



City of Hamilton

CITY COUNCIL ADDENDUM

23-006

Wednesday, March 29, 2023, 9:30 A.M.

Council Chambers

Hamilton City Hall

71 Main Street West

5. COMMUNICATIONS

*5.25 Correspondence from Brooke Beney respecting Taxes.

Recommendation: Be received and referred to the consideration of Item 6.3, General Issues Committee (Budget) Report 23-001 - January - March 2023

*5.26 Correspondence from Lakewood Beach Community Council respecting Item 6.3 - 2023 Budget.

Recommendation: Be received and referred to the consideration of Item 6.3

*5.27 Correspondence from Kim Zivanovich respecting the Vaccine Policy: New Pertinent Information Regarding the Unvaccinated & Natural Immunity.

Recommendation: Be received and referred to the Medical Officer of Health for appropriate action.

*5.28 Correspondence from the Honourable Doug Downey, Attorney General respecting an update on modernization initiatives in Ontario's Provincial Offences Act (POA) courts.

Recommendation: Be received and referred to the General Manager of Finance and Corporate Services for appropriate action.

- *5.29 Correspondence from the West End Home Builder's Association respecting a Submission on Implementing OPA No. 167: Secondary Planning Strategy for Urban Expansion Areas and Municipal Comprehensive Review Update

Recommendation: Be received and referred to the consideration of Item 14 of Planning Committee Report 23-004.

8. NOTICES OF MOTIONS

- *8.1 Request that the Minister of Natural Resources and Forestry Reconsider the Ministry's Decision respecting the composition of the Hamilton Conservation Board of Directors

Pilon, Janet

Subject: Taxes

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

From: **Brooke Beney**

Date: Fri, Mar 24, 2023 at 1:40 PM

Subject: Taxes

To: DiGiantomasso, Christine <christine.digiantomasso@hamilton.ca>, Spadafora, Mike <Mike.Spadafora@hamilton.ca>

Hello,

A quick note to let you know that after losing a business during covid and dealing with inflation the last thing our family needs is a property tax increase of over 5% this year.

I hope council can find efficiencies that prevent such an increase. I love hamilton, I love our services (particularly recreation) but there must be wasteful spending somewhere that could minimize the burden on the home owner.

Thanks for considering this request,

Brooke Beney

Pilon, Janet

Subject: Council Agenda, Wednesday March 29 - Item 6.3 - 2023 Budget

From: Lakewood Beach Community Council

Sent: March 26, 2023 2:52 PM

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

Subject: Council Agenda, Wednesday March 29 - Item 6.3 - 2023 Budget

Dear Honourable Mayor Howarth & Councillor Beattie:

Contained within the 2023 Budget Paragraph 24 in Report 23-001 is a significant Tax Policy change which we are requesting you amend for our area prior to final Council approval on March 29, 2023.

During your campaign and following your successful election campaign your messaging (as well as the majority of the elected members of Council's campaign platforms) had always been clear: Major decisions at Council would include the voices of all stakeholders *. As a citizen volunteer who sat on the Hamilton Engagement Committee I personally supported your pledge as it aligned with the recommendations that were set forth by the Engagement committee and adopted by council. Therefore, I was disappointed to find out that this particular change in Area Rating policy was presented to Council weeks after the public delegations on the Budget concluded.

The change in Tax Policy before you is retaining Grays to Green Road as an urban delivery area, and changing Green Road & east as a composite delivery area. In 2016, I delegated to GIC on the inequities in the Tax Policy pertaining to delivery of Fire Services when the dividing line was Fruitland Road at that time. We were assured by Council those inequities would be "fixed" for our area as well as in other parts of the city.

Lower Stoney Creek Ward 10 is unique in that the City has not built a stand-alone composite fire station since amalgamation, if we had done so, our community would be within a boundary where our Tax Policy would not be considered 'urban'. I won't delve into the many reasons why new stations were built as Composite stations but I'd like to point out:

1. Our community's fire service delivery method is not 100% full-time. Multiple sources have confirmed that depending on the type/severity of the call, response will be from either Station 12 (full-time) and/or Station 16 (volunteer). Therefore, the tax policy change that is before you which area rates us as 'urban' does not align to the methodology Council has **chosen** to use for Fire area rating;
2. The response time from a Full-time v. a Composite Station is exactly the same. (Source: 10 Year Fire Services Plan) Therefore, the tax policy methodology Council is opting for, 'method of delivery' over the 'service level' option you have in the Municipal Act does not align with the general public's understanding that Area Rating is based on varying levels of different municipal services. *(Please take a moment to pause here and consider the impact this precedent of fire services tax policy change might have on Transit area-rating discussions);* and
3. Composite Stations have full-time firefighters at the stations 24-7 as well as part-time volunteers under one roof that respond to calls in those composite areas. Our area as well have full-time and part-time responders but under 2 different roofs. We fail to see how a change in tax policy that results in a lower

levy for "one roof" service provided properties v. "two roofs" aligns with the basic principle behind area rating of special services under the Municipal Act.

