton City Hall, 71 Main Street West

Present: Mayor A. Horwath (Chair), Deputy Mayor N. Nann
Councillors J. Beattie; C. Cassar; B. Clark; J.P. Danko; M. Francis; T. Hwang; C. Kroetsch; N. Nann; E. Pauls; M. Spadafora; M. Tadeson and A. Wilson.

Absent: Councillors T. Jackson, T. McMeekin and M. Wilson – Personal

Mayor Horwath called the meeting to order and recognized that Council 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.

APPROVAL OF THE AGENDA

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

(Kroetsch/A. Wilson)

That the agenda for the February 15, 2023 Special meeting of Council be approved, as presented.

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

YES - Ward 10 Councillor Jeff Beattie
 YES - Ward 12 Councillor Craig Cassar
 YES - Ward 9 Councillor Brad Clark
 YES - Ward 8 Councillor John-Paul Danko
 YES - Ward 5 Councillor Matt Francis
 YES - Mayor Andrea Horwath
 YES - Ward 4 Councillor Tammy Hwang
 NOT PRESENT - Ward 6 Councillor Tom Jackson
 YES - Ward 2 Councillor Cameron Kroetsch

NOT PRESENT - Ward 15 Councillor Ted McMeekin
YES - Deputy Mayor - Ward 3 Councillor Nrinder Nann
YES - Ward 7 Councillor Esther Pauls
YES - Ward 14 Councillor Mike Spadafora
YES - Ward 11 Councillor Mike Tadeson
YES - Ward 13 Councillor Alex Wilson
NOT PRESENT – Ward 1 Councillor Maureen Wilson

DECLARATIONS OF INTEREST

There were no declarations of interest.

MOTIONS

3.1 Canada Mortgage and Housing Corporation (CMHC) Rapid Housing Initiative (RHI) Round 3 (HSC20056(c))

(Nann/Hwang)

- (a) That the General Manager of the Healthy and Safe Communities Department, or designate, be authorized and directed to enter into the Rapid Housing Initiative Agreement with the Canada Mortgage and Housing Corporation (CMHC) to accept Hamilton's Rapid Housing Initiative Round 3 allocation through the Cities Stream for the creation of affordable housing units through conversion or rehabilitation of existing buildings, new builds, including modular construction, in a form satisfactory to the City Solicitor;
- (b) That the General Manager of the Healthy and Safe Communities Department, or designate, be authorized and directed to administer the Rapid Housing Initiative Round 3 (RHI3) entering into any agreements and ancillary agreements on such terms as they consider appropriate; approving purchase orders; exempting actions from approved City policies, procedures, and business practices as needed to meet RHI timelines; and taking other actions needed to ensure success, in a form satisfactory to the City Solicitor;
- (c) That as a condition to approving the acceptance of the Rapid Housing Initiative Round 3 funding made available for Hamilton affordable housing projects by CMHC, Council approve a preliminary financial contingency for Rapid Housing Initiative Round 3 of up to \$5M from the Unallocated Capital Levy Reserve (108020) for potential financial risks related to construction overages incurred for projects approved under the Cities Stream and that all actual draws against this commitment be brought to Council for approval;
- (d) That staff explore with CMHC and project proponents, strategies to minimize municipal exposure for construction overages for the projects selected in RHI3 and that these strategies be built into RHI3 contracts;
- (e) That staff report back to the Emergency and Community Services Committee with financial recommendations in the case that actual financial obligations against the City related to construction overages incurred for projects approved under the Cities Stream, exceed Council approved funding;

- (f) That, in light of, the federal funding shortfall inherent in Rapid Housing Initiative Round 3, and the federal program not keeping pace with construction costs, staff work with Council to educate the public and advocate for increased federal and provincial contribution for affordable housing projects; and
- (g) That Report HSC20056(c) respecting the Canada Mortgage and Housing Corporation Rapid Housing Initiative remain confidential upon a formal public announcement.

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

- YES - Ward 10 Councillor Jeff Beattie
- YES - Ward 12 Councillor Craig Cassar
- YES - Ward 9 Councillor Brad Clark
- YES - Ward 8 Councillor John-Paul Danko
- YES - Ward 5 Councillor Matt Francis
- YES - Mayor Andrea Horwath
- YES - Ward 4 Councillor Tammy Hwang
- NOT PRESENT - Ward 6 Councillor Tom Jackson
- YES - Ward 2 Councillor Cameron Kroetsch
- NOT PRESENT - Ward 15 Councillor Ted McMeekin
- YES - Deputy Mayor - Ward 3 Councillor Nrinder Nann
- YES - Ward 7 Councillor Esther Pauls
- YES - Ward 14 Councillor Mike Spadafora
- YES - Ward 11 Councillor Mike Tadeson
- YES - Ward 13 Councillor Alex Wilson
- NOT PRESENT – Ward 1 Councillor Maureen Wilson

CONFIRMING BY-LAW

(Nann/Danko)

That Bill No. 23-020, be passed and that the Corporate Seal be affixed thereto, and that the By-law, be numbered, be signed by the Mayor and the City Clerk to read as follows:

020 To Confirm the Proceedings of City Council

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

- YES - Ward 10 Councillor Jeff Beattie
- YES - Ward 12 Councillor Craig Cassar
- YES - Ward 9 Councillor Brad Clark
- YES - Ward 8 Councillor John-Paul Danko
- YES - Ward 5 Councillor Matt Francis
- YES - Mayor Andrea Horwath
- YES - Ward 4 Councillor Tammy Hwang
- NOT PRESENT - Ward 6 Councillor Tom Jackson
- YES - Ward 2 Councillor Cameron Kroetsch
- NOT PRESENT - Ward 15 Councillor Ted McMeekin
- YES - Deputy Mayor - Ward 3 Councillor Nrinder Nann
- YES - Ward 7 Councillor Esther Pauls

YES - Ward 14 Councillor Mike Spadafora
YES - Ward 11 Councillor Mike Tadeson
YES - Ward 13 Councillor Alex Wilson
NOT PRESENT – Ward 1 Councillor Maureen Wilson

(Hwang/Tadeson)

That, there being no further business, City Council be adjourned at 4:02 p.m.

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

YES - Ward 10 Councillor Jeff Beattie
YES - Ward 12 Councillor Craig Cassar
YES - Ward 9 Councillor Brad Clark
YES - Ward 8 Councillor John-Paul Danko
YES - Ward 5 Councillor Matt Francis
YES - Mayor Andrea Horwath
YES - Ward 4 Councillor Tammy Hwang
NOT PRESENT - Ward 6 Councillor Tom Jackson
YES - Ward 2 Councillor Cameron Kroetsch
NOT PRESENT - Ward 15 Councillor Ted McMeekin
YES - Deputy Mayor - Ward 3 Councillor Nrinder Nann
YES - Ward 7 Councillor Esther Pauls
YES - Ward 14 Councillor Mike Spadafora
YES - Ward 11 Councillor Mike Tadeson
YES - Ward 13 Councillor Alex Wilson
NOT PRESENT – Ward 1 Councillor Maureen Wilson

Respectfully submitted,

Mayor A. Horwath

Andrea Holland
City Clerk

Pilon, Janet

Subject: Your vote to apply covid vaccine mandate to perspective employees

From: Louise Kunkel

Sent: February 7, 2023 2:48 PM

To: Office of the Mayor <Officeofthe.Mayor@hamilton.ca>; Beattie, Jeff <Jeff.Beattie@hamilton.ca>

Cc: Ward 1 Office <ward1@hamilton.ca>; Ward 2 <ward2@hamilton.ca>; Office of Ward 3 City Councillor Nrinder Nann <ward3@hamilton.ca>; Francis, Matt <Matt.Francis@hamilton.ca>; Ward 4 <ward4@hamilton.ca>; Jackson, Tom <Tom.Jackson@hamilton.ca>; Pauls, Esther <Esther.Pauls@hamilton.ca>; Ward 8 Office <ward8@hamilton.ca>; Clark, Brad <Brad.Clark@hamilton.ca>; Tadeson, Mark <Mark.Tadeson@hamilton.ca>; Ward 12 Office <ward12@hamilton.ca>; Ward 13 <ward13@hamilton.ca>; Spadafora, Mike <Mike.Spadafora@hamilton.ca>; McMeekin, Ted <Ted.McMeekin@hamilton.ca>

Subject: Your vote to apply covid vaccine mandate to perspective employees

Dear Mayor Horwath and City Councillors,

We have recently become aware of the vote that was held where you decided to continue to restrict employment at city hall to only those who are inoculated against covid.

It is a grave error that you have decided to show yourselves as discriminating between the inoculated and the non inoculated. The covid shots do not prevent viral transmission or infection as has been aptly demonstrated in numerous studies including original clinical trials undertaken by the pharmaceutical companies themselves. In fact, reality demonstrates this better than any study. That in itself should have made you drop any and all mandates.

There is mounting evidence that significant harm occurs to some people who have received the shots. Unfortunately, as it is in the interest of very powerful individuals including our politicians and health officials to downplay the side effects, this continues to happen. However, as more problems arise, hiding will no longer be possible.

Medical decisions must be the sole decision of the individual with no coercion or pressure. This is also private information.

Lastly, had you decided to make this decision with the advice of an expert in immunology and virology like Dr. Byram Bridle, you might have some standing. I don't see how your voting on this follows any kind of scientific method!?!

You have left yourselves and the City of Hamilton, i.e., taxpayers open to lawsuits. If I were seeking employment with the city and wanted to keep my medical information private as is my right, I would sue the city. I am deeply concerned that you as stewards of our hard earned tax dollars are able to leave the city vulnerable in this manner. Really, it should be those of you who voted in favor of this decision to face any and all lawsuits.

I hope you will reconsider your decision. If you do so, you will show yourselves to be intelligent and enlightened people. If you continue to stand by this baseless decision, you will show yourselves to be smug, cowardly bureaucrats.

Yours truly,

Frank & Louise Kunkel
Ward 10

Pilon, Janet

Subject: Mandating New Employees

From: joyce webb

Sent: February 7, 2023 10:12 PM

To: Office of the Mayor <Officeofthe.Mayor@hamilton.ca>

Subject: Mandating New Employees

Dear Mayor and Counselors,

Tonight, I was emailed by a friend who told me that Hamilton city council voted to extend a vaccine mandate to new employees and that there is going to be another meeting tomorrow morning at 9:30 a.m.

I don't know why you are continuing to mandating a vaccine for new employees. The COVID-19 vaccine does not prevent COVID-19. A person who is fully vaccinated can still contract the SARS-CoV-2 virus, which causes COVID-19, and they may go on to develop the disease. Also, Rochelle Walensky of the CDC has acknowledged that the vaccines are not capable of stopping the spread of the virus.

Mandating a person to take a vaccine they do not want to take is what I call coercion. It should be up to that person's personal choice whether to take this therapeutic or not. And these Covid-19 vaccines are under Interim use in Canada, meaning they have not been fully approved by the FDA in the United States, (EUA, Emergency Use Authorization).

Personally, I am against mandating this vaccine mandate to new employees of the City of Hamilton and you should be too.

The pandemic is over!

Joyce Webb

Pilon, Janet

Subject: Vaccine Mandate

From: Jay Peterman

Sent: February 8, 2023 8:43 PM

To: Ward 13 <ward13@hamilton.ca>; Ward 2 <ward2@hamilton.ca>; Office of Ward 3 City Councillor Nrinder Nann <ward3@hamilton.ca>; Ward 4 <ward4@hamilton.ca>; Francis, Matt <Matt.Francis@hamilton.ca>; Jackson, Tom <Tom.Jackson@hamilton.ca>; Pauls, Esther <Esther.Pauls@hamilton.ca>; Ward 8 Office <ward8@hamilton.ca>; Clark, Brad <Brad.Clark@hamilton.ca>; Beattie, Jeff <Jeff.Beattie@hamilton.ca>; Ward 12 Office <ward12@hamilton.ca>; Spadafora, Mike <Mike.Spadafora@hamilton.ca>; Ward 1 Office <ward1@hamilton.ca>; McMeekin, Ted <Ted.McMeekin@hamilton.ca>; clerk@hamilton.ca

Subject: Fwd: Vaccine Mandate

Hello,

I sent the email below a week ago with respect to the vaccine mandate being voted down 8-7.

I look forward to hearing the justification from the councillors who voted to keep this mandate in place. The science can't possibly be different based on postal code or city boundaries.

----- Forwarded message -----

From: Jay Peterman

Date: Thu, Feb 2, 2023 at 6:39 PM

Subject: Vaccine Mandate

To: <askcity@hamilton.ca>

Cc: <ward13@hamilton.ca>, <ward2@hamilton.ca>, <ward3@hamilton.ca>, <ward4@hamilton.ca>, <Matt.Francis@hamilton.ca>, <tom.jackson@hamilton.ca>, <esther.pauls@hamilton.ca>, <ward8@hamilton.ca>, <brad.clark@hamilton.ca>, <Jeff.Beattie@hamilton.ca>, <ward12@hamilton.ca>, <Mike.Spadafora@hamilton.ca>, <ward1@hamilton.ca>, <Ted.McMeekin@hamilton.ca>

Hello,

Could this email please be passed to someone who is able to explain why the city of Hamilton is keeping its vaccine mandate when other municipalities and 95% of private businesses have dropped theirs.

Public health says this mandate isn't required and two vaccines from over a year ago are not effective (hence why boosters are recommended)

If you could please advise on the justification of this policy remaining.

Thank you,

LION ADVOCACY
Daniel Freiheit, MBA, LLB
LionAdvocacy@gmail.com
800-120 Eglinton Avenue East
Toronto, Ontario M4P 1E2
Advocating for responsible vaccine rollouts

February 15th, 2023

Dear Mayor Horwath, Chair, and all members of City Council of Hamilton, Ontario:

I recently had the privilege of delegating at a Hamilton Board of Health Committee meeting regarding the city's opioid crisis, and in particular whether the declaration of an "emergency" would be warranted.

Drug addiction is a multi-faceted problem, with many "tributaries" flowing into this raging river.

One of the tributaries is unemployment, which leads to social isolation, which in turn leads to drug addiction.

One of the current drivers of unemployment for many Hamiltonians, are Covid vaccine requirements as a condition for employment, a requirement that this Council is currently authorizing, and which has spread into the broader business community.

I tried to raise this important issue at the recent Board of Health meeting, but the connection to the Agenda item (the opioid crisis) was somewhat remote or tangential. This letter, in part, hopes to bridge that gap.

But this letter hopes to do more than just that.

As I mentioned to the Board of Health, in my role as "Twitter advocate" for responsible vaccine rollouts/policies in Ontario and Canada, I hear from a tremendous number of individuals across Canada on how vaccine mandates are destroying their lives.

Many senior Public Health advisors will tell you (most likely *in camera*): vaccine mandates are not warranted, given what we now know about Covid. Air filters, yes. Sick days off, yes. Mandates? No. Don't believe me? Visit the National Advisory Committee on Immunization website. Their view is clear: the vaccine should be *offered*, not ordered

Hamilton is currently relying on a Covid policy from August 2021. This, in my respectful view, is reckless and disingenuous. It ignores almost 2 years of evolving science relating to vaccines and Covid. In the meantime, it keeps hundreds of Hamiltonians unemployed, isolated, and despondent. It fuels social problems that the City now has to rush to fix.

On February 1st, 2023, Members of Council had the opportunity to rescind its 2021 Covid policy. I implore this Council today, to rescind its mandatory vaccination policy.

This request is not unreasonable, it costs the city nothing, and is in line with the Covid policies of other major Canadian cities.

This request is in line with my recommendations, delegations, and/or liaising to the following entities (which led to policy changes shortly after my outreach):

1. Toronto Board of Health / City of Toronto (which led to TTC and City of Windsor rescinding their Covid vaccine mandates);
2. Western University Board of Governors;
3. Town of Orangeville;
4. City of Richmond Hill (effective March 1, 2023)

Vaccine mandates are creating devastating social problems that cannot be justified given the current science. Urgent action is required.

I implore you all - or any one of you - to make a motion today: to rescind all Covid vaccine mandates for City of Hamilton employees.

You have many authorities upon whom to rely, including the City of Toronto, the City of Richmond Hill, the Town of Orangeville, and of course, the entire advisory board of the National Advisory Committee on Immunization: the vaccine should be *offered*, not ordered.

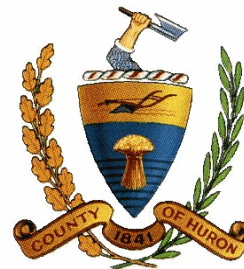
Thank you so much for considering these views and for taking action.



Daniel Freiheit, MBA, LLB
Lion Advocacy

OFFICE OF THE WARDEN

Corporation of the County of Huron
1 Courthouse Square
Goderich, Ontario N7A 1M2
www.HuronCounty.ca
Phone: 519.524.8394
Toll Free: 1.888.524.8394



February 1, 2023

Sent via email.

Re: Call to Action: Review of the Cannabis Act

Please note that on February 1, 2023 Huron County Council passed the following motion:

Moved by: Councillor G. Finch and Seconded by: Councillor M. Anderson

THAT:

The Council of the County of Huron approve the report by CAO Meighan Wark dated February 1, 2023 titled Report to Council: Cannabis Act Information as presented;
AND FURTHER THAT:

The Council of the County of Huron advocate for improvements to the Cannabis Act and current legislative framework for cannabis in Canada by sending the report titled *Report for Council: Cannabis Act Information*, including the correspondence found in the appendices, to the Western Ontario Warden's Caucus (WOWC) for discussion and consideration;

AND FURTHER THAT:

The Council of the County of Huron approve forwarding Call to Action Letters to the following for support:

- Federation of Canadian Municipalities (FCM)
- All Municipalities in Ontario
- Ministry of Agriculture, Food and Rural Affairs (OMAFRA)
- Premier of Ontario
- Provincial Minister of the Environment, Conservation and Parks
- Provincial Minister of Agriculture
- Provincial Minister of Municipal Affairs and Housing
- Member of Parliament
- Federal Minister of Agriculture and Agri-Food
- Federal Minister of Health

CARRIED

The County of Huron calls for a review and amendments to the Cannabis Act and the current legislative framework for cannabis in Canada.

To be clear, the County of Huron is not against or opposed to cannabis and we appreciate the role that both the federal and provincial governments provide in assisting municipalities. However, when new legislation is implemented, it is often at the municipal level that the impacts of change can be observed, and notations can be made for areas of improvement. It is vital that municipal governments pay attention and provide information and recommendations to higher levels of government so that continual improvements can be made over time.

It is in this spirit that we provide the following recommendation:

As a municipal government for one of Canada's most agriculturally productive regions and a popular tourism destination, we have been in the position to observe the last several years of legal cannabis production under the Cannabis Act as managed by Health Canada.

Under the current legislative and regulatory framework, we have observed, and continue to observe, serious odour impacts on local communities and residents from cannabis production facilities; including concerns from local medical practitioners about these impacts. Most often, these odour impacts arise from properties used for 'The Production of Cannabis for Own Medical Purposes by a Designated Person'.

In our local municipal experience, these facilities are often established without complying with local municipal zoning and nuisance by-laws, often contain hundreds of cannabis plants for each of the four assigned individuals, and usually do not include adequate odour controls to manage impacts on surrounding homes, public facilities, and the community at large.

To help manage public impacts of cannabis production facilities, we request that all production facilities, including facilities used by a designated person to produce cannabis for an individual's medical purposes, to require confirmation from the local municipality that the facility/site selected complies with all local municipal by-laws and regulations prior to an application being approved by Health Canada. We also request that Health Canada implement a system of minimum setbacks between cannabis production facilities and sensitive odour receptors, including homes and public facilities.

As an agricultural community, we have had extensive experience with the Ontario Ministry of Agriculture, Food and Rural Affairs' Minimum Distance Separation (MDS) Formula, an approach which has been used to successfully manage land use conflicts resulting from odour between livestock facilities and sensitive receptors for almost 50 years. We believe a system based on MDS would be appropriate to manage the

impacts of Health Canada's approved cannabis facilities, including both licensed commercial producers and designated growers for individuals.

In conclusion, we strongly recommend further notice and enhanced consultation with municipal governments when drafting and implementing legislation and regulations related to cannabis production, as there is a direct impact on local municipal operations, local residents, and in some cases, serious issues of non-compliance with local municipal by-laws.

Sincerely,

A handwritten signature in black ink, appearing to read "Glen McNeil". The signature is written in a cursive style with a small dot at the beginning.

Glen McNeil
Warden, Huron County
On behalf of Huron County Council

The background of the entire page is a close-up photograph of cannabis leaves, rendered in a monochromatic blue color. The leaves are detailed, showing their serrated edges and vein structure. A vertical yellow bar is positioned to the left of the main title.

Report for Council: Cannabis Act Information

Prepared: January 2023

Contents

3	Background
3	Cannabis Act: Information For Municipalities
3	1. Licensed Producers
4	2. Personal and Designated Production
5	Community Expressed Concerns
5	Impact to the Municipality
5	Advocacy Efforts to Date
6	Recommendations for Further Advocacy
6	Call to Action Letter
6	Report for Council: Cannabis Act Information (this report)
6	Further Resources
6	The Cannabis Act: The Facts
6	The Cannabis Act
6	Cannabis Information for Municipalities
6	Ontario: Cannabis Control Act
7	Correspondence Received by Council
7	Correspondence to Council, January 2023: Bonnie Shackelton
7	Appendix A
7	Appendix B

Background

On January 18, 2023, Huron County Council passed the following motion:

THAT:

The Council of the County of Huron request staff to prepare a report for Council on the Federal Cannabis Legislation Review with recommendations on options for Huron County to address their concerns with this legislation.

Cannabis Act: Information For Municipalities

According to The Government of Canada's *Information for Municipalities - Medical Use of Cannabis* there are two approved ways medical cannabis can be grown: *Licensed Producers* and *Personal and Designate Production*

1. Licensed Producers

Licensed producers are individuals or companies licensed by Health Canada to produce and sell cannabis for medical purposes. Licensed producers must meet stringent health and safety security requirements before producing and selling cannabis.

When applying to be a licensed producer under the Access to Cannabis for Medical Purposes Regulations (ACMPR), or when applying to amend a licence, an applicant must notify:

- The municipality
- Local fire officials
- Local law enforcement

Licensed producers must also notify these local authorities, within 30 days, after the issuance of a licence or the renewal, amendment, suspension, reinstatement, or revocation of their licence. These notification requirements are intended to provide local authorities with information about activities with cannabis conducted in their jurisdiction to allow them to take appropriate measures, as applicable.

Licensed producers are expected to obey all relevant federal, provincial and municipal laws and by-laws, including municipal zoning by-laws.

2. Personal and Designated Production

If a person wants to produce a limited amount of cannabis for his/her own medical purposes, he/she needs to register with Health Canada. He/she can also choose to designate another person to produce a limited amount of cannabis for him/her. A person can produce a limited number of marijuana plants under a maximum of two registrations (for one other person and him/herself, or two other people). Marijuana plants may be produced under a maximum of four registrations at one address.

A registered or designated person is permitted to produce marijuana plants indoors and/or outdoors, but not both at the same time. If a person wishes to produce marijuana plants outdoors, the boundary of the land on which the production site is located cannot have any points in common with the boundary of the land on which a school, public playground, day care facility or other public place frequented mainly by persons under 18 years of age.

The number of plants a person can grow is determined by the daily amount recommended by their health care practitioner and a set of formulas in the regulations.

Health Canada also recommends that registered and designated persons be discreet with their production.

Individuals who are registered with Health Canada to produce a limited amount of cannabis for medical purposes are expected to obey all federal, provincial and municipal laws and by-laws.

Community Expressed Concerns

Recently, some concerns regarding the Cannabis Act and local growing practices have been expressed by community members. Some of the topics of concern expressed have included:

- Excessive noise produced by ventilation units
- Serious odour impacts from production
- Health concerns from neighbouring property owners
- Questions regarding zoning requirements for Cannabis operations, particularly in regards to areas zoned residential
- The current lack of a Minimum Distance Separation (MDS) between licensed facilities/designate growers, and homes, public facilities

Impact to the Municipality

Community concerns regarding the Cannabis Act have an impact on the municipality. These impacts include the costs associated with Council and staff time and legal fees. There is also a potential for community disruption pertaining to licenses issued under the Federal Medical Cannabis Registration process.

It is important to note that the municipality's concerns expressed in this report are not against or opposed to cannabis. The County of Huron appreciates the role that both the federal and provincial governments provide in assisting municipalities. However, when new legislation is implemented, it is often at the municipal level that the impacts of change can be observed and notations can be made for areas of improvement. It is vital that municipal governments pay attention and provide information and recommendations to other levels of government so that continual improvements can be made over time.

Advocacy Efforts to Date

On October 5, 2022 a letter was sent to the Cannabis Act Legislative Review Secretariat of Health Canada. The letter offered requested feedback on the Cannabis Act and a recommendation for a Minimum Distance Separation to protect residential areas.

See Appendix A.

Recommendations for Further Advocacy

Report for Council: Cannabis Act Information (this report)

Further advocacy could be accomplished by sending this report, including the correspondence found in the appendices, to the Western Ontario Warden's Caucus (WOWC) for discussion and consideration.

A Call to Action Letter could be sent on behalf of WOWC, and all WOWC member municipalities could be invited to send similar letters to the agencies and individuals outlined below.

Call to Action Letter

A sample Call to Action Letter for Huron County can be found in Appendix B. Once approved by Council, letters could be sent to:

- Federation of Canadian Municipalities (FCM)
- All Municipalities in Ontario
- Ministry of Agriculture, Food and Rural Affairs (OMAFRA)
- Premier of Ontario: Doug Ford
- Provincial Minister of the Environment, Conservation and Parks: David Piccini
- Provincial Minister of Agriculture: Lisa Thompson
- Provincial Minister of Municipal Affairs and Housing: Steve Clark
- Member of Parliament: Ben Lobb
- Federal Minister of Agriculture and Agri-Food: Marie-Claude Bibeau
- Federal Minister of Health: Jean-Yves Duclos

Further Resources

The Cannabis Act: The Facts

<https://www.canada.ca/en/health-canada/news/2018/06/backgrounder-the-cannabis-act-the-facts.html>

The Cannabis Act

https://laws-lois.justice.gc.ca/eng/annualstatutes/2018_16/FullText.html#:~:text=The%20objectives%20of%20the%20Act,operating%20outside%20the%20legal%20framework

Cannabis Information for Municipalities

<https://www.canada.ca/en/health-canada/services/drugs-medication/cannabis/information-municipalities.html>

Ontario: Cannabis Control Act

<https://www.ontario.ca/laws/statute/17c26>

Correspondence Received by Council

Correspondence to Council, January 2023: Bonnie Shackelton

<https://agendas.huroncounty.ca/agendapublic/AttachmentViewer.ashx?AttachmentID=7134&ItemID=5394>

Appendix A

Copy of the letter sent to the Cannabis Act Legislative Review Secretariat of Health Canada on October 5, 2022

Appendix B

Sample Call to Action Letter

OFFICE OF THE WARDEN

Corporation of the County of Huron
1 Courthouse Square
Goderich, Ontario N7A 1M2
www.HuronCounty.ca
Phone: 519.524.8394
Toll Free: 1.888.524.8394



October, 5, 2022

To: Cannabis Act Legislative Review Secretariat
Health Canada
Address locator 03021
Ottawa, Ontario
K1A 0K9

On October 5, 2022, Huron County Council passed the following motion:

THAT:

The Council of the County of Huron send correspondence to Health Canada requesting consultation when implementing legislation on cannabis regulation as there is a direct impact on municipal operations and sometimes non compliance to municipal by-laws;

AND FURTHER THAT:

The Council of the County of Huron recommends the inclusion of a system of Minimum Distance Separation to protect residential areas;

AND FURTHER THAT:

This correspondence be circulated to Huron County local municipalities for support.

Thank you for requesting feedback on the Cannabis Act and the current legislative framework for cannabis in Canada. As a municipal government for one of Canada's most agriculturally productive regions, and a popular tourism destination, we have been in the position to observe areas for improvement during the last several years of legal cannabis production under the Cannabis Act as managed by Health Canada.

Under the current legislative and regulatory framework, we have observed, and continue to observe, serious odour impacts on local communities and residents from cannabis production facilities; including concerns from local medical practitioners about these impacts. Most often, these odour impacts arise from properties used for 'The Production of Cannabis for Own Medical Purposes by a Designated Person'.

In our local municipal experience, these facilities are often established without complying with local municipal zoning and nuisance by-laws, often contain hundreds

of cannabis plants for each of the four assigned individuals, and usually do not include adequate odour controls to manage impacts on surrounding homes, public facilities, and the community at large.

To help manage public impacts of cannabis production facilities, we request that all production facilities, including facilities used by a designated person to produce cannabis for an individual's medical purposes, require confirmation from the local municipality that the facility/site selected complies with all local municipal by-laws and regulations prior to an application being approved by Health Canada. We also request that Health Canada implement a system of minimum setbacks between cannabis production facilities and sensitive odour receptors, including homes and public facilities.

As an agricultural community we have had extensive experience with the Ontario Ministry of Agriculture, Food and Rural Affairs Minimum Distance Separation (MDS) Formula, an approach which has been used to successfully manage land use conflicts resulting from odour between livestock facilities and sensitive receptors for almost fifty years. We believe a system based on MDS would be appropriate to manage the impacts of Health Canada's approved cannabis facilities, including both licensed commercial producers and designated growers for individuals.

In conclusion, we strongly recommend enhanced consultation with municipal governments and request further notice and consultation with the County of Huron when drafting and implementing legislation and regulations dealing with matters related to cannabis production, as there is a direct impact on local municipal operations, local residents, and in some cases serious issues of non-compliance with local municipal by-laws.

Sincerely,



Glen McNeil
Warden, Huron County
On behalf of Huron County Council

OFFICE OF THE WARDEN

Corporation of the County of Huron
1 Courthouse Square
Goderich, Ontario N7A 1M2
www.HuronCounty.ca
Phone: 519.524.8394
Toll Free: 1.888.524.8394



{insert date}

To: {insert recipient}

Re: Call to Action: Review of the Cannabis Act

On {insert date}, Huron County Council passed the following motion:

THAT:

{insert motion}

AND FURTHER THAT:

{insert motion}

The County of Huron calls for a review and amendments to the Cannabis Act and the current legislative framework for cannabis in Canada.

To be clear, the County of Huron is not against or opposed to cannabis and we appreciate the role that both the federal and provincial governments provide in assisting municipalities. However, when new legislation is implemented, it is often at the municipal level that the impacts of change can be observed, and notations can be made for areas of improvement. It is vital that municipal governments pay attention and provide information and recommendations to higher levels of government so that continual improvements can be made over time.

It is in this spirit that we provide the following recommendation:

As a municipal government for one of Canada's most agriculturally productive regions and a popular tourism destination, we have been in the position to observe the last several years of legal cannabis production under the Cannabis Act as managed by Health Canada.

Under the current legislative and regulatory framework, we have observed, and continue to observe, serious odour impacts on local communities and residents from cannabis production facilities; including concerns from local medical practitioners about these impacts. Most often, these odour impacts arise from properties used for 'The Production of Cannabis for Own Medical Purposes by a Designated Person'.

In our local municipal experience, these facilities are often established without complying with local municipal zoning and nuisance by-laws, often contain hundreds of cannabis plants for each of the four assigned individuals, and usually do not include adequate odour controls to manage impacts on surrounding homes, public facilities, and the community at large.

To help manage public impacts of cannabis production facilities, we request that all production facilities, including facilities used by a designated person to produce cannabis for an individual's medical purposes, to require confirmation from the local municipality that the facility/site selected complies with all local municipal by-laws and regulations prior to an application being approved by Health Canada. We also request that Health Canada implement a system of minimum setbacks between cannabis production facilities and sensitive odour receptors, including homes and public facilities.

As an agricultural community, we have had extensive experience with the Ontario Ministry of Agriculture, Food and Rural Affairs' Minimum Distance Separation (MDS) Formula, an approach which has been used to successfully manage land use conflicts resulting from odour between livestock facilities and sensitive receptors for almost 50 years. We believe a system based on MDS would be appropriate to manage the impacts of Health Canada's approved cannabis facilities, including both licensed commercial producers and designated growers for individuals.

In conclusion, we strongly recommend further notice and enhanced consultation with municipal governments when drafting and implementing legislation and regulations related to cannabis production, as there is a direct impact on local municipal operations, local residents, and in some cases, serious issues of non-compliance with local municipal by-laws.

Sincerely,



Glen McNeil
Warden, Huron County
On behalf of Huron County Council



MUNICIPALITY OF SHUNIAH

420 Leslie Avenue, Thunder Bay, Ontario P7A 1X8
Phone: (807) 683-4545 Fax: (807) 683-6982
Email: shuniah@shuniah.org www.shuniah.org

February 10, 2023

The Honourable Doug Ford
Premier of Ontario
Legislative Building, Queen's Park
Toronto, ON M7A 1A1
Via Email: premier@ontario.ca

Dear Premier Ford,

RE: Municipal Petition in Opposition of Bill 3

At the Council meeting held on January 31, 2023, the Council of the Municipality of Shuniah passed the attached resolution # 45-23 supporting the Town of Cobourg (Resolution 406-22) and the Municipality of Greenstone (resolution 22-396) regarding Bill 3 and further opposing the changes that Bill 3 makes to the Municipal Act, 2001 and Municipal Conflict of Interest Act.

The Municipality of Shuniah resolves to petition the Government of Ontario:

1. THAT these changes to the Municipal Act, 2001, are unnecessary and would negatively affect the Municipality of Shuniah; and
2. THAT if the Ontario Government deems these changes necessary in large single-tier municipalities such as Toronto and Ottawa, that such changes should not be implemented in smaller municipalities; and
3. THAT the Ontario Government should enact legislation clarifying the role of Mayor, Council and Chief Administrative Officer, similar to those recommended by the Ontario Municipality Administrator's Association and those recommended by Justice Marrocco in the Collingwood judicial inquiry of 2022; and
4. THAT if the stated goal of this legislation is to construct more housing in Ontario that this can be accomplished through other means including amendment of the Planning Act and funding of more affordable housing.

A copy of the above noted resolution is enclosed for your reference and consideration.

Yours truly,


Kerry Bellamy

Clerk

KB/jk

Cc:

Lise Vaugeois, MPP Thunder Bay Superior North
Kevin Holland, MPP Thunder Bay-Atikokan
Ministry of Municipal Affairs and Housing (MMAH)
Association of Municipalities of Ontario (AMO)
All Ontario Municipalities




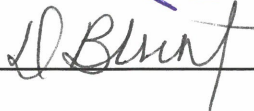
MUNICIPALITY OF SHUNIAH

COUNCIL RESOLUTION

Resolution No.: 45-23

Date: Jan 31, 2023

Moved By: 

Seconded By: 

THAT Council support the resolution put forward by the Town of Cobourg and the Municipality of Greenstone;

WHEREAS the Government of Ontario has enacted Bill 3 which is described as "An Act to amend various statutes with respect to special powers and duties of heads of Council;

AND WHEREAS this Bill will initially apply to the City of Toronto and the City of Ottawa but, according to a statement made by the Premier at the 2022 AMO annual conference, will later be expanded to include other municipalities;

AND WHEREAS this will give Mayors additional authority and powers, and correspondingly take away authority and powers from Councils and professional staff, and will include giving the Mayor the authority to propose and adopt the Municipal budget and to veto some decisions of Council;

AND WHEREAS this Bill will give authority over professional staff to the Mayor, including that of the Chief Administrative Officer;

AND WHEREAS these changes will result in a reduction of independence for professional staff including the COA, who currently provide objective information to the Council and public and will not take direction from the Mayor alone when the Mayor so directs;

AND WHEREAS these surprising and unnecessary changes to the historical balance of power between a Mayor and Council, and which historically gave the final say in all matters to the will of the majority of the elected Council;

NOW THEREFORE BE IT RESOLVED THAT Council for the Corporation of the Municipality of Shuniah passes this resolution to petition the Government of Ontario:

1. THAT these changes to the Municipal Act, 2001, are unnecessary and would negatively affect the Municipality of Shuniah; and

2. THAT is the Ontario Government if the Ontario Government deems these changes necessary in large single-tier municipalities such as Toronto and Ottawa, that such changes should not be implemented in smaller municipalities; and

3. THAT the Ontario Government should enact legislation clarifying the role of Mayor, Council and Chief Administrative Officer, similar to those recommended by the Ontario Municipality Administrator's Association and those recommended by Justice Marrocco in the Collingwood judicial inquiry of 2022; and

4. THAT if the stated goal of this legislation is to construct more housing in Ontario that this can be accomplished through other means including amendment of the Planning Act and funding of more affordable housing;

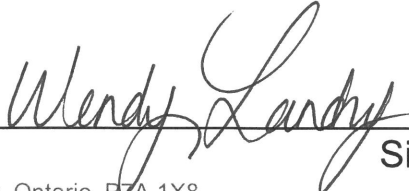
AND BE IT FURTHER RESOLVED THAT a copy of this resolution be provided to the Premier of Ontario, the Minister of Municipal Affairs and Housing, Lise Vaugeois, MPP, Kevin Holland, MPP, and the Association of Municipalities of Ontario and all municipalities in Ontario.”

Carried

Defeated

Amended

Deferred



Signature

Municipality of Shuniah, 420 Leslie Avenue, Thunder Bay, Ontario, P7A 1X8

Pilon, Janet

Subject: Hamilton: a Bird Friendly City

From: Bird Friendly Hamilton Burlington <birdfriendlycityhamburl@gmail.com>

Date: February 13, 2023 at 8:37:07 AM EST

To: Office of the Mayor <Officeofthe.Mayor@hamilton.ca>, Ward 1 Office <ward1@hamilton.ca>, Ward 2 <ward2@hamilton.ca>, Office of Ward 3 City Councillor Nrinder Nann <ward3@hamilton.ca>, Ward 4 <ward4@hamilton.ca>, "Francis, Matt" <Matt.Francis@hamilton.ca>, "Jackson, Tom" <Tom.Jackson@hamilton.ca>, "Pauls, Esther" <Esther.Pauls@hamilton.ca>, Ward 8 Office <ward8@hamilton.ca>, "Clark, Brad" <Brad.Clark@hamilton.ca>, "Beattie, Jeff" <Jeff.Beattie@hamilton.ca>, "Tadeson, Mark" <Mark.Tadeson@hamilton.ca>, Ward 12 Office <ward12@hamilton.ca>, Ward 13 <ward13@hamilton.ca>, "Spadafora, Mike" <Mike.Spadafora@hamilton.ca>, "McMeekin, Ted" <Ted.McMeekin@hamilton.ca>

Subject: Hamilton: a Bird Friendly City

Will you support Hamilton being a Bird Friendly City?

Hello Mayor Horwath and members of City Council,

First off, I'd like to congratulate all of you on your newly elected and re-elected positions. This new Council leaves me hopeful of good things to come for our city.

I am a long-time Hamilton resident and I am writing today to introduce you to, or re-introduce you to, our not-for-profit group called **Bird Friendly Hamilton Burlington** (BFHB). We formed in December 2020 in response to a great new program launched by Nature Canada, called [Bird Friendly City](#) (BFC), which seeks to certify municipalities across Canada for efforts they have made to be bird friendly. The BFC program is supported by Environment and Climate Change Canada, and other national partners such as [FLAP Canada](#).

Bird Friendly Hamilton Burlington is a team of dedicated volunteers and community partners, who are working towards ensuring our environment is a safe haven for wild birds. Our team consists of representatives from Green Venture, Hobbitstee Wildlife Refuge, Six Nations Wildlife, BurlingtonGreen, Hamilton Naturalists' Club, and citizens like myself who care about birds.

In 2021, our BFHB team documented all the bird friendly actions undertaken in our city over the years by the City of Hamilton, businesses, schools, community groups, individual residents, and our BFHB team, in accordance with the 25 categories of Nature Canada's BFC scoring "rubric." Similarly, the Burlington contingent of our team did the same for Burlington. We submitted applications for both cities to Nature Canada in early 2022.

You may have heard that Hamilton was officially certified as a Bird Friendly City by Nature Canada in April of 2022, becoming the 6th certified city in Canada, with Burlington following soon after as the 7th! **In all, 18 municipalities across Canada have now been BFC certified, with more to come.**

In recent news, several Canadian municipalities, including Hamilton and Burlington, were [further recognized by federal Environment Minister Steven Guilbeault](#) at the COP15 UN conference on biodiversity in Montreal, for their newly acquired Bird Friendly City status.

We are hopeful that our current mayor, city council, and city staff will recognize and support this Bird Friendly City certification for Hamilton, to help maintain it and keep moving forward.

A Council resolution of support for Hamilton being a Bird Friendly City would be of great help, as it is a requirement of the BFC program. *(Please note that Burlington City Council unanimously endorsed Burlington's BFC certification in April 2022 through a Council resolution).*

Although we have been certified as a Bird Friendly City, there is still more work we need to do to maintain this certification and advance to a higher level. **Hamilton has only achieved entry level status.** This means that we have met or exceeded the minimum standard with regards to reducing threats to birds in our city, protecting and restoring natural habitat, increasing climate resiliency, and educating the public. **Re-certification is required every 2 years.**

Why help birds?

Bird populations are rapidly falling across North America and beyond; a major study reported that **North America has lost three billion birds over the last 50 years.** Many of the species are ones that we can observe in our cities and towns, and have fallen victim to habitat loss and degradation due to urban sprawl and development, declines in insect populations, predation by outdoor pets, light pollution and window collision, and disturbance of nesting or roosting sites.

Hamilton has a diversity of birds visiting us or passing through each year (around 280 species!). Hamilton is adjacent to 3 Important Bird Areas (IBAs) as designated by Birds Canada. There is a very active and knowledgeable birding community in the Hamilton area, and birders come from afar to view our wild birds. The local ecotourism factor of birds should not be underestimated.

Not only do bird sightings and birdsong contribute positively to our mental health and get residents out for exercise, but birds also provide essential services such as pollination, insect and rodent control, and the dispersal of seeds. It is in our best interest to help them. Living in one of the most biodiverse regions of Canada, we feel it is our responsibility to act as responsible stewards to the local flora and fauna.

Hamilton's progress to date:

The City of Hamilton has already taken a number of initiatives that are considered bird friendly:

- Established a "no-roam" by-law for cats which helps to reduce the impact of cat predation on wild bird populations
- Established a leash by-law for dogs which helps to mitigate disturbance of birds from humans and their pets in natural areas

- Protected natural lands and greenspaces, and implemented nature-based climate solutions such as tree planting and wetland restorations
 - Restored the former Upper Ottawa Street Landfill Site to be suitable nesting habitat for Bobolinks (a threatened species)
 - Prohibited pesticide use on private property
 - Has initiated a Biodiversity Action Plan (*please note: Bird Friendly Hamilton Burlington is not a part of the Biodiversity Action Plan*)
 - On February 19, 2021, the City of Hamilton voted yes to move ahead with a strategy to reduce single use plastics. Plastic waste harms birds
 - On November 12, 2021, the City of Hamilton voted to hold the city's urban boundary
 - Hamilton has a public transit system with over 32 bus routes, urban and rural bike routes, and a bike share program, which helps to reduce CO2 emissions in our atmosphere and also helps to reduce the number of birds who become injured and/or die from collisions with vehicles
 - Was designated as a Bee City and continues to create new pollinator habitat alongside Hamilton Pollinator Paradise Project and Butterflyway Hamilton
 - Has several accessible bird watching locations including Bayfront Park, Chedoke Trail, Cootes Paradise Sanctuary, Dundurn Castle, Hamilton-Brantford Rail Trail, Hamilton Cemetery, Urquhart Butterfly Garden, and Windermere Basin
- In addition, the efforts of several organizations have contributed greatly to Hamilton's bird friendly status, such as Hamilton Naturalists' Club, Cootes to Escarpment Eco-Park System, RBG, Green Venture, Environment Hamilton, Hobbitstee, Hamilton Conservation Authority, and BARC, to name just a few.

Bird Friendly Hamilton Burlington's progress to date:

To name a few:

- **Hamilton's City Bird:** In early 2022, BFHB ran a public online poll, and the Peregrine Falcon was voted Hamilton's unofficial City Bird by Hamilton residents and those who work or go to school in Hamilton. (Selecting a City Bird earns points on the BFC scoring rubric.)

Perhaps you could support us by declaring the Peregrine Falcon Hamilton's official City Bird, which would be a great way to celebrate Hamilton's beloved Peregrine Falcons that nest on the 18th floor ledge of the Sheraton Hotel, and acknowledge Hamilton Falcon Watch's 25+ years in ensuring the safety of the Peregrine Falcon chicks that fledge from the nest ledge each spring into our urban environment

- **Fishing line waste receptacles:** In partnership with the City of Hamilton's Parks North Public Works Environmental Services, and Hobbitstee Wildlife Refuge, fishing line receptacles were installed at two locations at Bayfront Park: the boat launch and the fishway. Fishing line that has been littered or discarded in garbage cans puts birds at risk of entanglement, which often leads to injuries and/or death. The receptacles are regularly cleaned out by myself, and the

fishing line is sent to Berkley in Iowa which recycles the fishing line

- **Bird friendly plantings:** In partnership with the Community Permaculture Lab, a garden of beneficial plants to birds was established at Salvation Army's Ellen Osler Home in Dundas. We also donated a bird identification guide to be used by residents

What Hamilton still needs to achieve:

There is still work we need to do collectively, around such areas as:

- **A Council resolution & liaison:** Passing a council resolution supporting Hamilton being a Bird Friendly City (a mandatory requirement in maintaining certification), and designating a liaison from the City to act as a main point of contact for our group, for periodic communications
- **City BFC webpage:** Certification also requires that the City have a webpage available on its website that gives general information about being a Bird Friendly City. Our BFHB team can draft up webpage content for consideration by the City
- **World Migratory Bird Day:** Help us celebrate [WMBD](#) on the 2nd Saturday of each May (May 13, 2023). This can be done by social media amplification of the occasion, to help raise awareness of this special time of year, or supporting any events we may plan
- **Bird friendly buildings:** Incentivizing new developments to adopt bird friendly building measures, through design, window markings, and landscaping to prevent collisions. The primary hazard with buildings is birds seeing reflected habitat (trees, bushes) and sky in windows and glass railings -- this mainly occurs from the ground level up to a height of 16 m (as per Toronto's and Markham's progressive guidelines)

Please note: We believe that Ontario's *More Homes Built Faster Act 2022* has impacted a municipality's ability to enforce bird friendly building design requirements, so several organizations, including Bird Friendly Hamilton Burlington and FLAP, are advocating for bird friendly building design requirements at the federal level

We hope that the City of Hamilton can lead by example by incorporating bird friendly glass into any new City buildings (as Burlington has done in recent years), and consider treating windows of some existing City buildings with readily available marking kits. (Note: bird silhouette decals aren't deemed to be effective, as they leave too many gaps of untreated glass)

- **Lights Out during migration:** Adopting a light pollution reduction strategy and supporting actions to reduce light pollution, particularly during spring and fall

migration seasons. Assist us by helping amplify our social media messaging around this topic. Ensure City-owned buildings are not leaving non-essential lighting on at night. To learn more about Toronto's Lights Out program, visit: [Lights Out Toronto - Saving Birds | BirdNote](#)

- **Tree protection:** Implementing a private tree by-law in the City of Hamilton and help protect Hamilton's urban tree canopy. Encouraging leaving dead trees (snags) standing when safe to do so, for bird habitat, and leading by example on city-owned property

Summary:

Our BFHB team is quite capable of doing a lot of the work required to maintain and possibly elevate Bird Friendly City status for Hamilton, but we can't do it alone. We need the support of the City of Hamilton in some areas. We are mindful that City Councillors and City Staff have significant workloads, and we aim to minimize any added work from the BFC program, by doing a lot of the 'leg work' ourselves where possible (eg. draft web page creation, draft Council resolution).

While the City of Hamilton has embarked on a Biodiversity Action Plan for Hamilton, which we think is great, please note that the Bird Friendly City program is a separate initiative with its own specific requirements in order to maintain certification, such as a Council resolution of support, which we hope to foster with Council soon. If we don't meet some of those specific requirements, Hamilton could lose BFC certification, which would be unfortunate.

We look forward to further discussions and working with you. Together, we can help safeguard birds and achieve the highest level of certification. This is good for birds, and good for Hamilton!

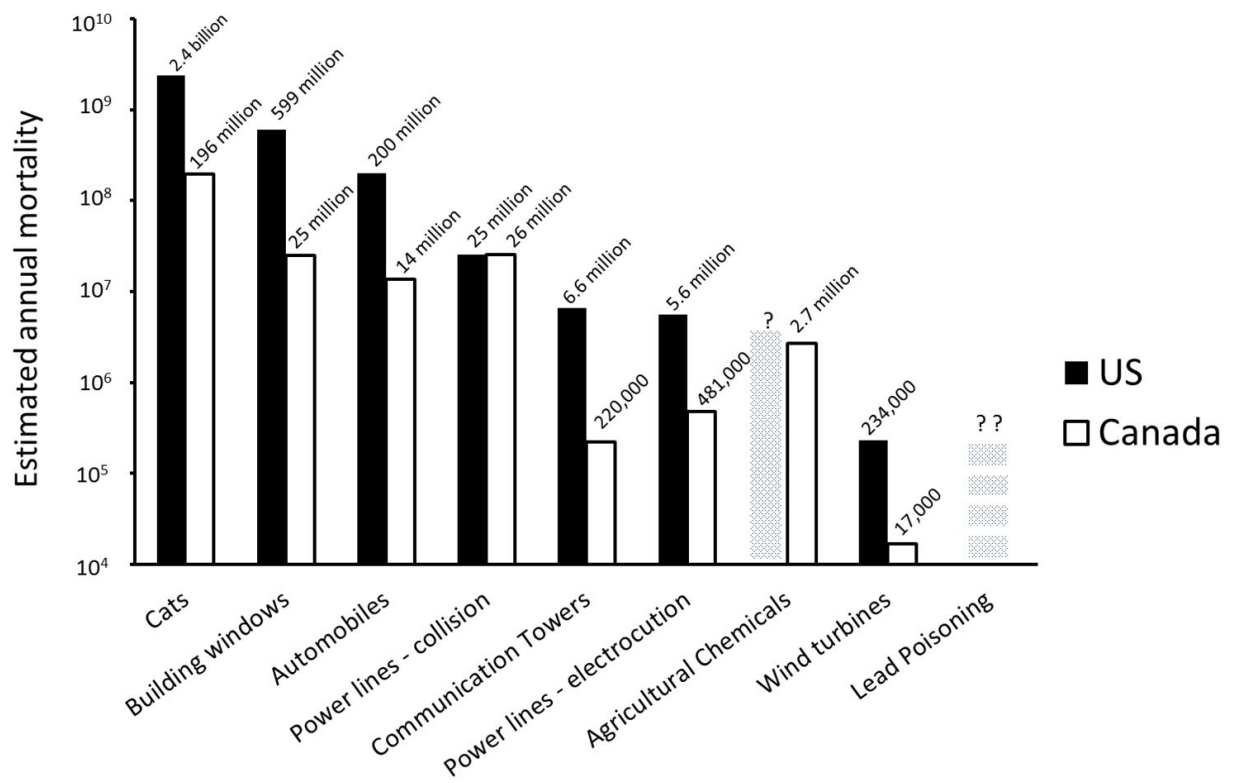
I'd be happy to answer any questions you may have. To add, we are deeply appreciative of the expression of support we have received from several city councillors thus far.

