



## City of Hamilton

### CITY COUNCIL REVISED

23-007

Wednesday, April 12, 2023, 9:30 A.M.

Council Chambers

Hamilton City Hall

71 Main Street West

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#### Call to Order

#### 1. APPROVAL OF AGENDA

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

#### 2. DECLARATIONS OF INTEREST

#### 3. CEREMONIAL ACTIVITIES

3.1 Firehouse Subs Public Safety Foundation Grant Presentation

#### 4. APPROVAL OF MINUTES OF PREVIOUS MEETING

4.1 March 29, 2023

#### 5. COMMUNICATIONS

5.1 Correspondence from Fondation Emergence respecting International Day Against Homophobia and Transphobia on May 17th.

Recommendation: Be received.

- 5.2 Correspondence from Principles Integrity respecting Per Diem for Members of Council Appointed to Other Bodies.

Recommendation: Be received.

- 5.3 Correspondence from the Ministry of Natural Resources and Forestry respecting proposed changes to the OGSRA to regulate projects to test or demonstrate new or innovative activities, such as geologic carbon storage, and to safeguard people and the environment.

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

- 5.4 Correspondence from Dr. Johnson and Dr. Menezes in support of the Motion to Amend Hamilton's Board of Health

Recommendation: Be received and referred to the consideration of the item respecting the Motion to Amend Hamilton's Board of Health within the Audit, Finance and Administration Committee Report 23-005.

## **6. COMMITTEE REPORTS**

- 6.1 Board of Health Report 23-004 - April 3, 2023
- 6.2 Public Works Committee Report 23-004 - April 3, 2023
- 6.3 Planning Committee Report 23-005 - April 4, 2023
- 6.4 General Issues Committee Report 23-012 - April 5, 2023
- 6.5 Hamilton Utilities Corporation Shareholder Report 23-001 - April 5, 2023
- 6.6 Audit, Finance and Administration Committee Report 23-005 - April 6, 2023
- 6.7 Emergency and Community Services Committee Report 23-004 - April 6, 2023
- \*6.8 Selection Committee Report 23-001 - April 11, 2023

## **7. MOTIONS**

- 7.1 Amendment to Item 18 of General Issues Committee Report 23-004 respecting the Audit of the 2022 Municipal Elections in the City of Hamilton
- 7.2 Federation of Canadian Municipalities - Election to the Board of Directors
- 7.3 Association of Municipalities Ontario (AMO) 2022 – 2024 Board of Directors

Members of the public can contact the Clerk's Office to acquire the documents considered at this meeting, in an alternate format.

- 7.4 Investing in Beautiful Alleys (Ward 3)
- 7.5 Park, Alleyway, and Rail Corridor Cleanups (Ward 2)
- 7.6 50th Anniversary of the R.A. Riddell Elementary School

## 8. NOTICES OF MOTIONS

- \*8.1 Amendment to City of Hamilton By-law 14-212, To Promote the Conservation and Sustainable Use of Woodlands on Private Property within the Urban Boundary of the City of Hamilton

## 9. STATEMENT BY MEMBERS (non-debatable)

## 10. COUNCIL COMMUNICATION UPDATES

- 10.1 March 24, 2023 to April 6, 2023

## 11. PRIVATE AND CONFIDENTIAL

- 11.1 Closed Session Minutes March 29, 2023

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

- 11.2 Amendment to Item 11.3 of the February 22, 2023 Council Minutes respecting Project Submission - Canada Mortgage and Housing Corporation (CMHC) Rapid Housing Initiative (RHI) Round 3 (HSC20056(d)) - WITHDRAWN

Pursuant to Section 9.3, Sub-sections (h) and (i) of the City's Procedural By-law 21-021, as amended; and, Section 239(2), Sub-sections (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.

- \*11.3 Amendment to Item 3.1 of the March 9, 2023 Council Minutes Respecting Privileged Solicitor-Client Regulatory Update (LS21012(c)) (City Wide)

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.

## 12. BY-LAWS AND CONFIRMING BY-LAW

### 12.1 055

To Amend By-law No. 01-215 Being a By-law To Regulate Traffic  
Schedule 5 – (Stop Control)  
Ward: 1, 3, 4

### 12.2 056

To Amend By-law No. 01-215 Being a By-law To Regulate Traffic  
Schedule 2 (Speed Limits)  
Ward: 13

### 12.3 057

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

Schedule 6 – Time Limit  
Schedule 8 – No Parking  
Schedule 12 – Permit  
Schedule 13 – No Stopping

Ward: 1, 2, 3, 4, 8, 12, 13

### 12.4 058

To Permanently Close and Sell a Portion of the Public Unassumed Alley Adjacent to 1044 Cannon Street East, Hamilton, being Firstly: Part of the Alleyway on Registered Plan 386 in the City of Hamilton, designated as Part 1 on Plan 62R-22005, being part of PIN 17226-0048 (LT), and Secondly: Part of the Alleyway on Registered Plan 442 in the City of Hamilton, designated as Part 2 on Plan 62R-22005, being part of PIN 17226-0048 (LT).

Ward: 3

12.5 059

To Permanently Close and Sell a Portion of the Public Unassumed Alley Abutting 192 East 22nd Street, Hamilton, namely Part of the Alleyway, lying to the North of Lot 62 on Registered Plan 590, in the City of Hamilton, designated as Part 1 on Plan 62R-21992, being part of PIN 17055-0096 (LT).

Ward: 7

12.6 060

Respecting: Removal of Part Lot Control Block 121, Registered Plan of Subdivision No. 62M-1116, Ancaster.

PLC-22-007

Ward: 12

12.7 061

Removal of Part Lot Control

Blocks 207 to 210, Registered Plan of Subdivision No. 62M-1237, "Ancaster Meadows Phase 2b" Municipally Known As, 1049, 1051, 1053, 1055, 1057, 1059, 1061, 1063, 1065, 1067, 1069, 1071, 1073, 1075, 1077, 1079, 1081, 1083, 1085, 1087, 1089, 1091, 1093, 1095, 1097, 1099, 1101, 1103, 1105, 1107 and 1109 Garner Road East, Ancaster

PLC-23-003

Ward: 12

12.8 062

To Establish City of Hamilton Land Described as Block 61 on Plan 62M-1105 as Part of Tanglewood Drive

Ward: City Wide

\*12.9 063

To Amend By-law No. 21-021, A By-law to Govern the Proceedings of City Council and Committees of Council

Ward: City Wide

\*12.10 064

To Amend By-law No. 21-021, A By-law to Govern the Proceedings of City Council and Committees of Council, To Establish a Long-Term Care Homes Committee of Management for the City of Hamilton

Ward: City Wide

12.11 065

To Confirm the Proceedings of Council

**13. ADJOURNMENT**



## CITY COUNCIL MINUTES 23-006

9:30 a.m.

March 29, 2023  
Council Chamber  
Hamilton City Hall  
71 Main Street West

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

Deputy Mayor Jackson 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

- 5.15 Correspondence from the Honourable Graydon Smith, Minister of Natural Resources and Forestry advising the City of Hamilton that the City's application seeking a Minister's exception under the Conservation Authorities Act (CAA) from the requirement for at least 70 per cent of municipal appointments to a conservation authority to be selected from among members of municipal council (Section 14(1.1) of the CAA) is not granted

Recommendation: Be received and referred to the consideration of Items 7.3 **and** 8.1

- 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, General Issues Committee (Budget) Report 23-001

- 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 MOTION

- 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

## CHANGE TO THE ORDER OF ITEMS

Item 6.11, City of Hamilton Integrity Commissioner's Report Regarding Conflict of Interest Complaint Against Councillor Pauls, March 23, 2023, is to be dealt with as the first Committee Report.

### (Hwang/Francis)

That the agenda for the March 29, 2023 meeting of Council be approved, as amended.

### 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 - Deputy Mayor - Ward 6 Councillor Tom Jackson

YES - Ward 2 Councillor Cameron Kroetsch  
YES - Ward 15 Councillor Ted McMeekin  
YES - 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 E. Pauls declared disqualifying interests to Items 29, 32 (vii) (b) and 32 (ix) (d) of General Issues Committee Report 23-001 respecting Report LS23018, respecting Motion Regarding Grounds for an Appeal to the Ontario Civil Police Commission and Boards and Agencies, Hamilton Police Services operating budget and Boards and Agencies: the Hamilton Police Services operating budget and the Healthy and Safe Communities operating budget, as her son is a Staff Sargent with the Hamilton Police Services and her daughter-in-law is a Paramedic.