In closing, if you are supportive of the Tax Policy change in principle, we are requesting you consider an amendment to the Composite Area boundary to be inclusive of Grays Rd to Green, north of the QEW. The revised mapping amendment would result in a Tax Policy for our area that is better aligned to composite areas in Upper Stoney Creek, Ancaster and Waterdown.

Alternatively, we would request that you consider a pause for this part of the 2023 Budget until such time as Council has been provided with more details on your methodology options & until the public has been provided with an opportunity to delegate on this additional 1% property tax levy for those properties impacted.

Thank you for taking the time to consider our request.

Respectfully,

Anna Roberts
President
Lakewood Beach Community Council

c.c. City Clerk for inclusion on the Agenda please

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“There are all kinds of pieces, and they’re not easy; these are hard issues to wrestle to the ground. But I believe that we find solutions that are workable when we have everyone's voice at the table,” Horwath told the Glanbrook Gazette.
Having local residents and stakeholders weigh in on decisions is essential, she added.
“It shouldn't be somebody in an office somewhere making decisions that are going to directly impact community from day one without having community voices at the table.”

Pilon, Janet

Subject: Vaccine Policy: New Pertinent Information Regarding the Unvaccinated & Natural Immunity

From: KK Z

Sent: Wednesday, March 22, 2023 5:11 PM

To: Cassar, Craig <Craig.Cassar@hamilton.ca>; 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 13 <ward13@hamilton.ca>; Spadafora, Mike <Mike.Spadafora@hamilton.ca>; McMeekin, Ted <Ted.McMeekin@hamilton.ca>

Cc: Pilon, Janet <Janet.Pilon@hamilton.ca>; McRae, Angela <Angela.McRae@hamilton.ca>

Subject: Vaccine Policy: New Pertinent Information Regarding the Unvaccinated & Natural Immunity

Madam Mayor and Council. I believe this recent information regarding natural immunity should end any debate for excluding the unvaccinated from applying for work. The vast majority of Hamiltonians, whether vaccinated or not, have been infected by Covid19.

The latest scientific studies have found that natural immunity is better than two doses of the mRNA genetic shots in preventing severe illness and hospitalization. For your reference and to forward to the Public Health Committee and Dr. Richardson....see links below.

I would also point out that conclusive evidence has come out stating that people with low levels of Vitamin D3 are at risk of severe Covid 19 outcomes, particularly those with comorbidities. Conversely people with proper levels of Vitamin D3 are at a far reduced risk from severe outcomes from Covid19. Why is this not being promoted to all Hamiltonians?

Most people have woken up to the mismanagement of Covid19. I suggest it is time our Public Health authorities stop with their misinformation and focus on those that are most vulnerable. I have provided you with enough information today, as well as in February, to educate yourself and to hold them accountable, and show leadership. Town councillor apologizes:

<https://youtu.be/iBSppvX6MwM>

Please ensure this email and information gets to Dr. Richardson, HR, Health & Safety and is put on public record. Thank you

Regards,
Kim Zivanovich Ward 12

Natural Immunity:

<https://www.mdpi.com/2077-0383/11/21/6272>

<https://www.thelancet.com/journals/laninf/article/PIIS1473-30992100676-9/fulltext>

<https://jme.bmj.com/content/48/6/371>

<https://www.medscape.com/viewarticle/969293>

<https://youtu.be/VjTsQ2Ufi4U>

Vitamin D

<https://www.youtube.com/watch?v=x5sc7G4s4CY&t=78s>

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 720 Bay Street
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Our Reference #: M-2023-2275

March 24, 2023

Dear Heads of Council, Municipal Chief Administrative Officers, and Clerks:

I am pleased to write to you today to provide an update on modernization initiatives in Ontario's *Provincial Offences Act* (POA) courts.

On November 23, 2022, proposed amendments to the POA aimed at modernizing and streamlining processes in POA courts were introduced in the Ontario Legislature as Schedule 8 under Bill 46, the *Less Red Tape, Stronger Ontario Act, 2023*. I am happy to advise that Bill 46 received Royal Assent on March 22, 2023.

As a result, the following changes to the POA have been approved:

Implementation of Amendments to Allow for Clerk Review of Reopening Applications

Currently, the POA allows a defendant convicted of either failing to respond to a charge laid by certificate of offence or of failing to appear for a hearing or early resolution meeting, to apply to have the conviction struck and the matter reopened. Such applications are currently reviewed by a justice of the peace and may be granted if the justice of the peace is satisfied that, through no fault of their own, the defendant was unable to appear for a hearing or an early resolution meeting or did not receive a notice or document relating to the offence.

Effective September 22, 2023, clerks of the court will grant, but not deny, applications to strike a conviction on a ticket, if satisfied that the defendant, through no fault of their own, missed a notice or was unable to attend a meeting or hearing related to the ticket. If the clerk is not able to grant the application and strike the conviction, the clerk must forward the application to a justice of the peace to make the determination whether to grant or deny the request for a reopening.

These amendments will assist municipalities in recovering from the disruption of court operations created by the pandemic by freeing up judicial time and allowing municipal court staff to address the backlog of cases more quickly.