Sincerely,

Sara Shwadchuck
Hamilton Resident (Ward 2)
Co-chair, Bird Friendly Hamilton Burlington

Resources:

- Nature Canada BFC program: <https://naturecanada.ca/bfc/>
- Our website: [Bird Friendly Hamilton Burlington](#)
- Our Facebook page: <https://www.facebook.com/Bird-Friendly-Hamilton-Burlington-103900488416817/>
- Our Twitter page: <https://twitter.com/BFCHamBurl>
- Our Instagram page: [Bird Friendly Ham-Burl \(@birdfriendly.hamburl\)](#)



**Ministry of
Municipal Affairs
and Housing**

Office of the Minister

777 Bay Street, 17th Floor
Toronto ON M7A 2J3
Tel.: 416 585-7000

**Ministère des
Affaires municipales
et du Logement**

Bureau du ministre

777, rue Bay, 17^e étage
Toronto ON M7A 2J3
Tél. : 416 585-7000



5.5

234-2023-711

February 13, 2023

Your Worship
Mayor Andrea Horwath
City of Hamilton
City Hall, 71 Main Street West,
Hamilton ON L8P 4Y5

andrea.horwath@hamilton.ca

**Subject: Municipal Housing Targets and Municipal Housing Pledges
City of Hamilton: 47,000**

Dear Mayor Horwath,

I would like to congratulate you on your election in the City of Hamilton last fall. With last year's municipal and provincial elections now behind us, Ontarians are counting on us to work together productively and build a relationship of trust that delivers for the people we represent.

The lack of housing supply has become one of the defining issues in Ontario today, and I know it was just as prevalent in last year's municipal elections as it was for those of us on the provincial level.

Our government is taking bold and transformative action to get 1.5 million homes built by 2031.

That's why, last October, our government introduced our More Homes Built Faster Plan. The plan contains practical measures that will have a real impact on our communities, reduce costs for homebuyers, and encourage the development of more housing supply.

These measures included municipal housing targets and pledges. While municipalities have taken significant steps in increasing the housing supply, our government requires a commitment from our municipal partners to take extra effort in providing housing for future population growth.

To implement the 1.5 million homes target, large and fast-growing municipalities, including yours, are being assigned a **Municipal Housing Target**. Via your municipal Clerk in last October, I asked the City of Hamilton to demonstrate your commitment to accelerating housing supply by developing a **Municipal Housing Pledge** and taking the

necessary steps to facilitate the construction of 47,000 new homes in your community by 2031.

I would like to inform you that the Ministry of Municipal Affairs and Housing is extending the deadline for the submission of municipal housing pledges from March 1, 2023, to March 22, 2023, in response to requests from some of our municipal partners.

As I stated in my previous letter, pledges will provide important information that showcases the strategies and actions that municipalities choose to adopt in order to prioritize and accelerate housing. Our government intends to use your pledges to monitor and track progress so we can continue to play a role in supporting municipalities and removing barriers to housing development. Please see the information sheet attached again to this letter for information and considerations in developing a Municipal Housing Pledge.

We are committed to addressing the policy and implementation barriers you may encounter as you develop your pledges and I encourage you to reach out to Wendy Ren, Executive Lead, Municipal Policy/Program Collaboration, at Wendy.Ren@ontario.ca or 437-995-7094, if you have any questions, comments, or suggestions.

Please acknowledge receipt of the letter to Wendy Ren as well.

I look forward to working together to increase housing supply for all Ontarians.

Sincerely,



Steve Clark
Minister

Encl.

c: Kate Manson-Smith, Deputy Minister
Ryan Amato, Chief of Staff, Minister's Office
Michael Parsa, Associate Minister of Housing
Joshua Paul, Assistant Deputy Minister, Housing Division
Sean Fraser, Assistant Deputy Minister, Planning and Growth Division
Wendy Ren, Executive Lead, Municipal Policy/Program Collaboration
Janette Smith, CAO
Andrea Holland, City Clerk

Info Sheet: Considerations in Developing Municipal Housing Pledge

The pledge is not intended to be a land-use planning document, and its development should not require external technical expertise. The format and language used in the pledge should be accessible to the general public. The pledge is intended to be approved by municipal councils and should help codify Council's commitment to meeting their municipal housing target.

Municipalities can leverage new and existing policy tools as they develop housing pledges and work towards their housing targets.

Below is a non-exhaustive list of potential strategies and actions that municipalities may include in developing their housing pledges. There may be additional opportunities based on local circumstances and the Province is interested in hearing about those ideas and creative solutions.

- Strategies to encourage and promote gentle intensification to enable and expedite additional residential units in existing residential areas
- Outline ways in which funding under provincial programs, such as the Streamline Development Approval Fund (SDAF) or Municipal Modernization Program (MMP), has been used to streamline existing municipal development approval processes
- Information on municipal development approval timelines and whether municipalities are being appealed for non-decisions
- Identify potential measures where current lack of infrastructure capacity (e.g., water/wastewater servicing) may limit future housing development
- Strategies to use municipal surplus lands
- Commitment to plan for, fund, and approve (where applicable) specific critical municipal infrastructure to support growth and new housing (e.g., water, wastewater, transit etc.), which may include expanded capacity as well as fully new facilities/assets
- Priorities for strategic and site-specific planning decisions to expedite housing in priority areas (e.g., around transit stations and in transit-serviced areas)
- Update zoning by-laws to permit a greater range of housing to be built without the need for costly and lengthy rezoning applications
- Municipalities may also consider existing tools such as the Community Infrastructure and Housing Accelerator, [Community Planning Permit System](#), Major Transit Station Areas, and Protected Major Transit Station Areas.

Below are some of the potential components of a municipal housing pledge. Municipalities are free to choose, alter, or add any new components that seem reasonable. Pledges can be represented in the form of plain text, tables, charts, maps, or a combination of them.

- Municipal Housing Target
- Planned and proposed Municipal Initiatives
- Initiative Owner and Additional Stakeholders
- Context and Description of How Initiative Accelerates Housing
- Number of units per initiative and housing type
- Considerations (Barriers, Implementation, Risks, etc.)
- Potential Mitigation Strategies and Proposal to Accelerate Housing
- Potential Reporting and Monitoring Measures

The deadline for municipalities to submit housing pledges to the Minister of Municipal Affairs and Housing is March 1, 2023.

Municipal housing pledges are intended to be public documents and it's anticipated that municipalities will post them online.

Municipalities can contact Ministry staff with any questions and for clarification.

Pilon, Janet

Subject: AMO Board of Directors Applications due February 10

From: AMO Communications <Communicate@amo.on.ca>

Sent: February 7, 2023 9:01 AM

To: clerk@hamilton.ca

Subject: Final Reminder: AMO Board of Directors Applications due February 10



February 7, 2023

Final Reminder: AMO Board of Directors Applications due February 10

AMO is soliciting applications from qualified candidates for the 2022 - 2024 AMO Board of Directors. The vacancies remain following the AMO Board Elections held in August 2022 and the recent municipal elections. The vacant positions are:

- County Caucus: Two (2) vacant municipal elected official positions; One (1) vacant municipal staff position
- Regional & Single Tier Caucus: Two (2) vacant municipal elected official positions
- Rural Caucus: One (1) vacant municipal elected official position
- Small Urban Caucus: One (1) vacant municipal staff position

The [2022 – 2024 AMO Board of Directors Call for Applications package](#) includes:

- A summary of current vacancies for which expressions of interest will be received;
- A summary of the qualifications to serve on the Board of Directors;
- An overview of the process for filling the vacancies;
- An estimate of the annual time commitment required to serve on the AMO Board of Directors and for those who will then serve on the AMO Executive Committee; and
- The application form.

Qualifications

From the [AMO By-Law No. 2](#) Part 3, Directors shall:

- be an individual of eighteen (18) or more years of age;
- be an elected official of a Member Municipality or an employee of a Member Municipality of the Corporation;
- not be an undischarged bankrupt; and
- not be declared incapable.

Please note the following:

- To provide the broadest representation possible, AMO By-law No. 2 stipulates that a member municipality can only have one representative on the Board unless another representative is on the Board as an appointed official from a municipal group. Please see the [AMO Board](#) webpage for a current list of Board members and their municipality.
- In filling any vacancy, the Board and Caucuses are required to be mindful of the need for broad geographic representation and gender representation.

Submission

A completed application and supporting material must be received no later than **12:00 p.m. (noon) Friday, February 10, 2023**. Late or incomplete submissions will not be accepted beyond that time and date.

Please forward a completed Application Form to the Association via email amoelections@amo.on.ca or fax at (416) 971-6191 or mail to the attention of Brian Rosborough, Executive Director. Scans and photographic images of documents are acceptable.

If you have any questions regarding this information, please contact Brian Rosborough, Executive Director at (416) 971-9856, ext. 362, e-mail brosborough@amo.on.ca or Adam Garcia, Manager, Executive Office, ext. 356, email agarcia@amo.on.ca.

*Disclaimer: The Association of Municipalities of Ontario (AMO) is unable to provide any warranty regarding the accuracy or completeness of third-party submissions. Distribution of these items does not imply an endorsement of the views, information or services mentioned.



Please consider the environment
before printing this.

Association of Municipalities of Ontario
200 University Ave. Suite 801, Toronto ON Canada M5H 3C6

Wish to Adjust your AMO Communication Preferences ? [Click Here](#)



Pilon, Janet

Subject: The 3-3-3 Chart (3 groups of people, 3 types of funding, 3 housing types) by Joanne Dallman

From: Joanne Dallman

Sent: February 9, 2023 5:22 PM

To: Mayor & Council for Ottawa <Mark.Sutcliffe@ottawa.ca>; Mayor & Council Greater Sudbury <mayor@greatersudbury.ca>; Office of the Mayor <Officeofthe.Mayor@hamilton.ca>; Mayor & Council in London ON <mayor@london.ca>; Mayor & Council Kingston <mayor@cityofkingston.ca>; Mayor & Council Simcoe <officeofthemayor@norfolkcounty.ca>; Mayor and Council for Windsor <mayoro@citywindsor.ca>; Mayor and Council of Toronto <mayor_tory@toronto.ca>; Mayors, Councils and Chair Halton Region (Burlington, Halton Hills, Milton, Oakville) <executiveservices@milton.ca>; Mayors, Councils and Chair Halton Region (Burlington, Halton Hills, Milton, Oakville) <gary.carr@halton.ca>; Mayors, Councils and Chair Halton Region (Burlington, Halton Hills, Milton, Oakville) <mayor@burlington.ca>; Mayors, Councils and Chair Halton Region (Burlington, Halton Hills, Milton, Oakville) <mayor@haltonhills.ca>; Mayors, Councils and Chair Halton Region (Burlington, Halton Hills, Milton, Oakville) <mayor@oakville.ca>; Regional Chair & Council of Waterloo <KRedman@regionofwaterloo.ca>; Regional Chair, Mayors & Council for the Durham Region <chair@durham.ca>; Regional Chair, Mayors & Council of the Niagara Region <jim.bradley@niagararegion.ca>; Regional Chair, Mayors and Council for the Peel Region <nando.iannicca@peelregion.ca>; Regional Chair, Mayors and Council for the York Region <regional.chair@york.ca>

Subject: The 3-3-3 Chart (3 groups of people, 3 types of funding, 3 housing types) by Joanne Dallman

To the Mayors and Councils of Ontario:

Housing is required for various socio-economic groups all across Canada and we can begin to address the issue by thinking in terms of "The 3-3-3 Chart" (Please see attached file). A broad approach to housing in any town or city should involve: 1). Providing appropriate shelter for the homeless, 2). Housing for vulnerable individuals, such as teenagers aging out of the foster system or seniors, and 3). Providing housing for those of a modest income who would like to invest in a new home.

The 3-3-3 Chart shows how these 3 categories of housing are funded. There is 1). Government funding like the Rapid Housing Initiative to house the homeless, 2). The Rapid Housing Initiative, the Ministry of Housing, Community Housing Organizations, and Private Investors might provide housing for low income people at risk of homelessness, and 3). Builders and Investors interested in creating new housing might produce Tiny Home Villages given the right circumstances.

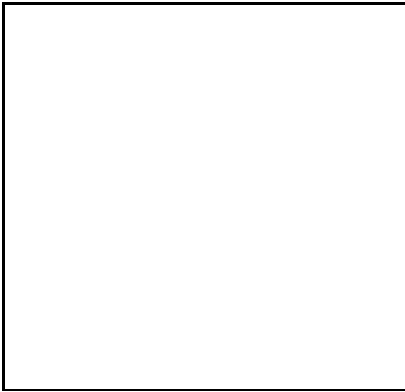
With the additional funding, through the Rapid Housing Initiative, it is possible to create housing of all 3 types simultaneously. Personally, I'd like to see the following:

- The building of a temporary homeless shelter, akin to the [Victoria BC Russell St Shelter](#), with all the appropriate facilities and staff required when housing residents with mental health and addiction issues ([see Facilities](#)).
- The creation of several tiny villages of Sleep Units, akin to the [Duncan BC modular units](#), but with all the appropriate facilities and staff required when housing residents with mental health and addiction issues.
- The refurbishment and/or renovation of buildings which are presently vacant, like hotels and nursing homes, into small apartments or congregate living facilities (see [Nanaimo's "The Dwelling Place"](#)).
- Encourage governments at all levels to support changes in zoning and also provide incentives for the creation of new types of housing, such as fully equipped tiny homes in-situ (subdivisions of unique, beautiful and well-built tiny homes).

- Plan to build a permanent homeless shelter, with 24/7 living accommodations such as "Pods" (with doors). Equip it with all the appropriate facilities and staff required when housing residents with mental health and addiction issues ([see Facilities](#)).

Our downtowns, in many cities of Canada, have gradually changed to become unsafe for all of its citizens. It will take time to recreate the downtown areas - to make them safe and accessible for all. And if we think in terms of providing "a hand up, and not a hand out", then it becomes a win-win situation for everyone!

Thank you,
Joanne Dallman



[Tiny Home Project Website \(Click Here\)](#)

Joanne Dallman

The 3-3-3 Chart

3 Groups of People	3 Types of Funding	3 Housing Types
<p><u>No income or low income.</u> <u>Homeless</u> (often with mental health and addiction issues).</p>	<p><u>Rapid Housing Initiative</u> Cities Stream Projects Stream</p> <p>Projects to be completed in 18 months.</p>	<p><u>Sleeping units of various types</u></p> <ul style="list-style-type: none"> ● “Pods” (Victoria BC Russell St Shelter). ● Cabin or modular units (Duncan BC). ● Boxcar units (Victoria BC “Tiny Town.”) <p>Shared toilets, showers & laundry.</p>
<p><u>Low income people at risk of homelessness</u></p> <p><u>Note:</u> “The Dwelling Place” model could be utilized for:</p> <ul style="list-style-type: none"> - Teenagers aging out of the foster system - Vulnerable seniors - Other groups based on age and ability. 	<p><u>Rapid Housing Initiative.</u> <u>Housing Ministry (BC Housing).</u> <u>Community Housing Organizations</u> such as Pacifica Housing and the Connective Support Society in Nanaimo (formerly The John Howard Society). <u>Private Investor.</u></p>	<p><u>Rentals geared to income</u></p> <ul style="list-style-type: none"> ● Self-contained apartments. ● Congregate housing (Nanaimo BC “The Dwelling Place”). ● Tiny homes (Fredericton NB “12 Neighbours”). <p><u>Note:</u> “The Dwelling Place” in Nanaimo is a refurbished adult care centre adapted to house vulnerable seniors. Each person has a private bedroom with a 2-piece BR. Shared showers, laundry, kitchen, dining room, TV lounge and outdoor common areas.</p>
<p><u>People of modest income</u> wanting to buy a beautiful, quality home, which will increase in value over time and is something they can afford (\$250,000-\$300,000). Tiny homes ranging from 500 sq ft - 750 sq ft. One or 2-story.</p>	<p><u>Builders/ Investors</u> One could include persons of wealth who might be interested in investing in the creation of a tiny home village</p>	<p><u>Tiny homes for purchase</u> with full bathroom and kitchen meant to stay in-situ (not on wheels or chassis). Ideally the village of homes would share a central common space where there would reside a children’s play area and a covered picnic area.</p>

Pilon, Janet

Subject: Board of Health

From: Nolan, Tim

Sent: February 15, 2023 10:25 AM

To: clerk@hamilton.ca

Cc: Nolan, Tim

Subject: Board of Health

Hello

If the message below can be distributed to all members of City Council for their February 22, 2023 Council meeting it would be appreciated.

Please advise of any questions or other instructions in order to communicate directly with Council.

With appreciation,

Tim Nolan

Accessibility Hamilton Alliance

accessibilityhamilton@gmail.com

February 15, 2023

To Mayor and Members of Council,

Re: Hamilton Board of Health

My name is Tim Nolan and I write on behalf of the Accessibility Hamilton Alliance (AHA) and its supporters. The AHA promotes full accessibility for seniors, persons with disabilities and taxpayers in the City of Hamilton and beyond.

AHA supports the position to put a pause on the conversion of the Hamilton Board of Health into a framework proposed by Councillor Kroetsch simply because it should look like that of Ottawa or Toronto.

Accessibility over the past few years has been subsumed under the Equity Diversity and Inclusion (EDI) framework. Yet the proposed Health Board conversion does little more for disability or accessibility than to permit the submission of a question for consideration of a Board selection panel. While other EDI classifications have been included in the current proposed framework by Councillor Kroetsch disability and seniors are noticeably absent.

Persons with disabilities and seniors rely upon the health care industry in many ways and for many reasons, not solely because of disability. As such, persons with disabilities and seniors are heavily vested in the health care industry. For this reason, and more, seniors and persons with disabilities must be represented at both the selection panel and at the Board of Health itself.

There is no question that, in the past, groups represented under the EDI framework have not been well represented at the community level, though that is changing. However, as EDI matters progress in their importance and representation disability is beginning to lag behind. Therefore, the Accessibility Hamilton Alliance is asking that:

Should Council move to have staff report on this subject, that persons with disabilities and seniors be fully consulted by staff on both the Board composition and selection process and that the staff report adequately reflect that consultation;
OR,

Should Council decide to proceed with the motion of Councillor Kroetsch that this motion be amended to include persons with disabilities and seniors on both the selection panel and the Board of Health itself.

I would be more than pleased to respond to any questions or concerns you may have with this request.

Kind regards,

Tim Nolan
Accessibility Hamilton Alliance
accessibilityhamilton@gmail.com



BOARD OF HEALTH REPORT 23-002

9:30 a.m.

Monday, February 13, 2023

Council Chambers, City Hall, 2nd Floor
71 Main Street West, Hamilton, Ontario

Present:	Mayor A. Horwath (Chair) Councillors J. Beattie, C. Cassar, B. Clark, J.P. Danko, M. Francis, T. Hwang, T. Jackson, C. Kroetsch, N. Nann, T. McMeekin, E. Pauls, M. Tadeson, A. Wilson
Absent with Regrets:	Councillors M. Spadafora, M. Wilson - Personal

THE FOLLOWING ITEMS WERE REFERRED TO COUNCIL FOR CONSIDERATION:

1. **Consumption and Treatment Services Site Application Process (BOH23007) (City Wide) (Item 9.1)**
 - (a) That Report BOH23007, respecting Consumption and Treatment Services Site Application Process, be received.
 - (b)
 - (i) That the application from The AIDS Network for a second Consumption and Treatment Services site located at 746 Barton Street, be endorsed;
 - (ii) That Hamilton Public Health staff partner with community agencies currently applying to operate Consumption and Treatment Services in Hamilton, specifically to provide active support in the areas of community engagement, site confirmation, an evaluative framework, and develop an open data program that demonstrates the community impact of consumption treatment services in Hamilton; and
 - (iii) That staff be directed to provide an evaluative framework with open data that demonstrates the community impact of Consumption and Treatment Services operations in Hamilton Community Engagement.

2. Physician Recruitment and Retention Steering Committee Report 23-001 – February 10, 2023 (Item 9.3)

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

(a) Appointment of Chair

That Councillor Tadeson be appointed as Chair of the Physician Recruitment and Retention Steering Committee for the balance of the 2018-2022 term of Council.

(b) Appointment of Vice-Chair

That Councillor Hwang be appointed as Vice-Chair of the Physician Recruitment and Retention Steering Committee for the balance of the 2018-2022 term of Council.

(ii) Working Group of the Physician Recruitment and Retention Steering Committee Report 23-001, February 10, 2023 (Item 10.1)

(a) Summary Report Regarding Proposal to Transfer Program into the Greater Hamilton Health Network (Item 10.1)

That the Summary Report Regarding Proposal to Transfer Program into the Greater Hamilton Health Network, attached hereto as Appendix A, be received.

3. Substance Use and Addiction Program Funding – Harm Reduction Outreach Project (BOH23006) (City Wide) (Item 10.1)

That the Board of Health authorize and direct the Medical Officer of Health to:

- (i) Receive, utilize and report on funding from Health Canada's Substance Use and Addictions Program to fund a collaborative Harm Reduction Outreach Project between Public Health Services' Mental Health and Street Outreach Program and The AIDS Network;
- (ii) Enter into an agreement between the City of Hamilton, Public Health Services, and Health Canada to receive the funding for the Harm Reduction Outreach Project, satisfactory in form to the City Solicitor; and,
- (iii) Enter into a collaborative agreement with The AIDS Network to provide Harm Reduction Outreach staff to implement services in the Harm Reduction Outreach Project, satisfactory in form to the City Solicitor.

4. Advancing a Whole-Community Harm Reduction Framework (Item 11.1)

WHEREAS, The geographic analysis of opioid-related deaths across Ontario shows that larger urban centres, including Hamilton, exhibited the largest increase in both rates and in the absolute number of cases of opioid-related deaths during the pandemic;

WHEREAS, Between 2005 and 2021, Hamilton had a higher rate of opioid-related deaths than the provincial average;

WHEREAS, Opioid-related deaths continue to rise year-after-year in Hamilton. In 2019, 106 Hamilton deaths are probable or confirmed to be opioid-related. In 2020, those numbers increased to 128 and in 2021, those numbers increased to 170;

WHEREAS, From June 2021 to May 2022, 29 deaths in the Hamilton homeless population were reported. 16 of those deaths were reported to be overdose-related and 30% died while accessing shelter;

WHEREAS, There is a need for sustained funding to maintain harm reduction services including safer use spaces;

WHEREAS, Adequately funded harm reduction services would create cost-savings to other municipal and frontline services;

WHEREAS, The YWCA Hamilton has been operating a safer use space since late April 2022 to present. As of January 19, 2023, the program has served 176 unique guests and successfully reversed 34 drug poisonings. There have been zero calls made to police and one call made to EMS that did not require transfer to hospital;

WHEREAS, The meaningful engagement and involvement of people with lived and living experience of drug use and homelessness is vital;

WHEREAS, The City of Hamilton has a responsibility to implement policies and programs designed to urgently address the increase in opioid-related mortality, including providing access to evidence-based harm reduction services across the City, including in the houseless serving sector; and,

THEREFORE, BE IT RESOLVED:

- (a) That City staff be directed to provide quarterly reports on overdoses tracked by EMS and all deaths related to toxic drugs to the Board of beginning in Q2 2023; and
- (b) That City staff be directed to:

- (i) Convene with local stakeholders, including people with lived and living experience, health, and drug policy experts, to develop an evidence-based harm reduction action plan for the purpose of addressing high rates of opioid-related deaths with a completion and report back to the Board of Health on June 12, 2023; and
- (ii) That these consultations and action plan specifically consider how to implement safer use spaces and other evidence-based harm reduction strategies both in the City and in the Houseless serving sector.

FOR INFORMATION:

(a) CHANGES TO THE AGENDA (Item 2)

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

5. COMMUNICATIONS

- 5.2 Correspondence from John Sudak respecting a Consumption and Treatment Services Site at 746 Barton Street, Hamilton.

6. DELEGATION REQUESTS

- 6.6 Daniel Freiheit, respecting the Prevention of Future Emergency Declarations Regarding the Opioid Crisis in Hamilton (for today's meeting)
- 6.7 Dr. Claire Bodkin, HAMSMaRT respecting Safe Use in Shelter and the Need for a Second Consumption and Treatment Services Site (for today's meeting)
- 6.8 Scott Gervais, respecting Safe Use Spaces in Hamilton Shelters (for today's meeting)
- 6.9 Walter Furlan, respecting Opposition to the Proposed Consumption and Treatment Services Site (for today's meeting)

9. CONSENT ITEMS

- 9.3 Physician Recruitment and Retention Steering Committee Report 23-001 – February 10, 2023

The agenda for the February 13, 2023 Board of Health was approved, as amended.

(b) DECLARATIONS OF INTEREST (Item 3)

There were no declarations of interest.

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

(i) January 16, 2023 (Item 4.1)

The Minutes of the January 16, 2023 meeting of the Board of Health were approved, as presented.

(d) COMMUNICATIONS (Item 5)

(i) The following items were approved, as presented:

- (a) Correspondence from Loretta Ryan, Executive Director, Association of Local Public Health Agencies (alPHa), respecting Program Update and Speaker Line-Up for the alPHa Winter Symposium and Section Meetings (Item 5.1)

Recommendation: Be received

- (b) Correspondence from John Sudak respecting a Consumption and Treatment Services Site at 746 Barton Street, Hamilton.

Recommendation: Be Received.

(e) DELEGATION REQUESTS (Item 6)

(i) The following Delegation Requests for the February 13, 2023 Board of Health meeting, were approved:

- (i) Steven Roman Soos, respecting Declaring a State of Emergency for Opioid Overdoses and Death in the City of Hamilton (Item 6.1)

- (ii) Tim McClemon, The AIDS Network, respecting Support for the AIDS Network's Application to Operate a Proposed Consumption Treatment Services Program at 746 Barton Street East, Hamilton (Item 6.2)

- (iii) Olivia Mancini, Canadian Drug Policy Coalition, respecting Safer Use Spaces in Shelters (Item 6.3)
- (iv) Marcie McIlveen, Hamilton Social Medicine Response Team (HAMSMaRT), respecting Safe Use in Shelter and the Need for a Second Consumption and Treatment Services Site (Item 6.4)
- (v) Kim Ritchie, Canadian Drug Policy Coalition: Harm Reduction Working Group, respecting the Prevention of Overdose Related Deaths for those Experiencing Homelessness (Item 6.5)
- (vi) Daniel Freiheit, respecting the Prevention of Future Emergency Declarations Regarding the Opioid Crisis in Hamilton (Added Item 6.6)
- (vii) Dr. Claire Bodkin, HAMSMaRT respecting Safe Use in Shelter and the Need for a Second Consumption and Treatment Services Site (Added Item 6.7)
- (viii) Scott Gervais, respecting Safe Use Spaces in Hamilton Shelters (Added Item 6.8)
- (ix) Walter Furlan, respecting Opposition to the Proposed Consumption and Treatment Services Site (Added Item 6.9)

(f) DELEGATIONS (Item 7)

The following Delegations addressed the Board:

- (i) Steven Roman Soos addressed the Board respecting Declaring a State of Emergency for Opioid Overdoses and Death in the City of Hamilton (Item 7.1)
- (ii) Tim McClemon, The AIDS Network, addressed the Board respecting Support for the AIDS Network's Application to Operate a Proposed Consumption Treatment Services Program at 746 Barton Street East, Hamilton (Item 7.2)
- (iii) Olivia Mancini, Canadian Drug Policy Coalition, addressed the Board respecting Safer Use Spaces in Shelters (Item 7.3)
- (iv) Marcie McIlveen, Hamilton Social Medicine Response Team (HAMSMaRT), addressed the Board respecting Safe Use in Shelter and the Need for a Second Consumption and Treatment Services Site (Item 7.4)

- (v) Kim Ritchie, Canadian Drug Policy Coalition: Harm Reduction Working Group, addressed the Board respecting the Prevention of Overdose Related Deaths for those Experiencing Homelessness (Item 7.5)
- (vi) Daniel Freiheit, respecting the Prevention of Future Emergency Declarations Regarding the Opioid Crisis in Hamilton (Added Item 7.6)
- (vii) Dr. Claire Bodkin, HAMSMaRT respecting Safe Use in Shelter and the Need for a Second Consumption and Treatment Services Site (Added Item 7.7)
- (viii) Scott Gervais, respecting Safe Use Spaces in Hamilton Shelters (Added Item 7.8)
- (ix) Walter Furlan, respecting Opposition to the Proposed Consumption and Treatment Services Site (Added Item 7.9)

The following delegations, were received:

- (i) Steven Roman Soos, respecting Declaring a State of Emergency for Opioid Overdoses and Death in the City of Hamilton (Item 7.1)
- (ii) Tim McClemon, The AIDS Network, respecting Support for the AIDS Network's Application to Operate a Proposed Consumption Treatment Services Program at 746 Barton Street East, Hamilton (Item 7.2)
- (iii) Olivia Mancini, Canadian Drug Policy Coalition, respecting Safer Use Spaces in Shelters (Item 7.3)
- (iv) Marcie McIlveen, Hamilton Social Medicine Response Team (HAMSMaRT), addressed the Board respecting Safe Use in Shelter and the Need for a Second Consumption and Treatment Services Site (Item 7.4)
- (v) Kim Ritchie, Canadian Drug Policy Coalition: Harm Reduction Working Group, addressed the Board respecting the Prevention of Overdose Related Deaths for those Experiencing Homelessness (Item 7.5)
- (vi) Daniel Freiheit, respecting the Prevention of Future Emergency Declarations Regarding the Opioid Crisis in Hamilton (Added Item 7.6)
- (vii) Dr. Claire Bodkin, HAMSMaRT respecting Safe Use in Shelter and the Need for a Second Consumption and Treatment Services Site (Added Item 7.7)
- (viii) Scott Gervais, respecting Safe Use Spaces in Hamilton Shelters (Added Item 7.8)

- (ix) Walter Furlan, respecting Opposition to the Proposed Consumption and Treatment Services Site (Added Item 7.9)

(g) STAFF PRESENTATIONS (Item 8)

(i) Board of Health Governance Education Session (Item 8.1)

Karima Kanani, Partner, Miller Thomson LLP addressed the Board with a Presentation respecting the Board of Health Governance Education Session.

The presentation by Karima Kanani, Partner, Miller Thomson LLP respecting the Board of Health Governance Education Session, be received.

(ii) Respiratory Diseases Update (Item 8.2)

The Presentation respecting a Respiratory Diseases Update, was waived and received.

Upon further consideration, the members of the Board noted that the presentation respecting a Respiratory Diseases Update would be beneficial to the Board members and to the public, and it was therefore:

The Presentation respecting a Respiratory Diseases Update, be DEFERRED to the Board of Health meeting on March 20, 2023.

(h) CONSENT ITEMS (Item 9)

(i) Opioid Emergency Response (BOH23008) (City Wide) (Item 9.2)

That Report BOH23008, respecting Opioid Emergency Response, be DEFERRED to the Board of Health meeting on March 20, 2023.

The Board of Health recess at 1:55 p.m. for 10 minutes.

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

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

The following amendments to the Outstanding Business List, was approved, as amended:

(a) Items Requiring New Due Dates:

1. Municipal Actions to Reduce harms Associated with Alcohol Use (BOH19032)
OBL Item: 2019-V
Current Due Date: On Hold Due to COVID-19
Proposed New Due Date: July 2023
2. Child & Adolescent Services 2021-2022 Budget & Base Funding Increase of Five Percent (BOH21010)
OBL Item: 2021-G
Current Due Date: On Hold Due to COVID-19
Proposed New Due Date: April 2023

(b) Items Considered Complete and Needing to be Removed:

1. Consumption and Treatment Services and Wesley Day Centre (Referred to the Board of Health from the Emergency and Community Services Committee on June 19, 2020)
OBL Item: 2020-I
2. Correspondence from Anita Dubeau, Board of Health Chair, Simcoe Muskoka District Health Unit, respecting a Response to the Opioid Crisis in Simcoe Muskoka and Ontario-Wide
OBL Item: 2022-D
3. Correspondence from the Timiskaming Health Unit, respecting Decriminalization of Personal Possession of Illicit Drugs
OBL Item: 2022-F
4. Matters related to the Respiratory Disease Update
Date Completed: January 16, 2023 (BOH Report 23-001 - Item 2)
OBL Item: 2022-G
5. Opioid Emergency Response
OBL Item: 2023-A
Opioid Emergency Response (BOH23008) (City Wide) DEFERRED to March 20, 2023 meeting.

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

There being no further business, the Board of Health be adjourned at 2:36 p.m.

Respectfully submitted,

Mayor Andrea Horwath,
Chair, Board of Health

Loren Kolar
Legislative Coordinator
Office of the City Clerk



**PUBLIC WORKS COMMITTEE
REPORT 23-002**

2:00 p.m.

Monday, February 13, 2023

Council Chambers

Hamilton City Hall

71 Main Street West

Present: Councillors J. Beattie, C. Cassar, J. P. Danko, M. Francis, T. Jackson, C. Kroetsch, T. McMeekin, N. Nann, E. Pauls, A. Wilson

Absent Councillor M. Spadafora – personal
with Regrets: Councillor M. Wilson – personal

**THE PUBLIC WORKS COMMITTEE PRESENTS REPORT 23-002 AND
RESPECTFULLY RECOMMENDS:**

1. Burlington Street Sewage Spill Update (PW22088(a)) (City Wide) (Item 8.1)

- (a) That the General Manager, Public Works be directed to notify the Mayor and City Council members via e-mailed Communication Update with the submission of all responses to the Provincial Officer's Order Number 1-142403769 (the Order) issued by the Ministry of the Environment, Conservation and Parks (MECP), at the same time that the responses to the Order are submitted to the MECP;
- (b) That the General Manager, Public Works be directed to publish all responses to the Provincial Officer's Order Number 1-142403769 (the Order) issued by the Ministry of the Environment, Conservation and Parks to the City of Hamilton website for public availability;
- (c) That the General Manager, Public Works be directed to prepare a report to the Public Works Committee, following the submission of all responses to the Provincial Officer's Order Number 1-142403769 (the Order) issued by the Ministry of the Environment, Conservation and Parks, that identifies all program changes resulting from the Order including financial and staffing requirements;

- (d) That Appendix "A" attached to Public Works Committee Report 23-002 respecting Hamilton Water Sewage Spills Communications Guideline be approved for implementation; and
- (e) That the General Manager, Public Works be directed to provide an annual update report to the Public Works Committee regarding sewage spills from City of Hamilton sewer infrastructure.

2. 2023 Lymantria dispar dispar (LDD)Moth Treatment Plan (PW21069(b)) (City Wide) (Outstanding Business List Item) (Item 9.1)

That Report PW21069(b), respecting 2023 Lymantria dispar dispar (LDD)Moth Treatment Plan, be received.

3. Scenic Reservoir – Planned Maintenance Non-Event (PW23012) (Wards 1, 2, 13 and 15) (Item 9.2)

That Report PW23012, respecting Scenic Reservoir – Planned Maintenance Non-Event, be received.

4. White Brick Church Cemetery (PW22050(a)) (Ward12) (Item 11.1)

- (a) That the City of Hamilton voluntarily accept the administration and operation of White Brick Church Cemetery, located at 99 Garner Road East, Ancaster, ON L9G 3K9, by a transfer of the operation through the Bereavement Authority of Ontario from the White Brick Church Cemetery c/o Donna Smith to the City of Hamilton;
- (b) That the General Manager of Corporate Services be authorized and directed to acquire the lands located at 99 Garner Road East, Ancaster, ON L9G 3K9, as shown in Appendix "B" attached to Public Works Committee Report 23-002, subject to the condition described in Recommendation (c) of Report PW22050(a), on an as-is, where-is basis, and assume the operation of the White Brick Church Cemetery located on the Lands, for nominal consideration and on such additional terms and conditions deemed appropriate by the General Manager of Public Works, or their delegate;
- (c) That the General Manager of Public Works be directed to determine whether, in fulfilling the direction to acquire the White Brick Church Cemetery, a smaller portion of the Lands excluding the building may be acquired by the City in conformity with the applicable Official Plan and Zoning By-law and any other applicable City policies and By-laws, and in the event that the determination is that a smaller portion may be acquired, that the lands to be acquired in accordance with Recommendation (b) of Report

- PW22050(a) be reduced accordingly and staff be directed to obtain a reference plan describing the portion of the Lands to be acquired, in a form satisfactory to the City Solicitor or their delegate;
- (d) That Real Estate and Legal fees estimated at \$2,500 be funded from existing budget under Cemeteries Dept. ID 492001, and be transferred to Dept. ID 812036 (Real Estate – Admin Recovery), Account 59806 in the Planning & Economic Development Department;
 - (e) That the General Manager of Public Works be authorized and directed to execute all documentation necessary to transfer ownership and operations of the White Brick Church Cemetery to the City of Hamilton, including all assets and receipt of a contribution of \$8,000.00 from the current operators into the City of Hamilton’s Care and Maintenance Trust Fund (Dept ID #120015) upon transfer of cemetery operation to the City of Hamilton; together with any ancillary documentation required to give effect to the Recommendations in (a) and (b), in a form satisfactory to the City Solicitor or their delegate;
 - (f) That the City Solicitor or their delegate be authorized and directed to take all necessary steps, and execute all necessary documents to complete the transaction, including paying any necessary expenses, amending the closing, due diligence and other dates, and amending and waiving terms and conditions on such terms deemed reasonable;
 - (g) That By-law 12-151 being a By-law respecting the City of Hamilton’s Cemeteries, as amended, be further amended after the transfer of operation to include the White Brick Church Cemetery in Part 2 – List of Cemeteries Owned and Operated by Hamilton Municipal Cemeteries;
 - (h) That the Director of Environmental Services or their delegate be authorized to enter into a volunteer agreement with Donna and Lyle Smith for the maintenance and upkeep of the Cemetery, with such terms and conditions in a form satisfactory to the City Solicitor;
 - (i) That the General Manager of Public Works be authorized and directed to approve and execute all required agreements and ancillary documents, save and except for the volunteer agreement, with such terms and conditions in a form satisfactory to the City Solicitor; and
 - (j) That the Mayor and City Clerk be authorized and directed to approve and execute all required agreements and ancillary documents, save and except for the volunteer agreement, with such terms and conditions in a form satisfactory to the City Solicitor or their delegate.

5. Accessible Transportation Services and the Disabled and Aged Regional Transportation Service Policy (PW23009) (City Wide) (Outstanding Business List Item) (Item 11.2)

That Report PW23009, respecting Accessible Transportation Services and the Disabled and Aged Regional Transportation Service Policy, be received.

6. Appropriation Transfer of Funds for Kenilworth Transmission Watermain Renewal (PW23010) (Ward 4 and Ward 6) (Item 11.3)

(a) That Council approve the award of Request for Proposals Contractor Required for the Rehabilitation of the Kenilworth Trunk Watermain, pursuant to Procurement Policy #5.4 Request for Proposals, to Clearway Construction Inc. in the amount of \$5,090,699.89 (not including Contingency and Non-Refundable HST), and that the General Manager, Public Works Department be authorized to negotiate, enter into and execute any required Contract and any ancillary documents required to give effect thereto with Clearway Construction Inc., in a form satisfactory to the City Solicitor; and

(b) That the budget and financing plan for the Kenilworth Transmission Watermain Renewal (Project ID 5141760754), totalling \$3,500,000, be amended and approved, by an increase of \$2,484,000, to be funded by a transfer from Waterworks Capital Reserve (#108015).

7. Investment in Trieste Bocce Club, 60 DiCenzo Drive, Hamilton (Ward 8) (Item 12.2)

WHEREAS, the majority of City of Hamilton owned facilities and park assets (buildings) in Ward 8 are maintained by the City's Facilities Operations & Maintenance Section of the Energy, Fleet & Facilities Management Division, Public Works Department;

WHEREAS, the members of the Trieste Bocce Club, located at 60 DiCenzo Drive, Hamilton, are requesting rolling door options to provide a more sheltered environment against the cold and rain and to extend the bocce playing season; and

WHEREAS, potential issues identified including structural concerns with the building due to increased dead and live loads from rolling door such as Fire and Life Safety, ingress and egress of the property, *Accessibility for Ontarians with*

Disabilities Act (AODA) requirements, air flow and Heating, Ventilation and Air conditioning (HVAC) requirements.

THEREFORE, BE IT RESOLVED:

- (a) That staff be authorized and directed to retain professional services to determine the feasibility of enclosing the Trieste Bocce Club, located at 60 DiCenzo Drive, Hamilton, with rolling doors, to be funded from the Ward 8 Area Rating Reserve Account (108058) to an upset limit of \$2,500;
- (b) That the Ward 8 Area Rating Reserve Account (108058) be used as required, to an upset limit of \$25,000, to fund the investigation of options to determine next steps (design options, entrance & exits, overhead lighting, HVAC systems, construction cost estimation etc.) for the Trieste Bocce Club, located at 60 DiCenzo Drive, Hamilton; and
- (c) That the Mayor and City Clerk be authorized and directed to execute any required agreement(s) and ancillary documents to retain professional services to investigate options and next steps respecting the Trieste Bocce Club, located at 60 DiCenzo Drive, Hamilton, with such terms and conditions in a form satisfactory to the City Solicitor.

FOR INFORMATION:

The Public Works Committee meeting recessed until after the conclusion of the Board of Health Meeting.

(a) APPROVAL OF AGENDA (Item 2)

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

6. DELEGATION REQUESTS

- 6.4 Mymoon Bhuiyan, McMaster EcoCAR, respecting EV in Hamilton (for a future meeting)

13. NOTICES OF MOTION

- 13.1 Crime Prevention Through Environmental Design Review of the City-owned Escarpment Staircases

14. GENERAL INFORMATION/OTHER BUSINESS

14.1 Amendments to the Outstanding Business List

b. Items Requiring a New Due Date:

- a. Improving Truck Route Detouring During Construction Closures
Item on OBL: ABY
Current Due Date: March 20, 2023
Proposed New Due Date: May 15, 2023
- b. Protected Bike Lane Curbs (Hamilton Cycling Committee - Citizen Committee Report)
Item on OBL: ACA
Current Due Date: January 16, 2023
Proposed New Due Date: March 20, 2023
- c. Antonio Gallo, Gallo Ice Cream Retail, respecting Ice Cream Vendor Operation at Confederation Park
Item on OBL: ACN
Current Due Date: Q1 2023
Proposed New Due Date: March 20, 2023
- d. Roadway Safety Measures on Aberdeen Avenue from Queen Street to Longwood Road
Item on OBL: AZ
Current Due Date: Q2 2023
Proposed New Due Date: July 5, 2023

The Agenda for the February 13, 2023 Public Works Committee meeting be approved, as amended.

(b) DECLARATIONS OF INTEREST (Item 3)

There were no declarations of interest.

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

(i) January 16, 2023 (Item 4.1)

The Minutes of the January 16, 2023 meeting of the Public Works Committee were approved, as presented.

(d) DELEGATION REQUESTS (Item 6)

The following Delegation Requests were approved for a future meeting:

- (i) Angela Zheng, respecting Funding for a Staircase to Facilitate Access to a Commuter Trail Connecting University Gardens and Westdale (Item 6.1)
- (ii) Brenda Duke, GALA Community Planning Team, respecting Support for Maintenance of Gardens within the Public parks (Item 6.2)
- (iii) Brenda Duke, GALA Community Planning Team, respecting Waste Pickup Procedures and Support for Community Cleanups (Item 6.3)
- (iv) Mymoon Bhuiyan, McMaster EcoCAR, respecting EV in Hamilton (Item 6.4)

(e) STAFF PRESENTATIONS (Item 8)

- (i) **Burlington Street Sewage Spill Update (PW22088(a)) (City Wide) (Item 8.1)**

Nick Winters, Director, Hamilton Water, provided the Committee with an overview of Report PW22088(a) respecting Burlington Street Sewage Spill Update, with the aid of a PowerPoint presentation.

The presentation from Nick Winters, Director, Hamilton Water, respecting Hamilton Burlington Street Sewage Spill Update, was received.

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

(f) MOTIONS (Item 12)

- (i) **Removal of the City-Owned Tree Located at 1415 Trinity Church Road, Hamilton (Ward 11) (Item 12.1)**

WHEREAS, the owner of 1415 Trinity Church Road, Hamilton, indicates they experience sightline concerns and impediments to deliveries safely entering and exiting their property from the large City-owned tree located at their property;

WHEREAS, the owner of 1415 Trinity Church Road has expressed their desire to the Ward Councillor and has previously appealed to Forestry staff to have the City-owned tree removed.

THEREFORE, BE IT RESOLVED:

- (a) That Forestry staff be directed to remove the City-owned tree located at 1415 Trinity Church Road, Hamilton; and
- (b) That Forestry staff be directed to waive all tree removal permit and loss of canopy fees for the removal of the City-owned tree located at 1415 Trinity Church Road, Hamilton, and to fund the tree removal costs through the Forestry section operating budget.

The above motion was DEFEATED.

(g) NOTICES OF MOTION (Item 13)

Councillor Nann relinquished the Chair to Councillor Pauls in order to introduce the following Notice of Motion.

(i) Crime Prevention Through Environmental Design Review of the City-owned Escarpment Staircases (Item 13.1)

WHEREAS, in the United Nations report Cities Alive: Designing Cities That Work For Women published in October 2022, it is stated that “without a gender-responsive approach to urban planning, cities often compound gender inequalities that restrict women’s social and economic opportunities, health and wellbeing, sense of safety and security, and access to justice and equity”;

WHEREAS, the rate of police-reported sexual assaults in Canada has reached its highest levels since 1996;

WHEREAS, Hamilton’s sexual assault centre has seen a ‘dramatic increase’ in calls to their 24-hour support line over the past three years;

WHEREAS, the City of Hamilton is responsible for five escarpment staircases to provide recreational facility and active transportation links between the mountain and lower city;

WHEREAS, in December 2021, an unknown man approached a resident, Tara McFadyen, and attempted to sexually assault her during her morning daylight workout on the escarpment stairs; and

WHEREAS, other residents who have survived sexual violence that has occurred on the escarpment stairs have raised the alarm bell on the need for the City of Hamilton to do better and be responsive;

THEREFORE, BE IT RESOLVED:

- (a) That staff be directed to conduct a Crime Prevention Through Environmental Design (CPTED) review of the five City-owned escarpment staircases and report back on recommendations to improve the safety of escarpment staircase use specifically to prevent sexual violence, including any considerations to be referred to the 2024 budget process for consideration.

Councillor Nann assumed the Chair

(h) GENERAL INFORMATION / OTHER BUSINESS (Item 14)

(i) Amendments to the Outstanding Business List (Item 14.1)

The following amendments to the Public Works Committee's Outstanding Business List, were approved.

- (1) Items Considered Complete and Needing to be Removed (Item 14.1(a))
 - (i) 2023 Lymantria dispar dispar (LDD) Moth Treatment Plan Addressed as Item 9.1 on today's Agenda - Report PW21069(b) (Item 14.1(a)(a))
Item on OBL: ACO
 - (ii) Accessible Transportation Services and the Disabled and Aged Regional Transportation Service Addressed as Item 11.2 on today's Agenda - Report PW23009 (Item 14.1(a)(b))
Item on OBL: ACT
- (2) Items Requiring a New Due Date (Item 14.1(b))
 - (i) Improving Truck Route Detouring During Construction Closures (Item 14.1(b)(a))
Item on OBL: ABY
Current Due Date: March 20, 2023
Proposed New Due Date: May 15, 2023
 - (ii) Protected Bike Lane Curbs (Hamilton Cycling Committee - Citizen Committee Report) (Item 14.1(b)(b))
Item on OBL: ACA
Current Due Date: January 16, 2023

Proposed New Due Date: March 20, 2023

- (iii) Antonio Gallo, Gallo Ice Cream Retail, respecting Ice Cream Vendor Operation at Confederation Park (Item 14.1(b)(c))
Item on OBL: ACN
Current Due Date: Q1 2023
Proposed New Due Date: March 20, 2023
- (iv) Roadway Safety Measures on Aberdeen Avenue from Queen Street to Longwood Road (Item 14.1(b)(d))
Item on OBL: AZ
Current Due Date: Q2 2023
Proposed New Due Date: July 5, 2023

(i) ADJOURNMENT (Item 16)

There being no further business, the meeting adjourned at 4:35 p.m.

Respectfully submitted,

Councillor Nann, Chair,
Public Works Committee

Carrie McIntosh
Legislative Coordinator
Office of the City Clerk

Hamilton Water Sewage Spills Communications Guideline

Introduction

This Communications Guideline is being prepared in response to recent events where sewage spills from City of Hamilton sewer infrastructure were discharging to the natural environment and identifies communications processes under three different scenarios.

The Communications Guideline is a tool to assist in keeping Council, Senior Leadership, the community, media and other stakeholders informed in an open, transparent and consistent manner. It is important to note this is a working document to help guide staff in this process and to provide community and council with an expectation of what will happen during an event. This guideline focuses on sewage spills from City infrastructure that can potentially impact the natural environment.

Sewage Spills from Hamilton Water Infrastructure Webpage

Staff will create a map-based webpage where information about sewage spills originating from Hamilton Water infrastructure will be recorded and available as public information. This webpage will provide background information on Hamilton Water’s sewer inspection programs, include a registry of all sewage spills originating from Hamilton Water infrastructure and will show the location of each spill on an interactive map. Figure 1 below outlines the information that will be included in the registry:

Figure 1

Date of Discovery	Location	Background / Cause	Corrective Actions	Date Remediation Complete	Estimated Spill Volume	Estimated Duration of Spill	Cost of Repair

Communications Process

If a potential sewage spill from Hamilton Water infrastructure is identified, staff will notify the Ministry of Environment Conservation and Parks of the potential spill through the Spills Action Centre. Staff will then investigate the situation further to confirm if there is a spill occurring from Hamilton Water infrastructure or from a private cross-connection.

- If a spill is confirmed staff will follow up with the Spills Action Centre with the appropriate information.
- If the investigation determines that there is a private sewer lateral cross-connection staff will follow the processes that have been created under the sewer lateral cross-connection program.
- If the investigation confirms a sewage spill originating from Hamilton Water infrastructure the communication protocols will be based on the relative magnitude of the spill.