Councillor E. Pauls declared disqualifying interests to Communication Items 5.2, 5.9, 5.13 and 5.21 respecting Correspondence from Joshua Weresch respecting a letter to Council about public decorum and policing budget; Correspondence from Even Ubene respecting Follow Up on the February 27 Delegation Regarding Police Budget and Public Healthcare; Correspondence from Joshua Weresch respecting the proposed increase to the levy and Correspondence from the Honourable Sylvia Jones, Deputy Premier and Minister of Health advising the City of Hamilton of the increase to the base funding in the amount of \$91,072, bringing the total base funding to \$1,476,764 for the 2023 calendar year for the Hamilton Paramedic Service to support inter-facility transports for critically ill neonatal patients. as her son is a Staff Sargent with the Hamilton Police Services.

Councillor E. Pauls declared a disqualifying interest to Item 6.11 respecting City of Hamilton Integrity Commissioner's Report Regarding Conflict of Interest Complaint Against Councillor Pauls, March 23, 2023 as she is the subject matter of the report.

Councillor E. Pauls declared a disqualifying interest to Item 13 of General Issues Report 23-010 respecting Next Generation 9-1-1 Service Delivery (FCS20082(b) / HSC20045(b)) as her daughter-in-law is a Paramedic.

Councillor E. Pauls declared a disqualifying interest to Item 6 of Communication Updates (Item 10.1) respecting Court Security and Prisoner Transportation Program Agreement for 2023 (City Wide) as her son is a Staff Sargent with the Hamilton Police Services.

Councillor C. Cassar declared a disqualifying interest to the Items 31 and 32 (v) of General Issues Committee Report 23-001 respecting Living Wage (HUR20003(b) / FCS20013(b)) as his son is being considered for summer student employment.

Councillor M. Wilson declared a disqualifying interest to the Items 31 and 32 (v) of General Issues Committee Report 23-001 respecting Living Wage (HUR20003(b) / FCS20013(b)) as her children are being considered for summer student employment.

Councillor E. Pauls declared a disqualifying interest to the Items 31 and 32 (v) of General Issues Committee Report 23-001 respecting Living Wage (HUR20003(b) / FCS20013(b)) as her granddaughter is being considered for summer student employment.

Councillor B. Clark declared a disqualifying interest to Item 17 of Planning Committee Report 23-004 respecting an Appeal to the Ontario Land Tribunal (OLT) for Lack of Decision on Urban Hamilton Official Plan Amendment Application (UHOPA-18-004) and Zoning By-law Amendment Application (ZAC-18-009) for lands located at 299-307 John Street South and 97 St. Joseph's Drive (LS22007(a)/ PED22038(b)) (Ward 2), as his son has a retail business interest with the principal.

## CEREMONIAL ACTIVITIES

### 3.1 Presentation of 2022-23 United Way Employee Campaign Contribution

Deputy Mayor Jackson shared the results of this year's employee-giving campaign in support of the United Way!

This year, our campaign raised \$113,855, exceeding the amount raised the year before by nearly \$5,000!

In the last year, services provided by the United Way have helped over 55,000 people in the City of Hamilton, which includes initiatives that help children, youth and families who struggle with food security, employment and finances, as well as, mental health and community inclusion.

Since 2005, city staff have raised more than \$ 2.2 million through the city's annual giving campaign, which is an extraordinary amount that's invested into our community.

Mayor Horwath thanked the small but dedicated group of ten volunteers from the City of Hamilton that have made this fundraiser possible and City staff for their contributions.

For over 50 years, employees from across the city have dedicated their time and contributed graciously in support of our community, which will be continued in these over the next 50 years and more!

President and CEO, Brad Park, and Meredith Burke, Senior Director – Resource Development were in attendance to accept the cheque on behalf of the United Way Halton & Hamilton.

## APPROVAL OF MINUTES OF PREVIOUS MEETING

### 4. February 22, 2023 (Item 4.1) and March 9, 2023 (Item 4.2)

**(Pauls/Cassar)**

That the Minutes of the February 22, 2023 and March 9, 2023 meetings 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 - Deputy Mayor - Ward 6 Councillor Tom Jackson
- YES - Ward 2 Councillor Cameron Kroetsch
- YES - Ward 15 Councillor Ted McMeekin
- YES - 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

<b>COMMUNICATIONS</b>
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**(Nann/McMeekin)**

That Council Communications 5.1 to 5.29 be approved, as presented, as follows:

- 5.1 Correspondence from the Township of Ashfield-Colborne-Wawanosh requesting support for their resolution respecting a request for the Province of Ontario, through Elections Ontario and the Chief Electoral Officer utilize any resources available to produce the highest quality Permanent Register of Electors.

Recommendation: Be endorsed.

- 5.2 Correspondence from Joshua Weresch respecting a letter to Council about public decorum and policing budget.

Recommendation: Be received.

- 5.3 Correspondence from the Niagara Region requesting support for their resolution respecting Declarations of Emergency for Homelessness, Mental Health and Opioid Addiction.

Recommendation: Be received.

- 5.4 Correspondence from the Town of Grimsby requesting support for their resolution respecting Barriers for Women in Politics.

Recommendation: Be endorsed.

- 5.5 Correspondence from the Town of Grimsby requesting support for their resolution respecting Changes to the Municipal Heritage Register.

Recommendation: Be received.

- 5.6 Correspondence from the Municipality of Trent Lakes requesting support for their resolution requesting that the Minister of Municipal Affairs and Housing implement changes to the municipal oath of office.

Recommendation: Be received and referred to the Governance Review Sub-Committee for consideration.

- 5.7 Correspondence from Kathy Renwald respecting the City of Hamilton Media Accreditation Policy (CM23007).

Recommendation: Be received and referred to the City Manager for appropriate action.

- 5.8 Correspondence from Sue Markey respecting the Review of Existing Housing Unit Capacity Identified in Municipal Land Needs Assessments.

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

- 5.9 Correspondence from Even Ubene respecting Follow Up on the February 27 Delegation Regarding Police Budget and Public Healthcare.

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

- 5.10 Correspondence from the Town of Cobourg requesting support for their resolution respecting Homeless and Unsheltered Persons.

Recommendation: Be endorsed.

- 5.11 Statements issued by community groups on the passing Bekett Noble (as per Council's direction on February 22, 2023):

- (a) Hamilton Community Legal Clinic and the Queer Justice Project
- (b) Hamilton Trans Health Coalition
- (c) The First Unitarian Church of Hamilton

Recommendation: Be received.

- 5.12 Correspondence from the Township of Moonbeam requesting support for their resolution requesting that the provincial government extend the moratorium on most pupil accommodation reviews in order to allow municipalities the opportunity to prosper, develop and grow without being hindered by school closure because of current low enrollments that could quickly change.

Recommendation: Be received.

- 5.13 Correspondence from Joshua Weresch respecting the proposed increase to the levy.

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

- 5.14 Correspondence from the Municipality of Chatham-Kent requesting support for their resolution directing their administration to engage with other municipalities, the Association of Municipalities of Ontario, and any other relevant municipal associations, to determine what tools may be available to reduce insurance costs.

Recommendation: Be received.

- 5.15 Correspondence from the Honourable Graydon Smith, Minister of Natural Resources and Forestry advising the City of Hamilton that the City's application seeking a Minister's exception under the Conservation Authorities Act (CAA) from the requirement for at least 70 per cent of municipal appointments to a conservation authority to be selected from among members of municipal council (Section 14(1.1) of the CAA) is not granted

Recommendation: Be received and referred to the consideration of Items 7.3 and 8.1

- 5.16 Correspondence from the Honourable Steve Clark, Minister of Municipal Affairs and Housing respecting Municipalities with an interest in Green Standards.

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

- 5.17 Correspondence from the Municipality of North Perth requesting support for their resolution urging the Provincial Government to require all school buses to have stop arm cameras installed and paid for by the Province for the start of the 2023-2024 school year, with the costs being underwritten for the implementation and on-going annual costs for Administrative Monetary Penalties in small and rural municipalities.

Recommendation: Be received.

- 5.18 Correspondence from Michael Mecca respecting the proposed Consumption and Treatment Site (CTS).

Recommendation: Be received.

- 5.19 Correspondence from the Town of Petrolia requesting support for their resolution calling on the Provincial Government to urgently acknowledge that homelessness in Ontario is a social, economic and health crisis; commit to ending homelessness in Ontario and to work with AMO and a broad range of community, health, Indigenous and economic partners to develop, resource and implement an action plan to achieve this goal.

Recommendation: Be endorsed.

- 5.20 Correspondence from Town of Essex requesting support for their resolution respecting a Tax Classification of Short-Term Rental Units.

Recommendation: Be received.