Repeal of the Bill 177 Early Resolution Reforms

Effective March 22, 2023, amendments to section 5.1 of the POA, together with previously proposed sections 5.2 to 5.5 are repealed, although they had not yet come into force. These previously proposed amendments would have changed the "early resolution" process in ways that are no longer desired by stakeholders.

The Ministry of the Attorney General looks forward to continuing engagement with partners and stakeholders on new opportunities for modernizing the early resolution process.

If you have any questions, or if you would like more information about these initiatives, please contact Ms. Wendy Chen, Manager of the POA Unit, either by email at JUS.G.MAG.POASupport@ontario.ca or by telephone at (437) 244-8733.

Thank you for your continued commitment to the administration of justice and for supporting access to justice services for all Ontarians.

Sincerely,

A handwritten signature in black ink that reads "Doug Downey". The signature is written in a cursive, flowing style with a long horizontal stroke at the end of the name.

Doug Downey
Attorney General

c: Wendy Chen, Manager, POA Unit, Court Services Division, Ministry of the Attorney General

March 28, 2023

City of Hamilton

71 Main Street West, Hamilton, ON

5.29**West End Home Builder's Association | Submission on Implementing OPA No. 167:
Secondary Planning Strategy for Urban Expansion Areas and Municipal Comprehensive Review Update**

The West End Home Builders' Association (WE HBA) is the voice of the land development, new housing and professional renovation industries in Hamilton and Burlington. The WE HBA represents 300 member companies made up of all disciplines involved in land development and residential construction. In 2022, the residential construction industry employed over 23,000 people, paying \$1.6 billion in wages, and contributed over \$3.2 billion in investment value within Hamilton.

WE HBA appreciates that the City of Hamilton is taking action to address the housing crisis and will be moving forward with the implementation of OPA 167 and beginning a Secondary Planning Strategy for Urban Expansion Areas. WE HBA supports the Ministerial modifications brought in through Minister Clark's approval of Hamilton's Official Plan Amendment 167. The Ministerial modifications facilitate increasing housing supply of all types, not only through expansion, but also through enhanced opportunities for intensification through taller buildings and additional opportunities for transit-oriented communities throughout the full BLAST network to accommodate population growth. WE HBA strongly believes that a healthy housing system exists when a city has the right mix of housing choices and supply that are able to address all residents' shelter needs through their full life cycle.

Moving forward with the implementation of OPA 167, the City should focus on a permissive planning framework to support additional opportunities for a diverse range of housing supply. More than doubling the annual production of housing in Hamilton (and across Ontario) is necessary, and in the public interest, given the significant housing shortage our City and broader region is facing. The shortage of new housing supply in places with so much housing demand is putting a squeeze on the future, primarily young Canadians and new Canadians. This lack of housing supply is discouraging people from moving to the most dynamic and productive parts of the country, while displacing families that already live here. Hamilton's supply of housing is lagging far behind our population growth. If Hamilton's housing completions had kept pace with Ontario's population growth, Hamilton would have built 11,536 new low-density homes and 349 additional apartment units between 2015-2020.¹

Hamilton currently builds an average 1,800 units a year, but the Council adopted Housing Pledge requires us to increase the number of housing completions to 4,700 units per year, every year, for the next ten years. WE HBA recognizes the City of Hamilton pledge is focused on intensification areas, and we support that approach to make significant amendments to our existing planning framework to allow for much higher levels of intensification. Planning approvals to build new homes take a very long time. The expansion areas provide an additional opportunity to set a framework for collaborative discussions with the City of Hamilton and the development community to be able to work together to move more quickly towards building more attainable housing supply in new complete communities.

Regards,



Michael Collins-Williams, MCIP, RPP
Chief Executive Officer
West End Home Builders' Association

¹ "Ontarians on the Move - Local Intelligence Report - Hamilton." Smart Prosperity Institute, June 2021. <https://institute.smartprosperity.ca/publication/ontarians-on-the-move>.

CITY OF HAMILTON

NOTICE OF MOTION

City Council: March 29, 2023

MOVED BY COUNCILLOR T. JACKSON.....

Request that the Minister of Natural Resources and Forestry Reconsider the Ministry’s Decision respecting the composition of the Hamilton Conservation Board of Directors

WHEREAS the Hamilton Conservation Authority has long been supported by engaged citizens which enrich the Board of Directors, and all participating municipalities agree to the value of citizen representatives on the Hamilton Conservation Authority Board;

WHEREAS the City of Hamilton sought an exemption to certain sections of the *Conservation Authorities Act* which require 70% of representation from the City be members of Council to ensure that citizen representatives would continue to provide value and continuity to the conservation authority;

WHEREAS the City of Hamilton requested 50% of their representatives be City Councillors and the remainder be citizen representations.

WHEREAS recent correspondence from the Minister of Natural Resources and Forestry in denial of this request, and there is no formal appeal process in the *Act*;

THEREFORE, BE IT RESOLVED:

That Council appeal to the Minister of Natural Resources and Forestry to approve the City of Hamilton’s original request (50% of their representatives be City Councillors and the remainder be citizen representations).