Figure 2 outlines the various communication channels that would be used in each scenario. Figure 3 outlines 3 different scenarios that would be used as a general guide to trigger a specific response protocol. The guidelines below are meant to be minimum

levels of communication. It is recognized that each situation may have unique factors that may require increased levels of communication.

Figure 2

Communication Channel	Response Scenario A	Response Scenario B	Response Scenario C
Public Health Services Notification via E-Mail	x	x	x
Resident Notification - Immediately Impacted Residents and Ward Councillor - if traffic or service disruption occurs	x	x	x
Post on City Website (dedicated webpage)	x	x	x
Notify General Manager via e-mail	x	x	x
Notify Senior Leadership Team/Council via E-Mail		x	x
Media Note (e-mail from Comms to local media)		x	x
Media Release			x
Press Conference			x
City of Hamilton Social Media		x	x
City of Hamilton E- Newsletter (for subscribers)	x	x	x
Notify Stakeholders (see below for list)			x

FIGURE 3

Scenario Matrix	Scenario A	Scenario B	Scenario C
# of Properties Connected	Up to 10 properties	11-49 properties	50 + properties
Volume of Spill	Up to 100 million litres	101 million litres to 500 million	Over 500 million litres

The scenario response will be based on the highest factor in Figure 3. For example, a cross-connection with 5 houses with an estimated spill volume of 150 million litres would trigger Response Scenario B in Figure 2; or, if there were a cross-connection with 15 houses and an estimated spill volume of 50 million litres this would also trigger Response Scenario B in Figure 2.

The following additional stakeholders will be directly notified in Response Scenario C in Figure 2:

Internal City Stakeholders

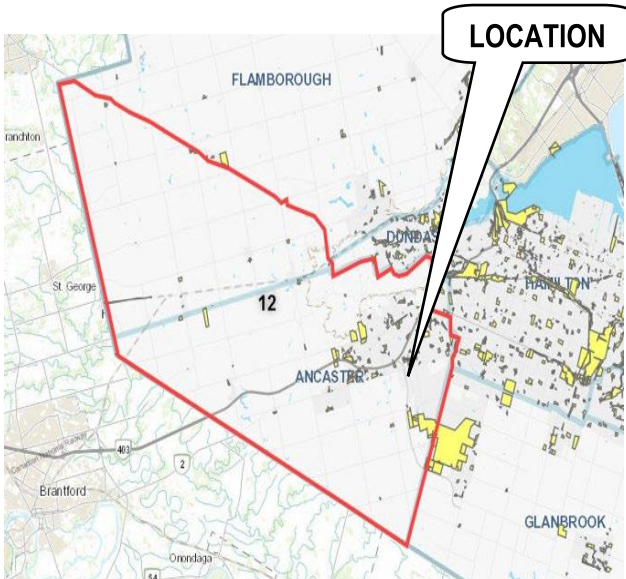
- General Manager, Public Works
- City Manager
- Office of the Mayor
- Ward Councillor
- Public Works Committee Chair

External Stakeholders

- Hamilton Harbour Remedial Action Plan partners
- Haudenosaunee Confederacy Chiefs Council
- Huron-Wendat Nation
- Mississauga's of the Credit First Nation
- Six Nations of the Grand River
- Joint Stewardship Board in the event of a discharge to Red Hill Creek
- The following Agencies in the event of a discharge to lands or waters under their jurisdiction:
 - Hamilton-Oshawa Port Authority
 - Royal Botanical Gardens
 - Hamilton Conservation Authority
 - Halton Regional Conservation Authority
 - Niagara Regional Conservation Authority
- Local Industry or impacted landowners in the area of outfalls to the environment



KEY MAP



LOCATION PLAN

99 Garner Road East
White Brick Church Cemetery
CITY OF HAMILTON
Real Estate, Planning and Development

LEGEND



SUBJECT LAND

SCALE
NOT TO SCALE

DATE
2022-05-24



**PLANNING COMMITTEE
REPORT
23-003**

February 14, 2023

9:30 a.m.

**Council Chambers, Hamilton City Hall
71 Main Street West**

Present: Councillor J.P. Danko (Acting Chair)
Councillor T. Hwang (2nd Vice Chair)
Councillors J. Beattie, C. Cassar, E. Pauls, M. Francis,
C. Kroetsch, T. McMeekin, N. Nann, M. Spadafora, M. Tadeson,
A. Wilson

Absent with Regrets: Councillor M. Wilson - Personal

THE FOLLOWING ITEMS WERE REFERRED TO COUNCIL FOR CONSIDERATION:

1. Active Official Plan Amendment, Zoning By-law Amendment, and Plan of Subdivision Applications (PED23020) (City Wide) (Item 9.1)

That Report PED23020 respecting Active Official Plan Amendment, Zoning By-law Amendment, and Plan of Subdivision Applications, be received.

2. Application for a Zoning By-law Amendment for Lands Located at 343 Springbrook Avenue, Ancaster (PED23031) (Ward 12) (Item 10.1)

(a) That amended Zoning By-law Amendment Application ZAC-22-056, by T. Johns Consulting Group Ltd., on behalf of Filippo Cimino c/o Carmela Pagliaro, Owner, for a change in zoning from the Agricultural "A" Zone, to the Low Density Residential (R1, 836) Zone, to facilitate two new residential lots for single detached dwellings and the retention of an existing single detached dwelling, for lands located at 343 Springbrook Road, Ancaster, as shown on Appendix "A" attached to Report PED23031, be APPROVED on the following basis:

(i) That the draft By-law, attached as Appendix "B" to Report PED23031, which has been prepared in a form satisfactory to the City Solicitor, be enacted by City Council;

- (ii) That the proposed change in zoning is consistent with the Provincial Policy Statement (2020), conforms to A Place to Grow: Growth Plan for the Greater Golden Horseshoe, 2019, as amended, and complies with the Urban Hamilton Official Plan (UHOP) and the Meadowlands Neighbourhood IV Secondary Plan.

3. Application for a Zoning By-law Amendment for Lands Located at 306 Parkside Drive, Flamborough (PED23032) (Ward 15) (Item 10.2)

- (a) That Zoning By-law Amendment Application ZAC-22-031, by MHBC Planning Urban Design & Landscape Architecture on behalf of St. James United Church (the United Church of Canada), for a change in zoning from Community Institutional (I2, 757) Zone to Community Institutional (I2, 825) Zone in the City of Hamilton Zoning By-law No. 05-200, to permit development of 44 purpose built rental dwelling units, for lands located at 306 Parkside Drive, Flamborough, as shown on Appendix “A” attached to Report PED23032, be APPROVED, on the following basis:
 - (i) That the draft By-law, attached as Appendix “B” to Report PED23032, which has been prepared in a form satisfactory to the City Solicitor, be enacted by City Council;
 - (ii) That the proposed change in zoning is consistent with the Provincial Policy Statement (2020), conforms to A Place to Grow: Growth Plan for the Greater Golden Horseshoe, 2019, as amended, and the Niagara Escarpment Plan, 2017, and complies with the Urban Hamilton Official Plan.

4. Applications to Amend the Urban Hamilton Official Plan and the City of Stoney Creek Zoning By-Law No. 3692-92, and for Approval of a Draft Plan of Subdivision for Lands Located at 238 Barton Street, Stoney Creek (PED23040) (Ward 10) (Item 10.3)

- (a) That Urban Hamilton Official Plan Amendment Application UHOPA-19-003, by A. J. Clarke and Associates Ltd. (c/o Ryan Ferrari), on behalf of My Maruti Construction Inc. (c/o Mike Patel), Owners, to redesignate the southern portion of the subject lands from “Low Density Residential 2b” to “Low Density Residential 3c” within the Western Development Area Secondary Plan to permit the development of 11 block townhouse dwellings with a maximum residential density of 46 units per hectare on lands located at 238 Barton Street, Stoney Creek, as shown on Appendix “A” attached to Report PED23040, be APPROVED on the following basis:

- (i) That the draft Official Plan Amendment attached as Appendix “B” to Report PED23040, which has been prepared in a form satisfactory to the City Solicitor, be enacted by City Council;
 - (ii) That the proposed amendment is consistent with the Provincial Policy Statement (2020) and conforms to A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2019, as amended);
- (b) That Zoning By-law Amendment Application ZAC-19-007, by A. J. Clarke and Associates Ltd. (c/o Ryan Ferrari), on behalf of My Maruti Construction Inc. (c/o Mike Patel), Owners, for a change in zoning from the Neighbourhood Development “ND” Zone to the Multiple Residential “RM3-71” Zone, Modified, to permit the development of 11 block townhouse dwellings with two parking spaces per unit and six visitor parking spaces, on lands located at 238 Barton Street, Stoney Creek, as shown on Appendix “A” attached to Report PED23040, be APPROVED on the following basis:
 - (i) That the draft By-law attached as Appendix “C” to Report PED23040, which has been prepared in a form satisfactory to the City Solicitor, be enacted by City Council;
 - (ii) That the proposed amendment is consistent with the Provincial Policy Statement (2020) and conforms to A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2019, as amended);
 - (iii) That this By-law will comply with the Urban Hamilton Official Plan upon approval of Urban Hamilton Official Plan Amendment No. XX;
- (c) That Draft Plan of Subdivision Application 25T-201901, by A. J. Clarke and Associates Ltd. (c/o Ryan Ferrari), on behalf of My Maruti Construction Inc. (c/o Mike Patel), Owners, on lands located at 238 Barton Street, Stoney Creek, as shown on Appendix “A” attached to Report PED23040, be APPROVED, subject to the following:
 - (i) That this approval apply to the Draft Plan of Subdivision “Barton Estates” 25T-201901, prepared by A. J. Clarke and Associates Ltd., and certified by Nicolas P. Muth, O.L.S., dated November 20, 2022, consisting of one block for proposed townhouses (Block 1) and one block for a right-of-way widening (Block 2), attached as Appendix “F” to Report PED23040, subject to the Owner entering into a standard form subdivision agreement as approved by City Council and with the Special Conditions attached as Appendix “G” to Report PED23040;

- (ii) In accordance with the City's Comprehensive Development Guidelines and Financial Policies Manual there will be no City of Hamilton responsibility for cost sharing for this subdivision;
- (iii) That payment of Cash-in-Lieu of Parkland will be required, pursuant to Section 51 of the *Planning Act*, prior to the issuance of each building permit. The calculation for the Cash-in-Lieu payment shall be based on the value of the lands on the day prior to the issuance of each building permit, all in accordance with the Financial Policies for Development and the City's Parkland Dedication By-law, as approved by Council.

5. Application for a Zoning By-law Amendment for Lands Located at 198 Lover's Lane, Ancaster (PED23041) (Ward 12) (Item 10.4)

- (a) That Amended Zoning By-law Amendment Application ZAR-22-042, by James Gregory Warnick, for a change in zoning from the Deferred Development "D" Zone to the Low Density Residential (R1,) Zone for lands located at 198 Lover's Lane, Ancaster, as shown on Appendix "A" to Report PED23041, be APPROVED on the following basis:
 - (i) That the draft By-law, attached as Appendix "B" to Report PED23041, which has been prepared in a form satisfactory to the City Solicitor, be enacted by City Council;
 - (ii) That the proposed change in zoning is consistent with the Provincial Policy Statement (2020), conforms to A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2019, as amended), conforms to the Niagara Escarpment Plan (2017, as amended), and complies with the Urban Hamilton Official Plan.

6. Application for an Urban Hamilton Official Plan Amendment and Zoning By-law Amendment for 2782 Barton Street East, Hamilton (PED23024) (Ward 5) (Item 10.5)

- (a) That Amended Urban Hamilton Official Plan Amendment Application UHOPA-22-012 by A.J. Clarke and Associates on behalf of LJM Developments (Hamilton) Inc.-Owner, to delete existing Site Specific Policy UHN-23, to permit the development of a 17 storey (52.5m) multiple dwelling, for the lands located at 2782 Barton Street East, as shown on Appendix "A" attached to Report PED23024, be APPROVED on the following basis:
 - (i) That the draft Official Plan Amendment, attached as Appendix "B" to Report PED23024, be adopted by City Council;

- (ii) That the proposed Official Plan Amendment is consistent with the Provincial Policy Statement (2020) and conforms to the Growth Plan for the Greater Golden Horseshoe 2019, as amended;
- (b) That Amended Zoning By-law Amendment Application ZAC-22-023 by A.J. Clarke and Associates on behalf of LJM Developments (Hamilton) Inc.- Owner, to change the zoning from “E-3/S-306c” (High Density Multiple Dwelling) District, Modified, to “E-3/S-306d” (High Density Multiple Dwelling) District, Modified, in order to permit a 17 storey (52.5 m) multiple dwelling with 313 residential units and 354 parking spaces, for lands located at 2782 Barton Street East, as shown on Appendix “A” attached to Report PED23024, be APPROVED on the following basis:
 - (i) That the draft By-law, attached as Appendix “C” to Report PED23024, which has been prepared in a form satisfactory to the City Solicitor, be enacted by City Council;
 - (ii) That the proposed change in zoning is consistent with the Provincial Policy Statement (2020), conforms to A Place to Grow: Growth Plan for the Greater Golden Horseshoe, 2019, as amended, and complies with the Urban Hamilton Official Plan upon approval of Official Plan Amendment No. XXX.

7. Application for a Zoning By-law Amendment for Lands Located at 91 and 95 Strathearne Place, Glanbrook (PED23036) (Ward 11) (Item 10.6)

- (a) That Amended Zoning By-law Amendment Application ZAR-22-033, by Urban in Mind (c/o Jacob Dickie), on behalf of Bill Wieske (Applicant) and Andrew Elgersma and Kayla Elgersma (Owners), for a change in zoning from the Existing Residential “ER” Zone to the Low Density Residential (R1, 835) Zone and from the Residential Holding “H-R3-144” Zone, Modified to the Low Density Residential (R1, 835) Zone to facilitate the development of a single detached dwelling for lands located at 91 and 95 Strathearne Place, Glanbrook, as shown on Appendix “A” attached to Report PED23036, be APPROVED on the following basis:
 - (i) That the draft By-law, attached as Appendix “B” to Report PED23036, which has been prepared in a form satisfactory to the City Solicitor, be enacted by City Council;
 - (ii) That the proposed changes in zoning are consistent with the Provincial Policy Statement (2020), conform to A Place to Grow (2019, as amended), and comply with the Urban Hamilton Official Plan and the Mount Hope Secondary Plan.

8. Implementation of Changes to Section 41 of the Planning Act - Site Plan Approval, in Response to Provincial Bill 23, More Homes Built Faster Act, 2022 (PED23043) (City Wide) (Item 10.7)

That the Draft By-law, attached as Appendix “A” to Report PED23043, which has been prepared in a form satisfactory to the City Solicitor, be enacted by Council.

9. City Review of Residential Developments Exempted from Site Plan Control by Bill 23 (PED23045) (City Wide) (Item 10.8)

- (a) That staff be directed to update and amend By-law 15-091 and any other applicable By-laws to include a Municipal Road Damage Deposit (MRDD) as a guarantee against damage to the curb, sidewalk, road, boulevard and other City infrastructure located within the municipal road allowance, as well as any clean-up of the adjoining streets;
- (b) That the Amending By-law to By-law 12-282 (Tariff of Fees), as amended, attached as Appendix “A” to Report PED23045, which has been prepared in a form satisfactory to the City Solicitor, be passed and the new proposed fees, including an exemption from the new proposed fees for charitable and not-for-profit organizations proposing affordable housing projects be implemented;
- (c) That the costs of waiving the Engineering Review Fees for charitable and not-for-profit organizations proposing affordable housing projects as set out in item 3 of the Amending By-law, attached as Appendix “A” to Report PED23045, be absorbed by the Planning and Economic Development Department, Growth Management Division, in 2023, and the permanent funding accommodated through adjustment to the 2024 Growth Management Division’s Base Budget;
- (d) That staff be authorized and directed to prepare and implement the necessary application process and forms for an exemption from the Engineering Review Fees for charitable and not-for-profit organizations proposing affordable housing projects as proposed in this Report.

10. Municipal Housing Pledge (PED23056) (City Wide) (Item 11.1)

That Council does not endorse the Minister of Municipal Affairs and Housing’s Municipal Housing Pledge.

11. Inclusionary Zoning - Housing Needs Assessment (PED23044(a)) (City Wide) (Outstanding Business List Item) (Item 11.2)

- (a) That the Draft Housing Needs Assessment Report, prepared by SHS Consulting, dated December 2022, attached as Appendix “A” to Report PED23044(a), be received;
- (b) That the Housing Needs Assessment addendum letter, prepared by SHS Consulting, dated January 2023, attached as Appendix “B” to Report PED23044(a), be received;
- (c) That staff be directed and authorized to undertake public and stakeholder consultation on the Housing Needs Assessment report and addendum letter.

12. Request to Appeal to Ontario Land Tribunal for 64 Lover’s Lane (Added Item 12.1)

WHEREAS, City staff previously recommended refusal of a requested minor variance for a reduced setback re: Variance Application AN/A-22:180 64 Lovers Lane;

WHEREAS, on September 9, 2021, the CoA approved the requested variance;

WHEREAS, neighbourhood residents appealed the Committee of Adjustment decision to the Ontario Land Tribunal who upheld the appeal, denying the variance;

WHEREAS, a further request for minor variance for 64 Lovers Lane was submitted to the Committee of Adjustment and was approved on February 2, 2023; and,

WHEREAS, there is a 20-day time limit to file an appeal.

THEREFORE, BE IT RESOLVED:

That Legal Services staff be directed to file an appeal to the Ontario Land Tribunal of the Committee of Adjustment’s decision on application AN/A-22:180 and report to the next available Planning Committee meeting with a confidential report regarding whether to proceed with the appeal

13. **Appeal to the Ontario Land Tribunal (OLT) for Lack of Decision on Urban Hamilton Official Plan Amendment Application (UHOPA-22-009) and Zoning By-law Amendment Application (ZAC-22-018) for lands located at 651 Queenston Road, Hamilton (LS23001/PED22184(a)) (Ward 5) (Item 15.2)**
 - (a) That the directions to staff (recommendations (a), (b), (c) and (d)) to Report LS23001/PED22184(a) be released to the public, following approval by Council;
 - (b) That the balance of Report LS23001/PED22184(a) remain confidential.

14. **Appeal to the Ontario Land Tribunal on the City of Hamilton's approval of Official Plan Amendment (OPA 102) and Zoning By-law Amendment (By-law 18-114) being the updated Downtown Hamilton Secondary Plan and Implementing Zoning By-law, for the lands located at 215-231 Main Street West, 62 and 64 Hess Street South, and 67-69 Queen Street South (LS19037(a)/PED19198(a)) (Ward 2) (Item 15.3)**
 - (a) That the directions to staff (recommendations (a), (b), (c) and (d)) to Report LS19037(a)/PED19198(a) and Appendices "B", "C" and "D" hereto, be approved and remain confidential until made public coincident with staff's presentation of the City's position before the Ontario Land Tribunal;
 - (b) That the balance of Report LS19037(a)/PED19198(a), including Appendices "E" and "F" remain confidential.

15. **Appeal to the Ontario Land Tribunal (OLT) for Refusal of Zoning By-law Amendment Application (ZAR-18-057) for Lands Located at 130 Wellington Street South (LS23005) (Ward 2) (Item 15.4)**
 - (a) That closed session recommendations (a), (b), (c), and (d) to Report LS23005 and Appendices "A" and "B" hereto, be approved and remain confidential until made public coincident with staff's presentation of the City's position before the Ontario Land Tribunal;
 - (b) That the balance of Report LS23005, including Appendix "C" hereto, remain confidential.

FOR INFORMATION:

(a) APPROVAL OF AGENDA (Item 2)

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

11. DISCUSSION ITEMS

11.1 Municipal Housing Pledge (PED23056) (City Wide)

(a) Written Submissions:

(i) Lou Piriano, Realtors Association of Hamilton-Burlington

14. GENERAL INFORMATION / OTHER BUSINESS

14.1 Outstanding Business List

(a) Items Requiring New Due Dates:

12B - Request to Designate 437 Wilson Street East (Ancaster)
Current Due Date: December 7, 2021
Proposed New Due Date: March 21, 2023

14A - Adding 206, 209 and 210 King St E to the Register of
Property of Cultural Heritage Value or Interest
Current Due Date: December 7, 2021
Proposed New Due Date: March 21, 2023

17B - Designation of the Gore District as a Heritage Conservation
District
Current Due Date: September 21, 2021
Proposed New Due Date: April 18, 2023

18D - Consultation on the Regulatory Content of Bill 7
Current Due Date: April 2022
Proposed New Due Date: March 21, 2023

18L - Review of C6 and C7 Zoning Regulations
Current Due Date: November 29, 2022
Proposed New Due Date: March 21, 2023

19B - Modifications and Updates to the City of Hamilton Zoning By-
law No. 05-200

Current Due Date: June 14, 2022
Proposed New Due Date: March 21, 2023

19P - Corporate Policy for Official Planning Notification During Mail Strikes

Current Due Date: September 21, 2021
Proposed New Due Date: April 18, 2023

19U - Heritage Designation Process and Delegated Authority to Consent to Heritage Permits

Current Due Date: September 21, 2021
Proposed New Due Date: September 19, 2023

19EE - Angela Riley respecting a Request for a Taxi Stand

Current Due Date: September 20, 2022
Proposed New Due Date: Late Q2 2023

21E - Temporary Amendments to the Cash-in-Lieu of Parking Policy for the Downtown Secondary Plan Area

Current Due Date: November 29, 2022
Proposed New Due Date: March 21, 2023

21Q - Options for Fee/Cost Recoveries for Multiple Requests for Same Property being removed from the Heritage Registry (Hamilton Municipal Heritage Committee Report 21-005)

Current Due Date: TBD
Proposed New Due Date: March 21, 2023

21Z - UHOPA and Zoning By-law Amendments for 1173 and 1203 Old Golf Links Road

Current Due Date: TBD
Proposed New Due Date: April 18, 2023

22D - OPA and Zoning By-law Amendments for 65 Guise Street East (Pier 8, Block 16)

Current Due Date: March 22, 2022
Proposed New Due Date: April 18, 2023

22K - Condominium Conversion Policy Review

Current Due Date: TBD
Proposed New Due Date: March 21, 2023

22M - Temporary Use By-law - Outdoor Commercial Patios and Temporary Tents (CI-20-F4)

Current Due Date: TBD
Proposed New Due Date: Q1 2024

(b) Items to be Removed:

19CC - Feasibility of Glanbrook Sports Park Being Included in the Binbrook Village Urban Bounday
(Addressed as Item (b)(ii) in GIC Report 21-023)

20M - Non-Statutory Public Meeting for OPA and Zoning By-law Amendments for 73-89 Stone Church Rd W and 1029 West 5th Street
(Addressed as Item 5.1(e) on Planning Committee Report 22-003 - LPAT/OLT decision issued)

21AA - Outdoor Dining Districts Extension
(Addressed as Item 6 in Planning Committee Report 22-003)

21BB - Bill 13, Proposed Supporting People and Businesses Act
(Addressed as Item 8 on Planning Committee Report 22-013)

21DD - Draft OPA as part of the Municipal Comprehensive Review
(Addressed as Item 7 on Planning Committee Report 22-001 and Item 5.8(a) on Council Minutes 22-002)No

22E - OPA and Zoning By-law Amendments for 442-462 Wilson St E
(Addressed as Item 10 on Planning Committee Report 22-006)

22F - Nuisance Party By-law
(Addressed as Item 6 on Planning Committee Report 22-014)

22J - MCR/OPA Review - Phase I
(Addressed as Item 7 on Planning Committee Report 22-012)

22N - OPA and Zoning By-law Amendments for 510 Centennial Parkway North
(Addressed as Item 13 on Planning Committee Report 22-013)

22O - Urban and Rural Official Plan Amendments to Implement Bill 13 and Bill 109
(Addressed as Item 8 on Planning Committee Report 22-013)

22P - Licensing Short-Term Rental (STR) Accommodations
(Addressed as Item 4 on Planning Committee Reort 23-001)

The agenda for the January 31, 2023 Planning Committee meeting was approved, as amended.

(b) DECLARATIONS OF INTEREST (Item 3)

There were no declarations of interest.

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

(i) January 31, 2023 (Item 4.1)

The Minutes of the January 31, 2023 meeting were approved, as presented.

(d) DELEGATION REQUESTS (Item 6)

(i) Mike Burnet, ACORN, respecting a Landlord Registry (For the March 21st meeting) (Item 6.1)

The Delegation Request from Mike Burnet, ACORN, respecting a Landlord Registry was approved for the March 21, 2023 Planning Committee meeting.

(e) PUBLIC HEARINGS (Item 10)

In accordance with the *Planning Act*, Acting Chair J.P. Danko advised those viewing the meeting that the public had been advised of how to pre-register to be a delegate at the Public Meetings on today's agenda.

In accordance with the provisions of the *Planning Act*, Acting Chair J.P. Danko advised that if a person or public body does not make oral submissions at a public meeting or make written submissions to the Council of the City of Hamilton before Council makes a decision regarding the Development applications before the Committee today, the person or public body is not entitled to appeal the decision of the Council of the City of Hamilton to the Ontario Land Tribunal, and the person or public body may not be added as a party to the hearing of an appeal before the Ontario Land Tribunal unless, in the opinion of the Tribunal, there are reasonable grounds to do so.

(i) Application for a Zoning By-law Amendment for Lands Located at 343 Springbrook Avenue, Ancaster (PED23031) (Ward 12) (Item 10.1)

Devon Morton, Planner II, addressed the Committee with the aid of a PowerPoint presentation.

The staff presentation was received.

Diana Morris with T. Johns Consulting, was in attendance and indicated support for the staff report.

The delegation from Diana Morris with T. Johns Consulting, was received.

Chair Danko called three times for public delegations and none came forward.

- (a) There were no public submissions received regarding this matter; and,
- (b) The public meeting was closed.

For disposition of this matter, refer to Item 2.

(ii) Application for a Zoning By-law Amendment for Lands Located at 306 Parkside Drive, Flamborough (PED23032) (Ward 15) (Item 10.2)

Devon Morton, Planner II, addressed the Committee with the aid of a PowerPoint presentation.

The staff presentation was received.

Andrew Hannaford with MHBC, was in attendance and indicated support for the staff report.

The delegation from Andrew Hannaford with MHBC, was received.

Registered Delegations:

The following Delegations addressed the Committee:

- (i) Mark Schroeder (Item 10.2 (a)) (in person)

Chair Danko called three times for any additional public delegations and the following Delegations came forward:

- (ii) Andy MacLaren (Added Item 10.2 (a)(ii))
- (iii) Alex Varghese (Added Item 10.2(a)(iii))
- (iv) Margaret Woolley (Added Item 10.2(a)(iv))
- (v) Jeff Holdright (Added Item 10.2(a)(v))
- (vi) Murray Sylvester (Added Item 10.2(a)(vi))

- (a) The following public submissions (Item 10.2(a)) regarding this matter were received and considered by the Committee; and,

- (i) Mark Schroeder, with Concerns regarding the development
- (ii) Andy MacLaren, with Concerns regarding the development

- (iii) Alex Varghese, with Concerns regarding the development
- (iv) Margaret Woolley, with Concerns regarding the development
- (v) Jeff Holdright, with Concerns regarding the development
- (vi) Murray Sylvester, with Concerns regarding the development

(b) The public meeting was closed.

For disposition of this matter, refer to Item 3.

(iii) Applications to Amend the Urban Hamilton Official Plan and the City of Stoney Creek Zoning By-Law No. 3692-92, and for Approval of a Draft Plan of Subdivision for Lands Located at 238 Barton Street, Stoney Creek (PED23040) (Ward 10) (Item 10.3)

Tim Vrooman, Senior Planner, addressed the Committee with the aid of a PowerPoint presentation.

The staff presentation was received.

Ryan Ferrari with A.J. Clarke and Associates, was in attendance and indicated support for the staff report.

The delegation from Ryan Ferrari with A. J. Clarke and Associates, was received.

Chair Danko called three times for public delegations and none came forward.

(a) There were no public submissions received regarding this matter; and,

(b) The public meeting was closed.

For disposition of this matter, refer to Item 4.

(iv) Application for a Zoning By-law Amendment for Lands Located at 198 Lover's Lane, Ancaster (PED23041) (Ward 12) (Item 10.4)

Mark Michniak, Planner II, addressed the Committee with the aid of a PowerPoint presentation.

The staff presentation was received.

James Thomas with A.J. Clarke & Associates, was in attendance and indicated support for the staff report.

The delegation from James Thomas with A.J. Clarke & Associates, was received.

Chair Danko called three times for public delegations and none came forward.

- (a) The public submissions in the staff report regarding this matter were received and considered by the Committee; and,
- (b) The public meeting was closed.

For disposition of this matter, refer to Item 5.

(v) Application for an Urban Hamilton Official Plan Amendment and Zoning By-law Amendment for 2782 Barton Street East, Hamilton (PED23024) (Ward 5) (Item 10.5)

The staff presentation was waived.

Ryan Ferrari with A.J. Clarke & Associates, was in attendance and indicated support for the staff report.

The delegation from Ryan Ferrari with A.J. Clarke & Associates, was received.

Chair Danko called three times for public delegations and none came forward.

- (a) There were no public submissions received regarding this matter; and,
- (b) The public meeting was closed.

For disposition of this matter, refer to Item 6.

(vi) Application for a Zoning By-law Amendment for Lands Located at 91 and 95 Strathearne Place, Glanbrook (PED23036) (Ward 11) (Item 10.6)

Mark Michniak, Planner II, addressed the Committee with the aid of a PowerPoint presentation.

The staff presentation was received.

Jacob Dickie with Urban in Mind, was in attendance and indicated support for the staff report.

The delegation from Jacob Dickie with Urban in Mind, was received.

Chair Danko called three times for public delegations and none came forward.

- (a) The public submissions in the staff report regarding this matter were received and considered by the Committee; and,
- (b) The public meeting was closed.

For disposition of this matter, refer to Item 7.

The Committee recessed from 12:15 p.m. to 12:45 p.m.

(vii) Implementation of Changes to Section 41 of the Planning Act - Site Plan Approval, in Response to Provincial Bill 23, More Homes Built Faster Act, 2022 (PED23043) (City Wide) (Item 10.7)

Alana Fulford, Senior Planner, addressed the Committee with the aid of a PowerPoint presentation.

The staff presentation was received.

Chair Danko called three times for public delegations and none came forward.

- (a) There were no public submissions received regarding this matter; and,
- (b) The public meeting was closed.

For disposition of this matter, refer to Item 8.

(viii) City Review of Residential Developments Exempted from Site Plan Control by Bill 23 (PED23045) (City Wide) (Item 10.8)

Binu Korah, Manager of Engineering Approvals, addressed the Committee with the aid of a PowerPoint presentation.

The staff presentation was received.

Chair Danko called three times for public delegations and none came forward.

- (a) There were no public submissions received regarding this matter; and,
- (b) The public meeting was closed.

For disposition of this matter, refer to Item 9.

(f) DISCUSSION ITEMS (Item 11)

(i) Municipal Housing Pledge (PED23056) (City Wide) (Item 11.1)

Christine Newbold, Manager of Sustainable Communities, addressed the Committee with the aid of a PowerPoint presentation.

The staff presentation was received.

The following written submission was received:

- (i) Lou Piriano, Realtors Association of Hamilton-Burlington (Added Item 11.1 (a)(i))

For disposition of this matter, refer to Item 10.

(ii) Inclusionary Zoning - Housing Needs Assessment (PED23044(a)) (City Wide) (Outstanding Business List Item) (Item 11.2)

Tiffany Singh, Planner I, addressed the Committee with the aid of a PowerPoint presentation.

The staff presentation was received.

For disposition of this matter, refer to Item 11.

(g) NOTICES OF MOTION (Item 13)

(i) Establishment of a Proactive By-law Team to Work with Industrial and Commercial Partners (Item 13.1)

Councillor Hwang introduced the following Notice of Motion respecting Establishment of a Proactive By-law Team to Work with Industrial and Commercial Partners:

WHEREAS, section 128 of the Municipal Act, 2001 authorizes the City to prohibit and regulate with respect to public nuisances, including matters that, in the opinion of Council are or could be public nuisances;

WHEREAS, certain kinds of noise are or could become public nuisances;

WHEREAS, section 8, 9 and 10 of the Municipal Act, 2001 authorizes the City to pass by-laws necessary or desirable for municipal purposes, including by-laws respecting the economic, social and environmental well-being of the municipality; the health, safety and well-being of the persons;

WHEREAS, Council deems it desirable to establish standards for the maintenance and occupancy of certain properties, so that owners and occupants provide minimum standards for persons who may live at, attend or otherwise be affected by the condition of the properties; WHEREAS, Council receives numerous complaints from residents about the air and noise pollution coming from some of the industrial and commercial industries; and,

WHEREAS, Council considers it in the public interest to enforce these by-laws, amend the by-laws or draft new by-laws.

THEREFORE BE IT RESOLVED:

(a) That Licensing and By-law Services staff be directed to report back to the Planning Committee by Q4 2023, in advance of the 2024 Budget deliberations, on the scope, budget and resourcing for a 2024 pilot project that would review existing and potential new by-laws related to the impacts of commercial and industrial operations in industrial and commercial areas of Hamilton and establish a proactive by-law team.

(ii) Consolidating Consent and Zoning Applications for the Same Lands (Added Item 13.2)

Councillor Kroetsch introduced the following Notice of Motion respecting Consolidating Consent and Zoning Applications for the Same Lands:

That staff report back to the Planning Committee in Q1 of 2024 with options and considerations with respect to consolidating applications for consents with applications for zoning amendments before the Planning Committee, where the applications are dealing with the same lands.

**(iii) Request to Appeal to the Ontario Land Tribunal for 64 Lover's Lane
(Added Item 13.3)**

The Rules of Order were waived to allow for the introduction of a Motion respecting Request to Appeal to the Ontario Land Tribunal for 64 Lover's Lane.

For disposition of this matter, refer to Item 12.

(h) GENERAL INFORMATION / OTHER BUSINESS (Item 14)

(i) Outstanding Business List (Added Item 14.1)

The following changes to the Outstanding Business List, were approved:

(a) Items Requiring New Due Dates:

12B - Request to Designate 437 Wilson Street East (Ancaster)
Current Due Date: December 7, 2021
Proposed New Due Date: March 21, 2023

14A - Adding 206, 209 and 210 King St E to the Register of
Property of Cultural Heritage Value or Interest
Current Due Date: December 7, 2021
Proposed New Due Date: March 21, 2023

17B - Designation of the Gore District as a Heritage Conservation
District
Current Due Date: September 21, 2021
Proposed New Due Date: April 18, 2023

18D - Consultation on the Regulatory Content of Bill 7
Current Due Date: April 2022
Proposed New Due Date: March 21, 2023

18L - Review of C6 and C7 Zoning Regulations
Current Due Date: November 29, 2022
Proposed New Due Date: March 21, 2023

19B - Modifications and Updates to the City of Hamilton Zoning By-
law No. 05-200
Current Due Date: June 14, 2022
Proposed New Due Date: March 21, 2023

19P - Corporate Policy for Official Planning Notification During Mail
Strikes

Current Due Date: September 21, 2021
Proposed New Due Date: April 18, 2023

19U - Heritage Designation Process and Delegated Authority to
Consent to Heritage Permits

Current Due Date: September 21, 2021
Proposed New Due Date: September 19, 2023

19EE - Angela Riley respecting a Request for a Taxi Stand

Current Due Date: September 20, 2022
Proposed New Due Date: Late Q2 2023

21E - Temporary Amendments to the Cash-in-Lieu of Parking
Policy for the Downtown Secondary Plan Area

Current Due Date: November 29, 2022
Proposed New Due Date: March 21, 2023

21Q - Options for Fee/Cost Recoveries for Multiple Requests for
Same Property being removed from the Heritage Registry
(Hamilton Municipal Heritage Committee Report 21-005)

Current Due Date: TBD
Proposed New Due Date: March 21, 2023

21Z - UHOPA and Zoning By-law Amendments for 1173 and 1203
Old Golf Links Road

Current Due Date: TBD
Proposed New Due Date: April 18, 2023

22D - OPA and Zoning By-law Amendments for 65 Guise Street
East (Pier 8, Block 16)

Current Due Date: March 22, 2022
Proposed New Due Date: April 18, 2023

22K - Condominium Conversion Policy Review

Current Due Date: TBD
Proposed New Due Date: March 21, 2023

22M - Temporary Use By-law - Outdoor Commercial Patios and
Temporary Tents (CI-20-F4)

Current Due Date: TBD
Proposed New Due Date: Q1 2024

(b) Items to be Removed:

19CC - Feasibility of Glanbrook Sports Park Being Included in the Binbrook Village Urban Bounday
(Addressed as Item (b)(ii) in GIC Report 21-023)

20M - Non-Statutory Public Meeting for OPA and Zoning By-law Amendments for 73-89 Stone Church Rd W and 1029 West 5th Street
(Addressed as Item 5.1(e) on Planning Committee Report 22-003 - LPAT/OLT decision issued)

21AA - Outdoor Dining Districts Extension
(Addressed as Item 6 in Planning Committee Report 22-003)

21BB - Bill 13, Proposed Supporting People and Businesses Act
(Addressed as Item 8 on Planning Committee Report 22-013)

21DD - Draft OPA as part of the Municipal Comprehensive Review
(Addressed as Item 7 on Planning Committee Report 22-001 and Item 5.8(a) on Council Minutes 22-002)No

22E - OPA and Zoning By-law Amendments for 442-462 Wilson St E
(Addressed as Item 10 on Planning Committee Report 22-006)

22F - Nuisance Party By-law
(Addressed as Item 6 on Planning Committee Report 22-014)

22J - MCR/OPA Review - Phase I
(Addressed as Item 7 on Planning Committee Report 22-012)

22N - OPA and Zoning By-law Amendments for 510 Centennial Parkway North
(Addressed as Item 13 on Planning Committee Report 22-013)

22O - Urban and Rural Official Plan Amendments to Implement Bill 13 and Bill 109
(Addressed as Item 8 on Planning Committee Report 22-013)

22P - Licensing Short-Term Rental (STR) Accommodations
(Addressed as Item 4 on Planning Committee Report 23-001)

(i) PRIVATE AND CONFIDENTIAL (Item 15)

(i) Closed Session Minutes – January 31, 2023 (Item 15.1)

The Closed Session Minutes dated January 31, 2023 were approved, as presented, and are to remain confidential.

Committee moved into Closed Session for Items 15.2, 15.3 and 15.4 Pursuant to Section 9.3, Sub-sections (e), (f) and (k) of the City's Procedural By-law 21-021, as amended; and, Section 239(2), Sub-sections (e), (f) and (k) of the *Ontario Municipal Act*, 2001, as amended, as the subject matter pertains to litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board; advice that is subject to solicitor-client privilege, including communications necessary for that purpose; and, a position, plan, procedure, criteria or instruction to be applied to any negotiations carried on or to be carried on by or on behalf of the municipality or local board..

(ii) Appeal to the Ontario Land Tribunal (OLT) for Lack of Decision on Urban Hamilton Official Plan Amendment Application (UHOPA-22-009) and Zoning By-law Amendment Application (ZAC-22-018) for lands located at 651 Queenston Road, Hamilton (LS23001/PED22184(a)) (Ward 5) (Item 15.2)

For disposition of this matter, refer to Item 13.

(iii) Appeal to the Ontario Land Tribunal on the City of Hamilton's approval of Official Plan Amendment (OPA 102) and Zoning By-law Amendment (By-law 18-114) being the updated Downtown Hamilton Secondary Plan and Implementing Zoning By-law, for the lands located at 215-231 Main Street West, 62 and 64 Hess Street South, and 67-69 Queen Street South (LS19037(a)/PED19198(a)) (Ward 2) (Item 15.3)

For disposition of this matter, refer to Item 14.

(iv) Appeal to the Ontario Land Tribunal (OLT) for Refusal of Zoning By-law Amendment Application (ZAR-18-057) for Lands Located at 130 Wellington Street South (LS23005) (Ward 2) (Item 15.4)

For disposition of this matter, refer to Item 15.

(j) ADJOURNMENT (Item 16)

There being no further business, the Planning Committee adjourned at 5:15 p.m.

Councillor J.P. Danko
Acting Chair, Planning Committee

Lisa Kelsey
Legislative Coordinator



GENERAL ISSUES COMMITTEE REPORT 23-007

9:30 a.m.

February 15, 2023

Council Chambers, City Hall, 2nd Floor
71 Main Street West, Hamilton, Ontario

Present: Deputy Mayor N. Nann (Chair)
Mayor A. Horwath
Councillors J. Beattie, C. Cassar, B. Clark, J. P. Danko, M. Francis, T. Hwang, C. Kroetsch, T. McMeekin, E. Pauls, M. Spadafora, M. Tadeson, A. Wilson

Absent: Councillors M. Wilson and T. Jackson – Personal

THE FOLLOWING ITEMS WERE REFERRED TO COUNCIL FOR CONSIDERATION:

1. Digital Strategy (CM23010) (City Wide) (Item 8.3)

- (a) That the Digital Strategy as outlined in Appendix “A” to General Issues Committee Report 23-007, be approved;
- (b) That any future staffing, or implementation cost, outside of existing complement or budgets, required to implement the Digital strategy be brought forward to council via normal budget approval process;
- (c) That staff be directed to implement the Digital strategy, and report back in one year to the General Issues Committee on the progress made.

2. Hamilton.ca Website Redevelopment - Status Update (CM20011(b)) (City Wide) (Item 9.1)

That Report CM20011(b), respecting Hamilton.ca Website Redevelopment - Status Update, be received.

3. Residential Water and Sewer Line Warranty Protection Program Update 2023 (FCS23014) (City Wide) (Item 9.2)

That Report FCS23014, respecting the Residential Water and Sewer Line Warranty Protection Program Update 2023, be received.

Council – February 22, 2023

4. Application Update on Disaster Mitigation and Adaptation Fund (DMAF) Intake Two (FCS21090(a)) (City Wide) (Outstanding Business List) (Item 9.3)

That Report FCS21090(a), respecting an Application Update on Disaster Mitigation and Adaptation Fund (DMAF) Intake Two, be received.

5. Innovation Factory and Synapse Life Sciences Consortium Request for Funding Renewal (PED23037) (City Wide) (Outstanding Business List Item) (Item 10.1)

- (a) That the request by Innovation Factory to exercise their renewal option of the City's 2022 Annual Community Partnership contribution of \$50K, per previous General Issues Committee (GIC) Reports PED20197 and PED21204, be approved;
- (b) That the \$50K annual contribution for the Innovation Factory be funded from the Economic Development Investment Reserve Account No. 112221;
- (c) That the request by the Synapse Life Sciences Consortium to exercise their renewal option of the City's 2022 Annual Community Partnership contribution of \$10K per previous General Issues Committee (GIC) Reports PED19057(a) and PED21204, be approved;
- (d) That the \$10K contribution for the Synapse Life Sciences Consortium be funded from the Economic Development Initiatives/Investment Reserve Account No. 112221; and,
- (e) That City staff, together with Innovation Factory, including Synapse Life Sciences Consortium, report back to General Issues Committee with an annual review of the Municipal Funding Program prior to the approval of a renewal option for 2023 and subject to satisfactory Key Performance Indicator (KPI) results of the previous year.

6. Fleet Services Realignment (PW23011) (City Wide) (Item 10.2)

That the General Manager of the Public Works Department be authorized and directed to transfer the Fleet Services Section of the Energy, Fleet & Facilities Management Division to the Corporate Asset Management Division within the Public Works Department, including 57 FTE's and a total 2022 Council Approved Budget in the amount of \$147,777, effective March 1, 2023:

- (i) Fleet Services Section in the amount of \$147,777 and 57 FTE's;
- (ii) Fleet Vehicle Replacement Reserve #112025 with a 2022 forecasted year-end balance of (\$4,369,128)

7. **City Auditor Reporting of Serious Matters to Council (Case #60942 Employee Corruption Allegations) (AUD23004) (City Wide) (Item 10.3)**

That Report AUD23004, respecting the City Auditor Reporting of Serious Matters to Council (Case #60942 Employee Corruption Allegations), be received.

8. **Amendment to Municipality Contribution Agreement with Ontario Lottery and Gaming Corporation - Sportsbooks (FCS23026) (City Wide) (Item 10.4)**

That the Mayor and City Clerk be authorized to sign and execute the Amendment to Municipality Contribution Agreement (MCA) between the City of Hamilton (the "Municipality") and the Ontario Lottery and Gaming Corporation (OLG) as outlined in Appendix "A" to Report FCS23026.

9. **Advisory Committee for Persons with Disabilities (ACPD) Report 23-001 - January 10, 2023 (Item 10.5)**

(a) **Establishing an Annual Accessibility Event (Item 12.1)**

WHEREAS, the Advisory Committee for Persons with Disabilities' (ACPD) Outreach Working Group's main objective is to explore partnership opportunities with other community agencies and organizations as well as outreach with the public;

WHEREAS, the ACPD's Accessibility Fair 2022 "Ability First" was considered successful for an inaugural event;

WHEREAS, the event consisted of twenty-five stakeholder, local organization, and City department stations as well as six interactive events;

WHEREAS, the participants of the event have expressed interest in attending and participating in any future events organized by the ACPD; and

WHEREAS, events such as the Accessibility Fair provide opportunities for collaborations, networking, public education and direct informational conduits from members of the public to members of City Council.

THEREFORE, BE IT RESOLVED:

- (a) That an annual Accessibility Event organized by the Advisory Committee for Persons with Disabilities, be approved;
- (b) That City staff be directed to provide support and assistance to the Advisory Committee for Persons with Disabilities for the annual

Council – February 22, 2023

Accessibility Event, subject to their availability;

- (c) That the 2023 Advisory Committee for Persons with Disabilities be authorized to use up to \$8,000 from the Volunteer Committee Reserve (#112212) to fund the Accessibility Event; and
- (d) That the funding for future Accessibility Events be considered within the Advisory Committee for Persons with Disabilities' annual budget submission.

10. City of Hamilton Property Tax Bill Increases Due to Ontario Legislative Changes (Item 11.2)

That staff be directed to explore methods and resources in order to include language in City of Hamilton property tax bills that would indicate any increase in property taxes due to Ontario legislative changes and report back to the General Issues Committee.

11. Financial Impacts of Waterfront Lands (Item 11.3) - REVISED

That City Staff report back in an Information Report, to a General Issues Committee in May, on the financial impacts (including property taxes, leases, and City fees) to the City of Hamilton with respect to West Harbour and industrial bayfront waterfront lands including lands owned by the Hamilton Oshawa Port Authority, the City of Hamilton, and private owners.

12. Staff Investigation (PED23051) (City Wide) (Item 14.3)

That Report PED23051, respecting the Staff Investigation, be received and remain confidential.

FOR INFORMATION:

(a) APPROVAL OF AGENDA (Item 2)

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

4. APPROVAL OF MINUTES OF PREVIOUS MEETINGS

4.2 February 1, 2023 – REVISED

6. DELEGATION REQUESTS - WITHDRAWN

6.2 P.J. Mercanti and Louis Frapporti, Hamilton100, respecting the 2030 Commonwealth Games (In-Person) (For today's meeting)

- 6.3 Brian MacPherson, Commonwealth Sport Canada, respecting the 2030 Commonwealth Games Bid (In-Person) (For today's meeting)

8. STAFF PRESENTATIONS - WITHDRAWN

- 8.1 Commonwealth Games 2030 Update (PED19108(j)) (City Wide)

11. MOTIONS - WITHDRAWN

- 11.1 Appointments to the Interview Sub-committee to the General Issues Committee

14. PRIVATE AND CONFIDENTIAL

- 14.4 Canada Mortgage and Housing Corporation (CMHC) Rapid Housing Initiative (RHI) Round 3 (HSC20056(c)) (Referred to the February 15, 2023 GIC Meeting by Council on February 8, 2023)

The agenda for the February 15, 2023 General Issues Committee meeting, was approved, as amended.

(b) DECLARATIONS OF INTEREST (Item 3)

There were no declarations of interest.

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

The following minutes of the General Issues Committee were approved, as presented:

- (i) January 27, 2023 – Special (Item 4.1)
- (ii) February 1, 2023 - REVISED (Item 4.2)

(d) DELEGATION REQUESTS (Item 6)

- (i) **David Carter, Innovation Factory, respecting commentary and background for Report PED23037 which addresses the City's funding to Innovation Factory (In-Person) (Item 6.1)**

The delegation request from David Carter, Innovation Factory, respecting commentary and background for Report PED23037 which addresses the City's funding to Innovation Factory, was approved for today's meeting.

(e) DELEGATIONS (Item 7)

(i) David Carter, Innovation Factory, respecting commentary and background for Report PED23037 which addresses the City's funding to Innovation Factory (In-Person) (Added Item 7.1)

David Carter, Innovation Factory, addressed the Committee respecting commentary and background for Report PED23037 which addresses the City's funding to Innovation Factory.

The Delegation from David Carter, Innovation Factory, respecting commentary and background for Report PED23037 which addresses the City's funding to Innovation Factory, was received.

For further disposition of this matter, refer to Item 5.

(f) STAFF PRESENTATIONS (Item 8)

(i) Media Relations Program Review (Item 8.2)

Matthew Grant, Director of Communications & Strategic Initiatives addressed the Committee with a presentation on the Media Relations Program Review.

The staff presentation respecting the Media Relations Program Review, was received.

For disposition of this matter, refer to Items (f)(ii) & (f)(iii).

(ii) Media Relations Program Review – Update to Media Relations Policy (CM23007) (City Wide) (Item 8.2(a))

That Report CM23007, respecting Media Relations Program Review – Update to Media Relations Policy, be REFERRED back to staff to amend the policy to reflect the following, and report back to the General Issues Committee:

- (a) That the City does not wish to require media to reveal their sources where circumstances dictate that they should be; and,
- (b) That all press conferences be recorded and made available publicly.

(iii) Media Relations Program Review – Media Accreditation Policy (CM23008) (City Wide) (Item 8.2(b))

WHEREAS, the City of Hamilton is committed to open, transparent and accountable communications with the media;

WHEREAS, the media is an important part of the democratic process and the City is committed to assisting them with their work in covering municipal affairs at the City of Hamilton;

WHEREAS, the City wants to ensure that any policy it puts in place assists the media in it's work and ensures that the City is supporting the dissemination of news and information to the community;

THEREFORE, BE IT RESOLVED:

That consideration of Report CM23008, respecting Media Relations Program Review – Media Accreditation Policy, be DEFERRED to a future General Issues Committee meeting, pending an independent third-party review of the policy that includes consultation with independent Hamilton news stakeholders, and recommendations on best practices.