- 5.21 Correspondence from the Honourable Sylvia Jones, Deputy Premier and Minister of Health advising the City of Hamilton of the increase to the base funding in the amount of \$91,072, bringing the total base funding to \$1,476,764 for the 2023 calendar year for the Hamilton Paramedic Service to support inter-facility transports for critically ill neonatal patients.
- Recommendation: Be received and referred to the General Manager of Healthy and Safe Communities for appropriate action.
- 5.22 Correspondence from the Town of Essex requesting support for their resolution respecting the reinstatement of legislation permitting a municipality to retain surplus proceeds from tax sales.
- Recommendation: Be received.
- 5.23 Correspondence from the Ministry of Natural Resources and Forestry respecting an update to the proposal to make amendment to the Ontario Regulation 161/17 under the Public Lands Act regarding the use of floating accommodations.
- Recommendation: Be received and referred to the General Manager of Planning and Economic Development for appropriate action.
- 5.24 Correspondence from John B. Corbett, President, Corbett Land Strategies Inc. respecting Secondary Planning Strategy for Urban Expansion Areas and Municipal Comprehensive Review Update (PED21067(d))
- Recommendation: Be received and referred to the consideration of Item 14 of Planning Committee Report 23-004.
- 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, General Issues Committee (Budget) Report 23-001
- 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.

Due to declared conflicts the following items were voted on separately, as follows:

- 5.2 Correspondence from Joshua Weresch respecting a letter to Council about public decorum and policing budget.

Recommendation: Be received.

- 5.9 Correspondence from Even Ubene respecting Follow Up on the February 27 Delegation Regarding Police Budget and Public Healthcare.

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

- 5.13 Correspondence from Joshua Weresch respecting the proposed increase to the levy.

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

- 5.21 Correspondence from the Honourable Sylvia Jones, Deputy Premier and Minister of Health advising the City of Hamilton of the increase to the base funding in the amount of \$91,072, bringing the total base funding to \$1,476,764 for the 2023 calendar year for the Hamilton Paramedic Service to support inter-facility transports for critically ill neonatal patients.

Recommendation: Be received and referred to the General Manager of Healthy and Safe Communities for appropriate action.

**Result: Motion on Items 5.2, 5.9, 5.13 and 5.21 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 - Deputy Mayor - Ward 6 Councillor Tom Jackson
- YES - Ward 2 Councillor Cameron Kroetsch
- YES - Ward 15 Councillor Ted McMeekin
- YES - Ward 3 Councillor Nrinder Nann
- CONFLICT - 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

Upon Council's request Item 5.15 was voted on separately, as follows:

- 5.15 Correspondence from the Honourable Graydon Smith, Minister of Natural Resources and Forestry advising the City of Hamilton that the City's application seeking a Minister's exception under the Conservation Authorities Act (CAA) from the requirement for at least 70 per cent of municipal appointments to a conservation authority to be selected from among members of municipal council (Section 14(1.1) of the CAA) is not granted

Recommendation: Be received and referred to the consideration of Items 7.3 and 8.1

**Result: Motion on Item 5.15 of the Communication Items, CARRIED by a vote of 14 to 2, as follows:**

YES - Ward 10 Councillor Jeff Beattie  
YES - Ward 12 Councillor Craig Cassar  
NO - 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  
NO - Deputy Mayor - Ward 6 Councillor Tom Jackson  
YES - Ward 2 Councillor Cameron Kroetsch  
YES - Ward 15 Councillor Ted McMeekin  
YES - 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

**Result: Motion on the balance of the Communication Items, as presented, 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 - Deputy Mayor - Ward 6 Councillor Tom Jackson  
YES - Ward 2 Councillor Cameron Kroetsch  
YES - Ward 15 Councillor Ted McMeekin  
YES - 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/Danko)**

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 - Deputy Mayor - Ward 6 Councillor Tom Jackson  
 YES - Ward 2 Councillor Cameron Kroetsch  
 YES - Ward 15 Councillor Ted McMeekin  
 YES - 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

**INTEGRITY COMMISSIONER'S REPORT – March 23, 2023**
**(Clark/Hwang)**

- (a) That the City of Hamilton Integrity Commissioner's Report Regarding Complaints Against Councillor Pauls, March 23, 2023, be received; and
- (b) That the actions contained within the City of Hamilton Integrity Commissioner's Report Regarding Complaints Against Councillor Pauls, March 23, 2023, be supported.

**Result: Motion on the Integrity Commissioner Report – March 23, 2023, CARRIED by a vote of 14 to 1, 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 - Deputy Mayor - Ward 6 Councillor Tom Jackson  
 YES - Ward 2 Councillor Cameron Kroetsch  
 NO - Ward 15 Councillor Ted McMeekin  
 YES - Ward 3 Councillor Nrinder Nann  
 CONFLICT - 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

<b>SOLE VOTING MEMBER OF THE HAMILTON FARMERS' MARKET REPORT 23-001</b>
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**(Nann/Kroetsch)**

That Sole Voting Member of the Hamilton Farmers' Market Report 23-001, being the meeting held on Thursday, February 23, 2023, be received and the recommendation contained therein be approved.

**Result: Motion on the Sole Voting Member of the Hamilton Farmers' Market Report 23-001, 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 - Deputy Mayor - Ward 6 Councillor Tom Jackson  
 YES - Ward 2 Councillor Cameron Kroetsch  
 NOT PRESENT - Ward 15 Councillor Ted McMeekin  
 YES - 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

<b>GENERAL ISSUES COMMITTEE (SPECIAL) REPORT 23-008</b>
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**(Nann/Hwang)**

That General Issues Committee (Special) Report 23-008, being the meeting held on Tuesday, February 28, 2023, be received.

**Result: Motion on the General Issues Committee (Special) Report 23-008, 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 - Deputy Mayor - Ward 6 Councillor Tom Jackson  
 YES - Ward 2 Councillor Cameron Kroetsch  
 NOT PRESENT - Ward 15 Councillor Ted McMeekin  
 YES - 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

<b>GENERAL ISSUES COMMITTEE (BUDGET) REPORT 23-001</b>
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**(Clark/Cassar)**

That General Issues Committee (Budget) Report 23-001, being the meeting held January - March, 2023, be received and the recommendations contained therein be approved.

**(Horwath/Danko)**

WHEREAS, Council recognizes that following the pandemic, there is an increased need in the community in a variety of areas, including housing, transportation, infrastructure, and health

WHEREAS, Household costs have been rising with inflation and interest rates, and Council would like to explore ways to reduce the currently proposed tax burden without taking away from service improvements

WHEREAS, The City can achieve additional cost reductions, through a series of financing adjustments, including amending the proposed start dates for some new initiatives without impacting service levels

WHEREAS, the 2023 Tax Supported Operating Budget approved at GIC on March 1, 2023 represents an increase of 6.7% or approximately \$300 on the average residential home;

WHEREAS, the 2023 Tax Supported Operating Budget includes an investment of \$1.5 million for long-term care supports for continued COVID-19 response as well as other respiratory viruses and health human resource challenges;

WHEREAS, the 2023-24 Ontario Provincial Budget included an additional funding announcement of \$202 million to the Homelessness Prevention Program and Indigenous Supportive Housing Program, a portion of which will be allocated to the City of Hamilton;

WHEREAS, 2022 revenues from the Municipal Contribution Agreement with the Ontario Lottery and Gaming Corporation have exceeded the 2022 approved budget;

WHEREAS, the City continues to receive funding from the Province of Ontario to offset tax revenue losses related to historical changes in the taxation status of Non-Profit Long-Term Care facilities;

WHEREAS, the City of Hamilton has developed a recruitment and retention strategy designed to ensure it becomes more competitive in the Greater Toronto Hamilton Area labour market;

WHEREAS, the following amendments would reduce the overall 2023 tax burden to just under 6%;

THEREFORE, BE IT RESOLVED:

- (a) That Item 32 (ix) (d) (i) of General Issues Committee (Budget) Report 23-001, respecting the 2023 Tax Supported Operating Budget - Recommendations (FCS23007(a)) Healthy and Safe Communities Department Operating Budget, be **amended**, as follows, to reflect a contribution of \$1.5 million from the COVID-19 Emergency Reserve 110053 related to long-term care supports for continued COVID-19 response and an amendment of \$546 thousand to the financing strategy to support the cost of living enhancement for shelters from local funding to the provincial Homelessness Prevention Program:
- (ix) (d) Healthy and Safe Communities Department
- (i) That the Healthy and Safe Communities operating budget (2023 Tax Supported Operating Budget Book – Appendix “I” attached to Report FCS23007(a), page 85) of ~~\$302,170,264~~, **\$300,120,039** inclusive of amendments as per **Further Amended** Appendix “C” attached to GIC Budget Report 23-001, (*Amended Appendix “C” to Report FCS23007(a)*), be approved;
- (b) That Item 32 (ix) (j) (i) General Issues Committee (Budget) Report 23-001, respecting Corporate Financials – Expenditures / Non-Program Revenues, be **amended**, as follows, to reflect an increase of \$495 thousand in the budgeted revenue for the Municipal Contribution Agreement with Ontario Lottery and Gaming Corporation; an increase of \$972 thousand in the budgeted revenue related to provincial funding received to offset tax revenue losses related to historical changes in the taxation status of Non-Profit Long-Term Care facilities; and an adjustment to the Recruitment and Retention strategy budget to reflect a July 1, 2023 effective date for the Total Compensation Policy:
- (ix) (j) Corporate Financials – Expenditures / Non-Program Revenues
- (i) That the Corporate Financials – Expenditures operating budget (2023 Tax Supported Operating Budget Book - Appendix “I” to Report FCS23007(a), page 220, ~~\$30,933,080~~, **\$24,551,080**, inclusive of amendments as per **Further Amended** Appendix “C” attached to GIC Budget Report 23-001, (*Amended Appendix “C” to Report FCS23007(a)*), be approved;

**Result: Amendment to Item 32 (ix) (d) (i) and 32 (ix) (j) (i) to the General Issues Committee (Budget) Report 23-001, 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 - Deputy Mayor - Ward 6 Councillor Tom Jackson  
 YES - Ward 2 Councillor Cameron Kroetsch  
 YES - Ward 15 Councillor Ted McMeekin  
 YES - 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

**(Danko/Clark)**

(a) That sub-section (a) of Item 32 (i) respecting 2023 Tax Supported Operating Budget - Recommendations (FCS23007(a)) (City Wide), Housing Services Funding for YWCA Hamilton of the General Issues Committee (Budget) Report 23-001, be **amended**, as follows:

(i) (a) That sub-section (a)(v) of the recommendations within Report FCS23007(a), respecting Item 2.9 of Amended Appendix "A" attached to GIC Budget Report 23-001, (*Amended Appendix "H" to Report FCS23007(a)*), be approved, as amended, as follows:

**2.9** Housing Services Funding for YWCA Hamilton (Motion - ECS Dec. 1, 2022) ~~\$2,600,000~~ **\$2,000,000** (Gross), ~~\$2,600,000~~ **\$2,000,000** (Net), 0.24% Residential Tax Impact.

(b) That a new sub-section (b) be added to Item 32 (i) respecting 2023 Tax Supported Operating Budget - Recommendations (FCS23007(a)) (City Wide), Housing Services Funding for YWCA Hamilton of the General Issues Committee (Budget) Report 23-001, as follows:

**(b) *That approval is based on a 5 year growth and expansion program with an intended City of Hamilton upset limit contribution of \$10M, to be confirmed in future budget years.***

**Result: Amendment to Item 32 (i) of the General Issues Committee (Budget) Report 23-001, DEFEATED by a vote of 7 to 9, 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  
 NO - Mayor Andrea Horwath  
 NO - Ward 4 Councillor Tammy Hwang  
 NO - Deputy Mayor - Ward 6 Councillor Tom Jackson  
 NO - Ward 2 Councillor Cameron Kroetsch  
 NO - Ward 15 Councillor Ted McMeekin  
 NO - 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

**31. Living Wage (HUR20003(b) / FCS20013(b)) (City Wide) (Item 7.2) (March 1, 2023)**

**(A. Wilson/Kroetsch)**

(a) That sub-sections (b) and (c) of Item 31 of the General Issues Committee (Budget) Report 23-001, respecting Living Wage (HUR20003(b) / FCS20013(b)), be deleted in their entirety and replaced with the following:

~~(b) — That staff be directed to maintain the unionized full-time summer student classifications at their existing rates whereby outside unionized student workers continue to earn \$16.00 per hour with a \$0.95 shift premium for afternoon and weekend work and inside unionized student workers continue to earn a minimum \$16.00 per hour and up to \$19.773 per hour. As these positions fall under CUPE 5167, the rates are subject to the collective bargaining process;~~

(b) **That effective May 1, 2023, amend the hourly rates for unionized full time summer student classifications from \$16 per hour to \$19.05 per hour, and maintain the \$0.95 shift premium for afternoon shift and weekend work. That such amendments be made to the salary schedule to reflect the new Living Wage rate.**

~~(c) — That staff be directed to maintain the non-union full-time summer student classifications at their existing rates of \$17.20 per hour (previous Living Wage rate). These rates can be adjusted separately by the department should attraction and retention become an issue;~~

(c) **That effective May 1, 2023 staff be directed to adjust the non-union full-time summer student classifications to the 2023 Living Wage Rate of \$19.05 per hour as detailed in Appendix “B” to Report HUR20003(b)/FCS20013(b).**

(b) That a new sub-section (e) be added to Item 31 of the General Issues Committee (Budget) Report 23-001, respecting Living Wage (HUR20003(b) / FCS20013(b)), as follows:

(e) **That staff pursue appropriate certification for the City of Hamilton as a Living Wage Employer, as defined by the Ontario Living Wage Network**

**Result: Amendment to Item 31 of the General Issues Committee (Budget) Report 23-001, DEFEATED by a vote of 4 to 9, as follows:**

NO - Ward 10 Councillor Jeff Beattie

CONFLICT - Ward 12 Councillor Craig Cassar

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

**(A. Wilson/Kroetsch)**

That sub-sections (b) of Item 31 of the General Issues Committee (Budget) Report 23-001, respecting Living Wage (HUR20003(b) / FCS20013(b)), be deleted in its entirety and replaced with the following:

~~**(b) That staff be directed to maintain the unionized full-time summer student classifications at their existing rates whereby outside unionized student workers continue to earn \$16.00 per hour with a \$0.95 shift premium for afternoon and weekend work and inside unionized student workers continue to earn a minimum \$16.00 per hour and up to \$19.773 per hour. As these positions fall under CUPE 5167, the rates are subject to the collective bargaining process;**~~

**(b) That effective May 1, 2023, amend the hourly rates for unionized full time summer student classifications from \$16 per hour to \$17.20 per hour, consistent with the non-union full time summer student group and maintain the \$0.95 shift premium for afternoon shift and weekend work. The total cost, of increasing the hourly rate for unionized full time summer students from the 2023 budgeted amount of \$16.40 per hour to \$17.20 is \$214,500.**

**Result: Amendment to Item 31 of the General Issues Committee (Budget) Report 23-001, DEFEATED by a vote of 5 to 8, as follows:**

YES - Ward 10 Councillor Jeff Beattie  
 CONFLICT - Ward 12 Councillor Craig Cassar  
 NO - Ward 9 Councillor Brad Clark  
 NO - Ward 8 Councillor John-Paul Danko  
 NO - Ward 5 Councillor Matt Francis  
 NO - Mayor Andrea Horwath  
 NO - Ward 4 Councillor Tammy Hwang  
 NO - Deputy Mayor - Ward 6 Councillor Tom Jackson  
 YES - Ward 2 Councillor Cameron Kroetsch  
 YES - Ward 15 Councillor Ted McMeekin  
 YES - Ward 3 Councillor Nrinder Nann

CONFLICT - Ward 7 Councillor Esther Pauls  
NO - Ward 14 Councillor Mike Spadafora  
NO - Ward 11 Councillor Mark Tadeson  
YES - Ward 13 Councillor Alex Wilson  
CONFLICT - Ward 1 Councillor Maureen Wilson

Due to declared conflicts Item 31 was voted on separately, as follows:

**31. Living Wage (HUR20003(b) / FCS20013(b)) (City Wide) (Item 7.2) (March 1, 2023)**

- (a) That staff be directed to implement the Living Wage of \$19.05 per hour for School Crossing Guards and the non-union part-time casual employee group as follows:
  - (i) Effective September 1, 2023, amend the hourly rate for School Crossing Guards from \$17.20 to \$19.05 per hour and update the salary schedule to reflect the new Living Wage rate;
  - (ii) Effective July 1, 2023, amend the hourly rates for positions in the non union part-time casual employee group by updating the salary schedule for the first three grades (1EK, 1DI, 1DI) from \$17.20 to \$19.05 per hour and applying the same percentage increase to the rest of the non-union, part-time casual salary schedule to maintain internal equity in accordance with the City of Hamilton compensation policy and practices;
- (b) That staff be directed to maintain the unionized full-time summer student classifications at their existing rates whereby outside unionized student workers continue to earn \$16.00 per hour with a \$0.95 shift premium for afternoon and weekend work and inside unionized student workers continue to earn a minimum \$16.00 per hour and up to \$19.773 per hour. As these positions fall under CUPE 5167, the rates are subject to the collective bargaining process;
- (c) That staff be directed to maintain the non-union full-time summer student classifications at their existing rates of \$17.20 per hour (previous Living Wage rate). These rates can be adjusted separately by the department should attraction and retention become an issue;
- (d) That staff be directed to bring forward a report to Council for approval should there be any future changes to the Living Wage rate prior to implementation, in order to consider budget impacts and to assess the effects on the City's internal compensation system.