(iv) Digital Strategy (CM23010) (City Wide) (Item 8.3)

Cyrus Tehrani, Chief Digital Officer & Director of Innovation; Justin LoPresti, Deloitte; and Andy Potter, Deloitte addressed the Committee with a presentation on the Digital Strategy.

The presentation respecting the Digital Strategy, was received.

For disposition of this matter, refer to Item 1.

The General Issues Committee recessed for 30 minutes until 2:00 pm.

(g) NOTICES OF MOTION (Item 12)

Councillor Kroetsch introduced the following Notice of Motion:

(i) City of Hamilton's Investments into the 2026 and 2030 Commonwealth Games Bids (Item 12.1)

That City staff report back on any investments, monetary, in kind, and in staff time, including any estimates if specifics are not available, that were contributed by the City of Hamilton to the 2026 and 2030 Commonwealth Games bids.

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

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

The Amendments to the Outstanding Business List, were approved, as follows:

(a) Items Considered Complete and Needing to be Removed: (Item 13.1(a))

Disbanding of the Mayor's Ukrainian Humanitarian Crisis and Response Advisory Committee

Added: December 7, 2022 (at Council 22-024 - Item 7.1)

Completed: January 18, 2023 (at GIC - Item 10.16)

Results of the Project Evaluations by the Government of Canada

Added: March 23, 2022 (at GIC 22-006 - Item 11(c))

Completed: February 7, 2023 (at GIC Budget - Item 7.19)

Innovation Factory Request for Funding Renewal Option and Synapse Life Sciences Consortium Funding Update

Completed: February 15, 2023 (at GIC – Item 10.1)

Review of the function and role of the Energy Office within the Energy Fleet & Facilities Management Division of Public Works, and any other potential service areas

Completed: February 15, 2023 (at GIC – Item 10.2)

(b) Items Requiring a New Due Date: (Item 13.1(b))

Corporate Strategic Growth Initiatives – Annual Update

OBL Item: B

Current Due Date: January 18, 2023

Proposed New Due Date: April 5, 2023

ACPD, Environmental Working Group Plan

OBL Item: I

Current Due Date: March 22, 2023

Proposed New Due Date: December 6, 2023

Strategic Land Acquisition Plan Along the Hamilton Light Rail Transit (LRT) Corridor

OBL Item: W

Current Due Date: February 15, 2023

Proposed New Due Date: May 17, 2023

(i) PRIVATE & CONFIDENTIAL (Item 14)

The following Closed Session Minutes were approved and remain confidential:

- (i) Closed Session Minutes – January 27, 2023 – Special (Item 14.1)
- (ii) Closed Session Minutes – February 1, 2023 (Item 14.2)

Committee moved into Closed Session to discuss Items 14.3 and 14.4, pursuant to Section 9.3, Sub-sections (b), (e), (h) and (i) of the City's Procedural By-law 21-021, as amended, and Section 239(2), Sub-sections (b), (e), (h) and (i) of the Ontario Municipal Act, 2001, as amended, as the subject matter pertains to personal matters about an identifiable individual, including municipal or local board employees; litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board; information explicitly supplied in confidence to the City or a local board by Canada, a province or territory or a Crown agency of any of them; and a trade secret or scientific, technical, commercial, financial or labour relations information, supplied in confidence to the City or local board, which, if disclosed, could reasonably be expected to prejudice significantly the competitive position or interfere significantly with the contractual or other negotiations of a person, group of persons, or organization.

(i) Staff Investigation (PED23051) (City Wide) (Item 14.3)

For disposition of this matter, please refer to Item 12.

The following resolution was considered by Council at its special meeting of February 15, 2023:

(ii) Canada Mortgage and Housing Corporation (CMHC) Rapid Housing Initiative (RHI) Round 3 (HSC20056(c)) (Added Item 14.4)

- (a) That the General Manager of the Healthy and Safe Communities Department, or designate, be authorized and directed to enter into the Rapid Housing Initiative Agreement with the Canada Mortgage and Housing Corporation (CMHC) to accept Hamilton's Rapid Housing Initiative Round 3 allocation through the Cities Stream for the creation of affordable housing units through conversion or rehabilitation of existing buildings, new builds, including modular construction, in a form satisfactory to the City Solicitor;
- (b) That the General Manager of the Healthy and Safe Communities Department, or designate, be authorized and directed to administer the Rapid Housing Initiative Round 3 (RHI3) entering into any agreements and ancillary agreements on such terms as they consider appropriate; approving purchase orders; exempting actions from approved City policies, procedures, and business

practices as needed to meet RHI timelines; and taking other actions needed to ensure success, in a form satisfactory to the City Solicitor;

- (c) That as a condition to approving the acceptance of the Rapid Housing Initiative Round 3 funding made available for Hamilton affordable housing projects by CMHC, Council approve a preliminary financial contingency for Rapid Housing Initiative Round 3 of up to \$5M from the Unallocated Capital Levy Reserve (108020) for potential financial risks related to construction overages incurred for projects approved under the Cities Stream and that all actual draws against this commitment be brought to Council for approval;
- (d) That staff explore with CMHC and project proponents, strategies to minimize municipal exposure for construction overages for the projects selected in RHI3 and that these strategies be built into RHI3 contracts;
- (e) That staff report back to the Emergency and Community Services Committee with financial recommendations in the case that actual financial obligations against the City related to construction overages incurred for projects approved under the Cities Stream, exceed Council approved funding;
- (f) That, in light of, the federal funding shortfall inherent in Rapid Housing Initiative Round 3, and the federal program not keeping pace with construction costs, staff work with Council to educate the public and advocate for increased federal and provincial contribution for affordable housing projects; and,
- (g) That Report HSC20056(c) respecting the Canada Mortgage and Housing Corporation Rapid Housing Initiative remain confidential upon a formal public announcement.

(j) ADJOURNMENT (Item 15)

There being no further business, the General Issues Committee adjourned at 3:45 p.m.

Respectfully submitted,

Deputy Mayor Nrinder Nann
Chair, General Issues Committee

Angela McRae
Legislative Coordinator
Office of the City Clerk



February 1st, 2023

City of Hamilton's Digital Strategy

Table of Contents

<i>Section</i>		<i>Page</i>
01	What is a Digital Strategy?	A high-level description of Digital Strategy and the intersection between IT, Customer Service, and Web Strategies <i>Pg. 3</i>
02	How does the Digital Strategy align with the City's Strategic Plan?	A high-level view of how the Digital Strategy aligns to the other strategies and priorities at the City <i>Pg 4</i>
03	Digital Vision	Vision statement for the City of Hamilton's Digital Strategy <i>Pg. 5</i>
04	Objectives, Outcomes & Principles	Overview of objectives, intended outcomes and guiding principles for the Digital Strategy <i>Pg 6 - 7</i>
05	Digital Strategy Initiatives	Description of the priority initiatives that will enable the Digital Strategy, including the potential benefits and investment required <i>Pg. 8 - 9</i>
06	What informed the Digital Strategy?	Details on the inputs used to inform the Digital Strategy <i>Pg. 10 - 15</i>

DIGITAL STRATEGY

What is a Digital Strategy?

A Digital Strategy guides how City services and internal processes are delivered through digital technology

Importance of Digital Strategy

We live in an increasingly digitally-driven world. Individuals, businesses and organizations are adapting to these changes in countless ways.

The City of Hamilton’s Digital Strategy was developed as a guide for the organization as it works to embrace the increasingly digitally-driven era we are now in, and continuously evolves to meet future needs and expectations of the community.

It is intended to support the City in providing digital services, tools, and knowledge to City staff as well as residents, businesses, and partners.

The Digital Strategy was designed to align with and support the entire organization, notably the IT, Customer Service, and Web Strategies.

Digital Strategy

Digital Strategy outlines how the City intends to use digital technologies to achieve its overall vision and objectives. It examines how digital technologies can be used in all business areas to create new or modify existing processes and user / customer experiences.

IT Strategy

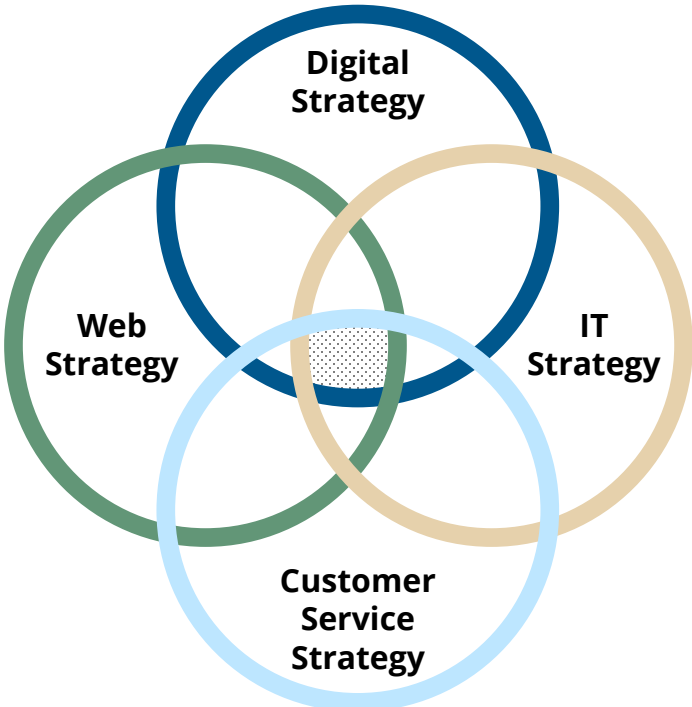
IT Strategy defines the approach to using information and communications technology (IT or ICT) to support the City’s goals and objectives.

Customer Service Strategy

The Customer Service Strategy outlines how the organization will interact and serve external users (residents, businesses, and community partners).

Web Strategy

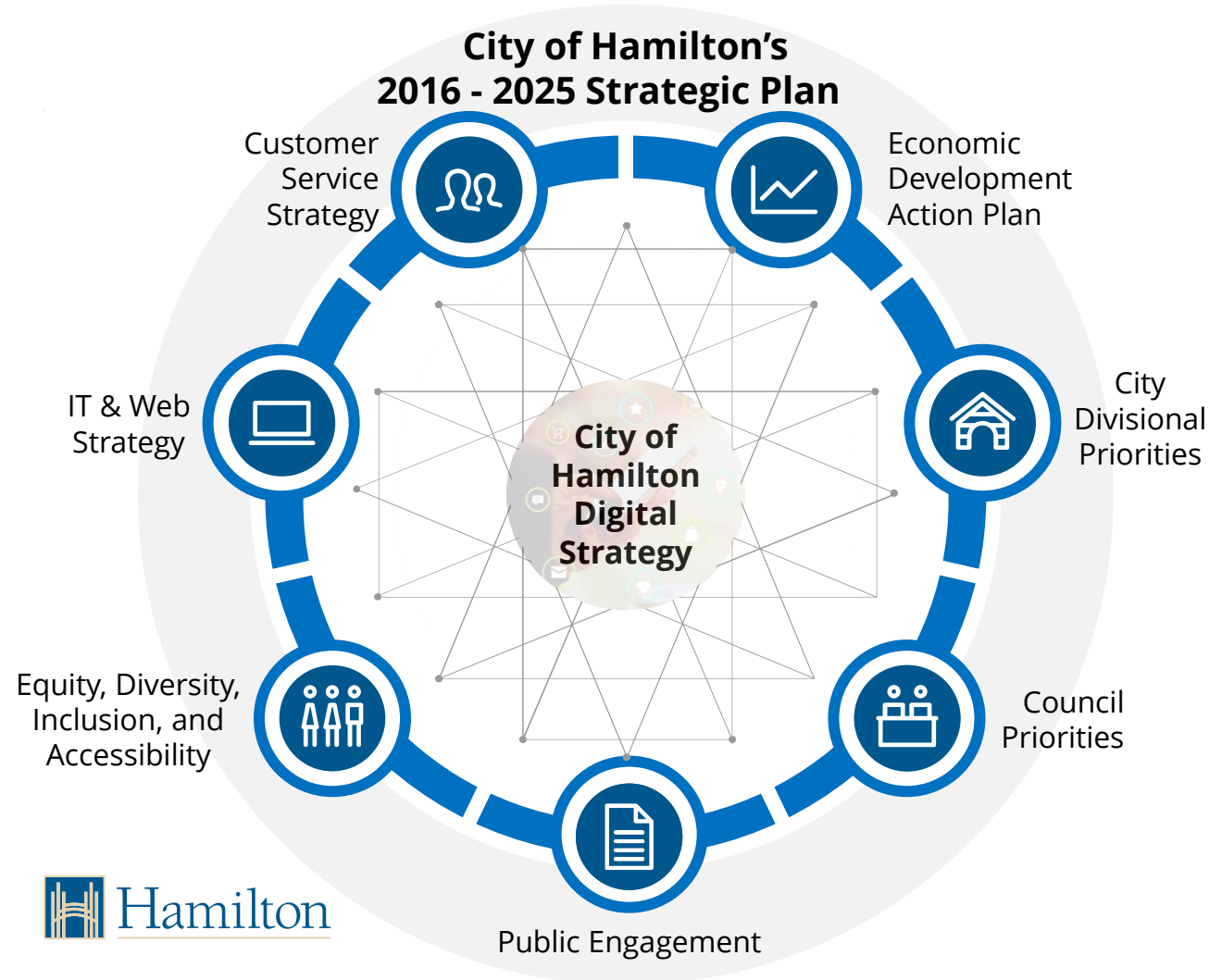
Web Strategy outlines the approach to achieve the City’s vision and objectives enabled through the website / online channels.



DIGITAL STRATEGY

How does the Digital Strategy align with City's Strategic Plan?

Our Digital Strategy is also informed by and aligned to the various priorities that enable the City of Hamilton's 2016 - 2025 Strategic Plan. The Digital Strategy will continue to evolve as these key inputs are updated over time



The Digital Strategy report provides the City of Hamilton with a framework to enhance the current state of digital service delivery. The City will:

- Continue to provide City of Hamilton residents and business owners an opportunity to provide feedback on the Digital Strategy
- Track and report progress on the priority initiatives to the public
- Monitor and respond to ongoing environmental, societal and technological changes
- Ensure Equity, Diversity and Inclusion and adherence to digital requirements of the Accessibility for Ontarians with Disabilities (AODA) Act compliance requirements are reflected in digital solutions and services delivery
- Review and refresh the Digital Strategy to ensure continuous improvement

DIGITAL STRATEGY

City of Hamilton's Digital Vision

Provide a connected experience across all channels, with services that are easy to use and navigate

Services are designed with customer (user) input to ensure they are inclusive and accessible



Enable the **seamless delivery** of **customer-centred** digital services for our residents, businesses, partners and employees, and continue to enhance **confidence** in the City and its services



Stakeholders have confidence that the City will deliver on its priorities and commitments

DIGITAL STRATEGY


What we Hope to Achieve through the Digital Strategy

Insights from user research were used to define objectives and measurable outcomes for the Digital Strategy

Digital Strategy Objectives


Digital Strategy Outcomes

Potential Performance Indicators*

1  City digital services are simple and easy to use


Improved satisfaction and confidence for all customers

- Resident / Business satisfaction score

2  The digital service experience across channels is connected


Increased digital service adoption and engagement through digital channels

- Number of services offered through digital channels

3  Empower workforce with access to digital tools and training to deliver services effectively

Increased City staff engagement, satisfaction and confidence

- City staff satisfaction score

4  Improve digital service delivery efficiency

Improved response and processing time for digital service requests

- Average response and processing time for digital service requests

*Performance measurement depends on data availability. The City will continue to define and collect data on performance indicators that are not currently measured.

Guiding Principles to Support the Digital Strategy

A set of guiding principles was developed to help guide the enhancement of City services available through digital channels

Customer-centred Design

*Create desirable digital services by putting the user (internal and external) at the centre of the design process to ensure **inclusion and accessibility***

- Engage users in the identification, design and iteration process for digital services
- Ensure digital services are accessible and allow users with different needs to independently engage with the City
- Promote broader inclusion by extending beyond mandatory accessibility standards (e.g., AODA compliance)

Collaborative and Connected

*Enhance collaboration across divisions to enable a **consistent and seamless experience** for users*

- Foster collaboration across divisions to provide users with a consistent experience as they engage with different City services online
- Integrate systems to minimize the need to collect the same information from a user each time they engage with the City
- Incorporate an end-to-end user experience framework

Transparent and Accountable

*Establish transparency on City operations, ownership of outcomes, privacy and security measures to enhance **confidence** in the City*

- Provide users with visibility into the status of their service request
- Establish accountability on completion of service requests
- Establish policies and procedures to ensure privacy and security of user data

Continuous Improvement

*Develop an internal culture of continuous improvement of people, processes, technology and data to evolve service delivery over time and enhance **customer-centred** user experiences*

- Invest in training and upskilling programs
- Conduct regular current state assessments to identify opportunities for improvement
- Track and monitor progress of KPIs for continuous service improvement

DIGITAL STRATEGY

How will the City enable the Digital Strategy?

Internal and external research insights informed the identification and prioritization of top opportunities to bring the Digital Vision and Strategy to life



Digital Foundations

Develop core processes that outline how the City uses digital technology to deliver value to users

Digital Governance

A framework for establishing roles and responsibilities, accountability and clear decision-making

Digital Delivery Standards

A standard set of guidelines (e.g., AODA compliance) to ensure consistent and quality delivery of digital services

Digital Literacy

Promote and create awareness of digital strategy, digital governance, digital delivery standards and available resources amongst all City staff

Data Privacy & Security

Improve the collection, processing and usage of data



Digital Workplace

Ensure City staff have the technology, skills and support to effectively deliver City services

Technical Training & Support

Promote and facilitate training on digital tools and technology, and provide ongoing support

Access to Tools & Software

Provide City staff with greater and more consistent access to digital tools and software

Digital Document & Record Management

Digitize document and record management and standardize processes to drive efficiency



Digital Delivery

Improve service delivery experience through digital technology

Digital Information Delivery

Continue to enhance Hamilton.ca to more effectively serve user needs

Payment Modernization

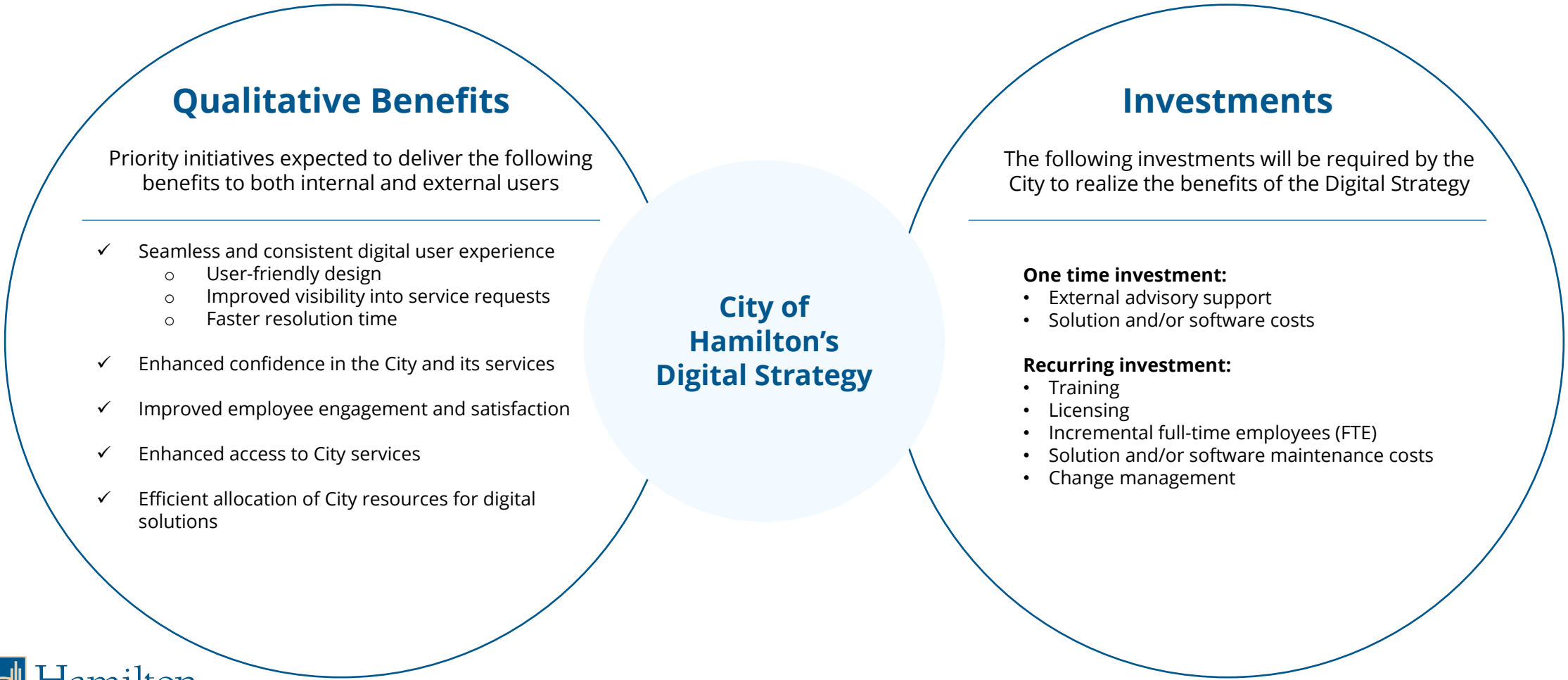
Enhance the payment experience

Digital Service Delivery Enhancements

Improve interactions with residents and businesses through new or enhanced tools

Potential Benefits and Investments for Digital Initiatives

A high-level assessment was conducted to determine potential benefit and investment drivers associated with delivering the Digital Strategy's priority initiatives. More detailed analysis will be conducted once the priority initiatives have been further scoped and a digital governance model to guide priorities is established



DIGITAL STRATEGY

How was the Digital Strategy Developed?

We talked to residents, businesses and community partners along with City staff and employees to capture a range of relevant perspectives, and conducted broader research through a jurisdictional scan to identify best practices

External Engagement



Focus Groups

Focus groups were conducted to understand the experience external users have using the City's digital services while identifying opportunities for improvement.

- 35 participants



Digital Services Survey

Online – a survey was launched to the public on the Engage Hamilton platform.

- 172 respondents

In-person – the online survey was supplemented by in-person engagement at 6 community locations to make it accessible to those who don't use digital services and to ensure a diverse set of stakeholders were engaged

- Dundas Lions Memorial Community Centre
- Stoney Creek Recreation Centre
- Huntington Park Recreation Centre
- Valley Park Community Centre
- Sackville Senior Centre
- Westmount Recreation Centre

Deloitte

Subject Matter Experts

Internal Engagement

In-depth Interviews



One-to-one and small group interviews were conducted to understand how the City currently operates, its digital capabilities and challenges, as well as to identify opportunities for improvement.

- 42 participants across 5 departments

Digital Maturity Survey



A survey was provided to the City's staff to assess the digital maturity of the City relative to other organizations, and to identify priority improvement areas.

- 255 respondents across senior leadership and subject matter experts

City of Hamilton Digital Strategy

Jurisdictional Scan

A jurisdictional scan was conducted to identify other public sector organizations with comparable or relevant digital capabilities to inform the City of Hamilton's Digital Strategy. The research explored three key areas: customer experience and service delivery, digital tools and solutions, and operating model.


DIGITAL STRATEGY


We Listened to the Public

We conducted focus groups and surveys to understand the experiences of residents, businesses and community partners when using digital City services, while identifying opportunities for improvement

Focus Groups

People are becoming more comfortable using digital services, but Hamiltonians still value the option to speak to a City staff member directly, especially for more complicated queries. We spoke to residents (with varying levels of comfort with digital technology) about their experience using digital City services. We found that residents have difficulty using digital services since they are not readily accessible nor available in one place

-  **The "Highs"**
- *There's lots of information available online*
 - *I'm interested in digital self-serve processes*
 - *I value personal interactions and support*

-  **The "Lows"**
- *I have trouble finding the right information*
 - *I often run into challenges with online self-serve options*
 - *Sometimes City staff can't answer my question*

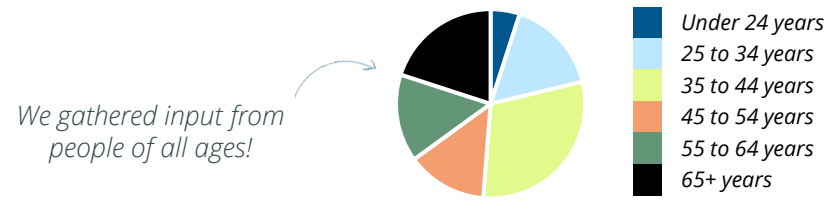
What does this mean for the Digital Strategy?

- The Digital Strategy will work towards providing Hamiltonians with greater access to digital services while improving the service experience online
- Key focus areas for improvement from our research include:

 **Easy to Access**
  **Clear and Simple**
  **Status Tracking**
 **Effective Help and Support**
  **Choice of Channel**

Digital Services Survey

The survey reinforced that people are becoming more comfortable with and interested in using digital services. Although many users report being satisfied with digital City services, we know there is room for improvement.



89% of respondents report average to above average competency using digital services

60% are frequent users who use digital City services daily, weekly, or monthly

71% are satisfied to very satisfied with digital City services

What does this mean for the Digital Strategy?

- The survey helped reinforce that digital and online services are important and often used by residents and businesses
- It helped identify what type of improvements are most important to users:
 1. *Make the process clear and simple to navigate*
 2. *Enhance case management and status tracking*
 3. *Ensure information and services are easy to access*

We Heard from City Staff

We conducted a survey and interviewed City staff to understand and assess the City of Hamilton’s digital maturity, as well as to identify the City’s current capabilities and future opportunities to inform the Digital Strategy

In-depth Interviews

Staff members across the City were consulted to provide insight on the following themes:

-  **People**
-  **Process**
-  **Data**
-  **Technology**

Key takeaways:

- Creating a governance framework is a critical first step
- Empower City staff to provide a stand-out digital experience to external users
- Equip staff with the skills through upskilling to contribute to and deliver the Digital Strategy
- Create a culture of collaboration through consistent and shared access to digital tools
- Develop guidelines for data collection, sharing and use across departments

Digital Maturity Survey

A survey was widely distributed to City staff to understand the digital maturity of the City. It assessed four key areas that are critical for enabling the Digital Strategy. A current state assessment for each category was completed to indicate where the City is today.

Looking ahead, the Digital Strategy includes initiatives that target the largest gaps at present and address the areas projected to be most important in the future.

Assessment areas:

- 1** Opportunities to modernize service delivery
- 2** Processes and ways of working
- 3** Learning, development and innovation
- 4** Ability to adapt to external environment

What does this mean for the Digital Strategy?

Key Priorities for City Staff:



A Seamless Experience

Enable seamless experience for users (internal and external) when engaging with the City



Data-driven Decision Making

Leverage data to make informed decisions and improve transparency around City operations and Key Performance Indicators (KPIs).



Productivity Through Technology

Leverage technology to improve productivity and efficiency for users (internal and external)



Digital Foundation and Culture

Develop digital culture internally to enable the expansion and enhancement of digital services

We Looked at What Other Jurisdictions Are Doing

All jurisdictions are different in how they deliver services to external users. However, each jurisdictional example presents unique considerations and lessons learned when modernizing their service delivery

Cities

What did we learn?

In order to shed light on cutting-edge developments in service modernization outside of Canada, we have included two international cities for our in-depth scan. The following jurisdictions were selected based on their size, demographics and interest in digital transformation relative to Hamilton's

Vancouver, British Columbia

- The availability of free public Wi-Fi supplemented by the Van311 app makes access to City services on the go more accessible for residents and visitors

San Diego, United States

- The City of San Diego has implemented numerous online portals for residents and businesses that offer an improved digital user experience for submitting and reviewing the status of service request applications

Long Beach, United States

- Long Beach is providing greater transparency on City initiatives through the recovery dashboard; transparency is a key element for building and maintaining trust which is important in the public sector

Aspirational examples

The following jurisdictions serve as aspirational examples for the long-term:

- 1 **New South Wales, Australia**
- 2 **Boston, USA**
- 3 **Copenhagen, Denmark**

Single login portal to access over 800 services

Increased transparency and trust through **CityScore Dashboard**

Real-time feedback through digital interface of the **public hearing platform**

- 4 **Bellevue, USA**
- 5 **Seoul, South Korea**
- 6 **Almaty, Kazakhstan**

Colleague connect sessions to help employees learn and practice new tools

Expansion of public services available to citizens via the metaverse

Unified data governance and data exchange platform to improve quality of City services

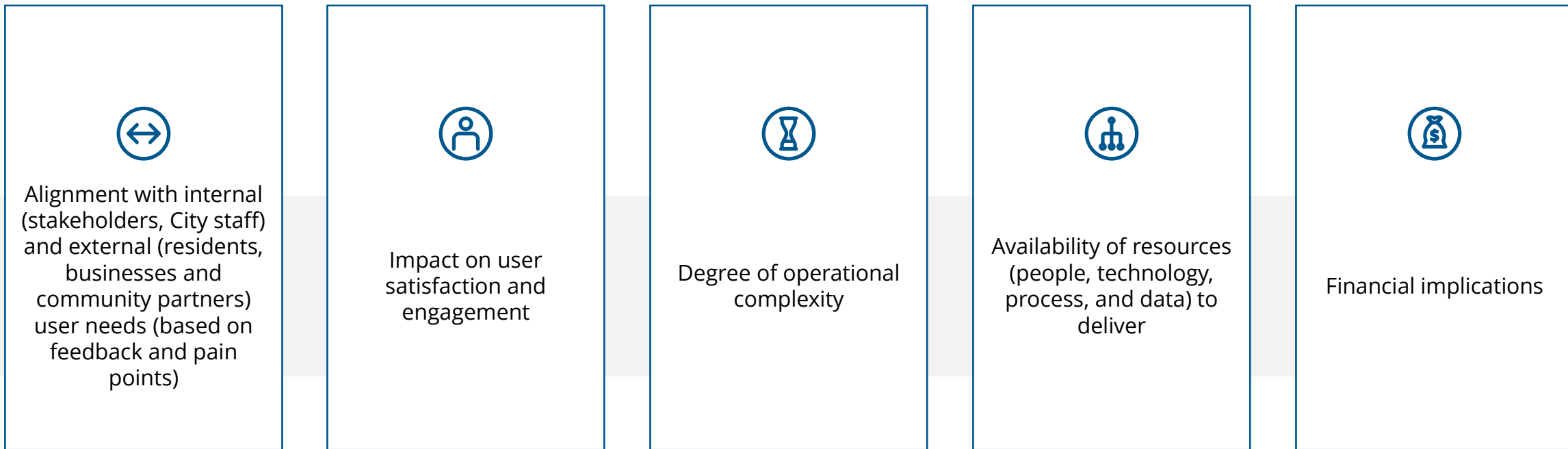
DIGITAL STRATEGY

We Evaluated and Prioritized the Opportunities Identified

We identified a set of opportunities for improvement through our research and used the following approach to prioritize them

Opportunities for improvement were identified through Internal and external research. The list of 21 opportunities were assessed against a set of criteria (i.e., what is desirable to users, economically viable and relatively feasible for the City to implement) to identify high priority initiatives that will achieve the City of Hamilton's Digital Vision, Objectives and intended Outcomes. Ten initiatives were prioritized to be delivered over the next three years.

The following prioritization criteria was applied :



City of Hamilton's 'Digital Strategy On a Page'

Summary view of the City of Hamilton's Digital Strategy Vision, Objectives, Outcomes, Guiding Principles and Opportunities

I. DIGITAL STRATEGY VISION

Enable the seamless delivery of customer-centred digital services for our residents, businesses, partners and employees, and continue to enhance confidence in the City and its services

II. DIGITAL STRATEGY OBJECTIVES / OUTCOMES

Objectives		Outcomes	
City digital services are simple and easy to use	Empower workforce with access to digital tools and training to deliver services effectively	Improved satisfaction and confidence for all customers	Increased City staff engagement, satisfaction and confidence
The digital service experience across channels is connected	Improve digital service delivery efficiency	Increased digital service adoption and engagement through digital channels	Improved response and processing time for digital service requests

III. GUIDING PRINCIPLES

<p>Customer-centred Design <i>Create desirable digital services by putting the user (internal and external) at the centre of the design process to ensure inclusion and accessibility</i></p>	<p>Collaborative and Connected <i>Enhance collaboration across divisions to enable a consistent and seamless experience for users</i></p>	<p>Transparent and Accountable <i>Establish transparency for City operations, ownership of outcomes, privacy and security measures to enhance confidence in the City</i></p>	<p>Continuous Improvement <i>Develop an internal culture of continuous improvement of people, processes, technology, and data to evolve service delivery over time and enhance customer-centred user experiences</i></p>
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IV. OPPORTUNITIES

<p>Digital Foundations Digital Governance Digital Delivery Standards Digital Literacy Data Privacy & Security</p>	<p>Digital Workplace Technical Training & Support Access to Tools & Software Digital Document & Record Management</p>	<p>Digital Delivery Digital Information Delivery Payment Modernization Digital Service Delivery Enhancements</p>
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AUDIT, FINANCE AND ADMINISTRATION COMMITTEE REPORT 23-003

9:30 a.m.

February 16, 2023

Council Chambers

Hamilton City Hall

Present: Councillors C. Kroetsch (Chair), T. Hwang (Vice-Chair), J. Beattie, B. Clark, M. Tadeson, and A. Wilson

Absent with Regrets: Councillor M. Wilson– Personal

THE AUDIT, FINANCE AND ADMINISTRATION COMMITTEE PRESENTS REPORT 23-003 AND RESPECTFULLY RECOMMENDS:

1. Fraud and Waste Annual Report (AUD23003) (City Wide) (Item 8.1)

- (a) That the Fraud and Waste Hotline pilot program be extended through to July 31, 2023 using the existing Council-approved funding allotment (Report AUD18007); and
- (b) That Appendices “A” and “B” to Audit, Finance and Administration Report 23-003, be received.

2. Consent Items (Item 9)

That the following reports be received:

- (a) Report FCS22050(a)/PW22047(a), respecting Update on Procurement of Liquid Chlorine in Railway Tank Cars for the Woodward Water and Wastewater Treatment Plants (City Wide) (Item 9.1); and
- (b) Report FCS23016, respecting 2020 and 2021 Audited Financial Statements for City of Hamilton Business Improvement Areas (BIAs) (City Wide) (Item 9.2);

3. Committee Against Racism Citizen Committee Report, respecting Citizen Candidates for the Hamilton Police Services Selection Committee (Added Item 10.2)

That the appointments of the Community Representatives listed in the Citizen Committee Report respecting Citizen Candidates for the Hamilton Police Services Board Selection Committee be referred to the February 22, 2023 Council meeting for consideration.

FOR INFORMATION:

(a) CHANGES TO THE AGENDA (Item 2)

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

5. COMMUNICATIONS

- 5.2 Gabriel Nicholson, respecting motion 11.2 Council Access to and Copies of Confidential Records
Recommendation: Be received and referred to Item 11.2, Council Access to and Copies of Confidential Records.

8. STAFF PRESENTATIONS / PRESENTATIONS

- 8.2 Committee Against Racism - Annual Report (no copy)

9. CONSENT ITEMS

- 9.4 Committee Against Racism Minutes – January 10, 2023

10. DISCUSSION ITEMS

- 10.2 Committee Against Racism Citizen Committee Report, respecting Citizen Candidates for the Hamilton Police Services Selection Committee
Refer to Item 14.1 for Confidential Appendix A to Committee Against Racism Citizen Committee Report, respecting Citizen Candidates for the Hamilton Police Services Board Selection Committee.

14. PRIVATE AND CONFIDENTIAL

- 14.1 Confidential Appendix A - Committee Against Racism - Citizen Committee Report, respecting Citizen Candidates for the Hamilton Police Services Selection Committee

The agenda for the February 16, 2023 Audit, Finance and Administration Committee meeting was approved, as amended.

(b) DECLARATIONS OF INTEREST (Item 3)

There were no declarations of interest.

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

- (i) February 2, 2023 (Item 4.1)**

The Minutes of the February 2, 2023 meeting of the Audit, Finance and Administration Committee were approved, as presented.

(d) STAFF PRESENTATIONS / PRESENTATIONS (Item 8)

(i) Fraud and Waste Annual Report (AUD23003) (City Wide) (Item 8.1)

Charles Brown, City Auditor, addressed Committee respecting the Fraud and Waste Annual Report, with the aid of a presentation.

The presentation from Charles Brown, City Auditor, respecting the Fraud and Waste Annual Report, was received.

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

(ii) Committee Against Racism - Annual Report (Added Item 8.2)

Taimur Qasim, Co-Chair, Committee Against Racism, addressed the Committee respecting the Committee Against Racism Annual Report.

The presentation from Taimur Qasim, Co-Chair, Committee Against Racism, respecting the Committee Against Racism Annual Report, was received.

(e) CONSENT ITEMS (Item 9)

(i) Advisory Committee Minutes

The following Advisory Committee Minutes, were received:

1. Hamilton Women and Gender Committee - December 23, 2022 (Item 9.3)
2. Committee Against Racism - January 10, 2023 (Added Item 9.4)

(f) DISCUSSION ITEMS (Item 10)

(i) Hamilton Women and Gender Equity Committee, Citizen Committee Report, respecting Applying a gender lens to the City of Hamilton for the Operational Budget (Item 10.1)

The Hamilton Women and Gender Equity Committee, Citizen Committee Report, respecting Applying a gender lens to the City of Hamilton Budget, was received and referred to staff for report back to the Audit, Finance and Administration Committee in advance of the 2024 budget process on how a gender-based lens can be applied through a municipal budgeting process.

(g) MOTIONS (Item 11)

(i) Constituent Management Software (Item 11.1)

WHEREAS, Councillors and their staff are currently not provided with supported database software that helps track actionable items based on contact with constituents;

WHEREAS, Information Technology staff must be directed by Council to explore database software options that can be supported;

THEREFORE, BE IT RESOLVED:

Information Technology staff were directed to explore user friendly database software options and report back to the Audit, Finance and Administration Committee with those options, complete with any costs associated with adopting such software for use by Councillors and their administrative staff.

Councillor Kroetsch relinquished the Chair to Councillor Hwang to introduce the following Motion and Notice of Motion:

(ii) Council Access to and Copies of Confidential Records (Item 11.2)

The motion respecting Council Access to and Copies of Confidential Records was referred to staff for report back to the Governance Review Sub-Committee at a future meeting.

(h) NOTICES OF MOTION (Item 12)

(i) Feasibility of a Bring Your Own Device Policy (Item 12.1)

Councillor Kroetsch introduced the following Notice of Motion:

WHEREAS, the Council-approved *City of Hamilton E-mail, Internet, and Computer Acceptable Use Policy* and *IT Security Policy* strictly prohibit the use of personal devices in any form to conduct City of Hamilton business;

WHEREAS, the ability to use a range of technology, including software, to accommodate social media and graphic design would enable Councillors and their staff to optimize their office work;

THEREFORE, BE IT RESOLVED:

That Information Technology staff investigate the feasibility of implementing a bring-your-own-device policy that would allow Councillors and their staff to use personal computers, mobile phones and other personal devices to conduct City of Hamilton business and report back to the Audit, Finance and Administration Committee on the following:

- (a) the risks, operational impacts, and cost implications of implementing a bring-your-own-device policy;
- (b) the possible implementation of a pilot for a bring-your-own-device policy, that shall be limited to Councillors and their administrative staff; and
- (c) an investigation of other direct paths to allow Councillors and their staff to use a range of personal technology to meet their individual needs.

Councillor Kroetsch assumed the Chair.

(i) GENERAL INFORMATION / OTHER BUSINESS (Item 15)

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

The following amendments to the Outstanding Business List, were approved:

- (a) Items Requiring a New Due Date
 - 1. Transportation Operations Inventory Audit, Fraud and Waste Investigation, and Follow Up to Audit Report 2013-17 - Public Works - Traffic Inventory
Item on OBL: 22-G
Current Due Date: May 2023
Proposed New Due Date: September 21, 2023
- (b) Items Considered Complete and to be Removed
 - 1. Procurement of Liquid Chlorine in Railway Tank Cars for the Woodward Water and Wastewater Treatment Plants
Item on OBL: 22-F
Addressed as Item 9.1 on today's agenda

(j) ADJOURNMENT (Item 15)

There being no further business, the Audit, Finance and Administration Committee, was adjourned at 11:41 a.m.

Respectfully submitted,

Councillor Cameron Kroetsch, Chair
Audit, Finance and Administration
Committee

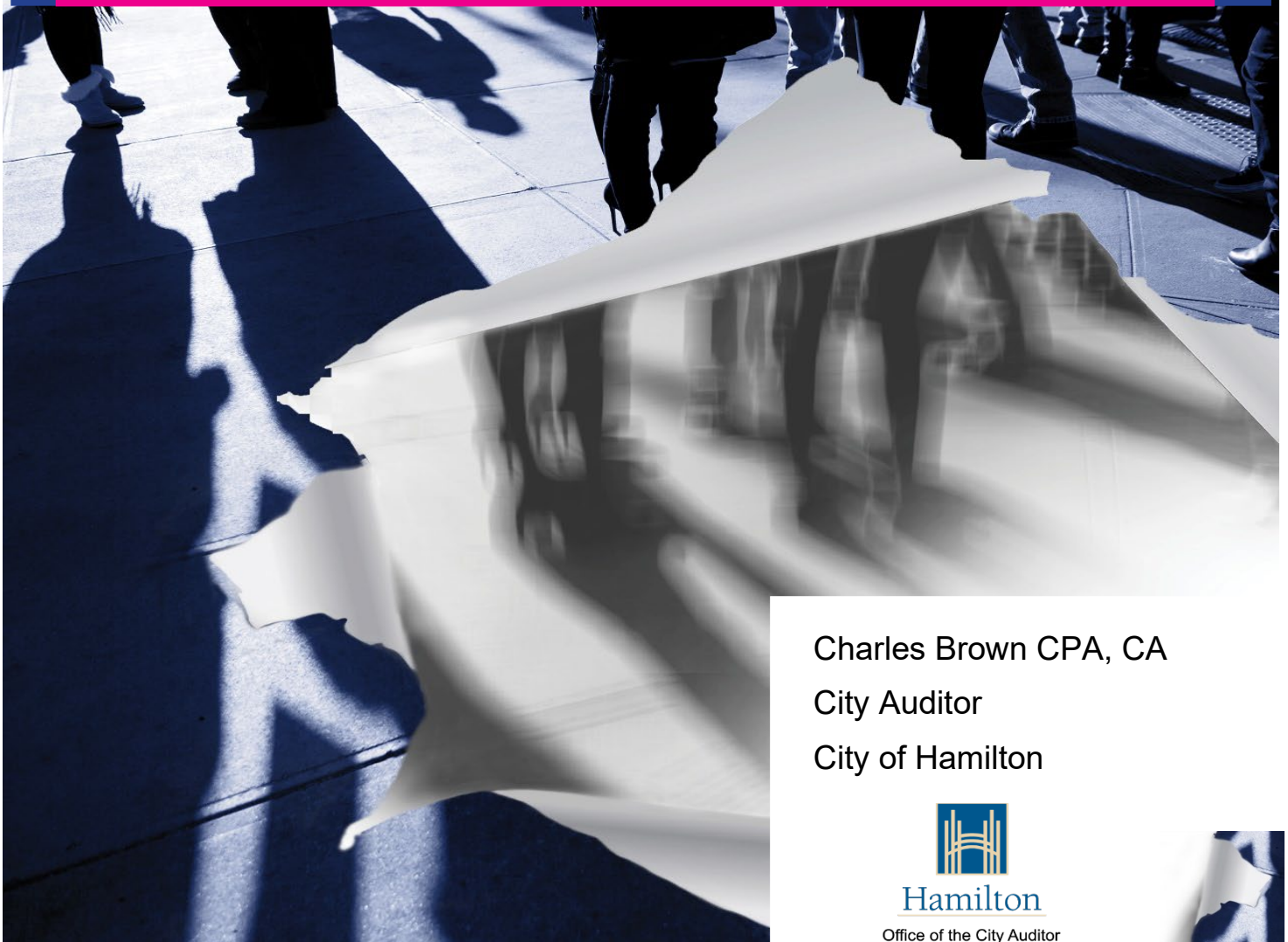
Tamara Bates
Legislative Coordinator

Office of the City Clerk

City of Hamilton
Office of the City Auditor

FRAUD AND WASTE ANNUAL REPORT

July 1, 2021 to June 30, 2022



Charles Brown CPA, CA
City Auditor
City of Hamilton



Contents

	<u>Page</u>
Summary and Commentary	3
About the Fraud and Waste Hotline	4
Alignment to the 2016-2025 Strategic Plan	5
Introduction	6
Fraud and Waste Hotline Program	6
Anonymity of the Fraud and Waste Hotline	7
Role of the City Auditor	7
Report Sources	7
Overview	8
Historical Volume	9
Work Volume	10
Reports	10
Employee Reports	11
Reports from the Public	11
Anonymous Reports	11
Whistleblower Disclosure	12
Report Categories	13
Prior Year Reports	14
Substantiation	14
Loss or Waste/Mismanagement Substantiated	15
Disciplinary Action	16
Recoveries and Impact	16
Report Outcomes	17
Report Examples – Introduction	17
Report Examples	18 - 28
Other Report Examples	27 - 28
Conclusion	28

Summary and Commentary

This year's Fraud and Waste Annual Report reflects the third year of activity of the hotline since it was launched in July 2019. It provides a summary of the complaints received, the investigations launched, and the results and actions that took place related to allegations of fraud and government waste.

During the first year, July 2019 to June 2020, the volume of reports received by the Office of the City Auditor exceeded initial expectations, with 85 reports being received. For the second year, July 2020 to June 2021, the volume of activity continued to exceed expectations with 80 reports received. For the third year, the volume increased significantly with 107 reports received. In fact, that trend has continued during the first six months of the fourth year of implementation, with 74 reported complaints, the highest ever volume for a six-month period. Clearly, the hotline continues to be well used.

With 107 reports received in the most recent reporting year, we have noted that 64% come from employees and 36% from the public. While most of the complaints we receive are dealt with through referral and report back, a significant number, 21%, involve investigation by our office. Overall, the substantiation rate of complaints received was 32%. We also continued to follow the approach of the previous year by making it a practice to initiate spontaneous system or process audits in response to issues that could have systemic repercussions. In that regard we launched audits and/or reviews of Hamilton Municipal Cemeteries Trust Funds (Report AUD23001), Roads Value for Money Audit - Roads Quality Assurance Supplementary Audit Report (Report AUD21006(a)), and IT Asset Management Review (AUD22006).

The purpose of the hotline and ensuing investigation of complaints is to ensure honesty, integrity and accountability in the operations of the City. One of the significant benefits is that it affords an opportunity to identify systemic problems, themes or emerging issues that can be considered by City management in their operations and Council in their governance.

One issue that OCA is bringing forward for the second year in a row is the apparent difficulty that management experiences in properly dealing with conflict of interest situations that arise with employees of the City. Since the hotline was implemented OCA has investigated no fewer than 14 instances (more if reports where conflict of interest is one of several topics being looked into are considered) where either the disclosure process or the related mitigation of the conflict of interest has been an issue. Conflicts of interests continue to be one of the most persistent, serious, and time-consuming types of complaints received and investigated by the OCA.

In our view, the current policy is not clear, and does not lend itself to consistent, accurate and unambiguous interpretation. In practice, potential conflicts are not

being reported, and when they are the process is inadequate to ensure they are properly addressed. The form that is used for conflicts does not match the actual requirements in the policy, and it tends to be completed in a perfunctory manner. Nor does the process ensure that there is a third party, objective determination being made of the nature and severity of each case. In general, we have found that they do not come under adequate scrutiny by senior leadership. Another difficulty is that there is no central repository of conflict declarations, where decisions can be tracked and evaluated for consistency or consulted for precedent. In comparing the City’s process with other jurisdictions, we note that some organizations manage conflicts of interest through an annual reminder and disclosure letter from the senior-most leader, with disclosures being adjudicated by them with support from legal services. In our opinion, that approach provides more objective, third party scrutiny to the decisions that are made on whether a situation is a conflict and how it is to be mitigated.

On a related issue, we also note in this year’s report that the current Policy on Gifts and Hospitality is silent about the appropriateness of high levels of socializing with contractors or vendors. In these circumstances, employees need to be mindful of the perception that such conduct creates with members of the public, and the impact it can have on staff.

Previously we recommended that senior leadership undertake a review of its current process of Conflict of Interest management to rationalize and improve the effectiveness with which these processes are conducted, and most importantly to elevate the importance of proper disclosure of potential conflict situations. It is our understanding that a review is in progress, as the OCA was consulted by Human Resources to share our findings, experience, and expertise in this area. To these recommendations we would go further with respect to the lessons learned this year related to socializing and relationships with vendors:

- 1) Consider defining and prohibiting “non-pecuniary interests” as part of the Code of Conduct and Procurement By-Law
- 2) Amend conflict of interest policies to ensure avoidance, explicitly, of situations of high socialization with vendors and to give notice to employees that these types of conflict situations will require employees to demonstrate compliance with the Gifts and Hospitality policy.

About the Fraud and Waste Hotline

The Fraud and Waste Hotline provides City of Hamilton employees, contractors, vendors, and members of the public a convenient, confidential, and anonymous way to report suspicion or proof of wrongdoing. Wrongdoing is defined as any activity that could be illegal, dishonest, wasteful, or violates a City of Hamilton policy.



Fraud encompasses any array of irregularities and illegal acts characterized by intentional deception.



Waste involves taxpayers not receiving reasonable value for money in connection with any government funded activities, due to mismanagement or an inappropriate or careless act or omission by those with control over or access to government resources.



Whistleblower By-law No. 19-181 is intended to help uncover serious wrongdoing at the City, by bringing it to the attention of management and the City Auditor or their designate, and to ensure it is addressed appropriately, including by means of an investigation where required. The City of Hamilton has had a Whistleblower By-law in force since 2010 (previously By-law No. 09-227).

The Fraud and Waste Hotline enables the City of Hamilton to operate with a high level of honesty and integrity. The Fraud and Waste Hotline is managed by the Office of the City Auditor (OCA), an independent and objective office accountable to Council.

The Office of the City Auditor reviews and assesses every Hotline report to ensure it was made in good faith and if necessary, launch an investigation. The Office of the City Auditor conducts an objective and impartial assessment of each report, regardless of the alleged wrongdoer's position, title, length of service, or relationship with the City.

Alignment to the 2016-2025 Strategic Plan

Community Engagement and Participation

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

Our People and Performance

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

Introduction

This is the Fraud and Waste Annual Report on fraud, waste and whistleblower matters at the City of Hamilton and includes information about the activities of the Fraud and Waste Hotline.

It highlights the reports that have been communicated to the Office of the City Auditor from July 2021 to June 2022. It does not represent an overall picture of fraud, waste, or other wrongdoing across the City of Hamilton.

Fraud and Waste Hotline Program

Pilot launched July 2019

The Fraud and Waste Hotline was established to help protect City of Hamilton assets and reduce losses. Since the pilot launch in July 2019, the cumulative total of actual and potential losses investigated is approximately \$1,157,000, with about \$33,300 recovered via repayments/restitution/asset recovery. Additionally, the Fraud and Waste Hotline provides the following benefits that cannot be quantified:

- Deterring fraud, waste, and wrongdoing,
- Strengthening internal controls and mitigation of risks,
- Improving policies and standard operating procedures,
- Building a culture of accountability,
- Better value in service delivery through increasing operational efficiencies,
- Using hotline report data to identify trends, manage risks, make results-oriented recommendations to management, and inform future audits for the Office of the City Auditor work plan.

No dedicated Fraud and Waste team

The Office of the City Auditor operates the Fraud and Waste program in addition to their other audit, risk assessment, and consulting project assignments. The Office of the City Auditor are a team of professionals who collectively possess the expertise to assess a broad range of reports and conduct investigative work into allegations ranging from simple to complex. When required, the Office of the City Auditor engages outside experts to assist on complex investigations or specialty work due to the small size of the team. Investigation costs are recovered from the home department, per the Fraud Policy and Protocol.

Independent oversight

The Office of the City Auditor also provides independent oversight of management-led investigations by reviewing the adequacy of work performed and evaluating mitigation plans to protect City of Hamilton assets, reduce the risk of future losses, and prevent and deter future fraud, waste, or wrongdoing.

Anonymity of the Fraud and Waste Hotline

Fraud and Waste Hotline intake is independently operated by a third party, Whistleblower Security Inc. Whistleblower Security Inc. provides IntegrityCounts, a Certified Ethics Reporting System, which is a confidential way to report important information and ethical misconduct. Providing any personal information, such as your name, is optional. For any person willing to identify themselves, their information will remain confidential and will not be disclosed unless the City Auditor is compelled to do so by law.

The Office of the City Auditor may have questions or require additional information about a reported incident and will communicate using the Fraud and Waste Hotline anonymous messaging system.

All participants in a fraud and waste investigation are required to keep the investigation details and results confidential.

Role of the City Auditor

The City of Hamilton has appointed the City Auditor as an Auditor General under the Municipal Act (via By-law No. 19-180, and previously No. 12-073). This position has the responsibility to assist City Council in holding itself and its administrators accountable for stewardship over public funds and value for money in City operations. This responsibility is fulfilled by completing audits, operating the Fraud and Waste Hotline and conducting investigations as required.

Report Sources

Reports in good faith are made in one of the following ways:



Online at hamilton.ca/fraud



Email to cityofhamilton@integritycounts.ca



Phone 1-888-390-0393



Mail to PO Box 91880, West Vancouver, BC, V7V 4S4



Fax to 1-844-785-0699

Overview

Number of Reports

Number of Reports Since Hotline Launch

107

272

42 Reports Directly Received by the Office of the City Auditor (Proxy)

33 Proxy Reports Sent by Management, HR, Procurement, Finance, Councillor's Office, City Staff

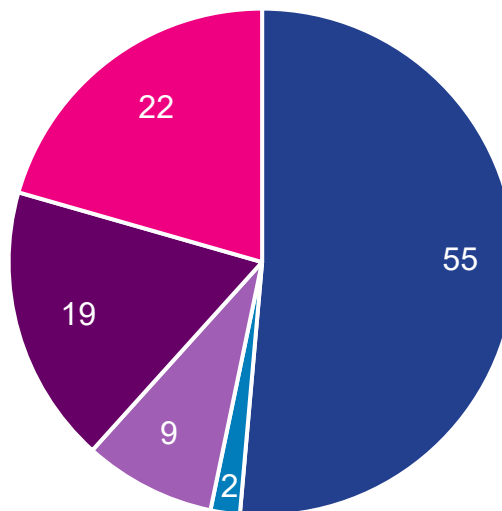
Number of Reports by Source








Report Types July 1, 2021 to June 30, 2022

64% of Reporters Self-Identified as an Employee

36% of Reporters were non-Employees



-  Referral – Response Required – 55
-  Referral – No Action Required – 19
-  No Response Required/ Out of Jurisdiction/ Not Enough Information – 9
-  Investigations Launched (Current Year) - 22
-  Pending/In Progress - 2

Total Investigations Launched (Current Year)
22

Investigation Type

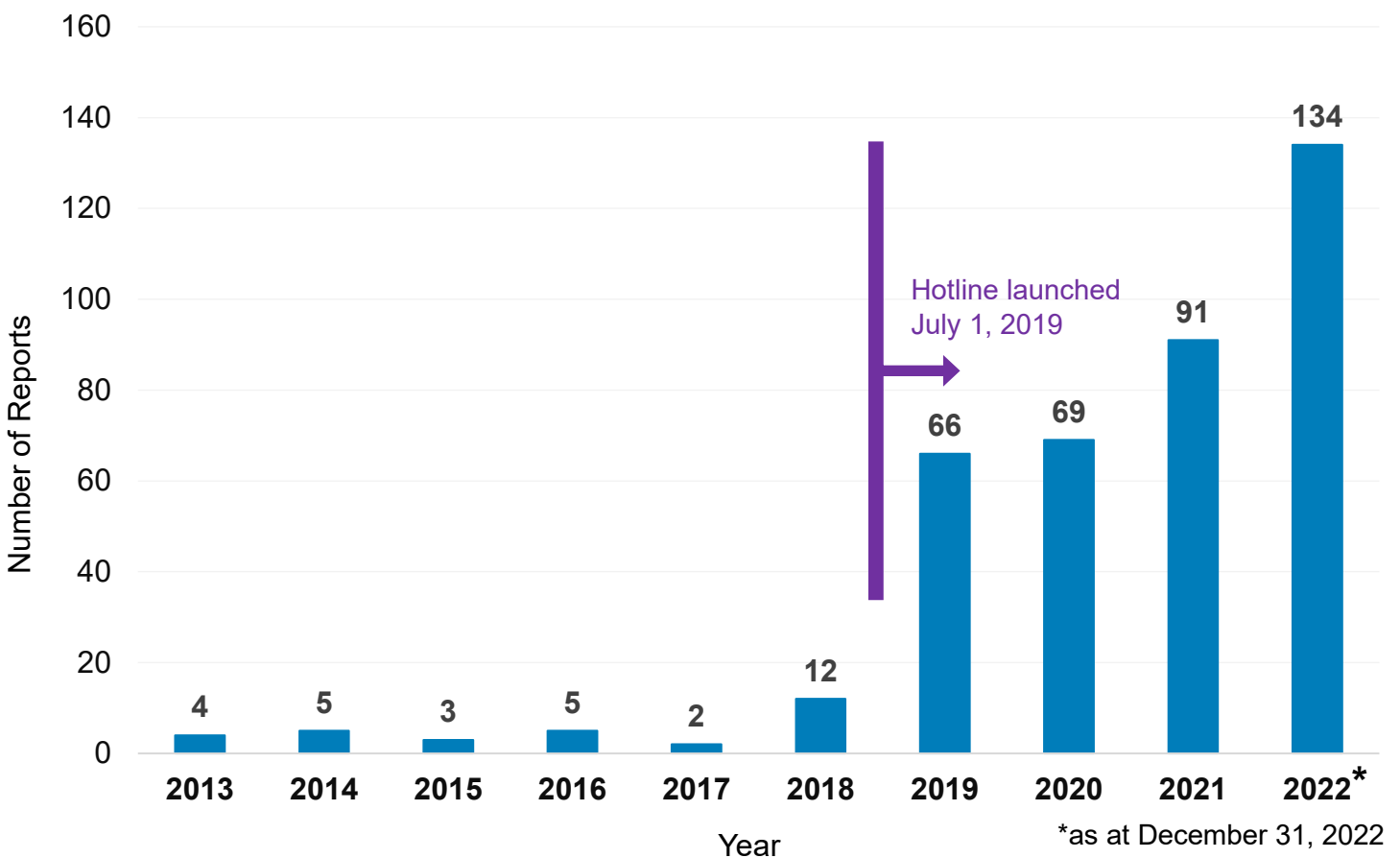
\$718,000 Loss or Waste/Mismanagement Substantiated (\$1.157M since Hotline launch)



Historical Volume

This chart depicts the number of fraud, waste, and whistleblower reports from 2013 to June 2022. Between 2018 to 2021, the Office of the City Auditor saw a large increase in reports since the Fraud and Waste Hotline was announced in late 2018 and launched in July 2019. This trend continued into the first half of 2022.

City of Hamilton Fraud, Waste, and Whistleblower Report Volume January 1, 2013 to December 31, 2022



In the first half of 2019, 14 reports were received by the Office of the City Auditor. After the Fraud and Waste Hotline launched in July 2019, there were 52 reports submitted to the Office of the City Auditor using the Fraud and Waste Hotline, for a total of 66 reports in 2019, 69 reports in 2020, and 91 in 2021. In the first half of 2022, 60 reports were received, in the second half 74 were received. There was a total of 272 reports received in the first 36 months of the Fraud and Waste Hotline being operational (July 2019-June 2022).

Work Volume

A total of 107 reports were assessed by the Office of the City Auditor in the twelve-month period between July 1, 2021 to June 30, 2022.

There are no staff dedicated solely to the Fraud and Waste Hotline Pilot Program. Existing staff are used to complete assessments and investigations, with some limited usage of external specialty expertise for investigations that required additional support.

In total, about 4,187 hours were spent on Fraud and Waste Hotline administration, assessment, investigations and reporting during this 12-month period. This is approximately equivalent to 2.3 frontline audit FTEs annually (excluding management’s time spent on hotline matters). Another way of looking at the resource requirements, the effort is similar to having completed 4 to 5 audits of significant scope and complexity. There are a total of 5 frontline employees in the OCA. It is estimated that management spends between 30-50% of their time on Fraud and Waste matters, depending on the active number of files at any given point in time. Compared to the prior year, an increased amount of time has been spent on Fraud and Waste Hotline matters. The amount of time spent on Hotline matters has increased in each 12-month reporting period since the launch of the Hotline.

Reports

From July 2021 to June 2022, a total of 107 reports were received and assessed.

Of the 107 reports received, 65 reports were received via the third-party hotline operation. Another 42 reports were received directly by the Office of the City Auditor and were entered as a proxy into the case management system that is provided as part of the IntegrityCounts service contract. Of the 42 proxy reports received directly by the OCA, 20 were made by City Staff, and 11 were received from City Management. Eight items were received directly from citizens, two were received directly from a Councillor’s Office and one was received directly from the media.

For reports received regarding Ontario Works (OW) and Housing Services social services matters, these were referred to OW and Housing Services for assessment and investigation. The investigations were handled by OW/Housing Services, not the OCA. The substantiation status is reported to the OCA for tracking the aggregate statistics. The OCA reserves the right to investigate any matter which is not found to be satisfactorily investigated.

Employee Reports

Sixty-eight of these 107 reports were reported by City of Hamilton employees (64% vs 59% in the prior year). Thirty-five of the 68 employee reports were made anonymously (51% vs 49% prior year). The remaining 33 reports were employees that identified themselves. Many of these 33 reports where the employee identified themselves were employees working in HR, Finance, Procurement, and Management where they had an awareness of the Fraud Policy and Protocol and of their responsibility to report matters to the Office of the City Auditor as part of their job duties.

The Office of the City Auditor continues to encourage employees and management to submit reports and thanks all those that submitted reports for this reporting period, and for their cooperation during report assessments and investigations.

Reports from the Public

All reports received from the public were assessed and investigated as appropriate. The Office of the City Auditor continues to encourage members of the public to submit reports and thanks all those that submitted reports for this reporting period and for providing additional information as requested.

Anonymous Reports

When a report is made anonymously, it automatically does not qualify as a whistleblower disclosure per the Whistleblower By-law, although it may meet the definition of serious wrongdoing. The vast majority of the reports the Office of the City Auditor received do not qualify as a whistleblower matter due to the anonymity of the employee. Therefore, the majority of employee reports made would not be able to qualify as a whistleblower disclosure. Fifty-eight of the 107 (54%) reports received for the current 12-month reporting period were anonymous.

It should be noted that anonymous reports are able to be effectively assessed and investigated if the Reporter provides a sufficient level of information. The OCA is able to communicate with an anonymous reporter in the case management system if the Reporter has chosen to enable this feature. City of Hamilton employees continue to prefer making anonymous reports to the Hotline. While anonymity is not necessarily a constraint to the Office of the City Auditor

investigations, the ability to dialogue with a Reporter through the IntegrityCounts online messaging system has proven effective in assisting with investigations.

Reports Involving Whistleblower



1

July to December 2021
(Previously Reported)

2

January to June 2022

Whistleblower Disclosure

By-law 19-181 (Whistleblower By-law), Section 19 - Responsibility of the City Auditor requires reporting to Council semi-annually, in the aggregate, on the number, nature and outcome of disclosures of serious wrongdoing made under this By-law. Previously, there was a quarterly reporting requirement. Activity for July to December 2021 was reported to Council in March 2022.

There were three qualifying Whistleblower disclosures from July 2021 to June 2022.

One item was reported in the Fraud, Waste, and Whistleblower Semi-Annual Update (AUD22003) covering the period July 2021 to December 2021. The report category is Multiple Categories Applicable (Vendor/Contractor Wrongdoing and Other-Quality Assurance) and the report was found to be substantiated.

There were two reports received from January to June 2022. The first report's category was Multiple Categories Applicable (Improper Financial/Budget Reporting and Waste) and the outcome is pending as the investigation is in progress. The second report's category was Multiple Categories Applicable (Reprisal and Improper Financial Reporting/Budgeting). The report was found to be partially substantiated.

Report Categories

A wide variety of reports were received by the Office of the City Auditor for the 12-months covered in this reporting period. The top most common report categories were the following:

Top Report Categories (Current Year) Period Summary: July 1, 2021 to June 30, 2022

Multiple Categories Applicable	29
Social Services – Fraud/Wrongdoing	19
Time Theft and/or Misconduct	10
Out of Jurisdiction	9
Conflict of Interest	6
Fraud/Wrongdoing	4
Improper Financial Reporting/Budgeting	4
Waste	4
Contractor/Vendor Wrongdoing	3
Employee Benefits Fraud	3
Service Complaint/Concern	3
Phishing/Identity Theft	2
Misuse of City Resources	1
Public Safety	1
Reprisal	1
Other Various Categories	8
Total Reports	107

Having the top report category be “Multiple Categories Applicable” is indicative of the growth in complexity of the reports we receive, many of which contain multiple allegations that need to be assessed and investigated (if applicable).

Prior Year Reports

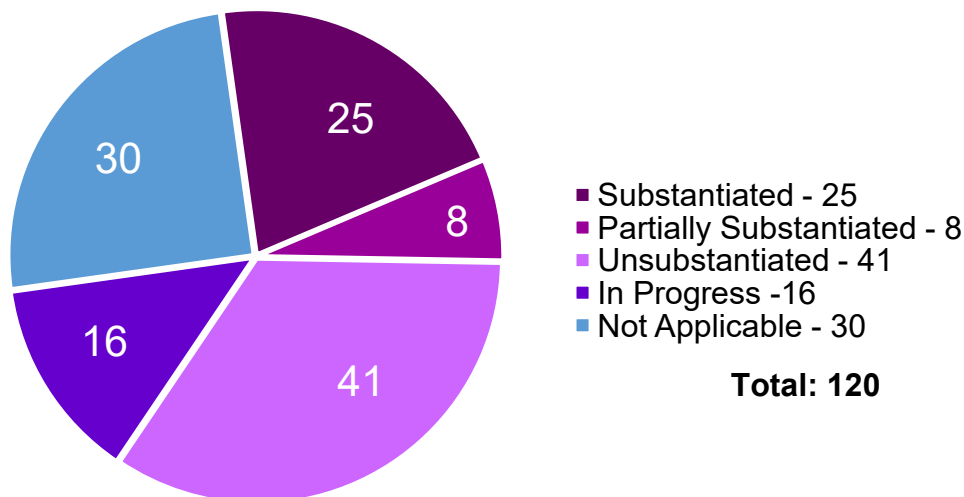
Thirteen open reports were reported at the time the 2020-2021 Fraud and Waste Annual Report was issued. The assessments and investigations were completed by the Office of the City Auditor with the following outcomes: 6 were substantiated, 2 were partially substantiated, and 4 were unsubstantiated, and 1 has an outcome pending. There is one prior year report open, the substantiation result and any losses and recoveries will be reported in the next Fraud and Waste Annual Report. Outcomes are included in the section below for reports that were closed during the current reporting period.

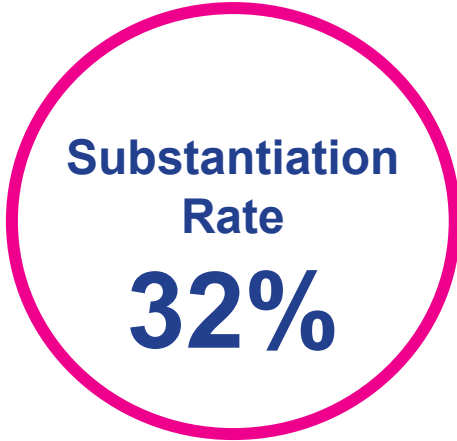
Substantiation

One way of summarizing outcomes is to report on the volume of reports that were substantiated, that is the number of reports where the allegation(s) were found to have merit and were able to be proven by reviewing evidence or with findings from interviews.

Of the reports received from July 2021 to June 2022 (plus any carryforward reports from prior years) the following is a summary of substantiation status. A substantiation result is not applicable (N/A) if a report was out of jurisdiction, the assessment result was that no action was to be taken, or if the report was to be referred elsewhere.

Volume of Reports Substantiated





Typically, a result is "in progress" if the report is still in process of being assessed and/or investigated. Overall the current substantiation rate including carryforward reports from the previous reporting period (both substantiated and partially substantiated) is 32%.

The City of Hamilton's substantiation rate for the prior reporting period was also 32%. For comparative purposes, in the City of Toronto Auditor General's 2021 Annual Report on the Fraud and Waste Hotline, 17% of complaints investigated were substantiated in whole or in part. In the City of Ottawa's 2021 Report on the Fraud and Waste Hotline, 26% of reports investigated and closed in 2021 were substantiated. The substantiation rate will typically vary annually, depending on the mix of reports received by the OCA and the number of reports in progress at the end of reporting period, which have their substantiation rate counted in the year that the work is completed and the report is closed.

**Loss or Waste/
Mismanagement
Substantiated**

It is difficult to measure or substantiate a precise cost of fraud and waste. Incidents sometimes remain undetected for long periods of time. It is also challenging at times to determine the time period that a fraud or waste was occurring, which makes it hard to quantify losses.

**\$1.157M
Loss or Waste/
Mismanagement
Substantiated
Since Hotline
Launch**

As at December 31, 2022, the amount of confirmed loss or waste substantiated by the Office of the City Auditor since the last Annual Report was issued was \$718,000. Of this amount, \$8,600 was fraud and \$709,400 was waste. Since the launch of the Hotline cumulatively \$1,157,000 of loss or waste has been substantiated. Of this amount \$110,600 was fraud, \$987,400 was waste, and for \$59,000 a category could not be determined.



\$8.6K - Fraud

\$709.4K – Waste/Mismanagement

Disciplinary Action

The Office of the City Auditor is not responsible for disciplinary actions (including terminations). Investigation results are shared with Management and Human Resources. The Office of the City Auditor is informed of terminations and disciplinary actions, and this information is tracked and compiled for reporting purposes. The number of disciplinary and other actions will vary from year to year. This number is not controlled by the OCA and is reported for information purposes only. It is normal for the volume of disciplinary actions to vary each year.

As at the date of report publication, the following disciplinary actions related to investigations had been confirmed by the Office of the City Auditor since the issuance of the last Fraud and Waste Annual Report:

- 2 Terminations,
- 4 Other Actions Taken (includes employee resignations, retirement and process improvements implemented).

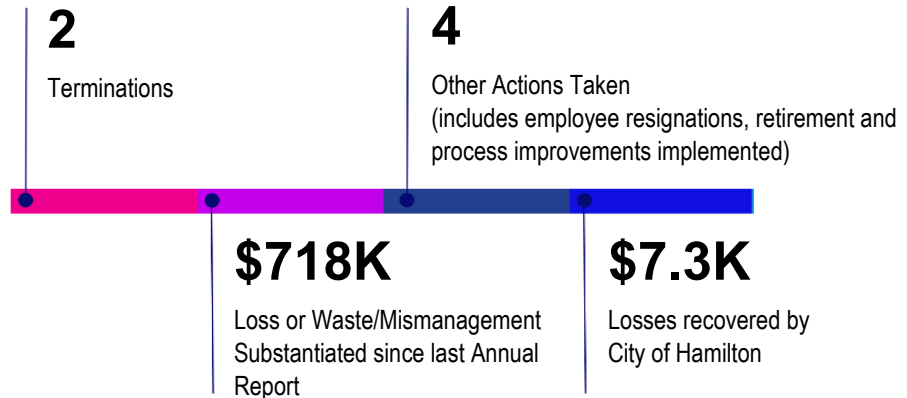
Recoveries and Impact

As at December 31, 2022, the City of Hamilton recovered about \$5,300 of losses and recovered approximately \$2,000 in City assets since the last Annual Report was issued.

The impact of fraud and waste to an organization goes well beyond financial impact. There are also non-financial impacts such as impact to reputation, impact to other staff working in an affected area. The level of effort to investigate allegations of fraud and waste are quite high.

Sometimes there is a time lag for the completion of an investigation and calculating the losses. As there are 17 open reports at report issuance, there may be additional losses and recoveries that will be reported in the next Fraud and Waste Annual Report.

Report Outcomes



Report Examples

Introduction

To provide more information about the type of reports that the Office of the City Auditor receives and assesses, several report examples are provided in pages 18-28 of this annual report.

The reports included here provide examples of:

- fraud,
- waste/mismanagement; and,
- combined fraud and waste/mismanagement reports.

All items qualifying as a "Serious Matter" per the "City Auditor Reporting of Serious Matters to Council Policy" for the reporting period have been previously reported to Council. There were five items that qualified under this Policy in 2020-2021 Fraud and Waste Report, and since then, a further three items have been reported.

1. AUD20006 City Auditor Reporting of Serious Matters to Council (two serious matters reported)
2. AUD20010 City Auditor Reporting Serious Matters to Council (Case #26158)
3. AUD21005 City Auditor Reporting of Serious Matters to Council (Case #37265)
4. AUD21007 City Auditor Reporting of Serious Matters to Council (Case #39691)

5. AUD22001 City Auditor Reporting of Serious Matters to Council (Case #52693)
6. AUD22002 City Auditor Reporting of Serious Matters to Council (Case #50695)
7. AUD22009 City Auditor Reporting of Serious Matters to Council (Case #58061 Taxi Scrips)

Report Examples

Conflict(s) of Interest #1

It was reported that a member of City management allegedly had a significant social relationship with two vendors that were afforded favourable treatment in how they were being selected for contract work with the City and in how the work was administered and overseen.

The OCA investigated and found that both vendors received substantial business with the City over a period of several years. OCA found that the leader did have social relationships with the two vendors that involved significant socializing and fraternization. Staff reporting to the manager recognized the special relationships that existed between the leader and these vendors and were demonstrably influenced by it for at least one of the vendors.

OCA concluded the leader's relationships with these vendors constituted undisclosed conflicts of interest. As a result of the influence of these social relationships, the vendors were accorded favourable treatment in the procurement of their services, and policies meant to ensure fair and transparent contract management were poorly administered. In the case of one of the vendors serious performance issues were ignored, and belligerent behaviors toward staff were tolerated.

In the course of the investigation, OCA found multiple examples of fraternization, socializing and favours exchanged between the leader and various other vendors, in addition to the two that were the focus of the investigation. We concluded that these circumstances impacted the culture of the business area, and how business was done, setting a very low bar for compliance and observance of Code of Conduct requirements. OCA also concluded the City should consider strengthening current policy with respect to the potential for conflicts of interest involving non-pecuniary interests and situations of extensive socializing with vendors.

The leader has since left the City.

City Recovers Costs Due to OCA Inquiries

Two complaints were received where ultimately some costs were able to be recovered by the City.

In one instance, a lessee was not compliant with lease terms. The OCA asked management to investigate and determine if some costs that were contractually to be borne by the Lessee could be recovered. Ultimately about \$3,700 was found to be recoverable and was pursued through the Accounts Receivable process.

In a second instance, it was found that a contractor damaged City property. The OCA completed some fact finding and asked management to further investigate and determine if some damages were recoverable. Ultimately about \$1,600 in damages were pursued by the City via the Risk Management process.

Inappropriate Conduct by a Leader

A report was submitted to the OCA about a leader violating the City's Employee Code of Conduct and Personal (Workplace) Harassment Prevention policies. The OCA requested HR to assess the report and investigate as appropriate. HR reported to the OCA that some of the allegations were substantiated.

Conflict(s) of Interest #2

A manager responsible for the oversight of a portfolio of high value capital projects was found to have a close relative who works in a leadership position for one of their frequent contractors. The close relative was directly involved in at least six City of Hamilton capital projects. The total dollar value of these projects was about \$41 million.

The relative's role was found to consist of participation in meetings, project management, coordinating schedules, discussions relating to project change orders, meeting specifications, and determining the completion of work that are used for contract payments. Many, if not all of these duties included interactions with City staff that worked in the area headed up by the manager, who had responsibility for evaluating and ensuring quality of work of the contractor. Overall, the City did about \$69 million worth of business with this vendor over two years, with an estimated \$67 million overseen by the manager's team.

In addition to the above, the OCA found that the manager had another relative (another relationship that is supposed to be disclosed per the City's Code of Conduct) working at a contractor to the City that the manager would oversee. The relative was found to be directly involved in at least six City of Hamilton capital projects. The total dollar value of these projects was about \$9 million. Overall, the City did about \$26 million worth of business with this contractor over

2 years, with an estimated \$18 million overseen directly by the manager and their team.

Both these family relationships remained undisclosed until after the OCA after began to make inquiries, after which the manager completed the Code of Conduct Disclosure Form. The disclosure was completed years later than it should have been, and the mitigation plan proposed by the manager was found by OCA to be wholly inadequate.

While investigating the conflicts of interest, we also found a third issue to investigate regarding the tracking of vacation time. It was found that the leader was not following and enforcing City-wide policies for vacation carryover and that the submitted vacation records maintained for their area of responsibility were falsified.

As a result of the investigation findings, management made the decision to terminate the leader.

Waterdown Gardens

On February 16, 2021, the City was notified of a Statement of Claim issued by Waterdown Garden Supplies Ltd. and others ("WGS") seeking \$75M in damages based on allegations that thousands of loads of contaminated soil taken from City sites were illegally deposited on its lands and that this illegal dumping was facilitated by a criminal conspiracy involving two named City employees.

In the 2020-2021 Fraud and Waste Annual report, it was noted that an independent investigation had commenced through the Office of the City Auditor to ascertain if there is any credence to the claims against the named employees. The investigation was conducted by Kroll.

The investigation was completed, with Committee and Council notified of the results in December 2021. The investigation found no information that would indicate that contaminated soil from the Woodward and Governor's Road public works projects was improperly disposed of at the named soil fill site (also known as the "Waterdown Gardens property).

Kroll identified documentation indicating that contaminated soil accepted by the soil fill site came from locations outside the City of Hamilton. Furthermore, the investigation determined that allegations that two City employees were involved in the haulage of contaminated soil to the property were also unsubstantiated. As a result, both employees identified in the statement of claim were reinstated to their regular duties by management.

Roads Value for Money Audit – Additional Issues Identified

After the Roads Value for Money (VFM) Audit Report (AUD21006) was issued in July 2021, the OCA received a report alleging that there were additional critical issues that were not considered in the audit that were a detriment to the value for money obtained from the City's road infrastructure projects.

After completing a preliminary assessment, the OCA decided to investigate these additional two issues. Ultimately a limited scope supplementary Roads VFM Audit was completed and was issued in August 2022 as Report AUD21006(a) Roads Value for Money Audit – Roads Quality Assurance Supplementary Audit Report.

The two main concerns were weaknesses in the processes for weight validation of placed construction materials and disposed excess contaminated native material, where the contract payments are tied to the weights of such materials, and the processes for testing and validating whether asphalt friction course aggregates used for high volume roads align with contract specifications and job mix formulas.

The two main concerns were included in the audit scope and were found to be substantiated. Regarding the issue of the verification of weighted material, it was determined that processes in place were not always followed which leaves the City exposed to increased cost due to the possibility of mismanagement or overcharges for these materials by contractors.

Regarding the lack of a quality review for asphalt aggregates used, it was determined there was no standard documented process in place, but reviews were being performed. The lack of a standard documented process put City projects at risk for not receiving the quality paid for and required under these types of contract.

OCA made five audit recommendations to address the issues and their associated risks. Management agreed with all five recommendations and is currently implementing their management responses, with a direction from Council to report back to the AF&A committee by August 2023.

Financial Reporting Error

The OCA received a report regarding 10 Newman Road in Dundas, where a building permit had been issued in error by the City. The City had made a settlement with the owner of the property, which included acquiring the property, building demolition, site cleanup and naturalization, which was completed in 2020. Council had directed that all expenses were to have been drawn from Account #104050 Building Permit Stabilization Reserve fund (public document as part of the City's financial statements). The reporter noted that this was not

reported in the Reserve fund in 2020-year end reporting and had concerns regarding transparency of the matter.

The OCA investigated and found that the costs (settlement costs, demolition, site cleanup and naturalization costs) were not charged to the reserve fund in error by Finance which substantiated the complaint. Finance corrected the error but noted that Reserve Fund information is reported only annually and would be made public as part of the 2021 year-end financial reporting, which occurred in mid-2022.

OCA confirmed that the correction was included in the 2022 reserve reporting, with the total amount in the 2021 Annual Reserve report (public document) appearing as "other expenses" of \$250,000. Gross settlement costs were directed to remain confidential by Council, so the OCA is unable to disclose further details of settlement related costs beyond the publicly available information. Additionally, the OCA learned that a further \$42,000 was spent by the Forestry Section on reforestation costs, costs which would not have been otherwise incurred by the City. Total waste is therefore at least \$292,000.

DARTS Fleet Management and Vehicle Safety

A fraud and waste complaint was received alleging that a DARTS subcontractor performing maintenance on part of their fleet, did not have professional mechanics servicing the vehicles used in providing DARTS services, and that vehicles were being put on the road that were unsafe due to inadequate inspection and maintenance.

The OCA requested that the Transit Division investigate this matter further and to report back what it found to OCA. Transit began to investigate and while doing this, worked with Legal and Risk Management Services to enforce the City's contractual rights with DARTS per the Master Operating Agreement (MOA).

While the Transit Division continued to investigate, areas of concern remained, including incomplete vehicle inspection tracking, certificates of insurance (COI) not being readily available, and issues with COIs when they were provided.

As a result of the above information the OCA made the decision to independently investigate this matter further by undertaking a full audit of DARTS' vehicle maintenance and fleet management. DARTS is an external organization that provides accessible transit services in Hamilton under contract with the City. The OCA used the services of Fleet Challenge Canada (FCC) to conduct the main parts of the review.

The primary tool used to evaluate the state of inspection and maintenance practices of DARTS was a planned sample of 40 (39 actual) vehicles during the first week of the review. The results were unequivocally poor. OCA found that 46% of the vehicles failed the independently conducted inspections.

The audit also found numerous issues relating to safety, and many opportunities for improvement. Issues were found with brakes, tires, exhaust systems, steering and suspension systems, including a “singular matter of urgency” – that being defective and/or seized emergency brakes which bear “rollaway” risk.

Various other weaknesses were found related to inspection processes, quality assurance, safety awareness and training, contract oversight, qualifications, data management, and minimum standards requirements. OCA concluded that the DARTS subcontractors were seemingly incapable of maintaining their fleets to the standards of safety required.

The consultant also concluded that “...for a commercial operation that serves a vulnerable population, we found this to be unacceptable, indicating an inadequate level of inspection and maintenance rigor that is systemic.”

Overall, a total of 73 recommendations were made in the audit report (Report AUD22007).

Commercial Business Being Run at A City owned property

The OCA received an anonymous report of a commercial business operating at a City-owned property that was licensed from the City for a nominal fee by a community sports organization, who in turn was allowing a commercial business to operate at the location rent-free and the City was not receiving any benefit from the commercial business’ revenues. In essence, the issue was having a commercial business in the City location violated the spirit of the original lease agreement.

Initially, the Reporter did not provide the name of the business. In April, 2021, the OCA used the IntegrityCounts messaging system to request this information, and ultimately received it, so a preliminary assessment was able to be completed.

Ultimately the OCA found the report to be substantiated. It was also found that the license agreement had expired in 2013 and continued to operate on a month-to-month basis.

OCA made five recommendations to minimize risk and liability to the City, and to strengthen the licensee agreement with the community organization and other licensee agreements with sport and community groups.

In addition to the recommendations, the OCA decided to initiate an audit of leases and licenses. This audit is currently in the final stages of fieldwork. The audit report will be presented to Audit, Finance and Administration Committee when the audit has been completed.

Community Group Sub-letting City facility to others at a profit

It was alleged that a community group that leased a City facility for a nominal fee was sub-leasing portions of the facility to tenants at a profit. OCA conducted a preliminary assessment and the allegation was found to be substantiated. The intent of leasing City facilities to community groups is for broader community benefit, not for profit to be made by the lessees.

In addition, the lease expired in 2000 but has not been renewed, with the tenant continuing to occupy the building. In general, OCA found the risks associated with leasing and licensing to be significant, and as noted above, the OCA decided to initiate an audit of leases and licenses. This audit is currently in the final stages of fieldwork. The audit report will be presented to Audit, Finance and Administration Committee when the audit has been completed.

Petty Cash Shortage

A Division's finance team notified OCA of a petty cash shortage they identified as part of their annual inquiries (for 2021) into their petty cash locations. One location reported a shortage of about \$80 from a \$200 petty cash account. The explanations provided by the petty cash custodian was that the shortage was due to a duplicate payout and this shortage existed since 2020. The custodian did not report the shortage until asked as part of the annual petty cash review. Due to COVID, an on-site petty cash count was not conducted by Finance in 2020, which delayed discovery of the shortage.

Based on OCA recommendations, the Division's management addressed the shortage with the custodian and reviewed the petty cash practices and related policies. As a result, this Department will be closing and eliminating petty cash in all of their Divisions.

Hamilton Municipal Cemeteries Trust Fund Management Issues

A report was received by the Office of the City Auditor related to Cemeteries Trust financial reporting. In the case of the Cemeteries Trust, the City of Hamilton has a duty to protect the assets of the trust and to follow the regulations of the *Funeral Burial and Cremation Services Act (FBCSA)* as overseen by the Bereavement Authority of Ontario (BAO). After completing a preliminary assessment, the OCA decided to conduct an audit of Hamilton Municipal Cemeteries Trust Funds. The audit results were reported in January 2023 via Report AUD23001.

Several issues were noted including: monies which should go to the respective Cemeteries Trusts were not put in the Trusts, or were being borrowed from the Trusts which results in lost interest that should go towards cemetery costs and maintenance; erroneous revenue recognition of cemetery sales and trust money

which results in inaccurate financial reporting; the risks of switching to a new cemeteries management system was not properly assessed and considered which may put us at risk of security and data loss as well as operational issues; and weaknesses in Cash Handling controls which expose us to potential fraud risks.

Additionally, some compliance issues were noted. It was found that the City is not in compliance with the timing and record keeping requirements of the *FBSCA* which puts the City at risk to be fined by the BAO. There were also issues with City By-laws regarding non-compliance with the Council-Approved User Fee schedule and applying of non-resident surcharges which results in lost revenue.

Seventeen recommendations were made by the OCA to bring the Cemeteries Trusts into compliance with the *FBSCA* and the City By-laws, to address the financial statement issues noted, and to improve governance and controls within the Cemeteries Trusts processes.

Stolen iPads

A City of Hamilton resident reported that they purchased a brand-new sealed 9th Gen iPad from Facebook Marketplace, and the first time they powered up the device the screen displayed "City of Hamilton Remote Management". The resident identified the individual who sold them the iPad. This issue was investigated by the City's Labour Relations. The allegation was substantiated, the matter was reported to the police, and the person involved is no longer employed by the City. This iPad was one of 18 that had gone missing.

As a result of this incident, OCA completed a preliminary assessment and decided to complete a review of IT Asset Management with a focus on mobile devices. We engaged a highly regarded IT security firm to complete the review. The review assessed the data and information privacy and security risks that could arise when these types of assets are misappropriated. Ultimately eight recommendations were made - four regarding IT Asset Management and four to address privacy and security risks. The review findings were shared as Report AUD22006. Four iPads were ultimately recovered.

Conflict(s) of Interest #3

Our office received reports that an employee in a service area responsible for strategic, sensitive, and often with high dollar value acquisitions and dispositions, has a spouse that is an executive at a local firm in the same industry. Our preliminary assessment found that while the employee completed and filed the required Code of Conduct disclosure (albeit after significant time had elapsed since the conflict had begun), the mitigation proposed and agreed to with management was found to be weak in addressing the Conflict of Interest.

It was also alleged that the employee breached confidentiality by disclosing non-public information about the potential sale of a City-owned asset. An investigation into this allegation was completed and it was found to be unsubstantiated. OCA believes the circumstances demonstrate the critical importance of having a strong mitigation plans in place to protect both the City and employees when reports of conflict of interest allegations are received.

Year End Inventory Discrepancy: Significant Write-Off Required

A report was received relating to a significant discrepancy within a Division's inventory records, where it was found that supplies worth approximately \$200,000 was not physically found during the year-end inventory count in 2021.

During this period the Division had experienced numerous challenges such as implementing a new inventory system, hired new staff, ongoing COVID-19 pandemic response pressures, etc., and thus it was likely that these supplies were used up but were not properly flowed through the system. This was never proven however, and the entire amount was ultimately written off for the 2021 year-end.

Since then, Finance, in conjunction with the Division, has been performing monthly inventory reconciliations to monitor for any further discrepancies. As the new inventory system is now fully operational, OCA staff attended the 2022 year-end inventory count (unannounced to the Division) to gauge the effectiveness of current internal controls relating to inventory management and found minimal issues. The OCA also had Finance attend the year-end inventory count so the OCA could provide guidance on how Finance could conduct audit procedures at future year-end inventory counts to ensure that the recent successes are replicated in future fiscal years.

Ontario Works Fraud

A report was received alleging that an individual was receiving income support from Ontario Works (OW) while living a lavish lifestyle (e.g. plastic surgery, overseas vacations, property purchases in other countries, etc.) and was allegedly leading a double life in Canada and another country. It was alleged that they had a residential address in Hamilton as they were on a rental lease with their spouse; however, they allegedly did not live in Hamilton with the spouse.

The OCA requested that Ontario Works review the allegations and report back on the substantiation status. The allegations were found to be substantiated and OW informed the OCA that an investigation was launched. OCA does not know the overall financial impact of the fraud, as the investigation is managed by Ontario Works.

Other Report Examples

Although the Office of the City Auditor may find some reports not to be substantiated, there are reports that show significant control weaknesses. Some unsubstantiated examples are also provided for insight into the varying outcomes that can occur when cases are assessed and investigated.

Vexatious Report Made in Bad Faith

A report was made that alleging that a City employee inappropriately used a City database to obtain personal information about a resident and used this information to harass the resident. The OCA requested that management investigate the matter and report back to the OCA. Management provided a comprehensive report summarizing their investigation to the OCA. Overall, both allegations were found to be unsubstantiated, with the report being made in bad faith and was also of a vexatious nature. The Reporter, who is not an employee of the City, was found to have been in a personal dispute with a member of the employee's family. As a result, the case was closed.

Unsubstantiated Contractor Value for Money Concerns

A report was received by the OCA with concerns about the conduct of a contractor that was working on a City capital project. It was alleged that the several workers from the contractor could be observed standing around and not working as the City had contracted them to do, wasting taxpayers' money. The OCA conducted a preliminary assessment and requested information about the contract from management.

Upon completing the review of information and evidence relevant to this report, the OCA found this report to be unsubstantiated.

The contract was found to be a unit price contract, which means that the work required to complete the reconstruction is broken into defined pieces, which are then defined by units (linear metres, tonnes, etc.), and paid out only as the work is completed. In a unit price contract, the City doesn't pay the contractor based on the time it takes to complete, but by the units as defined in the contract. As the contract was completed on time, and the amount paid to the contractor was based only on the deliverable, any alleged waste of time or money would not have accrued to the City.

**Unsubstantiated
Allegations of
Subsidized
Housing
Benefits Fraud**

A report was received by the OCA alleging that two individuals were residing in a Rent Geared to Income (RGI) subsidized housing unit but were both employed full time and were purchasing "luxury" items. The OCA asked the Housing Services Division to investigate. Housing Services reported back to the OCA that the unit where the individuals were residing was in fact a market rate unit (no housing subsidy being received). The report was found to be unsubstantiated.

Conclusion

The Fraud and Waste Hotline has been operational since July 2019 as a 3-year pilot program. Based on the experiences of other Canadian cities that operate similar fraud and waste hotlines, it was estimated that the City of Hamilton would receive 50-70 reports in a 12-month period. During the first year of the pilot period, July 2019 to June 2020, the volume of reports received by the Office of the City Auditor exceeded the initial expectations, with 85 reports received. For the second year of the pilot period, July 2020 to June 2021, the 80 reports received also exceeded the original forecast, as did the third year ending June 30, 2022 with 107 reports.

Overall, the first thirty-six months of the Fraud and Waste Hotline operation have seen a high volume of reports assessed and investigations launched as appropriate.

Without a Fraud and Waste Hotline in place, it is likely that many of these reports would not have been received by the Office of the City Auditor and wrongdoing involving City resources may have continued. Generally speaking, it indicates Hamiltonians and employees alike share the commitment in protecting the City of Hamilton's revenue, property, information and other assets and resources from fraud, waste and other wrongdoing.

**Office of the City
Auditor**

Charles Brown, CPA, CA
City Auditor

Brigitte Minard, CPA, CA, CIA, CGAP
Deputy City Auditor

Lyn Guo, CMA (US), CIA
Senior Auditor

Nancy Hu, CFE, CIA
Senior Auditor

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SPEAK UP – Reporting Fraud and Waste

Online: hamilton.ca/fraud

Phone: 1-888-390-0393

Mail: PO Box 91880, West Vancouver, BC V7V 4S4

Email: cityofhamilton@integritycounts.ca

Fax: 1-844-785-0699

Copies of our audit reports are available at: hamilton.ca/audit

Alternate report formats available upon request.



Hamilton
Office of the City Auditor

FRAUD AND WASTE ANNUAL REPORT

July 1, 2021 to June 30, 2022

Total Reports

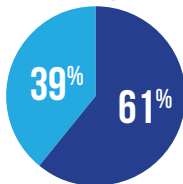
Current Year	107
Prior Year Carryforward	13
Reports Since Hotline Launch	272

Number of Reports by Source



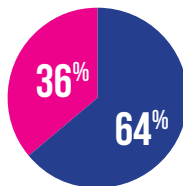
Investigations Launched by
Office of the City Auditor **22**

Reports Directly Received by the Office of the City Auditor (Proxy)



Hotline 65 (61%)
Proxy 42 (39%)

Employee Reports

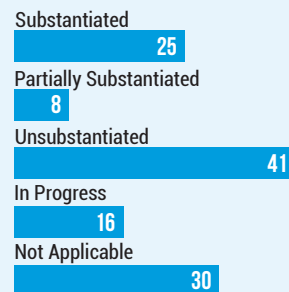


Self-Identified as an Employee 68 (64%)
Non-Employee 39 (36%)

Top Report Categories (Current Year)

Multiple Categories Applicable	29
Social Services – Fraud/Wrongdoing	19
Time Theft and/or Misconduct	10
Out of Jurisdiction	9
Conflict of Interest	6
Fraud/Wrongdoing	4
Improper Financial Reporting/Budgeting	4
Waste	4
Contractor/Vendor Wrongdoing	3
Employee Benefits Fraud	3
Service Complaint/Concern	3
Phishing/Identity Theft	2
Misuse of City Resources	1
Public Safety	1
Reprisal	1
Other Various Categories	8
Total Reports	107

Volume of Reports Substantiated (Total Current and Carryforward Prior Year Reports)



Overall
Substantiation
Rate
32%

Report Types

Referral – Response Required	55
Referral – No Action Required	19
No Response Required / Not Enough Information / Out of Jurisdiction	9
Investigations Launched (Current Year)	22
Pending	2

Investigation Type

(Current Year and Carryforward Reports from Prior Year)



Loss or Waste/Mismanagement	\$718,000
Recovery/Restitution	\$7,300
Loss or Waste/Mismanagement Since Hotline Launch	\$1,157,000



EMERGENCY & COMMUNITY SERVICES COMMITTEE REPORT 23-002

1:30 p.m.

Thursday, February 16, 2023

Council Chambers

Hamilton City Hall

71 Main Street West

Present: Councillors B. Clark (Chair), C. Kroetsch, T. Hwang, N. Nann and A. Wilson

Regrets: Councillors T. Jackson and M. Wilson— Personal

THE EMERGENCY AND COMMUNITY SERVICES COMMITTEE PRESENTS REPORT 23-002 AND RESPECTFULLY RECOMMENDS:

1. Request to Increase Current Ontario Works Rates (Item 7.1 and Added Item 7.2)

WHEREAS, the City of Hamilton 2022 Nutritious Food Basket Report shows that healthy eating is unaffordable for many Hamiltonians and their families and that healthy eating is deeply unaffordable for Hamiltonians receiving Ontario Works and Ontario Disability Support Program Funding.

WHEREAS, Food insecurity is a serious public health problem as individuals' health and well-being are closely linked to their household food security. Because of its harmful effects on health, household food insecurity causes a large burden on the health care system

WHEREAS, Among Ontarians who receive social assistance, approximately two-thirds (67.2%) reported food insecurity in 2021

WHEREAS, Ontario Works continues to operate with 2018 funding levels from the Province. Savings associated with the implementation of EST, EDM and other Social Assistance reforms have been consumed by inflationary pressures since these changes were implemented.

WHEREAS, Ontario Works Hamilton has not experienced any savings from Centralized Intake, and in fact the decreased ratio of support from the intended

50/50 cost share creates a 1.5M pressure for Ontario Works as shared with Council during the 2023 budget process.

WHEREAS, the City of Hamilton continues to communicate that it is important that provincial funding contributions keep pace with municipal requirements until the full impact of Social Assistance Reform is communicated, implemented, and understood.

THEREFORE, BE IT RESOLVED:

- (a) The Director of Government Relations & Community Engagement and the Director of Ontario Works to draft a letter of support on behalf of the City of Hamilton emphasizing the rising cost of food and the 2022 Nutritious Food Basket Report requesting an increase to current Ontario Works and Ontario Disabilities Support Program rates to the Province of Ontario;
- (b) That the Director of Government Relations & Community Engagement and the Director of Ontario Works include local Members of Provincial Parliament on this letter for their reference and review; and
- (c) That the Director of Government Relations & Community Engagement and the Director of Ontario Works look to identify other advocacy opportunities to join other social service agencies or municipalities in advocating for rate increases to social assistance

2. Consent Items (Item 9.1 to 9.5 (i) to (vi))

That the following Consent Items be received:

- (a) Urban Indigenous Strategy and Indigenous Relations Updates (HSC21001(a)) (City Wide) (Item 9.1)
- (b) Canada-Wide Early Learning and Child Care Update (HSC22035(a)) (City-Wide) (Item 9.2)
- (c) Ontario Works and the Impacts of Provincial Social Assistance Reform (HSC23010) (City Wide) (Item 9.3)
- (d) Update on Health Partnerships to Pursue Increase to Permanent Supportive Housing Options (HSC23013) (City Wide) (Item 9.4)
- (e) Advisory Committee Minutes (Item 9.5)
 - (i) Seniors Advisory Committee - September 9, 2022 (Item 9.5(a))
 - (ii) Seniors Advisory Committee - December 2, 2022 (Item 9.5(b))
 - (iii) Hamilton Veterans Committee - September 27, 2022 (Item 9.5(c))

- (iv) Hamilton Veterans Committee - October 25, 2022 (Item 9.5(d))
- (v) LGBTQ Advisory Committee - July 19, 2022 (Item 9.5(e))
- (vi) LGBTQ Advisory Committee - November 22, 2022 (Item 9.5(f))
- (vii) LGBTQ Advisory Committee Meeting Notes - December 20, 2022 (Item 9.5(g))

3. Child Care Sector Advocacy through Association of Municipalities of Ontario (Item 9.2)

That the City of Hamilton advocate to the Provincial Government through the Association of Municipalities of Ontario to resolve workforce issues such as adequate wages, benefits, and staff development in the childcare sector so that new programs under Canada-Wide Early Learning and Child Care can be opened locally.

4. Hamilton Alliance for Tiny Shelters Proposal - REVISED (HSC22015(a))(City Wide) (Deferred from the January 19, 2023 meeting) (Item 10.1)

That REVISED Report HSC22015(a) respecting a Hamilton Alliance for Tiny Shelters Proposal be referred back to staff to work with the Hamilton Alliance for Tiny Shelters on the establishment of an operational plan.

5. Income and Asset Limits for Rent Geared to Income Assistance (HSC23004) (City Wide) (Item 10.2)

That the income and asset limits for Rent Geared to Income assistance (RGI) eligibility and associated exclusions and conditions contained in Appendix "A" to Emergency and Community Services Report 23-002, be approved.

6. Updates to the Emergency Plan (HSC22001(a)) (City Wide) (Item 10.3)

That the amending by-law attached as Appendix "A" to Report HSC22001(a) which amends the City of Hamilton Emergency Management Program By-law (By-law 22-005), and which has been prepared in a form satisfactory to the City Solicitor, be enacted and effective immediately.

7. Citizen Committee Report from the LGBTQ Advisory Committee entitled, In Response to the passing of Redeemer University LGBTQIA+ student Bekett Noble (Item 10.4)

- (b) That statements issued by community groups on the passing Bekett Noble including, but not limited to those issued by, Hamilton Trans Health Coalition, The Hamilton Community Legal Clinic and the Queer Justice

Project, and the First Unitarian Church of Hamilton be forwarded to the Clerk's Office for inclusion on an upcoming Council Agenda.