**Result: Motion Item 31 of the General Issues Committee (Budget) Report 23-001, CARRIED by a vote of 10 to 3, as follows:**

YES - Ward 10 Councillor Jeff Beattie  
CONFLICT - Ward 12 Councillor Craig Cassar  
NO - Ward 9 Councillor Brad Clark

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

Due to declared conflicts Item 32 (v) was voted on separately, as follows:

**32. 2023 Tax Supported Operating Budget - Recommendations (FCS23007(a)) (City Wide) (Item 6.1) (March 1, 2023)**

(v) That sub-section (a)(v) of the recommendations within Report FCS23007(a), respecting Item 6 of Amended Appendix "A" attached to GIC Budget Report 23-001, (*Amended Appendix "H" to Report FCS23007(a)*), be approved, as follows:

**6** Corporate Financials, Living Wage (HUR20003(b)/FCS20013(b)), \$353,600 (Gross), \$353,600 (Net), Residential Tax Impact 0.03%

**Result: Motion Item 32 (v) of the General Issues Committee (Budget) Report 23-001, CARRIED by a vote of 10 to 3, as follows:**

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

Due to a declared conflict Item 29 was voted on separately, as follows:

**29. Motion Regarding Grounds for an Appeal to the Ontario Civil Police Commission (LS23018) (City Wide) (Item 11.1) (March 1, 2023)**

- (a) That Report LS23018, respecting the Motion Regarding Grounds for an Appeal to the Ontario Civil Police Commission, be received and remain confidential; and,
- (b) That appendices “A”, “B”, and “C” to Report LS23018, Motion Regarding Grounds for an Appeal to the Ontario Civil Police Commission, be released publicly following approval by Council.

**Result: Motion Item 29 of the General Issues Committee (Budget) Report 23-001, 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 - Deputy Mayor - Ward 6 Councillor Tom Jackson  
 YES - Ward 2 Councillor Cameron Kroetsch  
 YES - Ward 15 Councillor Ted McMeekin  
 YES - Ward 3 Councillor Nrinder Nann  
 CONFLICT - 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

Due to a declared conflict Item 32 (vii) (b) was voted on separately, as follows:

**32. 2023 Tax Supported Operating Budget - Recommendations (FCS23007(a)) (City Wide) (Item 6.1) (March 1, 2023)**

- (vii) (b) Boards and Agencies:
  - (i) That the Hamilton Police Services operating budget of \$193,596,008 in Appendix “D” attached to GIC Budget Report 23-001, (*Appendix “D” to Report FCS23007(a)*), be approved;

**Result: Motion Item 32 (vii) (b) of the General Issues Committee (Budget) Report 23-001, CARRIED by a vote of 10 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  
 NO - Ward 4 Councillor Tammy Hwang  
 YES - Deputy Mayor - Ward 6 Councillor Tom Jackson  
 NO - Ward 2 Councillor Cameron Kroetsch  
 YES - Ward 15 Councillor Ted McMeekin  
 NO - Ward 3 Councillor Nrinder Nann  
 CONFLICT - 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

Upon Council's request the following items were voted on separately, as follows:

**32. 2023 Tax Supported Operating Budget - Recommendations (FCS23007(a)) (City Wide) (Item 6.1) (March 1, 2023)**

**(ix) (c) Planning and Economic Development Department**

(i) That the Planning and Economic Development operating budget (2023 Tax Supported Operating Budget Book – Appendix “I” to Report FCS23007(a), page 46) of \$33,627,976, inclusive of amendments as per Amended Appendix “C” attached to GIC Budget Report 23-001, (*Amended Appendix “C” to Report FCS23007(a)*), be approved;

Specifically - The 6<sup>th</sup> Line Item of 32.(ix)(c) is as follows: PED Accelerating the Implementation of the Cycling Master Plan (Motion - GIC Jan.20, 2023) 5.00 308,000 0.0%

**Result: Motion Item 32 (ix) (c) respecting the PED Accelerating the Implementation of the Cycling Master Plan of the General Issues Committee (Budget) Report 23-001, CARRIED by a vote of 10 to 6, as follows:**

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

YES - Ward 13 Councillor Alex Wilson

YES - Ward 1 Councillor Maureen Wilson

**32. 2023 Tax Supported Operating Budget - Recommendations (FCS23007(a)) (City Wide) (Item 6.1) (March 1, 2023)**

(iv) That sub-section (a)(v) of the recommendations within Report FCS23007(a), respecting Item 6.2 of Amended Appendix "A" attached to GIC Budget Report 23-001, (*Amended Appendix "H" to Report FCS23007(a)*), be approved, as follows:

**6.2** Legislative - Increase to Councillors' Office Budgets (Motion - Council Dec. 7, 2022), \$600,000 (Gross), \$600,000 (Net), Residential Tax Impact 0.05%

**Result: Motion Item 32 (iv) of the General Issues Committee (Budget) Report 23-001, DEFEATED by a vote of 8 to 8, as follows:**

NO - Ward 10 Councillor Jeff Beattie

YES - Ward 12 Councillor Craig Cassar

NO - Ward 9 Councillor Brad Clark

NO - Ward 8 Councillor John-Paul Danko

NO - Ward 5 Councillor Matt Francis

YES - Mayor Andrea Horwath

YES - Ward 4 Councillor Tammy Hwang

NO - Deputy Mayor - Ward 6 Councillor Tom Jackson

YES - Ward 2 Councillor Cameron Kroetsch

YES - Ward 15 Councillor Ted McMeekin

YES - Ward 3 Councillor Nrinder Nann

NO - 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

**32. 2023 Tax Supported Operating Budget - Recommendations (FCS23007(a)) (City Wide) (Item 6.1) (March 1, 2023)**

(iii) That sub-section (a)(v) of the recommendations within Report FCS23007(a), respecting Item 4.1 of Amended Appendix "A" attached to GIC Budget Report 23-001, (*Amended Appendix "H" to Report FCS23007(a)*), be approved, as follows:

**4.1** City Clerk's Office - Election Expense Reserve for Internet Voting Consideration for 2026 Municipal Election (FCS20081(a)), \$153,800 (Gross), \$153,800 (Net), Residential Tax Impact 0.01%

**Result: Motion Item 32 (iii) of the General Issues Committee (Budget) Report 23-001, CARRIED by a vote of 10 to 6, as follows:**

YES - Ward 10 Councillor Jeff Beattie  
 YES - Ward 12 Councillor Craig Cassar  
 NO - Ward 9 Councillor Brad Clark  
 YES - Ward 8 Councillor John-Paul Danko  
 NO - Ward 5 Councillor Matt Francis  
 YES - Mayor Andrea Horwath  
 NO - Ward 4 Councillor Tammy Hwang  
 NO - Deputy Mayor - Ward 6 Councillor Tom Jackson  
 YES - Ward 2 Councillor Cameron Kroetsch  
 YES - Ward 15 Councillor Ted McMeekin  
 YES - 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

**32. 2023 Tax Supported Operating Budget - Recommendations (FCS23007(a)) (City Wide) (Item 6.1) (March 1, 2023)**

(ii) That sub-section (a)(v) of the recommendations within Report FCS23007(a), respecting Item 2.11 of Amended Appendix "A" attached to GIC Budget Report 23-001, (*Amended Appendix "H" to Report FCS23007(a)*), be approved, as follows:

**2.11** Housing Services Encampment Pilot Evaluation - Coordination Response Team (HSC20038(c) / PED21188(b)), \$1,366,646 (Gross), \$1,366,646 (Net), 10.50 FTE, Residential Tax Impact 0.12%

**Result: Motion Item 32 (ii) of the General Issues Committee (Budget) Report 23-001, 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 - Deputy Mayor - Ward 6 Councillor Tom Jackson  
 NO - Ward 2 Councillor Cameron Kroetsch  
 NO - Ward 15 Councillor Ted McMeekin  
 NO - 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