FOR INFORMATION:

(a) APPROVAL OF AGENDA (Item 2)

The Committee Clerk advised the following changes to the agenda:

6. DELEGATION REQUESTS

- 6.3 Judith Bishop, Not-For-Profit Childcare Boards Collaborative, in Support of Item 9.2, Canada-Wide Early Learning and Child Care Update (HSC22035(a)) (City-Wide) (for today's meeting)
- 6.4 Elizabeth McGuire, Campaign for Adequate Welfare and Disability Benefits, respecting the Impacts of the 2022 Nutritious Food Basket and Social Assistance Rates (for today's meeting)

13. GENERAL INFORMATION / OTHER BUSINESS

13.1 Amendments to the Outstanding Business List

(a) Items to be Removed:

- (f) 20-D: City of Hamilton Support for the Hamilton is Home Coalition of Affordable Housing Developers E&CS 20-005, Item 3 (c)
Removed from OBL as Staff now attend and support Hamilton Coalition of Affordable Housing Developers meetings
- (g) 21-M: Reaching Home: Canada's Homeless Strategy Community Homelessness Report 2019-2020, 2020-2021 (HSC21044) (City Wide)
ECS 21-013, Item 4
Addressed in Item 9.4 of this Agenda, Update on Health Partnerships to Pursue Increase to Permanent Supportive Housing Options (HSC23013) (City Wide)

(b) Item with New Due Date or Status Update

- (a) 17-B: Poverty Reduction Investment Plan (CES16043(a))
GIC 17-019, Item 1 (g) & (h)
New Due Date: April 2023
- (b) 22-C: Shelter System Complaint Resolution Process

ECS 22-005, Item 3
New Due Date: March 23, 2023

- (c) 23-C: Winter Response Strategy (HSC23012) (City Wide)
ECS 23-001, 19/01/23, Item 7
New Due Date: August 2023

14. PRIVATE AND CONFIDENTIAL

14.1 Closed Session Minutes – January 19, 2023

CHANGE IN THE ORDER OF ITEMS

That Elizabeth McGuire's delegation respecting the Campaign for Adequate Welfare and Disability Benefits, be moved up on the agenda to speak following Dr. Sally Palmer's delegation.

The agenda for the February 16, 2023 Emergency and Community Services Committee meeting was approved, as amended.

(b) DECLARATIONS OF INTEREST (Item 3)

None.

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

(i) January 19, 2023 (Item 4.1)

The Minutes of the January 19, 2023 meeting of the Emergency and Community Services Committee, be approved, as presented.

(d) DELEGATION REQUESTS (Item 6)

The following Delegation Requests, were approved, as presented:

- (i) Joanne Santucci, Hamilton Food Share, respecting the Status of Hamilton's Emergency Food System (for a future meeting) (Item 6.1)
- (ii) Ingrid Waisgluss, respecting Recreational Facilities (for a future meeting) (Item 6.2)
- (iii) Judith Bishop, Not-For-Profit Childcare Boards Collaborative, in Support of Item 9.2, Canada-Wide Early Learning and Child Care Update (HSC22035(a)) (City-Wide) (for today's meeting) (Added Item 6.3)

- (iv) Elizabeth McGuire, Campaign for Adequate Welfare and Disability Benefits, respecting the Impacts of the 2022 Nutritious Food Basket and Social Assistance Rates (for today's meeting) (Added Item 6.4)

(e) DELEGATIONS (Item 7)

- (i) Dr. Sally Palmer, Hamilton Social Work Action Committee addressed the Committee respecting the Impacts of the 2022 Nutritious Food Basket and Social Assistance Rates (Item 7.1)
- (ii) Elizabeth McGuire, Campaign for Adequate Welfare and Disability Benefits, addressed the Committee respecting the Impacts of the 2022 Nutritious Food Basket and Social Assistance Rates (Added Item 7.2)
- (iii) Kevin Gonci, Golden Horseshoe Track & Field Council, addressed the Committee respecting the 2023 ParticipACTION Community Challenge (Item 7.3)
- (iv) Judith Bishop and Don Jaffray, Not-For-Profit Childcare Boards Collaborative, addressed the Committee in Support of Item 9.2, Canada-Wide Early Learning and Child Care Update (HSC22035(a)) (City-Wide) (Added Item 7.4)

The following Delegations were received:

- (a) Dr. Sally Palmer, Hamilton Social Work Action Committee respecting the Impacts of the 2022 Nutritious Food Basket and Social Assistance Rates (Item 7.1)
- (b) Elizabeth McGuire, Campaign for Adequate Welfare and Disability Benefits, respecting the Impacts of the 2022 Nutritious Food Basket and Social Assistance Rates (Added Item 7.2)
- (c) Kevin Gonci, Golden Horseshoe Track & Field Council, respecting the 2023 ParticipACTION Community Challenge (Item 7.3)
- (d) Judith Bishop and Don Jaffray, Not-For-Profit Childcare Boards Collaborative, in Support of Item 9.2, Canada-Wide Early Learning and Child Care Update (HSC22035(a)) (City-Wide) (Added Item 7.4)

For further disposition on Items (a) and (b), refer to Item 1

For further disposition on Item (d), refer to Item 3

(f) DISCUSSION ITEMS (Item 11)

- (i) **Hamilton Alliance for Tiny Shelters Proposal - REVISED (HSC22015(a))(City Wide) (Item 10.1)**

- (a) That respecting the request for a City of Hamilton contribution to the Hamilton Alliance for Tiny Shelters (HATS) Council approve an immediate contribution of \$100 K for the period of January 1, 2023 to March 31, 2023 year to be funded from the projected 2022 Housing Services Division surplus or the Tax Stabilization Reserve #110046, if the division surplus is not realized;
 - (i) That funding as approved in recommendation (a) be based on the following conditions:
 - (1) That staff be directed to work with HATS to identify and outline standards around performance metrics and outcomes as a condition of funding including, but not limited to: eligibility and entry criteria, gender-specific considerations including specific supports for women, trans-feminine, trans-masculine and non-binary individuals, identification of formalized community partnerships with health- and social service sectors, equity and inclusion, and demonstrated exits into safe permanent housing; and agreed upon by HATS for first year of operations;
 - (2) Confirmation that matching funds have been received or committed to; and,
 - (3) That a detailed exit strategy has been created and agreed to should HATS not be able to ensure site safety and adequate operational funding.
- (b) That consideration of a contribution up to a maximum of \$100 K annually to HATS toward the establishment and operation of temporary tiny cabins for the 2-year period of April 2023 to December 2024, be referred to the 2023 Council Operating budget deliberations to be funded from the Operating Levy over the next 2 years:
 - (i) That staff be directed to work with HATS to identify and outline standards around performance metrics and outcomes as a condition of funding including, but not limited to: eligibility and entry criteria, gender-specific considerations including specific supports for women, trans-feminine, trans-masculine and non-binary individuals, identification of formalized community partnerships with health- and social service sectors, equity and inclusion, and demonstrated exits into safe permanent housing;

- (ii) That funding as approved in recommendation (b) be cash flowed in 6 month increments upon the following conditions:
 - (1) Confirmation that performance metrics have been achieved as outlined in recommendation (b)(i);
 - (2) Confirmation that matching funds have been received or committed to; and,
 - (3) That a detailed exit strategy has been created and agreed to should HATS not be able to ensure site safety and adequate operational funding.
- (c) That staff be directed to evaluate and assess program outcomes and efficacy; and report back to Emergency and Community Services Committee at the 6 and 12-month marks;
- (d) In the event that the initial proposed site for HATS at 647 Barton St. East is at any point deemed not viable to proceed, that staff be directed to return to Council with a report identifying how these funds may be redirected in alignment with Council approved strategies such as the Housing and Homelessness Action Plan and Coming Together to End Homelessness: Hamilton's System Planning Framework;
- (e) That the General Manager of the Healthy and Safe Communities Department or their designate be directed and authorized, on behalf of the City of Hamilton, to enter into, execute and administer all agreements and documents necessary to implement the grant outlined above on terms and conditions satisfactory to the General Manager of the Healthy and Safe Communities Department or their designate and in a form satisfactory to the City Solicitor

The recommendations in REVISED Report HSC22015(a)) respecting a Hamilton Alliance for Tiny Shelters Proposal were **amended** by deleting them in their entirety and replacing them with the following:

That REVISED Report HSC22015(a) respecting a Hamilton Alliance for Tiny Shelters Proposal be referred back to staff to work with the Hamilton Alliance for Tiny Shelters on the establishment of an operational plan.

- ~~(b) That respecting the request for a City of Hamilton contribution to the Hamilton Alliance for Tiny Shelters (HATS) Council approve an immediate contribution of \$100 K for the period of January 1, 2023 to March 31, 2023 year to be funded from the projected 2022 Housing Services Division surplus or the Tax Stabilization Reserve #110046, if the division surplus is not realized;~~

~~(ii) — That funding as approved in recommendation (a) be based on the following conditions:~~

~~(4) — That staff be directed to work with HATS to identify and outline standards around performance metrics and outcomes as a condition of funding including, but not limited to: eligibility and entry criteria, gender-specific considerations including specific supports for women, trans-feminine, trans-masculine and non-binary individuals, identification of formalized community partnerships with health and social service sectors, equity and inclusion, and demonstrated exits into safe permanent housing; and agreed upon by HATS for first year of operations;~~

~~(5) — Confirmation that matching funds have been received or committed to; and,~~

~~(6) — That a detailed exit strategy has been created and agreed to should HATS not be able to ensure site safety and adequate operational funding.~~

~~(b) — That consideration of a contribution up to a maximum of \$100 K annually to HATS toward the establishment and operation of temporary tiny cabins for the 2-year period of April 2023 to December 2024, be referred to the 2023 Council Operating budget deliberations to be funded from the Operating Levy over the next 2 years:~~

~~(i) — That staff be directed to work with HATS to identify and outline standards around performance metrics and outcomes as a condition of funding including, but not limited to: eligibility and entry criteria, gender-specific considerations including specific supports for women, trans-feminine, trans-masculine and non-binary individuals, identification of formalized community partnerships with health and social service sectors, equity and inclusion, and demonstrated exits into safe permanent housing;~~

~~(ii) — That funding as approved in recommendation (b) be cash flowed in 6 month increments upon the following conditions:~~

~~(4) — Confirmation that performance metrics have been achieved as outlined in recommendation (b)(i);~~

~~(5) — Confirmation that matching funds have been received or committed to; and,~~

- ~~(6) — That a detailed exit strategy has been created and agreed to should HATS not be able to ensure site safety and adequate operational funding.~~
- ~~(c) — That staff be directed to evaluate and assess program outcomes and efficacy; and report back to Emergency and Community Services Committee at the 6 and 12-month marks;~~
- ~~(d) — In the event that the initial proposed site for HATS at 647 Barton St. East is at any point deemed not viable to proceed, that staff be directed to return to Council with a report identifying how these funds may be redirected in alignment with Council approved strategies such as the Housing and Homelessness Action Plan and Coming Together to End Homelessness: Hamilton's System Planning Framework;~~
- ~~(e) — That the General Manager of the Healthy and Safe Communities Department or their designate be directed and authorized, on behalf of the City of Hamilton, to enter into, execute and administer all agreements and documents necessary to implement the grant outlined above on terms and conditions satisfactory to the General Manager of the Healthy and Safe Communities Department or their designate and in a form satisfactory to the City Solicitor~~

For further disposition of this item, refer to Item 4

(ii) Citizen Committee Report from the LGBTQ Advisory Committee entitled, In Response to the passing of Redeemer University LGBTQIA+ student Bekett Noble (Item 10.4)

- (a) That, going forward the City of examine any contractual agreement it holds with Redeemer University, including the permanent funding of institutions that benefit Redeemer University, focusing on adherence to the Protocol for Gender Identity and Gender Expression; Transgender and Gender Non-Conforming Persons; and
- (b) That statements issued by community groups on the passing Bekett Noble including, but not limited to those issued by, Hamilton Trans Health Coalition, The Hamilton Community Legal Clinic and the Queer Justice Project, and the First Unitarian Church of Hamilton be forwarded to the Clerk's Office for inclusion on an upcoming Council Agenda.

Sub-section (a) of the Citizen Committee Report from the LGBTQ Advisory Committee entitled, In Response to the passing of Redeemer University LGBTQIA+ student Bekett Noble, was referred to the Senior

Leadership Team and Legal Services to ensure that City protocols are being followed and that the recommendation can be enabled, with a report back to the Emergency and Community Services Committee:

- (a) That, going forward the City of examine any contractual agreement it holds with Redeemer University, including the permanent funding of institutions that benefit Redeemer University, focusing on adherence to the Protocol for Gender Identity and Gender Expression; Transgender and Gender Non-Conforming Persons; and

For further disposition refer to Item 7

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

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

1. Items Removed:

- (aa) 19-E: Allocation Policy for Sport Fields, Diamonds and Arenas
E&CS 19-002, Item 2
Addressed in Reviews conducted up to April 1, 2020, as per recommendations
- (bb) 20-F: 2020 Arena Opening Plan E&CS 20-010, Item 3
Addressed issue with a report to the 2021 Operating Budget
- (cc) 20-H: Homelessness in Hamilton E&CS 20-010 Item (f)(iii)
Addressed at ECS 21-013, December 9, 2021 in Item 8.2, Report HSC20020(d)
- (dd) 21-L: National Childcare Strategy – Investigating the Potential for Direct Municipal Agreement with the Federal Government
Addressed in ECS 22-009, June 2, 2022, Item 10.1, Report hSC22035
- (ee) 17-A: Progress of the Implementation of Our Future Hamilton (CM15001(b))/(CES15010(b))
Addressed at an annual presentation to the General Issues Committee
- (ff) 20-D: City of Hamilton Support for the Hamilton is Home Coalition of Affordable Housing Developers
E&CS 20-005, Item 3 (c)

Removed from OBL as Staff now attend and support Hamilton Coalition of Affordable Housing Developers meetings

- (gg) 21-M: Reaching Home: Canada's Homeless Strategy Community Homelessness Report 2019-2020, 2020-2021 (HSC21044) (City Wide)
ECS 21-013, Item 4
Addressed in Item 9.4 of this Agenda, Update on Health Partnerships to Pursue Increase to Permanent Supportive Housing Options (HSC23013) (City Wide)

2. Item with New Due Date or Status Update:

- (aa) 17-B: Poverty Reduction Investment Plan (CES16043(a))
GIC 17-019, Item 1 (g) & (h)
New Due Date: April 2023
- (bb) 22-C: Shelter System Complaint Resolution Process
ECS 22-005, Item 3
New Due Date: March 23, 2023
- (cc) 23-C: Winter Response Strategy (HSC23012) (City Wide)
ECS 23-001, 19/01/23, Item 7
New Due Date: August 2023

(ii) Healthy and Safe Communities Support of Tenants at 1083 Main Street East Update (Added Item 13.2)

Housing Services Staff provided information respecting options for tenants at 1083 Main Street East to connect with Housing Support Workers.

The Update respecting Healthy and Safe Communities Support of Tenants at 1083 Main Street East, be received.

(i) PRIVATE AND CONFIDENTIAL (Item 14)

(i) Closed Session Minutes – January 19, 2023

The Closed Session Minutes of January 19, 2023, were approved, as presented.

(j) ADJOURNMENT (Item 16)

There being no further business, the Emergency and Community Services Committee adjourned at 3:42 p.m.

Respectfully submitted,

Loren Kolar
Legislative Coordinator
Office of the City Clerk

Councillor B. Clark
Chair, Emergency and Community Services
Committee

Summary of local Income Limits, Asset Limits, Exclusions and Conditions for Rent Geared to Income assistance (RGI) eligibility in the City of Hamilton

Income Limit

The income limit for RGI eligibility in the City of Hamilton shall be aligned to the Household Income Limits as specified in the *Housing Services Act, 2001* O. Reg. 370.11 s.2 (1) which are as follows:

Measure	Service Manager	2023				
		Bachelor unit (\$)	1-bedroom unit (\$)	2-bedroom unit (\$)	3-bedroom unit (\$)	4-bedroom unit or larger (\$)
Household Income Limits	City of Hamilton	\$34,000	\$44,000	\$52,000	\$59,500	\$74,500

Asset Limit

The asset limit for RGI eligibility in the City of Hamilton, for new applicants shall be \$50,000 for a single applicant and \$100,000 for applicant households with more than one member.

The asset limit for RGI eligibility in the City of Hamilton shall be \$150,000 for existing recipients of RGI assistance.

Extenuating Circumstances

Victims of family violence shall constitute an extenuating circumstance and may be allowed additional time, at the discretion of the administrator, to divest themselves of assets that may be more than the local limits.

That authority be delegated to the General Manager, Healthy and Safe Communities Department, or their designate, to approve extenuating circumstances for other households at their discretion.


Exclusions Beyond Provincial Requirements

The value of assets that are Locked-in Retirement Accounts and Life Income Funds shall be excluded when determining initial or ongoing eligibility for RGI.

That authority be delegated to the General Manager, Healthy and Safe Communities Department, or their designate, to include additional categories of investment as exclusions at her discretion.



INFORMATION REPORT

TO:	Mayor and Members City Council
COMMITTEE DATE:	February 22, 2023
SUBJECT/REPORT NO:	Obligations under Employment Standards Act (HUR23004) (City Wide)
WARD(S) AFFECTED:	City Wide
PREPARED BY:	Yakov Sluchenkov (905) 546-2424 Ext. 2655
SUBMITTED BY:	Lora Fontana Executive Director Human Resources
SIGNATURE:	

COUNCIL DIRECTION

At Council's January 25, 2023 meeting, Human Resources staff were directed to report back on Council's obligations under the *Employment Standards Act, 2000* (ESA) regarding the length of meetings and appropriate breaks during meetings.

Staff were directed to report back to Council at the same time as Council considers the motion to amend By-law 21-021, a By-law to govern the proceedings of Council and Committees of Council.

INFORMATION

The *Employment Standards Act, 2000* (ESA) sets minimum standards for most workplaces in Ontario, including hours of work, rest periods and eating periods.

Eating periods

Employers are required to provide eating periods to employees, but they are not required to provide other types of breaks. An employee must not work for more than five hours in a row without getting a 30-minute eating period (meal break) free from work. However, if the employer and employee agree, the eating period can be split into two

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.

eating periods within every five consecutive hours. Together these must total at least 30 minutes. This agreement can be oral or in writing.

Meal breaks are unpaid unless the employee's employment contract requires payment. Even if the employer pays for meal breaks, the employee must be free from work in order for the time to be considered a meal break. Meal breaks, whether paid or unpaid, are not considered hours of work, and are not counted toward overtime.

Employers are not required to give employees "coffee" breaks or any other kind of break.

Rest Periods

An employee cannot be required to work more than eight (8) hours in a day or the number of hours in their regular work day if their regular hours are more than eight (8). However, this does not apply if the total time worked on both shifts is thirteen (13) hours or less. Also, an employer must provide eleven (11) consecutive hours of rest in a twenty-four (24) hour period and eight (8) hours off between shifts.

For example, if an employee starts at 8:30 am each day and agrees to work beyond their regular work day, they can't work beyond 9:30 pm if they are required to report at 8:30 am the next day. This is because an employer is required to provide eleven (11) consecutive hours of rest in a twenty-four (24) hour period.

An employee cannot be required to work more than eight (8) hours a day or their established regular workday or forty-eight (48) hours a week without a written agreement.

The ESA also requires weekly rest periods free from work. Employees must receive at least twenty-four (24) consecutive hours off work in each work week or forty-eight (48) hours off in every period of two consecutive work weeks.

Overtime

An Employer must pay overtime pay of 1½ times the regular rate of pay if an employee works more than 44 hours in a week. Employers and non-union employees can agree in writing to average work hours over two, three or four weeks to determine overtime pay. For unionized employees, the parties can agree to overtime averaging agreements in the collective agreements.

Exemptions of Elected Officials and Managers/Supervisors

Under the ESA, there are exemptions to the minimum standards. Holders of elected offices in organizations, including trade unions, are exempt from the ESA pursuant to s. 3(5) paragraph 9. This provision reflects the common law position that elected officers in an organization, such as school board trustees, are not employees.

In addition, Managers and Supervisors are exempt from the following ESA rules as set out in O. Reg. 285/01:

- daily or weekly limits on hours of work
- daily rest periods (different than eating period)
- time off between shifts
- weekly/bi-weekly rest periods
- overtime pay

Managers and Supervisors are not exempt from the eating period provision. An employee must not work for more than five hours in a row without getting a 30-minute eating period (meal break) free from work.

Collective Agreements

Although the summary above provides a review of minimums prescribed under the ESA, there may be circumstances where staff attending council meetings are represented by bargaining units who have better or “greater than” provisions in their collective agreements than are particularized in the ESA. In areas where deviation from the ESA is contemplated through “written agreement”, in a unionized environment this is usually achieved through the bargaining units either through language in the Collective Agreement or Letters of Understanding.

APPENDICES AND SCHEDULES ATTACHED

N/A

CITY OF HAMILTON

MOTION

Council: February 22, 2023

MOVED BY COUNCILLOR C. KROETSCH.....

SECONDED BY MAYOR A. HORWATH.....

Breaks and Curfews for Council and Committee Meetings

WHEREAS, current Council and Committee meetings have been excessive in length;
and

WHEREAS, the *Employment Standards Act* stipulates the City's legal obligations with respect to City staff's basic entitlements;

THEREFORE, BE IT RESOLVED:

(a) That By-law No. 21-021, be ***amended***, by including the following subsections:

3.2 Regular Council Meeting Times

- (4) ***A meeting of Council shall adjourn after being in session for eight (8) hours;***
- (5) ***A meeting of Council will recess for 30 minutes within the first five (5) hours of a meeting, in accordance with the Employment Standards Act;***
- (6) ***Notwithstanding subsection 3.2(4), Council may extend the meeting for a specified period of time, with majority of the Members of Council present and voting in the affirmative.***

5.6 Standing Committee Meeting Times

- (4) ***A meeting of Committee shall adjourn after being in session for eight (8) hours;***
- (5) ***A meeting of Committee will recess for 30 minutes within the first five (5) hours of a meeting, in accordance with the Employment Standards Act;***
- (6) ***Notwithstanding subsection 5.6(4), Committee may extend the meeting for a specified period of time, with a majority of the Members of Committee present and voting in the affirmative.***

CITY OF HAMILTON MOTION

City Council: February 22, 2023

MOVED BY COUNCILLOR C. KROETSCH.....

SECONDED BY COUNCILLOR

Endorsement of Bill 5, *Stopping Harassment and Abuse by Local Leaders Act, 2022*

WHEREAS, Bill 5, *Stopping Harassment and Abuse by Local Leaders Act, 2022*, amends the *Municipal Act, 2001* and the *City of Toronto Act, 2006*, requiring the code of conduct for municipal councillors and members of local boards to include a requirement for those councillors and members to comply with workplace violence and harassment policies; and

WHEREAS, Bill 5 also permits municipalities and local boards to direct the Integrity Commissioner to apply to the court to vacate a member’s seat if the Commissioner’s inquiry determines that the member has contravened the code of conduct by failing to comply with the workplace violence or harassment policies.

THEREFORE, BE IT RESOLVED:

- (a) That the City of Hamilton endorse Bill 5, *Stopping Harassment and Abuse by Local Leaders Act* that would create a process for municipal councils to remove Councillors who violate workplace violence and harassment policies.
- (b) That a letter of support be sent to local MPPs, the Premier, and Minister of Municipal Affairs and Housing, and the Association of Municipalities of Ontario (AMO).

CITY OF HAMILTON MOTION

City Council: February 22, 2023

MOVED BY COUNCILLOR C. KROETSCH.....

SECONDED BY COUNCILLOR M. SPADAFORA.....

Changes to the Standing Committee Membership

WHEREAS, Audit, Finance and Administration Committee and Planning Committee have a disproportionate amount of representation, Councillor Spadafora would like to switch his membership on Planning Committee to become a member of Audit, Finance and Administration Committee and provide a better balance for this committee.

THEREFORE, BE IT RESOLVED:

- (a) That Council accept Councillor M. Spadafora’s resignation from the Planning Committee, effective immediately; and
- (b) That Councillor M. Spadafora, be appointed to the Audit, Finance and Administration Committee, for the remainder of the 2022-2026 Term of Council.

CITY OF HAMILTON

MOTION

City Council: February 22, 2023

MOVED BY COUNCILLOR T. JACKSON.....

SECONDED BY COUNCILLOR

Nomination for the Association of Municipalities Ontario (AMO) 2022 – 2024 Board of Directors

WHEREAS, the Association of Municipalities Ontario (AMO) is soliciting applications from qualified candidates for the 2022 - 2024 AMO Board of Directors;

THEREFORE, BE IT RESOLVED:

That Councillor T. Hwang be nominated for a position on the Association of Municipalities Ontario (AMO) 2022 - 2024 Board of Directors.

CITY OF HAMILTON

MOTION

Council: February 22, 2023

MOVED BY COUNCILLOR N. NANN.....

SECONDED BY COUNCILLOR.....

Coldest Night of the Year - Building Resiliency Through Social Services and Infrastructure Support, Ward 3

WHEREAS, Coldest Night of the Year (CNOY) is an annual fundraising event that occurs across the country and engages tens of thousands of Canadians and has raised over \$57,000,000 across Canada in 166 communities since 2011;

WHEREAS, CNOY engages local charity partners across Canada who then keep 100% of net proceeds to use to support local residents;

WHEREAS, in Ward 3, Helping Hands Street Mission is a community-based organization that has partnered with CNOY to raise funds for their ongoing operations, services, and social infrastructure that supports individuals facing houselessness and various other health inequities and challenges faced by Ward 3 residents;

WHEREAS, Helping Hands Street Mission’s CNOY walk will provide residents an opportunity to get outside the warmth and comfort of their homes on February 25th, 2023 and take in the beauty and learn about some of the challenges in the Barton Village neighbourhood;

THEREFORE, BE IT RESOLVED:

- (a) That \$500 be allocated from the Ward 3 Non-Property Tax Revenue Account (3301609603) to Helping Hands Street Mission for their Coldest Night of the Year fundraiser; 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.

COUNCIL COMMUNICATION UPDATES


February 3, 2023 to February 16, 2023

Council received the following Communication Updates during the time period listed above, the updates are also available to the public at the following link: <https://www.hamilton.ca/government-information/information-updates/information-updates-listing>, as per Section 5.18 of By-law 21-021 (A By-Law To Govern the Proceedings of Council and Committees of Council) a member of Council may refer any of the items listed below, to a Standing Committee by contacting the Clerk and it will be placed on the next available agenda of the respective Standing Committee.

Item Number	Date	Department	Subject
1	February 3, 2023	Planning and Economic Development	Winter Commute Month and Winter Bike Day (City Wide)
2	February 10, 2023	Planning and Economic Development	Heritage Month and Heritage Day (City Wide)
3	February 14, 2023	Planning and Economic Development	Temporary Outdoor Patio Program 2023 (City Wide)
4	February 14, 2023	Planning and Economic Development	Commonwealth Games 2030 Update (City Wide)
5	February 16, 2023	Healthy and Safe Communities	Dundas Community Pool Closure



COMMUNICATION UPDATE

TO:	Mayor and Members City Council
DATE:	February 3, 2023
SUBJECT:	Winter Commute Month and Winter Bike Day (City Wide)
WARD(S) AFFECTED:	City Wide
SUBMITTED BY:	Brian Hollingworth Director, Transportation Planning and Parking Planning and Economic Development Department
SIGNATURE:	

Smart Commute Hamilton will be celebrating Winter Commute Month in February. The month will be focused on different sustainable transportation modes including: walking, cycling, taking public transit, carpooling, and working remotely. Each week will highlight a different mode through the Smart Commute Hamilton social media accounts (Twitter, Facebook, and Instagram). More information can be found [here](#).

As part of this month of activities, the City of Hamilton is hosting Winter Bike Day. This day celebrates the joy of winter riding with hot beverages and other refreshments in Gore Park between 7:30 a.m. to 9:30 a.m. This event is co-hosted by Cycle Hamilton, a local non-profit organization in partnership with the City. Cycle Hamilton has planned four guided rides to Gore Park starting at Gage Park, Tim Hortons Field, McMaster University, and Bayfront Park.

Winter Bike Day Event Information:

Date: Friday, February 10, 2023
Time: 7:30 a.m. to 9:30 a.m.
Location: Gore Park

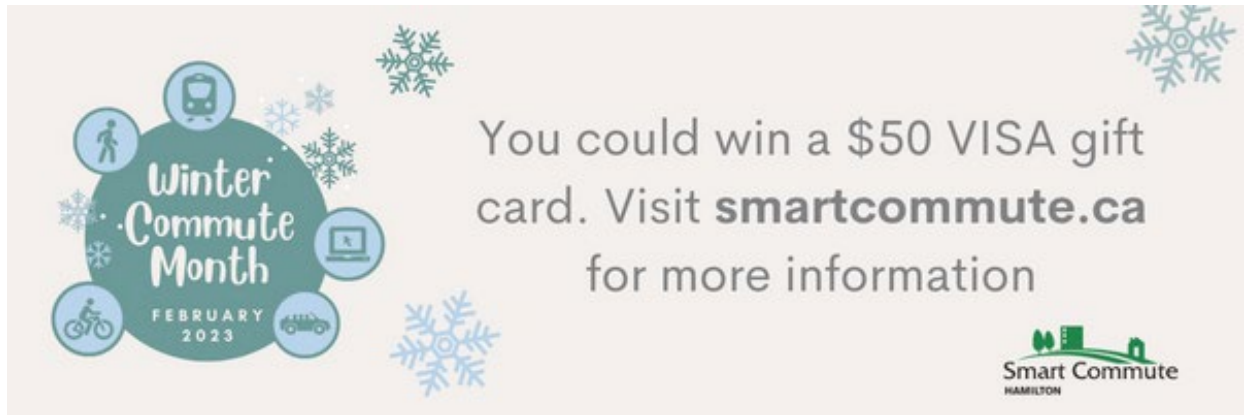
Winter Commute Month is hosted across the GTHA and beyond, including: Toronto, Oakville, York, Durham, and Sudbury. Information about the different ways to participate throughout Winter Commute Month, and how to win a \$50 VISA gift card, can be found on the [Smart Commute website](#).

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Winter Commute Month Graphic for Newsletters



Winter Bike Day Graphic for Newsletters




If you have any questions regarding this communication, please contact Peter Topalovic, Program Manager - Sustainable Mobility at (905) 546-2424 Ext. 5129 or by email at Peter.Topalovic@hamilton.ca.

APPENDICES AND SCHEDULES ATTACHED

N/A



COMMUNICATION UPDATE

TO:	Mayor and Members City Council
DATE:	February 10, 2023
SUBJECT:	Heritage Month and Heritage Day (City Wide)
WARD(S) AFFECTED:	City Wide
SUBMITTED BY:	Carrie Brooks-Joiner Director, Tourism and Culture Planning and Economic Development Department
SIGNATURE:	

Heritage Day is an annual event offered by the City of Hamilton's Tourism and Culture Division in partnership with the Hamilton-Wentworth Heritage Association to raise awareness of Hamilton's rich history and heritage and celebrate the community achievements of those who work to preserve it. Heritage Day is part of the City's broader celebration of history within Heritage Month.

Members of Council are invited to attend Heritage Day, participate in all Heritage Month programming and to share information with their constituents.

Heritage Day 2023 marks the return to an in-person celebration with an event at the Dundurn National Historic Site on Saturday, February 25, 2023, from 12:00 p.m. to 1:30 p.m. The event is free and open to the public.

This event includes:

- Greetings from heritage partners in the Hamilton-Wentworth Heritage Association and Hamilton Municipal Heritage Committee.
- Mini presentations:
 - Dr. Richard Douglass-Chin on new insights into the history of the Griffin family, Griffin House and Hamilton's black history.
 - Preview of the new digital exhibition: Stories of Migration and Belonging (Series II), in partnership with Hamilton Immigration Partnership Council.
 - Engaging with Mental Health and Wellness Respectfully with Rebecca Hicks, Site Supervisor, Whitehern Historic House and Garden.

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- Free admission to the exhibition Shell Shocked on loan from the Canadian Centre for the Great War on display at the Hamilton Military Museum.
- Launch of the 2023 Famous Hamiltonian Contest and the opening of the nomination period for The Reverend T. Melville Bailey Heritage Award for Lifetime Achievement.
- Complimentary light food and beverages.
- Tour of the Dundurn National Historic Site.

Other Heritage Month Programming:

Hamilton Civic Museums' Speaker Series: A Black History of Hamilton and Ancaster

Deborah Brown-Simon, Julia Horton and Richard Douglass-Chin will be discussing Black presence in this area dating back to at least the 1830s. Discussion will focus on Griffin House National Historic Site; Black people in Ancaster; Black presence on Concession Street in Hamilton; Black businesses in downtown Hamilton; Black relationships with Sir Allan MacNab and Black organizing in the area.

Date:	February 21, 2023
Time:	7:00 p.m. to 8:00 p.m.
Location:	Ancaster Old Town Hall, 310 Wilson Street East, Ancaster
Cost:	Free event. Pre-registration is required. Tickets are limited.
Contact:	By telephone: 905-521-3168 E-mail: museums@hamilton.ca Website: www.hamilton.ca/museumevents

Famous Hamiltonian Contest

The peoples' choice for 2023 Famous Hamiltonian will be announced on social media channels at 4:30 p.m. on Friday, March 31. The recipient will be celebrated at George Hamilton Day weekend programming in August. The voting period runs February 25 to March 31.

The Reverend T. Melville Bailey Heritage Award for Lifetime Achievement

The award is given for contributions in the promotion and preservation of Hamilton's heritage. Contributions may include publications, web-based communications, public or community art, service on committees, boards or commissions, and the preservation and promotion of heritage buildings or landscapes. Nominations are open at the Heritage Day event.

Hamilton Civic Museums Free for Heritage Weekend

In honour of Heritage Month, all Hamilton Civic Museums will be open for visitation free of charge. Please note that our museums are not all wheelchair accessible, and strollers and infant carriers may not be taken on tour. There is an indoor area where strollers can be parked while on tour. Please note that Fieldcote Memorial Park and Museum is closed on Sundays, while Griffin House National Historic Site and the Hamilton Children's Museum are both closed for construction.

Date:	February 25 and 26, 2023
Time:	12:00 p.m. to 4:00 p.m.
Cost:	Free event. Pre-registration is required. Tickets are limited. Book early to avoid disappointment.
Contact:	By telephone: 905-521-3168 E-mail: museums@hamilton.ca Website: www.hamilton.ca/museumevents

Social Media Content

The following social media channels will have enhanced heritage content during the month of February:

Instagram:

- @hamilton_civilmuseums
- @tourismhamilton
- #HamOntHeritage

Facebook:

- <https://www.facebook.com/HamiltonCivicMuseums/>

Further information can be found on the City of Hamilton website:

- Heritage Day Celebration at Dundurn National Historic Site: <https://www.hamilton.ca/things-do/festivals-events/events-calendar/heritage-day-celebration-dundurn-national-historic-site>
- All Hamilton Civic Museum Events: www.hamilton.ca/museumevents

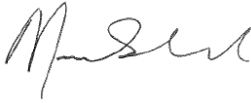
For more information, please contact Meredith Leonard, Senior Curator, Learning and Interpretation by e-mail at Meredith.Leonard@hamilton.ca or by telephone at (905) 546-2424 Ext. 6223.

APPENDICES AND SCHEDULES ATTACHED

N/A



COMMUNICATION UPDATE

TO:	Mayor and Members City Council
DATE:	February 14, 2023
SUBJECT:	Temporary Outdoor Patio Program 2023 (City Wide)
WARD(S) AFFECTED:	City Wide
SUBMITTED BY:	Norm Schleeahn Director, Economic Development Planning and Economic Development Department
SIGNATURE:	

The purpose of this Communications Update is to advise Council of the roll-out of the Temporary Outdoor Patio Program for 2023.

Historical Background

The initial On-Street Patio Pilot Program began in 2016 and was approved as a permanent program in 2017. This Program focused on temporary patios located on-street, primarily in on-street parking spaces.

In May 2020, in response to the COVID-19 pandemic, an expanded Outdoor Dining Districts Program was approved by Council. It expanded the On-Street Patio Program by providing for temporary patios on public property (including sidewalks, boulevards and off-street parking areas), occupying metered parking spaces where allowed in accordance with City By-laws and on private property such as the parking areas of malls and strip malls.

On February 23, 2022, Council approved Report PED22051 to permanently adopt the Temporary Outdoor Patio Program, which combined the On-Street Patio Program and the Outdoor Dining Districts Program, and to establish applicable annual user fees.

It is important to note that the Temporary Outdoor Patio Program applies only to temporary, seasonal patios. Any proposals for permanent patios that would permanently occupy public or private property would be reviewed on a case-by-case basis in accordance with the City's normal Planning, Real Estate and Leasing/Licensing Policies.

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Review Process and Design Requirements

The Temporary Outdoor Patio Program is administered through the Commercial Districts and Small Business Section of the Economic Development Division.

Through the application process, staff ensure no negative impacts with respect to pedestrian safety, accessibility, emergency services, public transit, access to other businesses, delivery and pick up, and other issues that are normally addressed through the Special Events Advisory Team (SEAT) review process. In cases where staff identify a potential impact on an adjacent property due to the location of the patio, staff may require the applicant to demonstrate that adjacent properties do not object to the temporary patio.

The Ward Councillor is also notified of all applications for Temporary Outdoor Patios in advance of any approval or implementation. In addition, if an application is received for a location within the boundaries of a Business Improvement Area (BIA), the BIA will also be notified.

Appendix “A” to this Communications Update provides an overview of the general terms and conditions of the Temporary Outdoor Patio Program.

The Design Requirements for the temporary patios have evolved over the years that the Program has been in place.

All patios should be designed for accessibility and be compliant with the Accessibility for Ontarians with Disabilities Act (AODA). The patio applicant should ensure that a barrier-free access and sidewalk clearance is maintained for people using mobility devices, especially when considering the placement of equipment and customer queuing areas. The patio applicant should ensure delineation that is detectable for someone using a white cane. Patio owners should consider people using mobility devices when determining what type of furniture, they will set out in their patio area. For example, picnic tables significantly limit the ability of a person using a mobility device to access a dining surface. When determining seating arrangements in the dining area, install some tables with room underneath to accommodate people using mobility devices, ensure that there are clear routes and manoeuvring spaces for people using mobility devices on the patio and advertise whether there is accessible washrooms on the business website. It is important to note that on-street patios are not permitted within accessible parking spaces.

For on-street patios, in the summer of 2022, additional modifications were made in response to a new Restaurant Patio Guidelines within the Right of Way document that was released by the Provincial Ontario Traffic Council. The modifications included the installation of additional barriers and other improvements for pedestrian and patron safety. Staff utilized the new Provincial Guidelines to inform the type and placement of

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physical barriers. The exact set-up varied by location depending on site and surrounding conditions. For the 2022 patio season, the safety enhancements were implemented by the City at no cost to the business owner, in accordance with Council's direction to offset the costs of the Temporary Patio Program as part of our post- COVID-19 Economic Recovery. For 2023, the requirement for safety devices will now be paid by the patio applicant, which will result in significantly higher costs for restaurant owners.

Appendix "B" to this Communications Update - Safeguard Measures for On-Street Patio or Pedestrian By-pass Walkways, provides more information on the safety measures.

Appendix "C" to this Communication Update - Temporary Outdoor Patio Program Participation Summary 2020, 2021, 2022, provides more information on the past participation numbers of this Temporary Outdoor Patio Program.

Appendix "D" to this Communication Update - Temporary Outdoor Patio Program Business Survey Results, provides more information on a participant survey that was shared with 2022 patio applicants.

Fees

Prior to 2020, the only cost charged to applicants was to offset lost parking revenue for patios occupying parking meters.

From 2020 to 2022, as part of the City's efforts to support the local hospitality sector, and as a result of recommendations arising through the Mayor's Task Force on Economic Recovery, all City fees and Program costs were waived and funded through the Economic Development Initiatives Capital Project (3621708900). The costs to the City for the Patio Program during COVID-19 are summarized in Table 1.

Table 1: Summary of City Costs During COVID-19 for the Temporary Outdoor Patio Program

	2020	2021	2022
On-street Patios – lost Parking Meter Revenue	\$35,121.77	\$59,150.00	\$42,594.93
Safety Devices – Installation and materials	n/a	\$36,069.46 *includes knock down bollards, hazard marker signage, planters	\$125,130.21 *additional metal crash barriers added in 2022
TOTAL	\$35,121.77	\$95,219.46	\$167,725.14

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SUBJECT: Temporary Outdoor Patio Program 2023 (City Wide) - Page 4 of 6

In 2022, Council approved an application fee for the Temporary Outdoor Patio Program, however the fee was waived in 2022 as part of the COVID-19 Economic Recovery funding.

For 2023, applicants will again be required to pay all applicable fees for the Program.

User fees for the Temporary Outdoor Patio Program are established in the Tax Supported User Fees By-law. The City's Tax Supported User Fees By-law for 2023 establishes an application fee for the Program of \$676.11.

In addition to the Application fee, based on the specific requests within each application, the following City user fees may also apply:

- Any patio that occupies an on-street or off-street municipal parking space is required to pay a Temporary Patio Occupation of Parking Space fee of \$875 per space as well as a Temporary Patio Installation of Safety Devices fee (e.g. knock down bollards, hazard marker signage, planters, maintenance of planters) of \$800.
- Any patio or group of patios that require a temporary full road closure will be required to pay a Road Closure Application Fee of \$747.95 (2023 permit fee) as well as all costs associated with the hiring of an Ontario Ministry of Transportation, OTM Book 7 qualified third-party traffic management company to plan and execute the closure and as required.

In addition to City fees, there may be additional fees incurred by applicants that are not City fees.

Business owners who wish to serve liquor on their Temporary Outdoor Patio would need to obtain a liquor license extension through the Alcohol and Gaming Commission of Ontario (AGCO). The AGCO waived the requirement for a liquor license extension to a patio from 2020 to 2022. Normally to extend a patio, an existing licensed establishment would have to obtain a permanent Liquor License Extension through the AGCO and pay for an extension application fee of \$815 to the AGCO. As part of obtaining a licence extension for a patio, the City is required to provide comments and Public Health and Fire inspections are undertaken once the patio is constructed. The fee for the addition of an outdoor patio to an existing liquor licence, including City comments and inspections is \$561.83 (inclusive of HST). Business owners are also responsible for all costs associated with patio construction/rental and for the installation of crash barriers. The estimated cost for an on-street patio rental is \$3,500 per season, and for crash barriers would be approximately \$4,500.

A summary of fees associated with the Temporary Outdoor Patio Program is provided in Table 2.

Table 2: Summary of Potential Fees for Temporary Outdoor Patios (2023)

City Fee	Temporary Outdoor Patio Application Fee	\$676.11
City Fee	Temporary Patio Occupation of Parking Space fee (if applicable)	\$875/space
City Fee	Temporary Patio Installation of Safety Devices fee (if applicable)	\$800
Provincial Fee	Liquor License Extension	\$815
City Fee	City Liquor Licensing fee	\$561.83
Private	On-street Patio Rental (if applicable)	\$3,500 (est.)
Private	On-street Patio Crash Barriers (if applicable)	\$4,500 (est.)

Application Process

Applications for patios can be submitted starting March 1, 2023 and must be received prior to June 1, 2023.

Applications can be submitted to outdinedist@hamilton.ca.

Information on the application process can be found: <https://www.hamilton.ca/build-invest-grow/starting-small-business/permits-inspections/temporary-outdoor-patio-program>

For patios on public property (e.g. sidewalks, alleyways, parking spaces), patios are permitted to operate from April 1 to October 31 of each year, with staff given the delegated authority to extend the permitted period in exceptional circumstances, and where supported by the Transportation Operations and Maintenance Division of the Public Works Department.

To promote the Program, the City will email former applicants, the BIAs and will be updating the City website.

Questions or Inquiries

If Councillors, applicants or members of the public have questions about the Program, please contact Cristina Geissler, Business Development and BIA Officer, by phone at 905-546-2424 Ext. 4222 or by e-mail at Cristina.Geissler@hamilton.ca.

APPENDICES AND SCHEDULES ATTACHED

Appendix "A" – General Terms and Conditions of the Temporary Outdoor Patio Program

Appendix "B" – Safeguard Measures for On-Street Patio or Pedestrian By-pass Walkways

Appendix "C" – Temporary Outdoor Patio Program Participation Summary 2020, 2021, 2022

Appendix "D" – Temporary Outdoor Patio Program Business Survey Result

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General Terms and Conditions of the Temporary Outdoor Patio Program

The following terms and conditions will apply for the permanent program for Temporary Outdoor Patios on public property, both on-street and off-street:

- a) Temporary Outdoor Patios permitted in any commercial area of the City where the applicable zoning allows for patios;
- b) Temporary Outdoor Patios may include patios, as well as temporary sidewalk bypass structures that are intended to create sidewalk space for a Temporary Outdoor Patio;
- c) Applications for Temporary Outdoor Patios be received through the Commercial Districts & Small Business Section of the Economic Development Division and circulated for cross-departmental review through a process based on the SEAT process;
- d) Patios be permitted to operate from April 1 to October 31 of each year, with staff given the delegated authority to extend the permitted period in exceptional circumstances, and where supported by the Transportation Operations and Maintenance Division of the Public Works Department;
- e) All Temporary Outdoor Patios must follow all applicable public health requirements, including any COVID-related public health requirements, as well as all applicable Provincial Orders;
- f) Through the application process, staff ensure no negative impacts with respect to pedestrian safety, accessibility, emergency services, public transit, access to other businesses, delivery and pick-up, and other issues that are normally addressed through the SEAT review process. In cases where staff identify a potential impact on an adjacent property due to the location of the patio, staff may require the applicant to demonstrate that adjacent properties do not object to the temporary patio;
- g) A valid Municipal Business Licence is required, and such licence remain in good standing for the duration of the proposal period for the Temporary Outdoor Patio Program, which includes submission of payment and renewal form on or before the expiry date as listed, as well as, but not limited to, following Municipal, Provincial and Federal laws and By-laws, as required by Licensing By-law 07-170;
- h) Applicants are responsible for the management and operation of any approved temporary outdoor patios, including ensuring that they are appropriately supervised by staff at all times when open, to ensure proper use, cleaning and physical distancing;

- i) The Ward Councillor will be notified of all applications for Temporary Outdoor Patios in advance of any approval or implementation. In addition, if an application is received for a location within the boundaries of a BIA, the BIA will also be notified;
- j) Patio operators must provide proof of commercial general liability insurance (\$5 million) coverage endorsed to include the City as additional insured;
- k) Temporary Outdoor Patios will not be required to undertake Site Plan review;
- l) Advertising, banners, or signage is not permitted; and,
- m) The patio shall be compliant with the Accessibility for Ontarians with Disabilities Act (AODA);

In addition to the terms and conditions described above, for temporary patios that are on-street, the following existing provisions would also continue to apply:

- a) Require a Temporary On-Street Parking Permit from the Hamilton Municipal Parking System (HMPS) in order to be established;
- b) Permitted in any legal on-street parking space (e.g. unrestricted, metered, or time-limited parking), but shall not be permitted in through traffic lanes, rush hour routes or lanes marked as no parking/no stopping/accessible parking;
- c) Require the written endorsement of the BIA, if located within the boundaries of a BIA;
- d) BIAs may establish a limit to the number of allowable on-street patios in their BIA area;
- e) In the event that applications for patio locations exceed the number of legal parking spaces in a block or exceed the number of patios allowed in a BIA where the number of locations has been capped by the BIA, a lottery will be held annually to determine the approved locations;
- f) On-street patio locations will generally be limited to occupying one parking space, though a second space may be permitted to facilitate safety;
- g) Electrical power cords or any other devices that cross the travelled portion of the boulevard (sidewalk) are not permitted; and,

- h) Setup or takedown of any structure or materials on the roadway can only be completed by those trained and qualified in the Ontario Traffic Manual (OTM) Book 7 Signing Requirements for Temporary Conditions.

Temporary Outdoor Patios on Private Property

For Temporary Outdoor Patios on private property, such as in the private parking areas of commercial plazas and malls, the following terms and conditions will apply:

- a) Temporary Outdoor Patios permitted in any commercial area of the City where applicable zoning allows for patios;
- b) Applications for Temporary Outdoor Patios be received through the Commercial Districts & Small Business Section of the Economic Development Division and circulated for cross-divisional review and comment;
- c) Patios be permitted to operate year-round with a requirement for application renewal annually;
- d) A valid Municipal Business Licence is required, and such licence remain in good standing for the duration of the proposal period for the Temporary Outdoor Patio which includes submission of payment and renewal form on or before the expiry date as listed as well as but not limited to following Municipal, Provincial, and Federal laws and By-laws, as required by Licensing By-law 07-170;
- e) The physical extension of the Temporary Outdoor Patio serving alcohol must be adjacent to the premises to which the licence to sell liquor applies;
- f) A new occupant load will not be set for the Temporary Outdoor Patio. The Temporary Outdoor Patio will act as an extension of the existing occupant load of the building;
- g) A Temporary Outdoor Patio will not be deemed to affect the parking supply for the purposes of minimum parking requirements;
- h) Temporary Outdoor Patios must be created as temporary uses with no permanent fixtures and no alterations that would require a Building Permit;
- i) Temporary Outdoor Patios on private property will not be required to undertake Site Plan review; and,
- j) The patio shall be compliant with the Accessibility for Ontarians with Disabilities Act (AODA) and shall be barrier free accessible where the existing establishment is barrier free accessible.

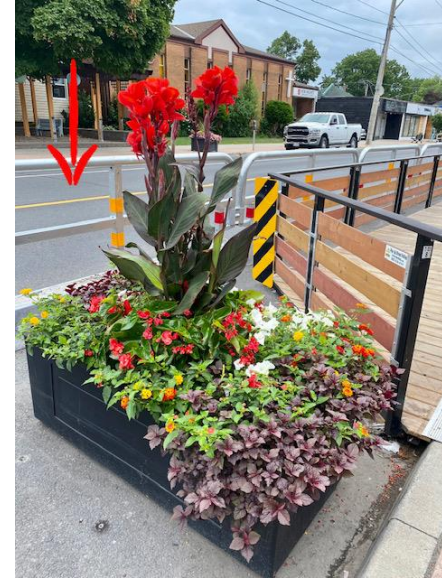
Safeguard Measures for On-Street Patio or Pedestrian By-pass Walkways



Metal frame to protect the patio or pedestrian walkway. Pylons included for added visibility .



Pedestrian signage to direct public across walkway.



Flower boxes that add an extra buffer layer of protection and safety. These planters also beautify patios (planted and maintained throughout the summer).



Street signs to alert vehicles to patio areas.