Due to a declared conflict, Item 32 (ix) (d) with respect to paramedics within the Healthy and Safe Communities Department operating budget, was voted on separately, as follows:

**32. 2023 Tax Supported Operating Budget - Recommendations (FCS23007(a)) (City Wide) (Item 6.1) (March 1, 2023)**

(ix) (d) Healthy and Safe Communities Department

- (i) That the Healthy and Safe Communities operating budget (2023 Tax Supported Operating Budget Book – Appendix “I” attached to Report FCS23007(a), page 85) of \$300,120,039 inclusive of amendments as per Further Amended Appendix “C” attached to GIC Budget Report 23-001, (*Amended Appendix “C” to Report FCS23007(a)*), be approved;

**Result: Motion on Item 32 (ix) (d) with respect to paramedics within the Healthy and Safe Communities operating budget of the General Issues Committee (Budget) Report 23-001, 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 - Deputy Mayor - Ward 6 Councillor Tom Jackson  
 YES - Ward 2 Councillor Cameron Kroetsch  
 YES - Ward 15 Councillor Ted McMeekin  
 YES - Ward 3 Councillor Nrinder Nann  
 CONFLICT - 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

**Result: Motion on the balance of the General Issues Committee (Budget) Report 23-001, as Amended, CARRIED by a vote of 10 to 6, as follows:**

NO - Ward 10 Councillor Jeff Beattie  
 YES - Ward 12 Councillor Craig Cassar  
 NO - Ward 9 Councillor Brad Clark  
 YES - Ward 8 Councillor John-Paul Danko  
 NO - Ward 5 Councillor Matt Francis  
 YES - Mayor Andrea Horwath  
 YES - Ward 4 Councillor Tammy Hwang  
 NO - Deputy Mayor - Ward 6 Councillor Tom Jackson  
 YES - Ward 2 Councillor Cameron Kroetsch

YES - Ward 15 Councillor Ted McMeekin  
YES - 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

**(Kroetsch/Hwang)**

That Council recess until 2:15 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 - Deputy Mayor - Ward 6 Councillor Tom Jackson  
YES - Ward 2 Councillor Cameron Kroetsch  
YES - Ward 15 Councillor Ted McMeekin  
YES - 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

<b>GENERAL ISSUES COMMITTEE (SPECIAL) REPORT 23-009</b>
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**(Nann/Wilson)**

That General Issues Committee (Special) Report 23-009, being the meeting held on Thursday, March 9, 2023, be received.

**Result: Motion on the General Issues Committee (Special) Report 23-009, 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  
NOT PRESENT - Mayor Andrea Horwath  
YES - Ward 4 Councillor Tammy Hwang  
YES - Deputy Mayor - Ward 6 Councillor Tom Jackson  
YES - Ward 2 Councillor Cameron Kroetsch  
NOT PRESENT - Ward 15 Councillor Ted McMeekin  
YES - Ward 3 Councillor Nrinder 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

<b>BOARD OF HEALTH REPORT 23-003</b>
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**(M. Wilson/A. Wilson)**

That Board of Health Report 23-003, being the meeting held on Monday, March 20, 2023, be received and the recommendations contained therein be approved.

Upon Council's request Item 1 (b) (ii) was voted on separately, as follows:

**1. Clean Air Hamilton Annual Progress Report 2021 (BOH230010) (City Wide) (Item 8.1)**

- (b) (ii) That the Mayor contact the Minister of Environment, Conservation and Parks to articulate that the City of Hamilton is opposed to any extension or continued special permissions for contaminants above provincially regulated general air standards.

**Result: Motion on Item 1 (b) (ii) of the Board of Health Report 23-003, CARRIED by a vote of 13 to 1, as follows:**

NO - 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  
 NOT PRESENT - Mayor Andrea Horwath  
 YES - Ward 4 Councillor Tammy Hwang  
 YES - Deputy Mayor - Ward 6 Councillor Tom Jackson  
 YES - Ward 2 Councillor Cameron Kroetsch  
 YES - Ward 15 Councillor Ted McMeekin  
 YES - Ward 3 Councillor Nrinder 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

**(Clark/Beattie)**

That a new sub-section (c) be added to Item 1 of the Board of Health Report 23-003 respecting Clean Air Hamilton Annual Progress Report 2021 (BOH230010), as follows:

**1. Clean Air Hamilton Annual Progress Report 2021 (BOH230010) (City Wide) (Item 8.1)**

- (c) ***That staff be directed to invite a representative of the Ministry of Environment, Conservation and Parks to a future Board of Health to discuss the process by which the Ministry sets site specific standards for air quality emissions within the Province of Ontario and how the existing site specific standards for air quality emissions are set within the Hamilton area.***

**Result: Amendment to Item 1 of the Board of Health Report 23-003, 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  
NOT PRESENT - Mayor Andrea Horwath  
YES - Ward 4 Councillor Tammy Hwang  
YES - Deputy Mayor - Ward 6 Councillor Tom Jackson  
YES - Ward 2 Councillor Cameron Kroetsch  
YES - Ward 15 Councillor Ted McMeekin  
YES - Ward 3 Councillor Nrinder 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

**Result: Motion on the balance of Board of Health Report 23-003, as Amended, 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  
NOT PRESENT - Mayor Andrea Horwath  
YES - Ward 4 Councillor Tammy Hwang  
YES - Deputy Mayor - Ward 6 Councillor Tom Jackson  
YES - Ward 2 Councillor Cameron Kroetsch  
YES - Ward 15 Councillor Ted McMeekin  
YES - Ward 3 Councillor Nrinder 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

<b>PUBLIC WORKS COMMITTEE REPORT 23-003</b>
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**(Nann/A. Wilson)**

That Public Works Committee Report 23-003, being the meeting held on Monday, March 20, 2023, be received and the recommendations contained therein be approved.

**Result: Motion on the Public Works Committee Report 23-003, 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
- NOT PRESENT - Mayor Andrea Horwath
- YES - Ward 4 Councillor Tammy Hwang
- YES - Deputy Mayor - Ward 6 Councillor Tom Jackson
- YES - Ward 2 Councillor Cameron Kroetsch
- YES - Ward 15 Councillor Ted McMeekin
- YES - Ward 3 Councillor Nrinder 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

<b>PLANNING COMMITTEE REPORT 23-004</b>
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**(Danko/Hwang)**

That Planning Committee Report 23-004, being the meeting held on Tuesday, March 21, 2023, be received and the recommendations contained therein be approved.

Due to a declared conflict, Item 17 was voted on separately, as follows:

**17. Appeal to the Ontario Land Tribunal (OLT) for Lack of Decision on Urban Hamilton Official Plan Amendment Application (UHOPA-18-004) and Zoning By-law Amendment Application (ZAC-18-009) for lands located at 299-307 John Street South and 97 St. Joseph's Drive (LS22007(a)/ PED22038(b)) (Ward 2) (Item 15.2)**

- (a) That Report LS22007(a)/PED22038(b) be referred to the March 29, 2023 Council meeting for consideration in-camera; and,
- (b) That Report LS22007(a)/PED22038(b) remain confidential.

**Result: Motion on Item 17 of the Planning Committee Report 23-004, CARRIED by a vote of 13 to 0, as follows:**

- YES - Ward 10 Councillor Jeff Beattie
- YES - Ward 12 Councillor Craig Cassar

CONFLICT - Ward 9 Councillor Brad Clark  
YES - Ward 8 Councillor John-Paul Danko  
YES - Ward 5 Councillor Matt Francis  
NOT PRESENT - Mayor Andrea Horwath  
YES - Ward 4 Councillor Tammy Hwang  
YES - Deputy Mayor - Ward 6 Councillor Tom Jackson  
YES - Ward 2 Councillor Cameron Kroetsch  
YES - Ward 15 Councillor Ted McMeekin  
YES - Ward 3 Councillor Nrinder 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

**Result: Motion on the balance of Planning Committee Report 23-004, 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  
NOT PRESENT - Mayor Andrea Horwath  
YES - Ward 4 Councillor Tammy Hwang  
YES - Deputy Mayor - Ward 6 Councillor Tom Jackson  
YES - Ward 2 Councillor Cameron Kroetsch  
YES - Ward 15 Councillor Ted McMeekin  
YES - Ward 3 Councillor Nrinder 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

<b>GENERAL ISSUES COMMITTEE REPORT 23-010</b>
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**(Nann/Cassar)**

That General Issues Committee Report 23-010, being the meeting held on Wednesday, March 22, 2023, be received and the recommendations contained therein be approved.