All costs in 2022 were paid by the City of Hamilton

Temporary Outdoor Patio Program Participation Summary 2020, 2021, 2022

2020 Applications:

Ward	Private Property	City Property (Streets and Alleyways)	City Property (Parking Areas)	City Property (Sidewalks)	On-Street of Pedestrian By-Pass Structure
1	12	1	6	2	4
2	6	3	1	19	8
3	5	2	0	5	1
4	17	0	0	7	0
5	7	0	0	0	0
6	6	0	0	0	0
7	7	0	0	4	1
8	11	0	0	0	0
9	4	0	0	0	0
10	12	0	0	0	0
11	2	0	0	1	0
12	8	0	0	0	0
13	4	0	0	1	0
14	0	0	0	0	0
15	10	0	0	0	0
Summary	111	6	7	39	14 TOTAL 177

2021 Applications;

Ward	Private Property	City Property (Streets and Alleyways)	City Property (Parking Areas)	City Property (Sidewalks)	On-Street of Pedestrian By-Pass Structure
1	10	0	7	2	4
2	10	3	0	14	18
3	8	4	0	7	1
4	11	0	0	6	1
5	10	0	0	1	0
6	4	0	0	0	0
7	4	0	0	3	3
8	16	0	0	0	0
9	8	0	0	0	0
10	11	0	0	0	0
11	4	0	0	1	0
12	10	0	0	0	0
13	6	0	0	2	0
14	0	0	0	0	0
15	12	0	0	0	0
Summary	124	7	7	36	27 TOTAL 201

2022 Applications

Ward	Private Property	City Property (Streets and Alleyways)	City Property (Parking Areas)	City Property (Sidewalks)	On-Street of Pedestrian By-Pass Structure
1	7	0	22	4	4
2	8	4	0	9	16
3	6	4	0	2	0
4	8	0	0	4	2
5	5	0	0	1	0
6	4	0	0	0	0
7	3	0	0	4	4
8	3	0	0	0	0
9	3	0	0	0	0
10	4	0	0	0	0
11	4	0	0	0	0
12	6	0	0	0	0
13	5	0	0	2	0
14	1	1	0	0	0
15	6	0	0	0	0
Summary	73	9	22	26	26 TOTAL 156

Temporary Outdoor Patio Program Business Survey Results

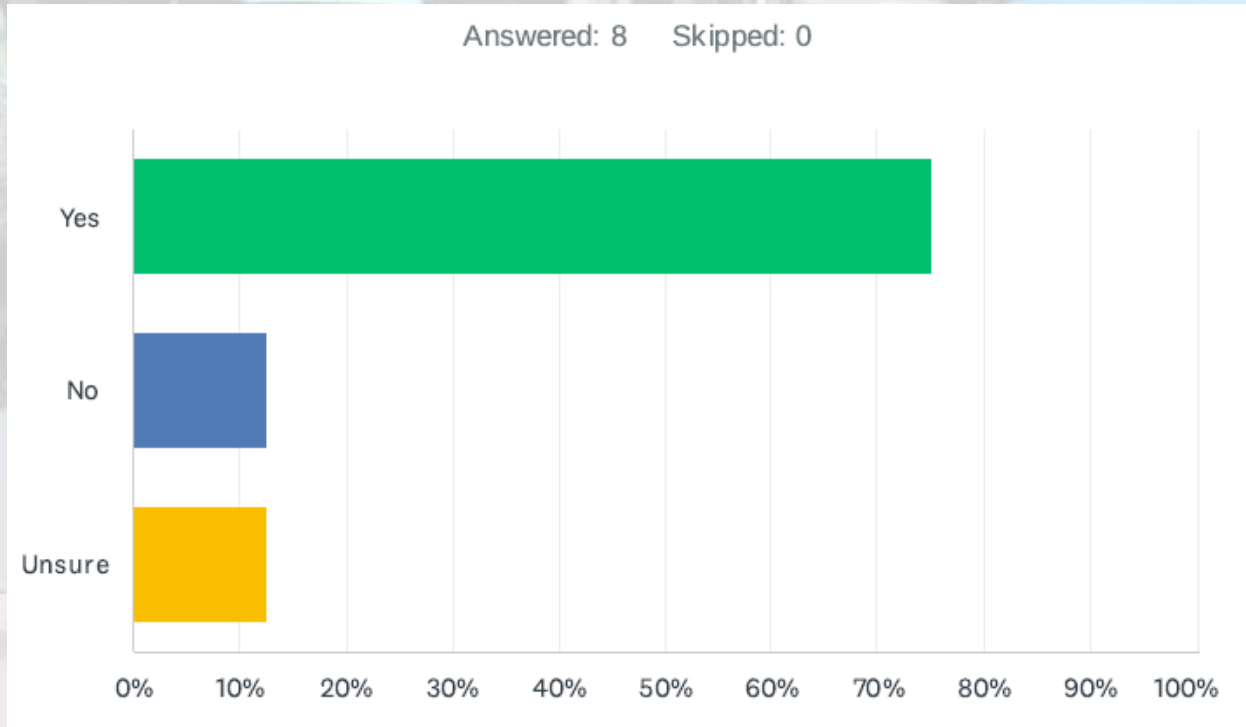


Is your business considering applying to the Temporary Outdoor Patio Program again next season?

Program again next season?

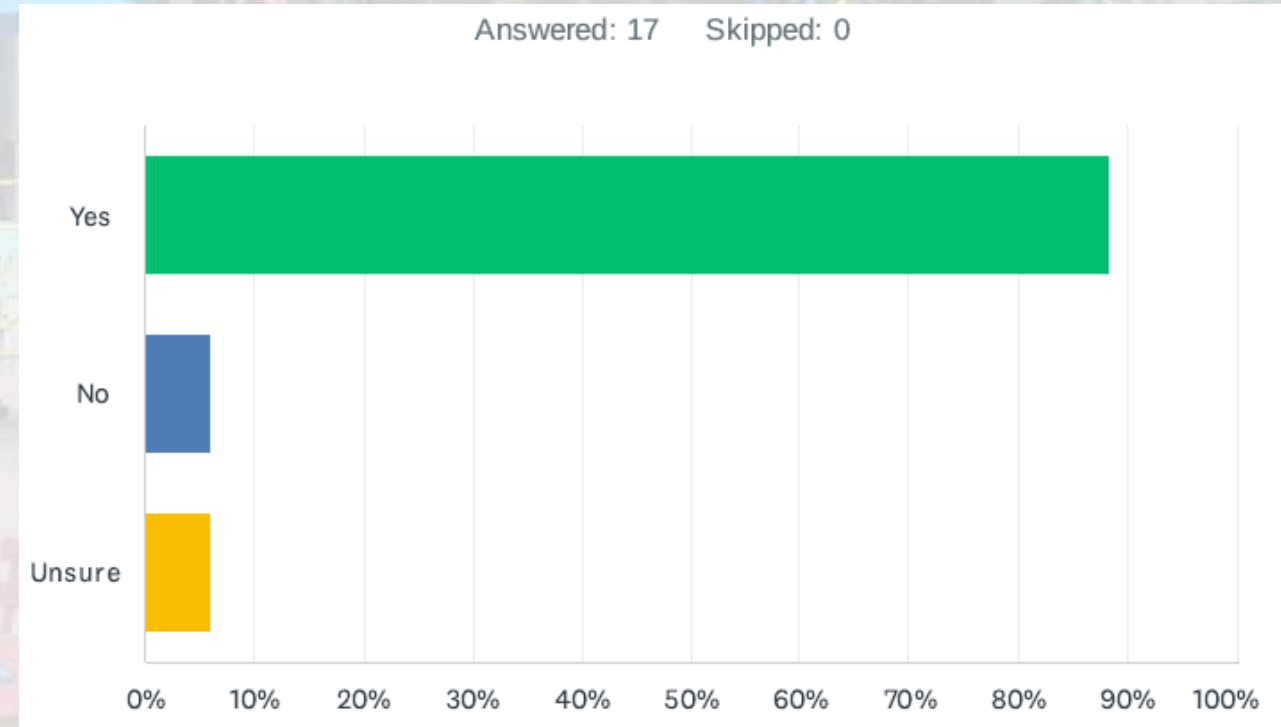
On-Street

Answered: 8 Skipped: 0



City Property

Answered: 17 Skipped: 0

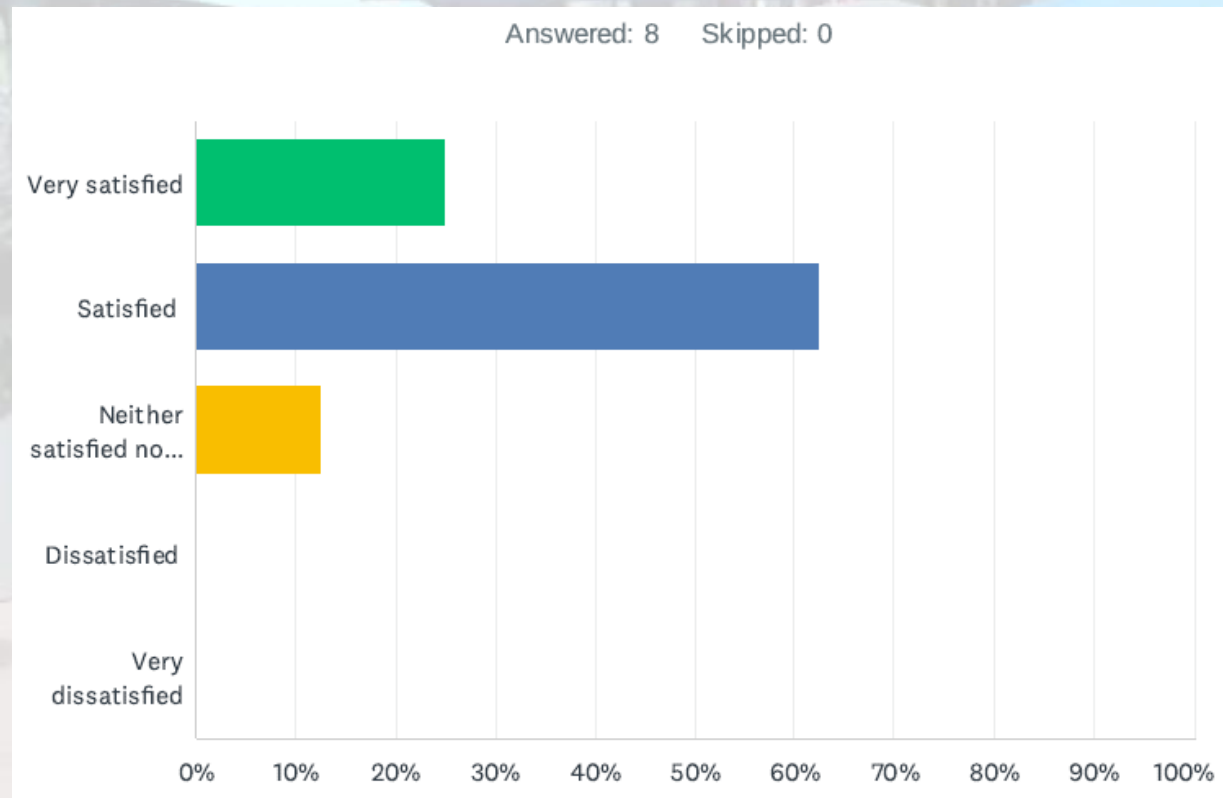


What was your overall level of satisfaction with the Temporary

Outdoor Patio Program application process?

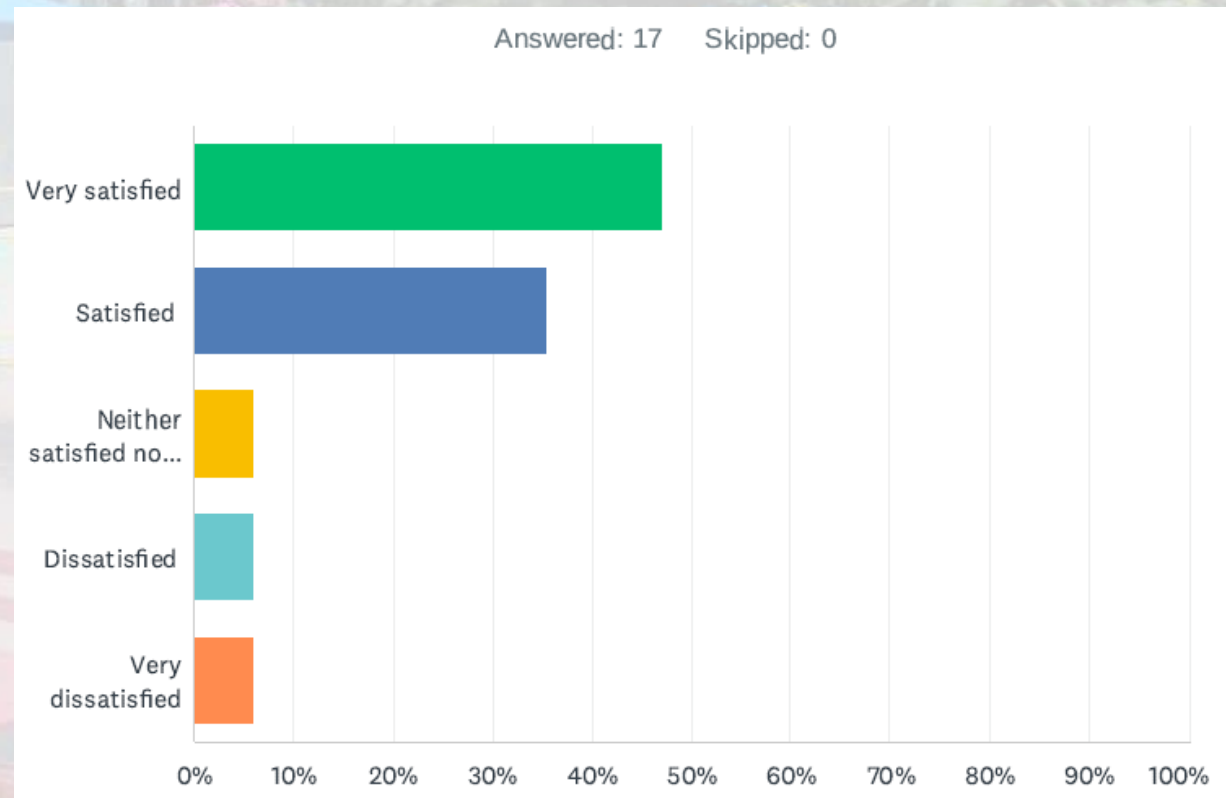
On-Street

Answered: 8 Skipped: 0



City Property

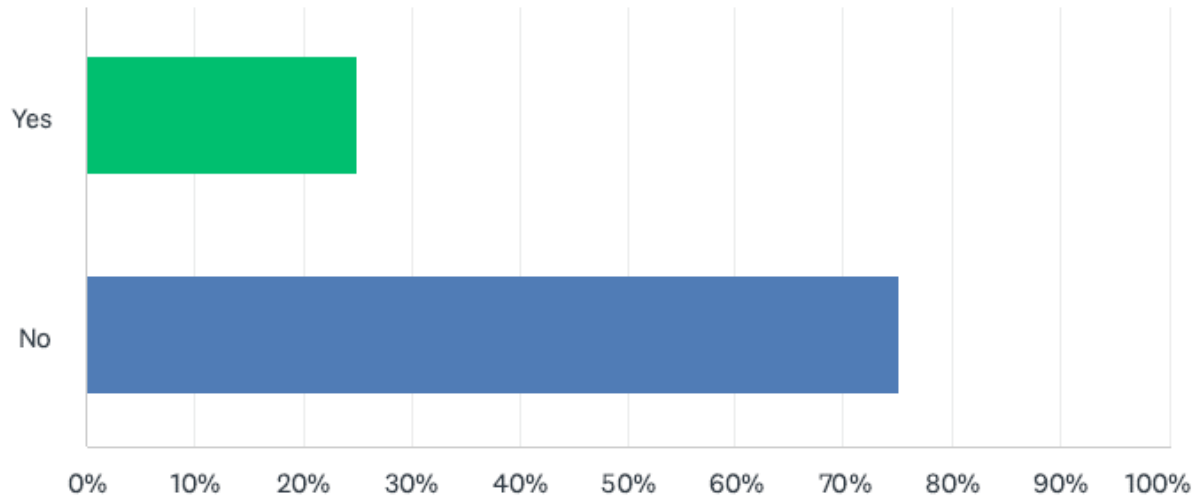
Answered: 17 Skipped: 0



Are there improvements that you would like to see made to the Temporary Outdoor Patio Program application for future seasons?

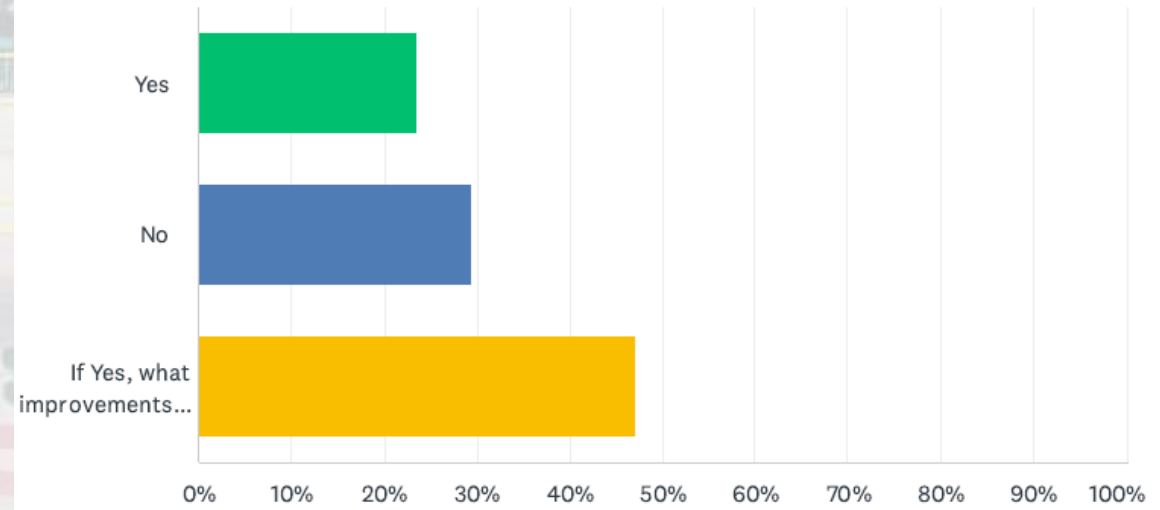
On-Street

Answered: 8 Skipped: 0

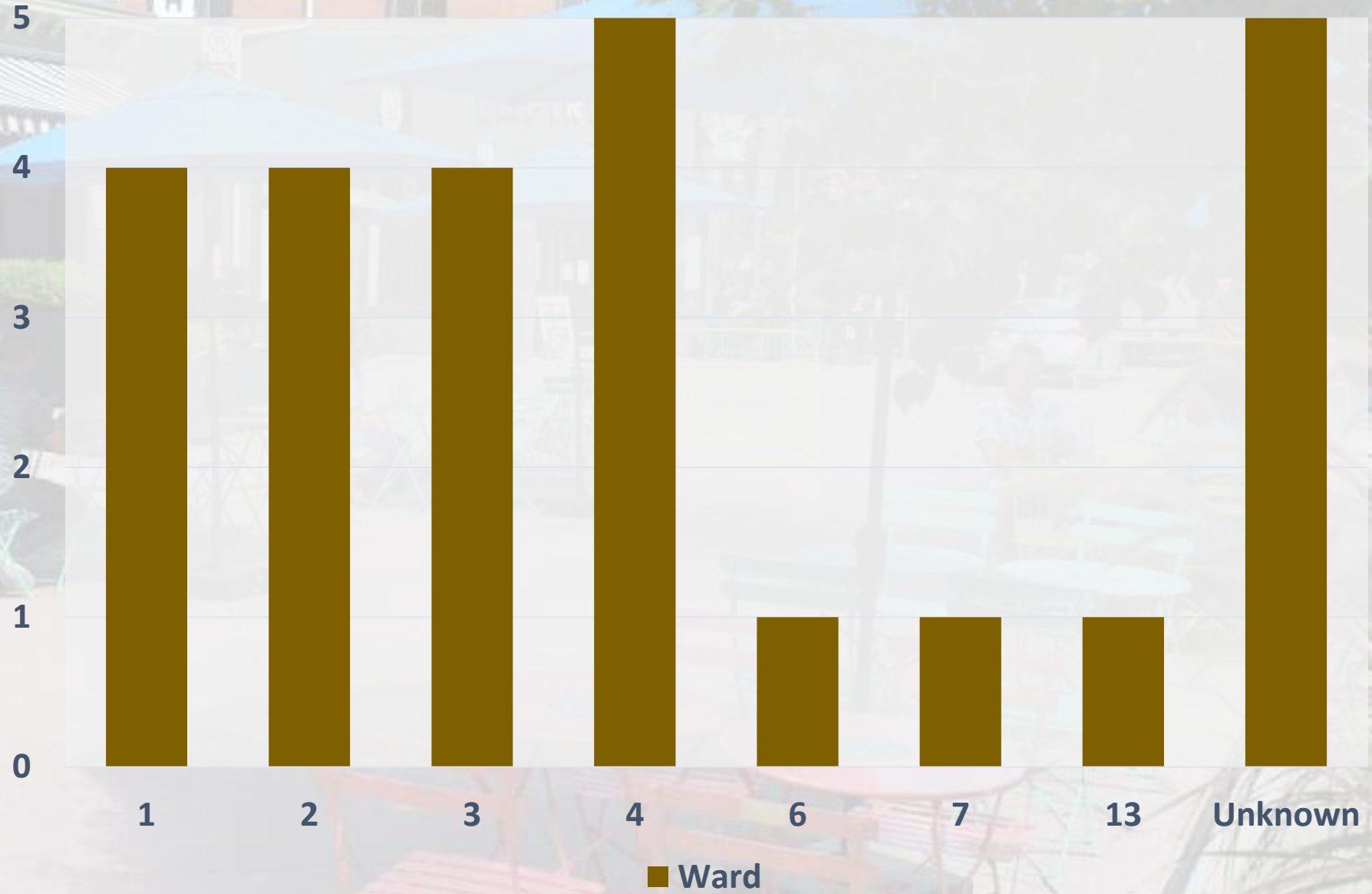


City Property

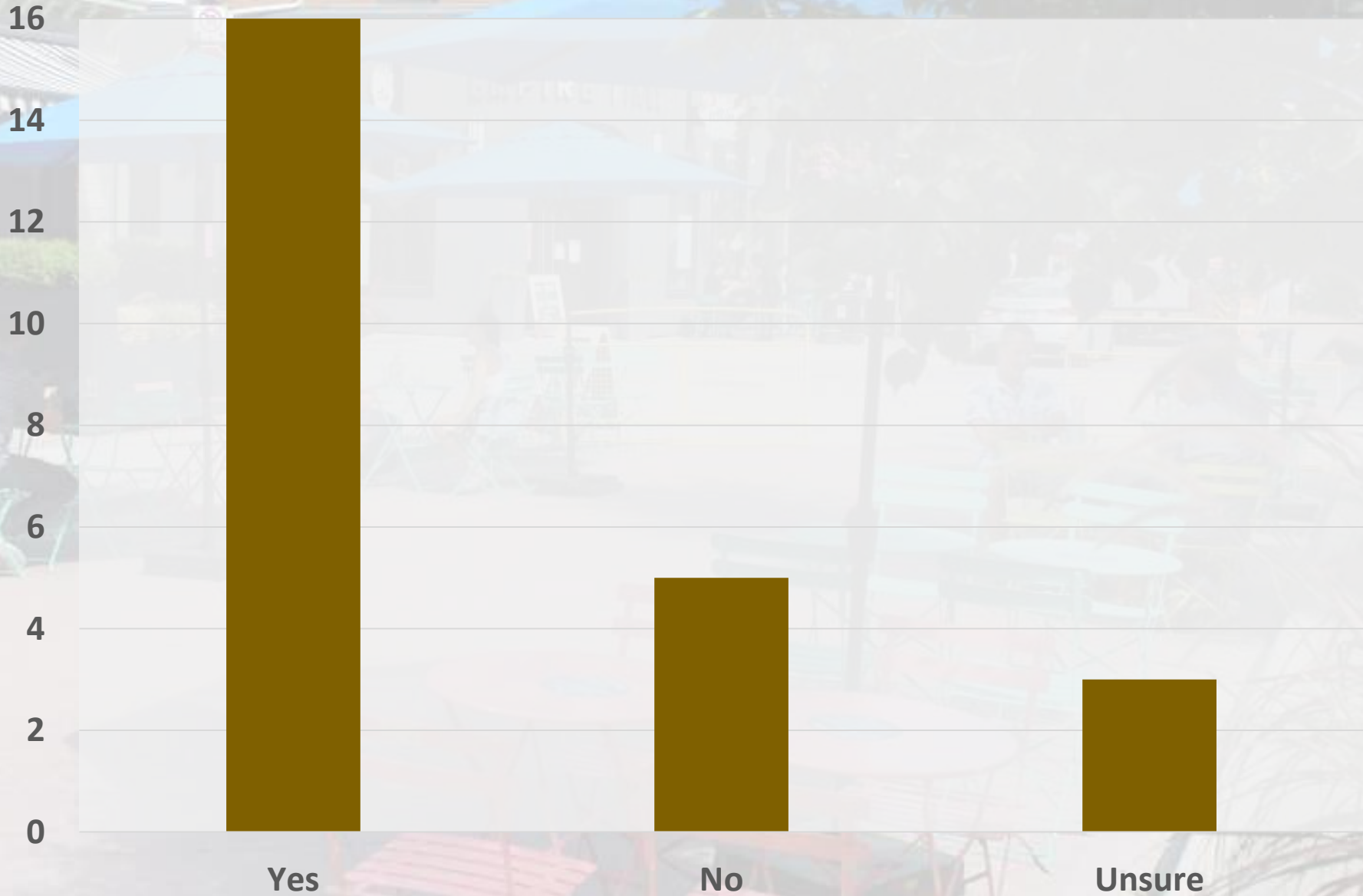
Answered: 17 Skipped: 0



What ward is your business in?



Is your business within a Business Improvement Area (BIA)?



What improvements would you like to see?

The program has been a huge success not only for our business but within the whole westdale retail area. After years of declining traffic in the neighbourhood we have now seen steady growth since the program started. I would love to see us exploring how we might winterize the patios and make a fun winter destination (ie heaters..3 panels..events etc.). I would be happy to work with you/BIA to explore this further (Paisley Coffeehouse)

I think it's ultimately a waste of money... not worth the increase in insurance or patio costs

Better communication on timing of the process, i.e. build then apply then inspection? The info was unclear and after applying there was an inspector at the door to see it however I was waiting on approval or some kind of communication on it before building.

We would love to add some lighting along the outside of the building. I have noticed some businesses stringing lights across the sidewalk and attaching to some poles on the sidewalk. Not sure if that was allowed but we would like to have this option next year

Previous years were a breeze, but due to staff changes, our approval was delayed. There was a lack of communication. I'm hoping this was just due to the new staff being on-boarded.

Get your acts together. You need to communicate between departments.

Earlier approval

A little quicker with the processing would be nice.

The \$5 million for all incident increased our insurance premiums substantially

Extend into November as the first few weeks were nice enough to warrant a patio

Please provide any additional comments you may have on the Temporary Outdoor Patio Program

This program is meant to help businesses especially this days hardly making any money, but the cost of putting up the safety barriers is just too high. the city should as well be covering if not all most of the cost if its really meant to help otherwise big restaurant benefit more leaving the small guys left on the same position

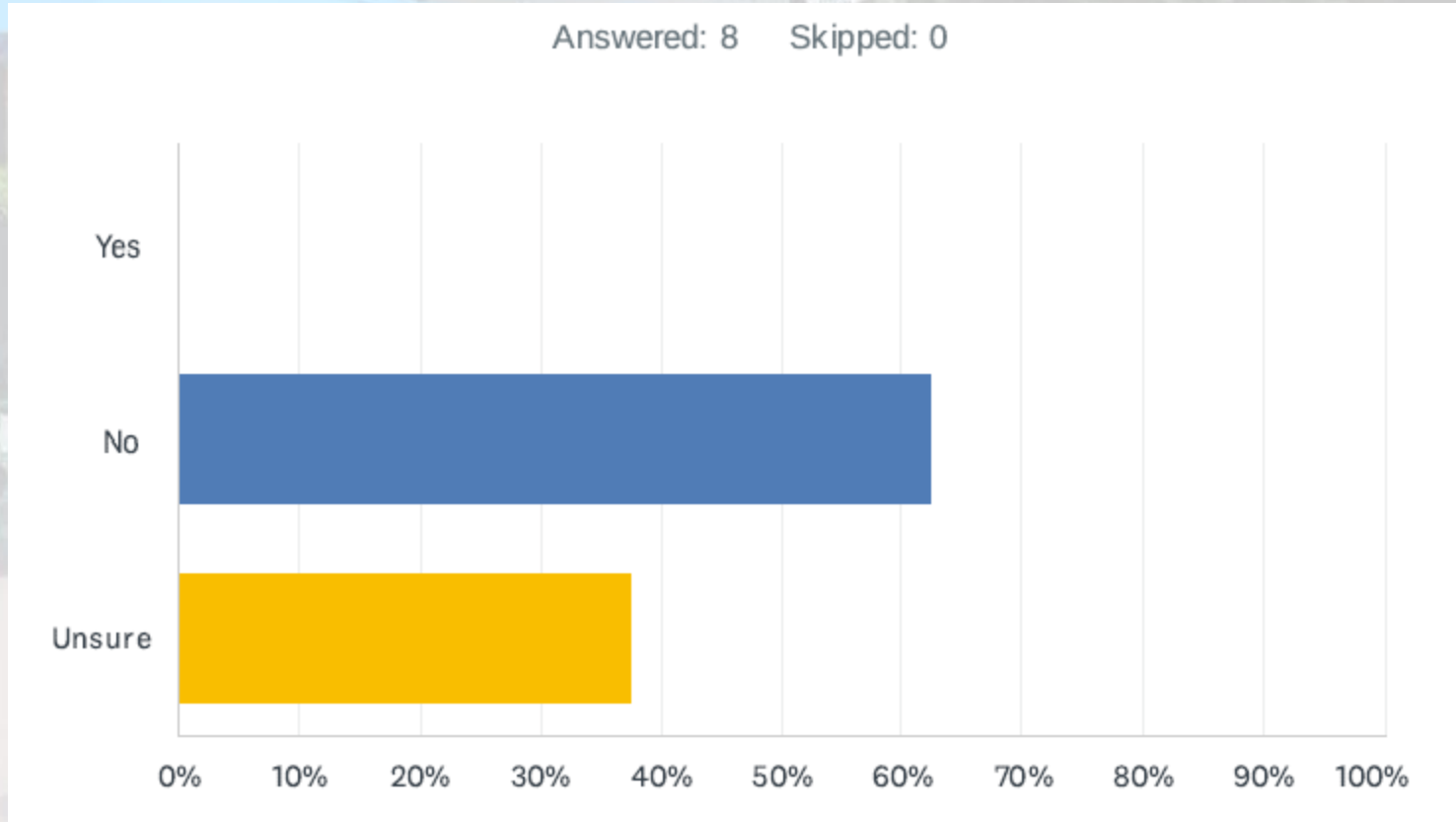
How will the LRT affect my 3 year pop-up patio contract?

The expenses were too high for the return.
It was not worth it to have a patio

Please keep it up! It'd also be great if we could operate them year round

Please keep all prior information on file so that we don't have to re-submit diagrams and such every year. Make it an automatic renewal.


During COVID-19, the City of Hamilton covered the cost for businesses of many parts of the Temporary Outdoor Patio Program such as safety barriers, occupation of parking spaces, and partial closure of public right of ways. Would you continue to participate in the Temporary Outdoor Patio Program if these costs were no longer covered by the City?



On-Street ONLY



COMMUNICATION UPDATE

TO:	Mayor and Members City Council
DATE:	February 14, 2023
SUBJECT:	Commonwealth Games 2030 Update (City Wide)
WARD(S) AFFECTED:	City Wide
SUBMITTED BY:	Carrie Brooks-Joiner Director, Tourism and Culture Planning and Economic Development Department
SIGNATURE:	

February 13, 2023 was the deadline Commonwealth Sport Canada set for the Government of Ontario to commit to specified requirements in support of a Hamilton and region bid for the 2030 Commonwealth Games. No commitment was received from the Government of Ontario by end of day yesterday. Last evening, the City of Hamilton received a copy of the attached correspondence from Claire Carver-Dias, President, Commonwealth Sport Canada informing Hamilton100 that the Hamilton 2030 Commonwealth Games Bid is no longer Canada's "preferred candidate" for the 2030 Commonwealth Games, effective immediately.

Hamilton100 and Commonwealth Sport Canada have withdrawn their requests to delegate to the February 15, 2023 General Issues Committee. Withdrawal of the staff presentation and report Commonwealth Games Update 2030 (PED19108(j)) will be addressed at GIC through changes to the agenda.

Staff will provide a verbal update at the February 15, 2023 General Issues Committee meeting.

APPENDICES AND SCHEDULES ATTACHED

Appendix "A" - Correspondence from Commonwealth Sport Canada to Hamilton100, February 13, 2023

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.

c/o House of Sport – La Maison du Sport
2451 promenade Riverside Drive
Ottawa, ON, Canada K1H 7X7



Tel: (613) 244-6868
info@commonwealthsport.ca
www.commonwealthsport.ca

Sport with Social Purpose

Sport à vocation sociale

February 13, 2023
Sent by email

Mr. Lou Frapporti,
Chair, Hamilton 2030 Commonwealth Games Bid Committee

Dear Lou,

On behalf of Commonwealth Sport Canada, I thank you, the Hamilton100 Bid Committee, local Bid Partners and numerous community supporters for the incredible effort to date in developing a potential Bid for the 2030 Commonwealth Games. In addition, Commonwealth Sport Canada recognizes your committee's best efforts to secure municipal and Ontario Governments' commitment for a 2030 Commonwealth Games Bid. However, to date those efforts unfortunately have not resulted in securing governments' commitment, including the Government of Ontario who did not commit to specified requirements from Commonwealth Sport Canada by the deadline. As a result, the Hamilton 2030 Commonwealth Games Bid is no longer Canada's "preferred candidate" for the 2030 Commonwealth Games, effectively immediately.


Sincerely,



Claire Carver-Dias
President, Commonwealth Sport Canada



COMMUNICATION UPDATE

TO:	Mayor and Members City Council
DATE:	February 16, 2023
SUBJECT:	Dundas Community Pool Closure
WARD(S) AFFECTED:	Ward 13, City Wide
SUBMITTED BY:	Angela Burden General Manager Healthy and Safe Communities Department
SIGNATURE:	

The Dundas Community Pool will be closed beginning **May 1st, 2023** to complete scheduled roof maintenance. This will enable all required work to be completed safely at one time, minimizing disruptions in service and programming at the Pool. The facility is expected to reopen in Summer 2023.

Drop-in programs (Open Swim and Waterfit) will remain available to the public until **April 29th, 2023**. Rental groups will have access to the facility until **April 30th, 2023**. Dundas Community Pool will not offer registered programs or swimming lessons for the Spring session (April to June 2023), as they would be disrupted by the scheduled maintenance work.

During the closure, residents are encouraged to participate in registered programs which have been relocated to Dalewood Recreation Centre, as well as drop-in programs at Dalewood Recreation Centre, Ancaster Aquatic Centre and Ryerson Recreation Centre.

This work is part of a robust preventative maintenance program managed through the City's Energy, Fleet and Facilities Management Division in Public Works which routinely assesses upkeep requirements for Hamilton's recreation centres, arenas, senior centres, indoor and outdoor pools and community halls.

Closure details will be shared on the City's website and social media channels.

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: Dundas Community Pool – Closure Notice - Page 2 of 2

Should you require further information, please contact Dawn Walton, Manager, Business Support, Recreation Division via email at dawn.walton@hamilton.ca or by telephone at (905) 546-2424 ext. 4755.

APPENDICES AND SCHEDULES ATTACHED

N/A

Authority: Item 14, Committee of the Whole
 Report 01-003 (FCS01007)
 CM: February 6, 2001
 Ward: 2,3,6,7,11,12

Bill No. 021

**CITY OF HAMILTON
 BY-LAW NO. 23-
 To Amend By-law No. 01-218, as amended,
 Being a By-law To Regulate On-Street Parking**

WHEREAS Section 11(1)1 of the *Municipal Act, S.O. 2001, Chapter 25*, as amended, confers upon the councils of all municipalities the power to enact by-laws for regulating parking and traffic on highways subject to the *Highway Traffic Act*;

AND WHEREAS on the 18th day of September, 2001, the Council of the City of Hamilton enacted By-law No. 01-218 to regulate on-street parking;

AND WHEREAS it is necessary to amend By-law No. 01-218, as amended.

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

1. By-law No. 01-218, as amended, is hereby further amended by adding/deleting from the identified Schedules and Sections noted in the table below as follows:

Schedule	Section	Highway	Side	Location	Duration	Times	Days	Adding/ Deleting
6 - Time Limit	A	Queen	East	Sulphur Springs to northerly end of Queen	3 hr	9 am - 4 pm	Mon - Fri	Deleting

Schedule	Section	Highway	Side	Location	Times	Adding/ Deleting
8 - No Parking	E	East 37th	West	Concession to 86.3m northerly	Anytime	Deleting
8 - No Parking	E	Grenadier	East	Mohawk to Toby	Anytime	Deleting
8 - No Parking	G	King Street East	South	10 metres east of Catharine Street to 34 meters east thereof	Anytime	Deleting
8 - No Parking	A	Queen St.	West	Sulphur Springs Rd. to 150 ft. northerly	Anytime	Deleting
8 - No Parking	E	East 37th Street	West	Concession Street to northerly end	Anytime	Adding
8 - No Parking	E	East 37th Street	East	83 metres north of Concession Street to northerly end	Anytime	Adding

To Amend By-law No. 01-218, as amended,
Being a By-law to Regulate On-Street Parking

<i>8 - No Parking</i>	<i>E</i>	Grenadier Drive	East	32 metres north of Mohawk Road to 6 metres north thereof	Anytime	Adding
<i>8 - No Parking</i>	<i>G</i>	King Street East	South	25 metres east of Catharine Street to 19m east thereof	Anytime	Adding
<i>8 - No Parking</i>	<i>G</i>	King Street East	South	74 metres west of Spring Street to 25 metres west thereof	Anytime	Adding
<i>8 - No Parking</i>	<i>A</i>	Queen Street	Both	Sulphur Springs Road to northerly end	Anytime	Adding
<i>8 - No Parking</i>	<i>D</i>	Voyager Pass	West	57 metres south of Windwood Drive (eastern leg) to 27 metres south thereof	Anytime	Adding

Schedule	Section	Highway	Side	Location	Times	Adding/ Deleting
<i>12 - Permit</i>	<i>E</i>	Picton St.	South	from 22.2m east of Bay St. to 6.2m easterly	Anytime	Deleting
<i>12 - Permit</i>	<i>E</i>	Cheever Street	West	29 metres south of Mars Avenue to 6 metres south thereof	Anytime	Adding

Schedule	Section	Highway	Side	Location	Times	Adding/ Deleting
<i>13 - No Stopping</i>	<i>E</i>	East 37th Street	East	62 metres north of Concession Street to 21 metres north thereof	Anytime	Adding

Schedule	Section	Highway	Side	Location	Times	Adding/ Deleting
<i>14 - Wheelchair LZ</i>	<i>E</i>	Cheever St.	West	from 28.6m south of Mars Ave. and extending 6.2m southerly.	7:00 a.m. - 8:00 p.m. Monday to Saturday	Deleting

2. Subject to the amendments made in this By-law, in all other respects, By-law No. 01-218, including all Schedules thereto, as amended, is hereby confirmed unchanged.
3. This By-law shall come into force and take effect on the date of its passing and enactment.

To Amend By-law No. 01-218, as amended,
Being a By-law to Regulate On-Street Parking

PASSED this 22nd day of February, 2023.

A. Horwath
Mayor

A. Holland
City Clerk

Authority: Item 2, Planning Committee
Report 23-003 (PED23031)
CM: February 22, 2023
Ward: 12

Bill No. 022

CITY OF HAMILTON

BY-LAW NO. 23-

**To Amend Zoning By-law No. 05-200 with Respect to Lands Located at 343
Springbrook Avenue, Ancaster**

WHEREAS Council approved Item 2 of Report 23-003 of the Planning Committee, at its meeting held on February 22, 2023;

AND WHEREAS this By-law conforms to the Urban Hamilton Official Plan;

NOW THEREFORE Council of the City of Hamilton enacts Zoning By-law No. 05-200 as follows:

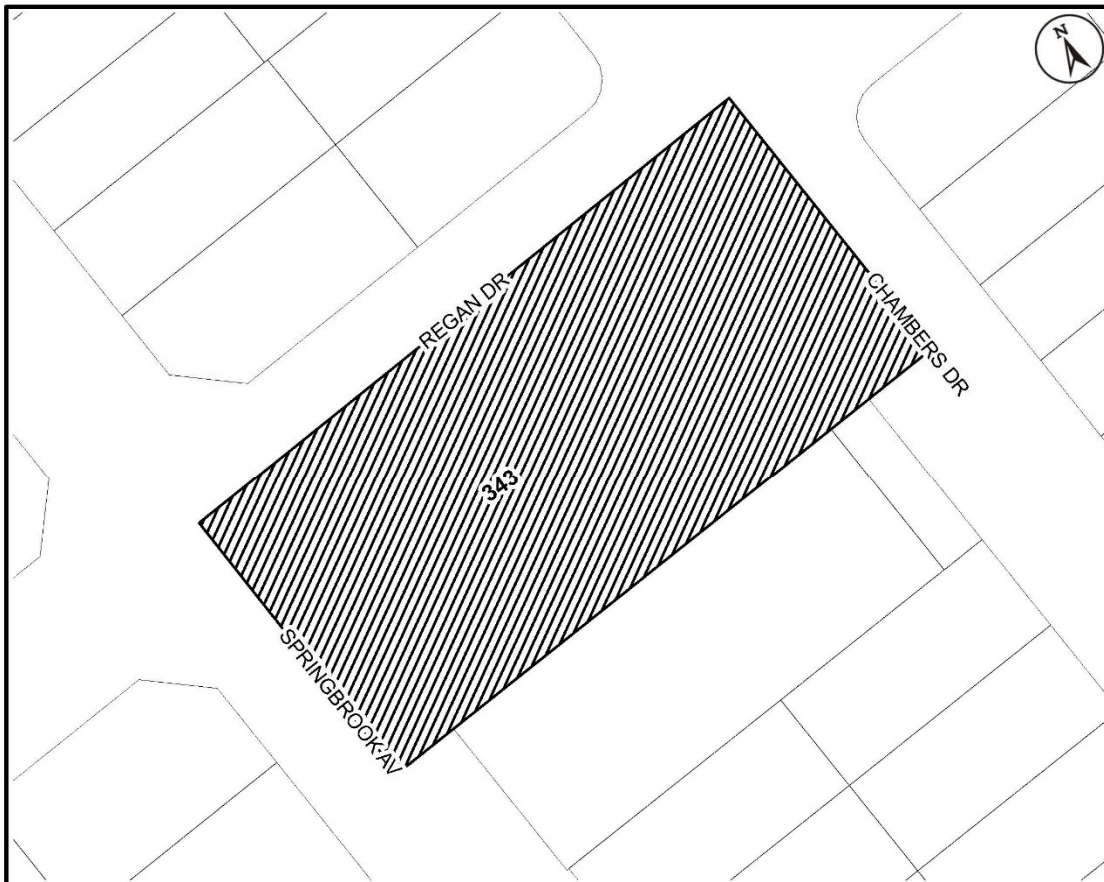
1. That Map No. 1284 of Schedule "A" – Zoning Maps is amended by adding the Low Density Residential (R1) Zone to the lands attached as Schedule "A" to this By-law.
2. That Schedule "C" - Special Exceptions is amended by adding the following new Special Exception:
 - "836. Within the lands zoned Low Density Residential (R1) Zone, identified on Map 1284 of Schedule "A" – Zoning Maps and described as 343 Springbrook Avenue, the following special provision shall apply:
 - a) Notwithstanding Section 15.1.1, a Street Townhouse Dwelling shall not be permitted."
3. That the Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this By-law in accordance with the *Planning Act*.

PASSED this 22nd day of February, 2023

A. Horwath
Mayor

A. Holland
City Clerk

ZAC-22-056



<p>This is Schedule "A" to By-law No. 23-</p> <p>Passed the day of, 2023</p>	<p>-----</p> <p style="text-align: center;">Mayor</p> <p>-----</p> <p style="text-align: center;">Clerk</p>
--	---

<p>Schedule "A"</p> <p>Map forming Part of By-law No. 23-_____</p> <p>to Amend By-law No. 05-200 Map 1284</p>	<p>Subject Property</p> <p>343 Springbrook Avenue</p> <p> Lands to be added to Zoning By-law No. 05-200 as Low Density Residential (R1, 836) Zone</p>
--	--

<p>Scale: N.T.S</p>	<p>File Name/Number: ZAC-22-056</p>	
<p>Date: December 22, 2022</p>	<p>Planner/Technician: DM/AL</p>	
<p>PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT</p>		

Authority: Item 3, Planning Committee
Report: 23-002 (PED23022)
CM: February 8, 2023
Ward: 2

Bill No. 023

CITY OF HAMILTON

BY-LAW NO. 22-

To Adopt:

**Official Plan Amendment No. 181 to the
Urban Hamilton Official Plan**

Respecting:

**220 and 222 Main Street West, 115 and 117 George Street, and portions of 107 and
109 George Street**

City of Hamilton

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

1. Amendment No. 181 to the Urban Hamilton Official Plan consisting of Schedule "1", hereto annexed and forming part of this by-law, is hereby adopted.

PASSED this 22nd day of February, 2023.

A. Horwath
Mayor

A. Holland
City Clerk

Urban Hamilton Official Plan Amendment No. 181

The following text, together with Appendix “A” – Volume 2: Map B.6.1-2 Downtown Hamilton Secondary Plan – Maximum Building Heights, attached hereto, constitutes Official Plan Amendment No. 181 to the Urban Hamilton Official Plan.

1.0 Purpose and Effect:

The purpose and effect of this Amendment is to amend the Downtown Hamilton Secondary Plan to change the Maximum Height classification from “Mid-rise” and “Low-rise 2” to “High-rise 2” to permit the development of a mixed use High Rise building.

2.0 Location:

The lands affected by this Amendment are known municipally as 220 and 222 Main Street West, 115 and 117 George Street, and portions of 107 and 109 George Street in the former City of Hamilton.

3.0 Basis:

The basis for permitting this Amendment is:

- The proposed development implements the vision of the Downtown Hamilton Secondary Plan by providing a mix of uses on site and contributing to a range of housing options within Downtown Hamilton.
- The proposed development conforms with the design criteria for High-Rise (Tall) Buildings in the Downtown Hamilton Secondary Plan and the Downtown Hamilton Tall Buildings Guidelines.
- The Amendment is consistent with the Provincial Policy Statement, 2020 and conforms to the Growth Plan for the Greater Golden Horseshoe, 2019, as amended.

4.0 Actual Changes:

4.1 Volume 2 – Secondary Plans

Maps

4.1.1 Maps

a. That Volume 2: Map B.6.1-2 – Downtown Hamilton Secondary Plan – Maximum Building Heights be amended by:

- i) changing the height category for a portion of the subject lands from “Mid-rise” to “High-rise 2”; and,
- ii) changing the height category for a portion of the subject lands from “Low-rise 2” to “High-rise 2”,

as shown on Appendix “A”, attached to this Amendment.

5.0 Implementation:

An implementing Zoning By-Law Amendment, Site Plan and Consent application will give effect to the intended uses on the subject lands.


This Official Plan Amendment is Schedule “1” to By-law No. 23-023 passed on the 22nd day of February, 2023.


The City of Hamilton

A. Horwath
Mayor

A. Holland
City Clerk

Appendix A
 APPROVED Amendment No. 181
 to the Urban Hamilton Official Plan

 Lands to be changed from "Mid-rise" to "High-rise 2"

 Lands to be changed from "Low-rise 2" to "High-rise 2"

(220 and 222 Main Street West, 115 and 117 George Street and the south portion of 107 and 109 George Street, Hamilton)

Date:
February 10, 2023

Revised By:
MK/NB

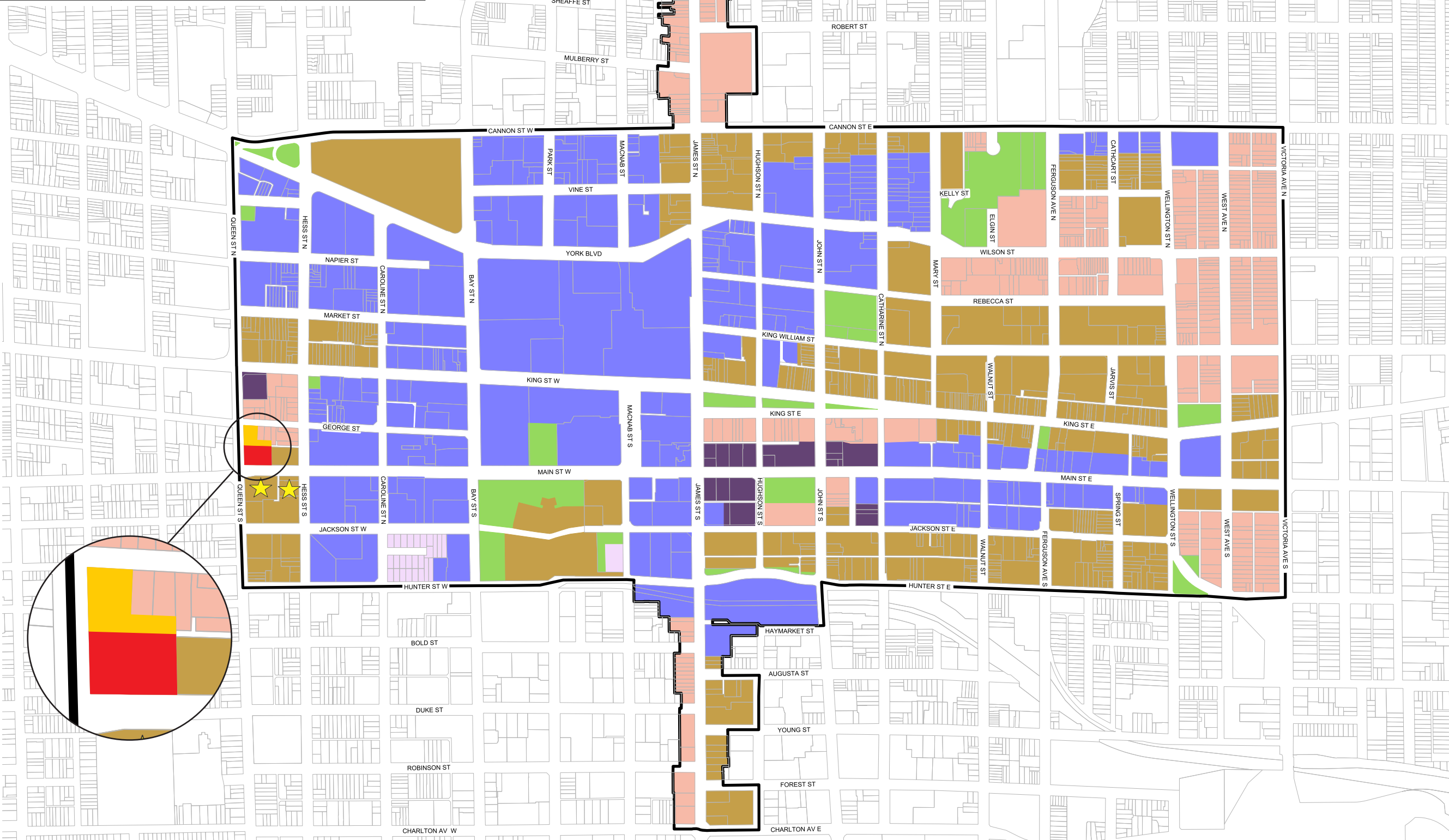
Reference File No.:
OPA-U-181(H)

NOTE: Maximum Building Heights within the Downtown shall be no greater than the height of the top of the Escarpment in accordance with Policy B.6.1.4.9.