**(Nann/M. Wilson)**

WHEREAS, the title of the report should reflect integrating an Equity, Diversity and Inclusion framework to the City of Hamilton Policy respecting the Appointment of Citizens to the City's Agencies, Boards, Commissions, Advisory (Volunteer) Committees and Sub-Committees;

THEREFORE, BE IT RESOLVED:

That Item 6 of General Issues Committee Report 23-010, be **amended**, to reflect the revised title of the report:

6. ***Integrating an Equity, Diversity and Inclusion framework to the City of Hamilton Policy respecting the Appointment of Citizens to the City's Agencies, Boards, Commissions, Advisory (Volunteer) Committees and Sub-Committees (Attracting Diversity During the Recruitment Process) (HUR18017(a) / FCS23046) (City Wide) (Item 9.6)***

That Report HUR18017(a) / FCS23046, respecting ***Integrating an Equity, Diversity and Inclusion framework to the City of Hamilton Policy respecting the Appointment of Citizens to the City's Agencies, Boards, Commissions, Advisory (Volunteer) Committees and Sub-Committees*** (Attracting Diversity During the Recruitment Process), be received.

**Result: Amendment to Item 6 of the General Issues Committee Report 23-010 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  
 NOT PRESENT - Mayor Andrea Horwath  
 YES - Ward 4 Councillor Tammy Hwang  
 YES - Deputy Mayor - Ward 6 Councillor Tom Jackson  
 YES - Ward 2 Councillor Cameron Kroetsch  
 YES - Ward 15 Councillor Ted McMeekin  
 YES - Ward 3 Councillor Nrinder 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

**(Clark/Cassar)**

That Item (h)(ii) respecting the Removal of the Municipal Accommodation Tax (PED20009(d)) (City Wide) (Item 9.1) be lifted from the Information Section and be added to Item 2 as sub-section (b) of the General Issues Committee Report 23-010, as follows:

2. **Municipal Accommodation Tax (PED20009(d)) (City Wide) (Outstanding Business List Item) (Item 9.2)**

(b) That staff be directed to report back to the General Issues Committee on the mechanisms in place to ensure payment to the City of the Municipal Accommodation Tax.

**Result: Motion to lift Item (h)(ii) of the General Issues Committee Report 23-010  
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  
 NOT PRESENT - Mayor Andrea Horwath  
 YES - Ward 4 Councillor Tammy Hwang  
 YES - Deputy Mayor - Ward 6 Councillor Tom Jackson  
 YES - Ward 2 Councillor Cameron Kroetsch  
 YES - Ward 15 Councillor Ted McMeekin  
 YES - Ward 3 Councillor Nrinder 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

**(Clark/Cassar)**

**2. Municipal Accommodation Tax (PED20009(d)) (City Wide) (Outstanding Business List Item) (Item 9.2)**

- (a) That Report PED20009(d), respecting Municipal Accommodation Tax, be received; and
- (b) That staff be directed to report back to the General Issues Committee on the mechanisms in place to ensure payment to the City of the Municipal Accommodation Tax.

**(Clark/Cassar)**

WHEREAS, staff provided General Issues Committee with a verbal update later in the meeting.

THEREFORE, BE IT RESOLVED:

That sub-section (b) of Item 2, respecting Municipal Accommodation Tax (PED20009(d)) (City Wide) (Item 9.2), be **amended** by deleting sub-section (b) in its entirety, as follows:

**2. Municipal Accommodation Tax (PED20009(d)) (City Wide) (Outstanding Business List Item) (Item 9.2)**

- ~~(b) That staff be directed to report back to the General Issues Committee on the mechanisms in place to ensure payment to the City of the Municipal Accommodation Tax.~~

**Result: Main Motion, as Amended (Item 2) of the General Issues Committee Report 23-010, 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  
NOT PRESENT - Mayor Andrea Horwath  
YES - Ward 4 Councillor Tammy Hwang  
YES - Deputy Mayor - Ward 6 Councillor Tom Jackson  
YES - Ward 2 Councillor Cameron Kroetsch  
YES - Ward 15 Councillor Ted McMeekin  
YES - Ward 3 Councillor Nrinder 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

Upon Council's request, Item 1 was voted on separately, as follows:

**1. Hamilton Waterfront Trust - Options for Future Operations, Programs & Services (FCS23029) (City Wide) (Item 8.1)**

- (a) That City of Hamilton – Hamilton Waterfront Trust Future Options – Final Report by KPMG dated November 29, 2022, attached as Appendix “A” to Report FCS23029, be received;
- (b) That a detailed review of the following two business models for the Hamilton Waterfront Trust future operations be undertaken as follows:
  - (i) A joint model whereby the management and operations of programs and services are delivered by the Hamilton Waterfront Trust and the City of Hamilton;
  - (ii) Winding up the Hamilton Waterfront Trust, inclusive of a recommended process founded on the City of Hamilton assuming the responsibility for existing programming and services delivered by the Hamilton Waterfront Trust.
- (c) That Council approve a single-source procurement, pursuant to Procurement Policy #11 – Non competitive Procurements, for a detailed review of the two business models for Hamilton Waterfront Trust operations and that the General Manager, Finance and Corporate Services Department be authorized to negotiate, enter into, and execute the extension and any ancillary documents required to give effect thereto with KPMG LLP, and other external expertise, in a form satisfactory to the City Solicitor;

- (d) That staff report back to City Council on the preferred model and the cost including the resources necessary to deliver the programs and services required.

**Result: Motion on Item 1 of the General Issues Committee Report 23-010, CARRIED by a vote of 13 to 1, 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
- NOT PRESENT - Mayor Andrea Horwath
- YES - Ward 4 Councillor Tammy Hwang
- NO - Deputy Mayor - Ward 6 Councillor Tom Jackson
- YES - Ward 2 Councillor Cameron Kroetsch
- YES - Ward 15 Councillor Ted McMeekin
- YES - Ward 3 Councillor Nrinder 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

**Result: Motion on the balance of the General Issues Committee Report 23-010, 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
- NOT PRESENT - Mayor Andrea Horwath
- YES - Ward 4 Councillor Tammy Hwang
- YES - Deputy Mayor - Ward 6 Councillor Tom Jackson
- YES - Ward 2 Councillor Cameron Kroetsch
- YES - Ward 15 Councillor Ted McMeekin
- YES - Ward 3 Councillor Nrinder 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

<b>AUDIT, FINANCE AND ADMINISTRATION COMMITTEE REPORT 23-004</b>
--

**(Kroetsch/Hwang)**

That Audit, Finance and Administration Committee Report 23-004, being the meeting held on Thursday, March 23, 2023, be received and the recommendations contained therein be approved.

**(Danko/Clark)**

That Item (f)(i) respecting the Feasibility of a Bring Your Own Device Policy (Item 11.1) be lifted from the Information Section and added as Item 8 of the Audit, Finance and Administration Committee Report 23-004, as follows:

**8. Feasibility of a Bring Your Own Device Policy (Item 11.1)**

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:

Information Technology staff was directed to 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.

**Result: Motion to lift Item (f)(i) of the Audit, Finance and Administration Committee Report 23-004 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  
NOT PRESENT - Mayor Andrea Horwath  
YES - Ward 4 Councillor Tammy Hwang  
YES - Deputy Mayor - Ward 6 Councillor Tom Jackson  
YES - Ward 2 Councillor Cameron Kroetsch  
YES - Ward 15 Councillor Ted McMeekin  
YES - Ward 3 Councillor Nrinder 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

**8. Feasibility of a Bring Your Own Device Policy (Item 11.1)**

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:

Information Technology staff was directed to 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.

**Result: Motion on Item 8 of the Audit, Finance and Administration Committee Report 23-004, CARRIED by a vote of 10 to 4, as follows:**

YES - Ward 10 Councillor Jeff Beattie  
 YES - Ward 12 Councillor Craig Cassar  
 NO - Ward 9 Councillor Brad Clark  
 NO - Ward 8 Councillor John-Paul Danko  
 NO - Ward 5 Councillor Matt Francis  
 NOT PRESENT - Mayor Andrea Horwath  
 YES - Ward 4 Councillor Tammy Hwang  
 YES - Deputy Mayor - Ward 6 Councillor Tom Jackson  
 YES - Ward 2 Councillor Cameron Kroetsch  
 YES - Ward 15 Councillor Ted McMeekin  
 YES - Ward 3 Councillor Nrinder Nann  
 NOT PRESENT - Ward 7 Councillor Esther Pauls  
 NO - Ward 14 Councillor Mike Spadafora  
 YES - Ward 11 Councillor Mark Tadeson  
 YES - Ward 13 Councillor Alex Wilson  
 YES - Ward 1 Councillor Maureen Wilson

**Result: Motion on the balance of the Audit, Finance and Administration Committee Report 23-004, 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  
 NOT PRESENT - Mayor Andrea Horwath  
 YES - Ward 4 Councillor Tammy Hwang  
 YES - Deputy Mayor - Ward 6 Councillor Tom Jackson  
 YES - Ward 2 Councillor Cameron Kroetsch  
 YES - Ward 15 Councillor Ted McMeekin  
 YES - Ward 3 Councillor Nrinder 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

<b>EMERGENCY AND COMMUNITY SERVICES COMMITTEE REPORT 23-003</b>
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**(Clark/Cassar)**

That Emergency and Community Services Committee Report 23-003, being the meeting held on Thursday, March 23, 2023, be received and the recommendations contained therein be approved.