NOTE: This Map is implemented through specific zoning provisions and Figure 1, Schedule F - Special Figures of Zoning By-law 05-200

 **Lands Under Appeal**

- 215, 217, 219, 221, 225 and 231 Main Street West, 67 & 69 Queen Street South, and 62 & 64 Hess Street South



Legend

-  Low-rise 1
-  Low-rise 2
-  Mid-rise
-  High-rise 1
-  High-rise 2
-  Parks/Open Space
-  Secondary Plan Boundary

Urban Hamilton Official Plan
Downtown Hamilton
Secondary Plan
 Maximum Building Heights
 Map B.6.1-2



Date: April 21, 2020

PLANNING & ECONOMIC DEVELOPMENT DEPARTMENT

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Authority: Item 3, Planning Committee
Report 23-002 (PED23022)
CM: February 8, 2023
Ward: 2

Bill No. 024

CITY OF HAMILTON

BY-LAW NO. 23-

To Amend Zoning By-law No. 05-200 Respecting Lands Located at 220 and 222 Main Street West and 107, 109, 115, and 117 George Street, Hamilton

WHEREAS Council approved Item 3 of Report 23-002 of the Planning Committee, at its meeting held on February 8, 2023;

AND WHEREAS this By-law conforms to the Urban Hamilton Official Plan, upon the adoption of Urban Hamilton Official Plan Amendment No. 181;

NOW THEREFORE Council amends Zoning By-law No. 05-200 as follows:

1. That Map 951 of Schedule “A” – Zoning Maps is amended by changing the zoning from the Downtown Central Business District (D1, H21) Zone and the Downtown Mixed Use – Pedestrian Focus (D2) Zone to the Downtown Central Business District (D1, 820, H132, H141) Zone for the lands known as 220 and 222 Main Street West and 107, 109, 115, and 117 George Street as shown on Schedule “A” attached to this By-law.
2. That Schedule “B” – Property Details is amended by adding Figure 3 – 220 & 222 Main Street West and south portions of 107, 109, 115 and 117 George Street as shown on Schedule “B” to this By-law.
3. That Schedule “C” – Special Exceptions is amended by adding the following new Special Exception:
 - “820. Within the lands zoned Downtown Central Business District (D1) Zone, identified on Map 951 of Schedule “A” – Zoning Maps and described as 220 and 222 Main Street West and 107, 109, 115 and 117 George Street, the following special provisions shall apply:
 - a) Section 6.0 c) i) shall not apply where the required step back is measured to the hypotenuse of a daylight triangle.
 - b) Notwithstanding Sections 6.1.1.1 i) 1. A., 6.1.3 a) i) and ii), and 6.1.3 c) iv), the following special provisions shall apply:
 - i) **Restricted Uses**

In the case of a Parking Facility developed after the effective date of this By-law, a maximum of five parking spaces shall be permitted to be located outside of a building. All other parking spaces shall be contained within a building.
--

- ii) Building Setback from a Street Line
 - 1. For any portion of a building below 11.0 metres in height, except where a visibility triangle shall be provided for a driveway access, the following shall apply:
 - A. Maximum 6.0 metres from the George Street Line; and,
 - B. Maximum 4.7 metres from all other Street Lines.
 - 2. Notwithstanding Section ii) 1. above, a maximum setback of 8.5 metres for that portion of a building providing an access driveway to a garage.
 - iii) Built Form for New Development
 - A driveway with a maximum width of 7.7 metres shall be permitted for ingress and egress.
- 4. That Schedule “D” – Holding Provisions be amended by removing Holding Provision 21 for lands municipally known as 220 and 220 Main Street West, Hamilton.
- 5. That Schedule “D” – Holding Provisions be amended by adding the following Holding Provision:
 - “132. Notwithstanding Section 6.1 of this By-law, on those lands zoned Downtown Central Business District (D1, 820) Zone, identified on Map 951 of Schedule “A” – Zoning Maps and described as 220 and 222 Main Street West and 107 and 109 George Street, no development shall be permitted until such time as:
 - i) That the owner submits, receives approval and implements the following Cultural Heritage studies, to the satisfaction of the Director of Heritage and Urban Design:
 - A. A Documentation and Salvage Report for 220 and 222 Main Street West be submitted in accordance with the City’s Guidelines for Documentation and Salvage Reports prior to any demolition and the Owner shall demonstrate that a copy of this Report is submitted to the Hamilton Public Library; and,
 - B. Commemoration Brief for 220 and 222 Main Street West.
 - ii) The Owner establish an easement to allow vehicle access to the rear

of the existing building located at 107 and 109 George Street, to the satisfaction of the Manager of Transportation Planning.

- iii) The Owner enters into a conditional building permit agreement with respect to completing a Record of Site Condition or a signed Record of Site Condition (RSC) being submitted to the City of Hamilton and the Ministry of the Environment, Conservation and Parks (MECP). This RSC must be to the satisfaction of the Director of Planning and Chief Planner, including a notice of acknowledgement of the RSC by the MECP, and the submission of the City of Hamilton's current RSC administration fee.
 - iv) That the Owner demonstrate that the proposed development does not exceed the height of the Niagara Escarpment to the satisfaction of the Director of Planning and Chief Planner.
6. That Schedule "D" – Holding Provisions be amended by adding the following Holding Provision:
- "141. Notwithstanding Section 6.1 of this By-law, on those lands zoned Downtown Central Business District (D1, 820) Zone, identified on Map 951 of Schedule "A" – Zoning Maps and described 115, and 117 George Street, no development shall be permitted until such time as the Owner submits and receives approval of a Conservation Plan, to the satisfaction of the Director of Planning and Chief Planner.
7. That Schedule "F" – Special Figures, Figure 1 – Maximum Building Height be amended by changing the Maximum Building Height for a portion of the subject lands from 44 metres and 22 metres to 78 metres as shown on Schedule "C" to this By-law.
8. That no building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the Downtown Central Business District (D1, 820, H132, H141) Zone, subject to the special provisions referred to in Section 3 of this By-law.
9. That the clerk is hereby authorized and directed to proceed with the giving of notice of the passing of the By-law in accordance with the *Planning Act*.

PASSED this 22nd day of February, 2023.

A. Horwath
Mayor

A. Holland
City Clerk



This is Schedule "A" to By-law No. 23-

Passed the day of, 2023

 Mayor

 Clerk


Schedule "A"


Map forming Part of
 By-law No. 23-_____

to Amend By-law No. 05-200
 Map 951

Subject Property

220 and 222 Main Street West, 115 and 117 George Street
 and the south portion of 107 and 109 George Street

 Downtown Central Business District (D1, H21) Zone
 to the Downtown Central Business District
 (D1, 820, H132, H141) Zone

 Downtown Mixed Use – Pedestrian Focus (D2) Zone
 to the Downtown Central Business
 District (D1, 820, H132, H141) Zone

Scale:
 N.T.S

File Name/Number:
 ZAC-20-038 & UHOPA-20-025

Date:
 December 9, 2022

Planner/Technician:
 AB/AL



Hamilton

To Amend Zoning By-law No. 05-200 Respecting Lands Located at
220 and 222 Main Street West and 107, 109, 115, and 117 George Street, Hamilton



**Figure 3 Schedule B: 220 and 222 Main Street West, 115 and 117 George Street
and the south portion of 107 and 109 George Street**

Date:
December 5, 2022

Legend

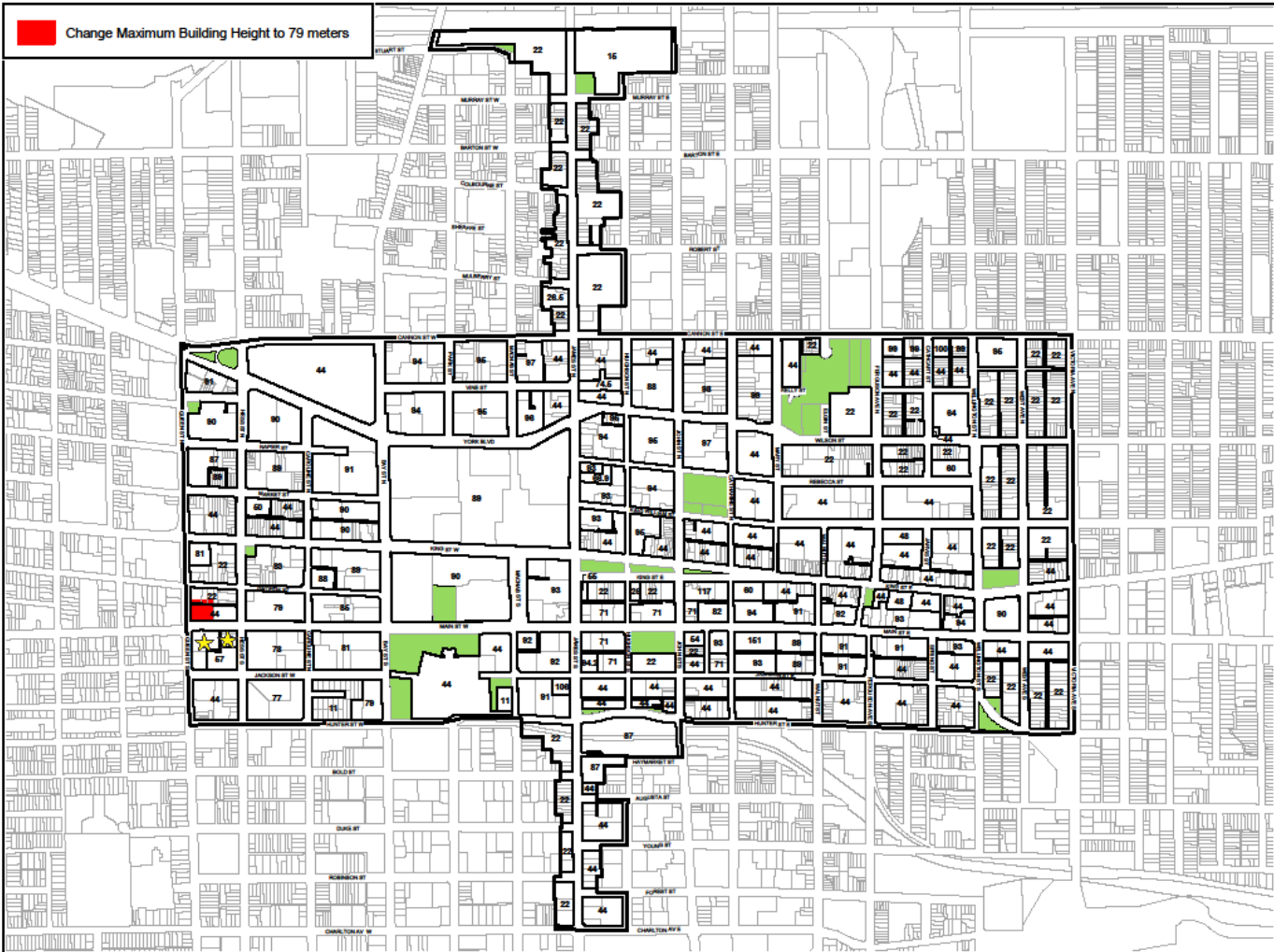


Change Maximum Building Height to 79m (as per Schedule F - Figure 1 Maximum Building Height)



Hamilton
Planning & Economic
Development Department

Schedule C



NOTE: Building Heights are represented by the number illustrated on the map. All Building Heights are in metres.

★ Lands Under Appeal
 - 215, 217, 219, 221, 225 and 231 Main Street West,
 67 & 69 Queen Street South,
 and 62 & 64 Hess Street South

Legend

- # Maximum Building Heights in metres
- Parks/Open Space
- Planning Boundary

Schedule F - Figure 1
 Zoning By-law No. 05-200
 Maximum Building Heights

Authority: Item 3, Planning Committee
Report 23-003 (PED23032)
CM: February 22, 2023
Ward: 15

Bill No. 025

**CITY OF HAMILTON
BY-LAW NO. 23-**

**To Amend Zoning By-law No. 05-200
Respecting Lands Located at 306 Parkside Drive, Hamilton**

WHEREAS Council approved Item 3 of Report 23-003 of the Planning Committee, at its meeting held on February 22, 2023.

AND WHEREAS this By-law will be in conformity with the Urban Hamilton Official Plan.

NOW THEREFORE Council of the City of Hamilton amends Zoning By-law No. 05-200 as follows:

1. That Map No. 445 of Schedule "A" – Zoning Maps be further amended by adding the Community Institutional (I2, 825) Zone to the lands known as 306 Parkside Drive, Flamborough, as shown on Schedule "A", to this By-law.
2. That Schedule "C" – Special Exceptions is amended by deleting Special Exception 757.
3. That Schedule "C" – Special Exceptions is amended by adding the following Special Exception:

"825. Within the lands zoned Community Institutional (I2) Zone, identified on Map 445 of Schedule "A" – Zoning Maps and described as 306 Parkside Drive, the following special provisions shall apply:

- a) Notwithstanding Section 3: Definitions, as it relates to the definition of Front Lot Line, for the purpose of this By-law, the front lot line is deemed to be Parkside Drive.
- b) Notwithstanding the regulations of Section 5.1 d), as it relates to location, required parking for Day Nursery, Place of Worship, Multiple Dwelling, and visitor parking for residential uses shall be permitted to be located between the façade and the front lot line and up to 75% shall be used for parking and access to such parking.
- c) Notwithstanding the regulations of Section 5.6 c), as it relates to a Place of Worship and Day Nursery, a minimum of 50 total parking spaces shall be provided for a Place of Worship and Day Nursery.

- d) In addition to Subsection 8.2.1, a multiple dwelling shall also be permitted in accordance with Section 8.2.3.1.
- d) Notwithstanding Section 8.2.3.1 c), as it relates to minimum required yards, the following regulations shall apply for multiple dwellings:
 - i. Minimum Side Yard: 7.0 metres

Notwithstanding i) above, the Minimum Side Yard from the south-westerly side lot lines measuring 18.62 metres, 17.74 metres and 20.42 metres shall be 2.75 metres.

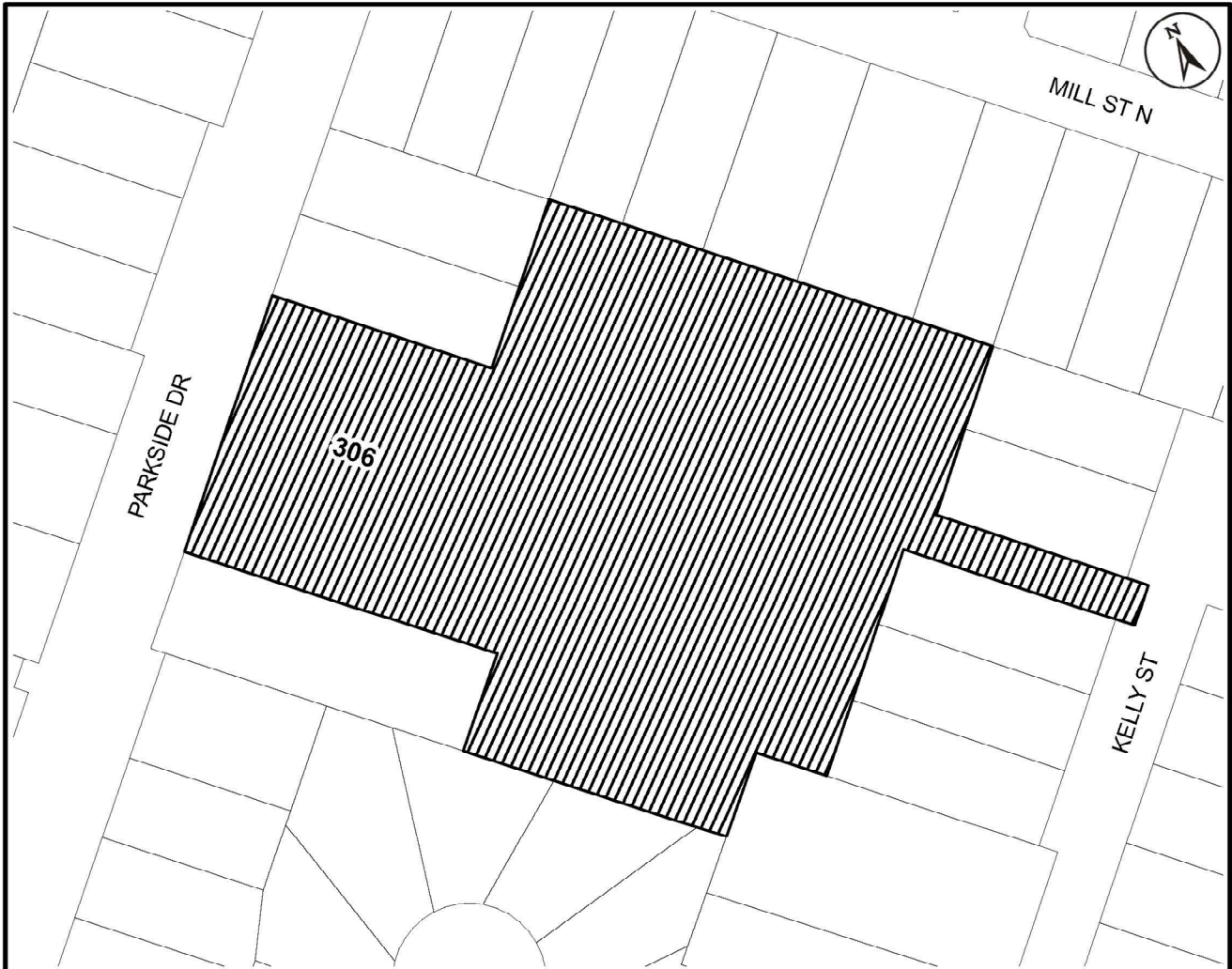
- 4. That the Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this By-law in accordance with the *Planning Act*.
- 5. That this By-law No. 23-025 shall come into force and be deemed to have come into force in accordance with Subsection 34(21) of the *Planning Act* upon the date of passage of this By-law.

PASSED this 22nd day of February, 2023

A. Horwath
Mayor

A. Holland
City Clerk

ZAC-22-031



This is Schedule "A" to By-law No. 23-

Passed the day of, 2023

 Mayor

 Clerk


Schedule "A"

Map forming Part of
 By-law No. 23-_____

to Amend By-law No. 05-200
 Map 445

Subject Property

306 Parkside Drive

 Change in zoning from the Community Institutional (I2, 757) Zone to the Community Institutional (I2, 825) Zone

Scale:
 N.T.S

File Name/Number:
 ZAC-22-031

Date:
 December 16, 2022

Planner/Technician:
 DM/AL



Hamilton

Authority: Item 5, Planning Committee
Report 23-003 (PED23041)
CM: February 22, 2023
Ward: 12

Bill No. 026

**CITY OF HAMILTON
BY-LAW NO. 23-**

**To Amend Zoning By-law No. 05-200 with Respect to Lands Located at 198
Lover's Lane, Ancaster**

WHEREAS Council approved Item 5 of Report 23-003 of the Planning Committee, at its meeting held on February 22, 2023;

AND WHEREAS this By-law conforms to the Urban Hamilton Official Plan;

NOW THEREFORE Council of the City of Hamilton enacts Zoning By-law No. 05-200 as follows:

1. That Map Nos. 1173 and 1174 of Schedule "A" – Zoning Maps are amended by adding the Low Density Residential (R1) Zone to the lands attached as Schedule "A" to this By-law.
2. That the Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this By-law in accordance with the *Planning Act*.

PASSED this 22nd day of February, 2023.

A. Horwath
Mayor

A. Holland
City Clerk

ZAC-22-042



This is Schedule "A" to By-law No. 23- Passed the day of, 2023	----- Mayor ----- Clerk
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<h2 style="margin: 0;">Schedule "A"</h2> <p style="margin: 5px 0;">Map forming Part of By-law No. 23-_____</p> <p style="margin: 5px 0;">to Amend By-law No. 05-200 Maps 1173 & 1174</p>	<p>Subject Property</p> <p>198 Lover's Lane</p> <p> Lands to be added to Zoning By-law No. 05-200 as Low Density Residential (R1) Zone</p>
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Scale: N.T.S	File Name/Number: ZAR-22-042	
Date: January 13, 2023	Planner/Technician: MM/VS	
PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT		

Authority: Item 6, Planning Committee
Report: 23-003 (PED23024)
CM: February 22, 2023
Ward: 5

Bill No. 027

CITY OF HAMILTON

BY-LAW NO. 23-

To Adopt:

**Official Plan Amendment No. 182 to the
Urban Hamilton Official Plan**

Respecting:

**2782 Barton Street East
Hamilton**

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

1. Amendment No. 182 to the Urban Hamilton Official Plan consisting of Schedule “1”, hereto annexed and forming part of this by-law, is hereby adopted.

PASSED this 22nd day of February, 2023.

A. Horwath
Mayor

A. Holland
City Clerk

Urban Hamilton Official Plan Amendment No. 182

The following text, together with Appendix “A” – Volume 3: Map 2 – Urban Site Specific Key Map, attached hereto, constitutes Official Plan Amendment No. 182 to the Urban Hamilton Official Plan.

1.0 Purpose and Effect:

The purpose and effect of this Amendment is to delete the existing Urban Site Specific Policy UHN-23 to facilitate the development of a 17 storey multiple dwelling on the subject lands.

2.0 Location:

The lands affected by this Amendment are known municipally as 2782 Barton Street East, in the former City of Hamilton.

3.0 Basis:

The basis for permitting this Amendment is:

- The Amendment implements recent policy changes to the High Density Residential areas of the “Neighbourhoods” designation of the Urban Hamilton Official Plan as a result of the City’s Municipal Comprehensive Review Official Plan Amendment No. 167.
- The proposed development supports the residential intensification policies of the Urban Hamilton Official Plan through the creation of residential units within the urban area, adjacent to existing services, and in proximity to existing transit, community amenities, and shopping; and,
- The Amendment is consistent with the Provincial Policy Statement, 2020 and conforms to the Growth Plan for the Greater Golden Horseshoe, 2019, as amended.

4.0 Actual Changes:

4.1 Volume 3 – Special Policy Areas, Area Specific Policies, and Site Specific Policies

Text

4.1.1 Volume 3, Chapter C – Urban Site Specific Policies

- a. That Volume 3, Chapter C – Urban Site Specific Policies be amended by deleting Site Specific Policy UHN-23 in its entirety.

Maps and Appendices

4.1.2 Map

- a. That Volume 3: Map 2 – Urban Site Specific Key Map be amended by removing Site Specific Area UHN-23, as shown on Appendix “A”, attached to this Amendment.

5.0 Implementation:

An implementing Zoning By-Law Amendment and Site Plan will give effect to the intended uses on the subject lands.

This Official Plan Amendment is Schedule “1” to By-law No. 23-026 passed on the 22nd day of February, 2023.

**The
City of Hamilton**

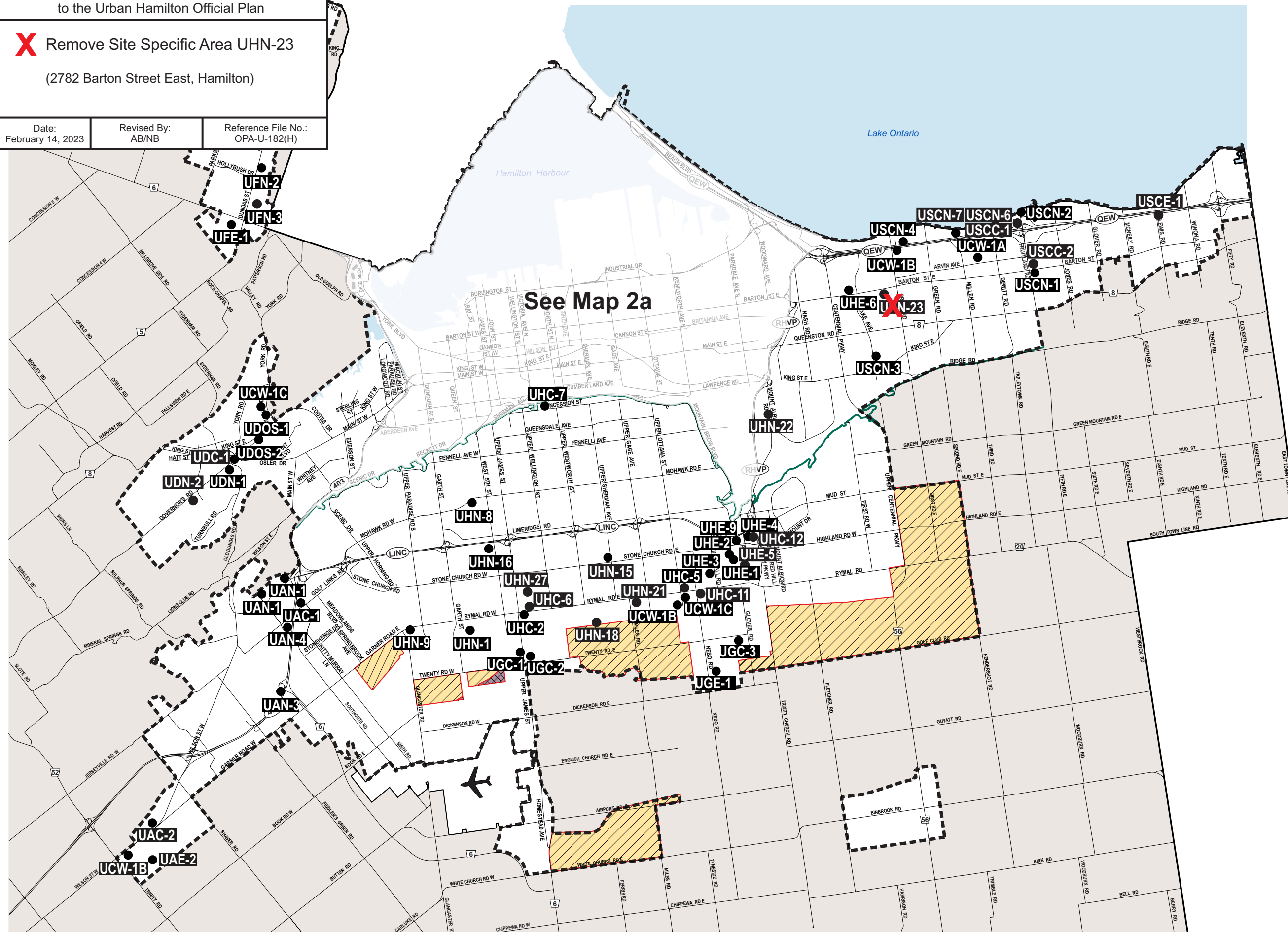
A. Horwath
Mayor

A. Holland
City Clerk

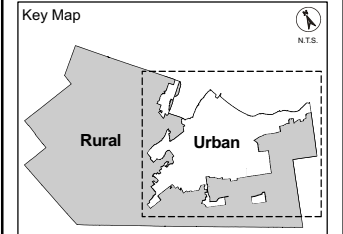
Appendix A
 APPROVED Amendment No. 182
 to the Urban Hamilton Official Plan

X Remove Site Specific Area UHN-23
 (2782 Barton Street East, Hamilton)

Date: February 14, 2023
 Revised By: AB/NB
 Reference File No.: OPA-U-182(H)



See Map 2a



Note: For Rural Site Specific Areas, refer to Volume 3: Appendix A of the Rural Hamilton Official Plan.

APPEAL

The southern urban boundary that generally extends from Upper Centennial Parkway and Mud Street East in the east, following the hydro corridor and encompassing the Red Hill Business Park to Upper James Street remains under appeal – see illustration on Schedules E and E-1, Volume 1

Legend

- Site Specific Areas (SSA)
- U- Refers to Urban Site Specific Area #, Volume 3, Chapter B
- Urban Expansion Area - Neighbourhoods
- Urban Expansion Area - Employment
- Other Features
- Rural Area
- John C. Munro Hamilton International Airport
- Niagara Escarpment
- Urban Boundary
- Municipal Boundary

Council Adoption: July 9, 2009
 Ministerial Approval: March 16, 2011
 Effective Date: August 16, 2013

**Urban Hamilton Official Plan
 Volume 3: Map 2
 Urban Site Specific Key Map**



Authority: Item 6, Planning Committee
Report 23-003 (PED23024)
CM: February 22, 2023
Ward: 5

Bill No. 028

CITY OF HAMILTON

BY-LAW NO. 23-

To Amend Zoning By-law No. 6593, for lands municipally known as 2782 Barton Street East, Hamilton

WHEREAS the *City of Hamilton Act, 1999*, Statutes of Ontario, 1999 Chap. 14, Schedule C. did incorporate, as of January 1, 2001, the municipality “City of Hamilton”;

AND WHEREAS the City of Hamilton is the successor to certain area municipalities, including the former municipality known as the “The Corporation of the City of Hamilton” and is the successor to the former regional municipality, namely, “The Regional Municipality of Hamilton-Wentworth”;

AND WHEREAS the *City of Hamilton Act, 1999* provides that the Zoning By-laws and Official Plans of the former area municipalities and the Official Plan of the former regional municipality continue in full force in the City of Hamilton until subsequently amended or repealed by the Council of the City of Hamilton;

AND WHEREAS the Council of The Corporation of the City of Hamilton passed Zoning By-law No. 6593 (Hamilton) on the 25th day of July 1950, which by-law was approved by the Ontario Municipal Board by Order dated the 7th day of December 1951 (File No. P.F.C. 3821);

AND WHEREAS the Council of the City of Hamilton, in adopting Item 6 of Report 22-003 of the Planning Committee, at its meeting held on the 22nd day of February 2023, recommended that Zoning By-law No. 6593 (Hamilton), be amended as hereinafter provided; and,

AND WHEREAS this By-law is in conformity with the Urban Hamilton Official Plan upon approval of OPA No. 182;

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

1. That Sheet No. E123 of the District maps, appended to and forming part of By-law No. 6593 (Hamilton) as amended, is further amended by changing the zoning from “E-3/S-306c” (Multiple Dwellings) District, Modified, to “E-3/S-306d” (High Density Multiple Dwellings) District, Modified, on the lands, the extent to which are shown on a plan hereto annexed as Schedule “A”:
 - a) Section 2 a) be deleted and replaced with, “That notwithstanding Section 11C(1a)(b), where a building or structure is distant not greater than 30.0 metres (98.43 feet) from a “DE”, “DE-2”, DE-3”, “RT-10”, “RT-20” or “RT-30” District, the height of a building or structure shall not exceed seventeen storeys or 52.7 metres (172.90 feet) in height.”

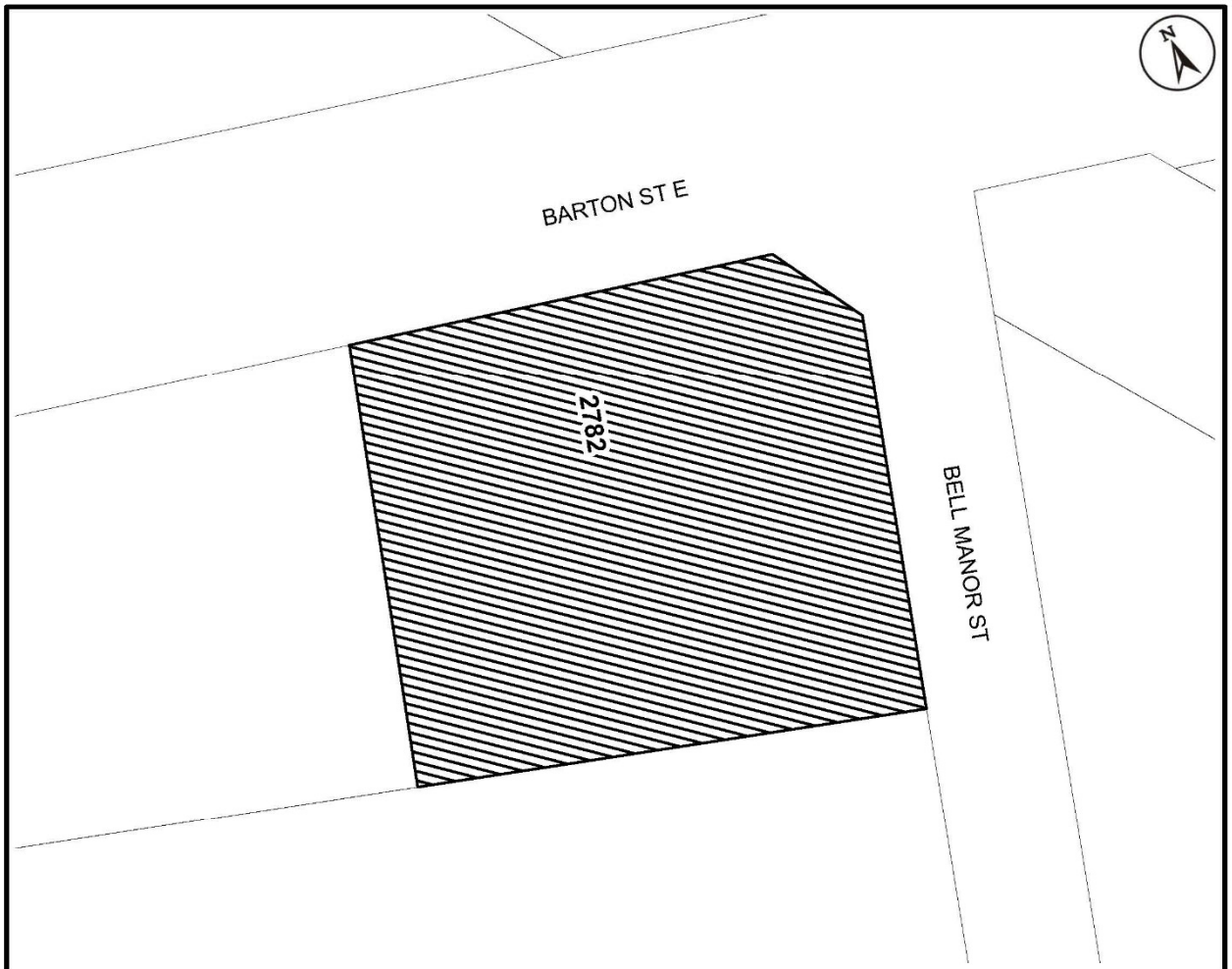
- b) Section 2 c) be deleted and replaced with, “That notwithstanding Section 11C(2)(b), an easterly side yard having a width not less than 2.1 metres (6.88 feet), except 0.16 metres (0.62 feet) to the hypotenuse of the daylight triangle, and a westerly side yard having a width not less than 2.7 metres (8.85 feet) shall be provided and maintained.”
 - c) Section 4 j) is deleted and replaced with, “That notwithstanding Section 18A(1)(c), one (1) loading space shall be provided for a multiple dwelling with greater than 100 dwelling units, with a minimum size of 9.0 metres in length, 3.7 metres in width and 4.3 metres in height”.
2. That Section 3 of By-law No. 19-234 is amended by adding the following special requirements as j) and k):
- j) The notwithstanding Section 11C(4), a maximum floor area ratio of 4.1 shall be permitted.
 - k) That notwithstanding Section 18 (3) (vi) (cc), a balcony may encroach into any required yard not more than 1.8 metres.
3. That By-law No. 6593 is amended by adding this by-law to Section 19B as Schedule S-306d.
4. That the clerk is hereby authorized and directed to proceed with the giving on notice of the passing of the By-law, in accordance with the *Planning Act*.

PASSED this 22nd day of February, 2023

A. Horwath
Mayor

A. Holland
City Clerk

ZAC-22-023 & UHOPA-22-012



<p>This is Schedule "A" to By-law No. 23-</p> <p>Passed the day of, 2023</p>	<p>-----</p> <p style="text-align: center;">Mayor</p> <p>-----</p> <p style="text-align: center;">Clerk</p>
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Schedule "A"

**Map forming Part of
By-law No. 23-_____**

to Amend By-law No. 6593

Subject Property
2782 Barton Street East

Change in Zoning from "E-3/S-306c" (High Density Multiple Dwelling) District, Modified to "E-3/S-306d" (High Density Multiple Dwelling) District, Modified

Scale: N.T.S	File Name/Number: ZAC-22-023 & UHOPA-22-012	 Hamilton
Date: January 26, 2023	Planner/Technician: AB/AL	
PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT		

Authority: Item 7, Planning Committee
Report 23-003 (PED23036)
CM: February 22, 2023
Ward: 11

Bill No. 029

**CITY OF HAMILTON
BY-LAW NO. 23-**

**To Amend Zoning By-law No. 05-200 with Respect to Lands Located at 91 and 95
Strathearne Place, Glanbrook**

WHEREAS Council approved Item 7 of Report 23-003 of the Planning Committee, at its meeting held on February 22, 2023;

AND WHEREAS this By-law conforms to the Urban Hamilton Official Plan;

NOW THEREFORE Council of the City of Hamilton enacts Zoning By-law No. 05-200 as follows:

1. That Map No. 1785 of Schedule “A” – Zoning Maps is amended by adding the Low Density Residential (R1) Zone to the lands attached as Schedule “A” to this By-law.
2. That Schedule “C” - Special Exceptions is amended by adding the following new Special Exception:

“835. Within the lands zoned Low Density Residential (R1) Zone, identified on Map 1785 of Schedule “A” – Zoning Maps and described as 91 and 95 Strathearne Place, the following special provisions shall apply:

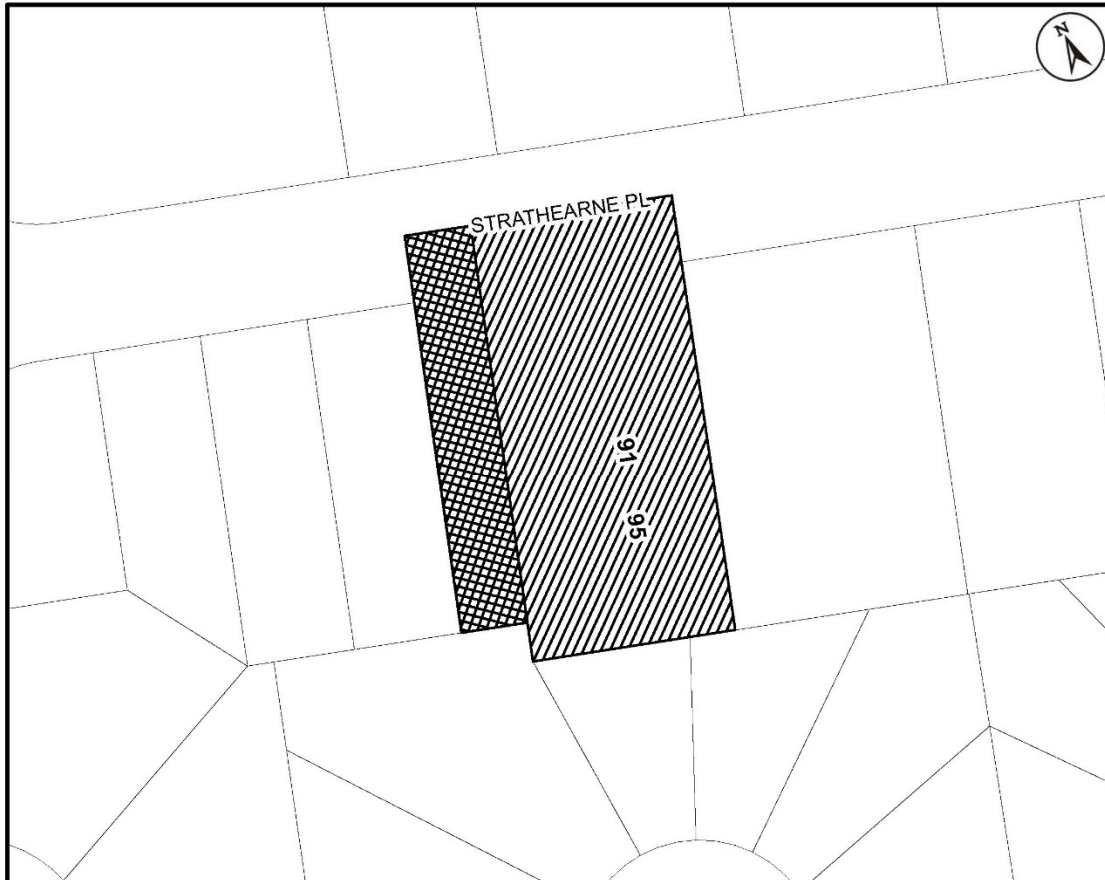
 - a) Notwithstanding Section 15.1.1, a Street Townhouse Dwelling shall not be permitted.
3. That the Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this By-law in accordance with the *Planning Act*.

PASSED this 22nd day of February, 2023.

A. Horwath
Mayor

A. Holland
City Clerk

ZAC-22-033



This is Schedule "A" to By-law No. 23- Passed the day of, 2023	----- <p style="text-align: center;">Mayor</p> ----- <p style="text-align: center;">Clerk</p>
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<h2>Schedule "A"</h2> <p>Map forming Part of By-law No. 23-_____</p> <p>to Amend By-law No. 05-200 Map 1785</p>	<p>Subject Property</p> <p>91 & 95 Strathearne Place</p> <ul style="list-style-type: none"> Lands to be added to Zoning By-law No. 05-200 as Low Density Residential (R1, 835) Zone Lands to be added to Zoning By-law No. 05-200 as Low Density Residential (R1, 835) Zone
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Scale: N.T.S.	File Name/Number: ZAR-22-033	
Date: January 13, 2023	Planner/Technician: MM/VS	
PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT		

Authority: Item 8, Planning Committee
Report 23-003 (PED23043)
CM: February 22, 2023
Ward: City Wide

Bill No. 030

CITY OF HAMILTON
BY-LAW NO. 23-
To Amend Site Plan Control By-law No. 15-176, as amended by
By-law Nos. 18-104, 19-026, and 21-069, Respecting Amendments to
Section 41 of the *Planning Act*

WHEREAS, under the provisions of Section 41 of the *Planning Act*, a Council of a Municipality may by by-law designate the whole or any part of the Municipality as a Site Plan Control Area;

AND WHEREAS the Urban Hamilton Official Plan establishes the entire area within the City of Hamilton Planning Area as a proposed Site Plan Control Area, and contains policies related to Site Plan Control;

AND WHEREAS the City of Hamilton passed Site Plan Control By-law No. 15-176, as amended by By-law Nos. 18-104, 19-026, and 21-069;

AND WHEREAS under the provisions of Subsections 41(1.2), (1.3), and 41(4.1) of the *Planning Act*, as amended by *Bill 23, More Homes Built Faster Act, 2022*, modified the definition of development subject to Site Plan Control, and matters excluded from Site Plan Control;

AND WHEREAS the purpose of this by-law is to amend Site Plan Control By-law No. 15-176, as amended by By-law No. 18-104, By-law No. 19-026, and By-law No. 21-069, to implement Bill 23 changes;

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

1. That Section 1.0 of By-law No. 15-176, as amended by By-law No. 18-104, By-law No. 19-026, and By-law No. 21-069, be modified by adding the following new definitions as new Subsections 1.21 and 1.22.

“1.21 “Dwelling Unit” as defined in Zoning By-law No. 05-200.

1.22 “Lot” as defined in Zoning By-law No. 05-200.”

2. That Section 1.9 of By-law No. 15-176, as amended by By-law No. 18-104, By-law No. 19-026, and By-law No. 21-069, be modified as follows:

- i) By deleting the words “by subsection 468(5)” that follows “three or more trailers as defined”, and replacing it with “in subsection”

- ii) By deleting the words “in by subsection 46(1) of the Planning Act.” and replacing it with “in subsection 46(1) of the Planning Act.”
3. That Subsection 3.1.2 of By-law No. 15-176, as amended by By-law No. 18-104, By-law No. 19-026, and By-law No. 21-069, be modified as follows:
 - i) By deleting the words “including any residential building containing more than 2 dwelling units,” after “drawings showing plan, elevation and cross-section views for each building to be erected,”.
 - ii) By deleting Subsection 3.1.2.4 in its entirety and replacing it with the following:

“3.1.2.4 matters relating to the appearance of the elements, facilities, and works on the land to the extent that the appearance impacts matters of health, safety, accessibility, sustainable design or the protection of adjoining lands;”
4. That Section 8.0 of By-law No. 15-176, as amended by By-law No. 18-104, By-law No. 19-026, and By-law No. 21-069, be modified as follows:
 - i) By deleting Subsection 8.1 in its entirety and replacing it with the following:

“8.1 any residential development of a lot which contains no more than ten dwelling units, and any buildings accessory thereto;”
 - ii) By deleting Subsection 8.2 in its entirety.
 - iii) By renumbering Subsections 8.3 and 8.4 as Subsections 8.2 and 8.3 respectively.
5. That Section 9.0 of By-law No. 15-176, as amended by By-law No. 18-104, By-law No. 19-026, and By-law No. 21-069, be modified as follows:
 - i) By modifying Section 9.0 by deleting “Section 8.0 above,” and replacing it with “Section 8.2 and 8.3 above,”.
 - ii) By modifying Subsection 9.1 by deleting the words “single detached, duplex, semi-detached or street townhouse dwellings located” and replacing it with “a street townhouse development consisting of more than ten street townhouse dwellings on a lot within a plan of subdivision or plan of condo draft approved after January 1, 2013;”, so that it reads:

“9.1 any buildings or structures, including accessory buildings and structures, decks, and additions to existing buildings, situated

Adjacent to or within a Core Area(s), except for a street townhouse development consisting of more than ten street townhouse dwellings on a lot within a plan of subdivision or plan of condominium draft approved after January 1, 2013;”

- iii) By deleting Subsections 9.2, 9.3, and 9.4 in their entirety.
 - iv) By renumbering Subsection 9.12 as Subsection 9.2.
 - v) By renumbering Subsections 9.5 to 9.11 as Subsections 9.3 to 9.9 respectively.
6. That Section 11 of By-law No. 15-176, as amended by By-law No. 18-104, By-law No. 19-026, and By-law No. 21-069, be deleted in its entirety.
7. That By-law No. 15-176, as amended by By-law No. 18-104, By-law No. 19-026, and By-law No. 21-069, be modified by deleting Schedules “A”, “B1” to “B3”, and “C1” to “C13”.

PASSED this 22nd day of February, 2023.

A. Horwath
Mayor

A. Holland
City Clerk

Authority: Item 9, Planning Committee
Report 23-003 (PED23045)
CM: February 22, 2023
Ward: City Wide
Bill No. 031

CITY OF HAMILTON

BY-LAW NO. 23-

To Amend By-law No. 12-282, as amended by By-law Nos. 19-108 and 21-079, Respecting Tariff of Fees

WHEREAS Section 69 of the Planning Act, R.S.O. 1990, Chapter 13, as amended, authorizes municipalities to enact a by-law to prescribe a Tariff or Fees for the processing of applications made in respect of planning matters;

AND WHEREAS Section 391 of the Municipal Act, 2001, S.O. 2001, c. 25, as amended, authorizes municipalities to enact by-laws to impose fees on any class of person for services or activities provided or done by or on behalf of the municipality;

AND WHEREAS Council deems it necessary to add more fees to cover the costs related to engineering development applications for 10 units or less;

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

1. The amendments in this By-law include any necessary grammatical, numbering and lettering changes.
2. That Schedule "A" to By-law 12-282 be amended by adding the following fees under "Growth Management Fees" subsection 3 (h):

(i)	Engineering Review Fees (3 to 10 units)	\$6,975
(j)	Engineering Resubmission Review Fees (3 rd and subsequent)	\$1,500
3. That Schedule "A" to By-law 12-282 be further amended by adding the following note to the "Growth Management Fees" under subsection 3 (j):

"The following fee exemptions apply to charitable and not-for-profit organizations proposing affordable housing projects
Engineering Review Fees (3 to 10 units): *Fee Waived*
Engineering Resubmission Review Fees (3rd and subsequent): *Waived*"
4. That in all other respects, By-law 12-282, as amended, is confirmed; and
5. That the provisions of this By-law shall become effective on the date passed by Council.

PASSED this 22nd day of February, 2023

A. Horwath
Mayor

A. Holland
City Clerk

CITY OF HAMILTON

BY-LAW NO. 23-

To Confirm the Proceedings of City Council at its meeting held on February 22, 2023.

**THE COUNCIL OF THE
CITY OF HAMILTON
ENACTS AS FOLLOWS:**

1. The Action of City Council at its meeting held on the 22nd day of February 2023, in respect of each recommendation contained in

Board of Health Report 23-002 – February 13, 2023,
Public Works Committee Report 23-002 – February 13, 2023,
Planning Committee Report 23-003 – February 14, 2023,
General Issues Committee Report 23-007 – February 15, 2023,
Audit, Finance & Administration Committee Report 23-003 – February 16, 2023,
Emergency & Community Services Committee Report 23-002 – February 16,
2023,
and
Staff Report HUR23004 Obligations under Employment Standards Act (City
Wide)

considered by City of Hamilton Council at the said meeting, and in respect of each motion, resolution and other action passed and taken by the City Council at its said meeting is hereby adopted, ratified and confirmed.

2. The Mayor of the City of Hamilton and the proper officials of the City of Hamilton are hereby authorized and directed to do all things necessary to give effect to the said action or to obtain approvals where required, and except where otherwise provided, the Mayor and the City Clerk are hereby directed to execute all documents necessary in that behalf, and the City Clerk is hereby authorized and directed to affix the Corporate Seal of the Corporation to all such documents.

PASSED this 22nd day of February, 2023.

A. Horwath
Mayor

A. Holland
City Clerk