**Result: Motion on the Emergency and Community Services Committee Report 23-003, 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  
 NOT PRESENT - Mayor Andrea Horwath  
 YES - Ward 4 Councillor Tammy Hwang  
 YES - Deputy Mayor - Ward 6 Councillor Tom Jackson  
 YES - Ward 2 Councillor Cameron Kroetsch  
 YES - Ward 15 Councillor Ted McMeekin  
 YES - Ward 3 Councillor Nrinder 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

<b>GENERAL ISSUES COMMITTEE (SPECIAL) REPORT 23-011</b>
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**(M. Wilson/A. Wilson)**

That the General Issues Committee (Special) Report 23-011, being the meeting held on Friday, March 24, 2023, be received.

**Result: Motion on the General Issues Committee (Special) Report 23-011, 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
- NOT PRESENT - Mayor Andrea Horwath
- YES - Ward 4 Councillor Tammy Hwang
- YES - Deputy Mayor - Ward 6 Councillor Tom Jackson
- YES - Ward 2 Councillor Cameron Kroetsch
- YES - Ward 15 Councillor Ted McMeekin
- YES - Ward 3 Councillor Nrinder 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

<b>CITYHOUSING HAMILTON SHAREHOLDER REPORT 23-001</b>
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**(Nann/Hwang)**

That CityHousing Hamilton Shareholder Report 23-001, being the meeting held on Tuesday, March 28, 2023, be received and the recommendations contained therein be approved.

**Result: Motion on the CityHousing Hamilton Shareholder Report 23-001, 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
- NOT PRESENT - Mayor Andrea Horwath
- YES - Ward 4 Councillor Tammy Hwang
- YES - Deputy Mayor - Ward 6 Councillor Tom Jackson
- YES - Ward 2 Councillor Cameron Kroetsch
- YES - Ward 15 Councillor Ted McMeekin
- YES - Ward 3 Councillor Nrinder 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

**(Nann/Beattie)**

That Council rise from Committee of the Whole.

**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  
 NOT PRESENT - Mayor Andrea Horwath  
 YES - Ward 4 Councillor Tammy Hwang  
 YES - Deputy Mayor - Ward 6 Councillor Tom Jackson  
 YES - Ward 2 Councillor Cameron Kroetsch  
 YES - Ward 15 Councillor Ted McMeekin  
 YES - Ward 3 Councillor Nrinder 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**

Deputy Mayor Jackson relinquished the chair to Councillor Nann, in order to move the following motion:

**7.1 Council Membership on Sub-Committees for the 2022-2026 Term of Council****(Jackson/Hwang)**

- (a) That the following Committees' Terms of Reference, be **amended** to reflect the following membership compositions:
- (i) HMRF/HWRF Pension Administration Committee - **two (2)** members of Council;
  - (b) That the Council Member appointments to the following Sub-Committees, for the 2022-2026 Term of Council, be approved:
    - (i) Accessibility Transit Services Review Sub Committee
      - (1) M. Tadeson
      - (2) C. Cassar
      - (3) C. Kroetsch
    - (ii) HMRF/HWRF Pension Administration Committee
      - (1) A. Wilson
      - (2) C. Cassar

**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  
NOT PRESENT - Mayor Andrea Horwath  
YES - Ward 4 Councillor Tammy Hwang  
YES - Deputy Mayor - Ward 6 Councillor Tom Jackson  
YES - Ward 2 Councillor Cameron Kroetsch  
YES - Ward 15 Councillor Ted McMeekin  
YES - Ward 3 Councillor Nrinder 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

Deputy Mayor Jackson assumed the chair.

## **7.2 Halton-Hamilton Water Source Protection Committee**

**(M. Wilson/A. Wilson)**

That the following member of Council be considered as the one representative who represents Hamilton, Grimsby and Niagara on the Halton-Hamilton Water Source Protection Committee:

(1) Councillor T. McMeekin

**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  
NOT PRESENT - Mayor Andrea Horwath  
YES - Ward 4 Councillor Tammy Hwang  
YES - Deputy Mayor - Ward 6 Councillor Tom Jackson  
YES - Ward 2 Councillor Cameron Kroetsch  
YES - Ward 15 Councillor Ted McMeekin  
YES - Ward 3 Councillor Nrinder 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

### 7.3 Amendment to the Current City of Hamilton Complement on the Hamilton Conservation Authority Board of Directors

**(Tadeson/A. Wilson)**

WHEREAS, Council received a letter from the Honourable Graydon Smith, Minister of Natural Resources and Forestry (Item 5.15 on the March 29, 2023 Council Agenda) advising the City of Hamilton that the City's application seeking a Minister's exception under the *Conservation Authorities Act* (CAA) from the requirement for at least 70 per cent of municipal appointments to a conservation authority to be selected from among members of municipal council (Section 14(1.1) of the CAA) is not granted;

WHEREAS, Council has been asked to comply with the requirement for at least 70 per cent of municipal appointments to a conservation authority to be selected from among members of municipal council (Section 14(1.1) of the CAA);

WHEREAS, the Councils of both the City of Hamilton and Town of Puslinch on March 31, 2021 ratified the agreement to create a board of eleven members - ten Hamilton members, and one Puslinch member, which is not time limited and with the intention of it being continued by the Hamilton Conservation Authority;

WHEREAS, the City of Hamilton's current complement on the Hamilton Conservation Authority Board of Directors is ten Hamilton members, consisting of five members of Council and five citizens;

WHEREAS, Council in order to comply with Section 14(1.1) of the CAA, for at least 70 per cent of municipal appointments to a conservation authority to be selected from among members of municipal council, Council is required to change the City's current membership (ten Hamilton members) to seven members of Council and three citizens;

WHEREAS, Council on December 7, 2022, appointed Councillors Cassar, Clark, Francis, A. Wilson and M. Wilson, to the Hamilton Conservation Authority Board of Directors for the 2022-2026 Term of Council;

WHEREAS, Council appointed five citizens to the Hamilton Conservation Authority Board of Directors, for a term commencing May 8, 2019, until a successor is chosen; and

WHEREAS, Recruitment for citizens for the Hamilton Conservation Authority Board of Directors, began on February 24, 2023 and concludes on April 6, 2023;

THEREFORE, BE IT RESOLVED:

That the current complement of five elected officials and five citizen appointments from the City of Hamilton to the Hamilton Conservation Authority Board of Directors, be **amended** to reflect the requirement for at least 70 per cent of municipal appointments to a conservation authority to be selected from among members of municipal council, as per the Section 14(1.1) of the *Conservation Authorities Act*, to **seven** elected officials and **three** citizen appointments, effective following the appointment of the three citizens for the 2022-2026 Term of Council.

**(A. Wilson/Beattie)**

That the consideration of the motion respecting an Amendment to the Current City of Hamilton Complement on the Hamilton Conservation Authority Board of Directors, be deferred until the City has received a response to the City of Hamilton's request that the Minister of Natural Resources and Forestry reconsider the Ministry's decision respecting the composition of the Hamilton Conservation Board of Directors.

**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  
NOT PRESENT - Mayor Andrea Horwath  
YES - Ward 4 Councillor Tammy Hwang  
YES - Deputy Mayor - Ward 6 Councillor Tom Jackson  
YES - Ward 2 Councillor Cameron Kroetsch  
YES - Ward 15 Councillor Ted McMeekin  
YES - Ward 3 Councillor Nrinder 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

**7.4 Amendment to Item 7 of Emergency and Community Services Committee Report 22-012 respecting the Adaptation and Transformation of Services for People Experiencing Homelessness Update 6 (HSC20020(f)) (City Wide)****(Nann/Clark)**

WHEREAS, on August 12, 2022 Council approved a grant to Mission Services of Hamilton Inc., ("Mission Services") for capital improvements for the provision of an emergency shelter for men containing 58 permanent emergency shelter beds and 50 transitional beds on the property known municipally as 400 King Street East (the "Property");

WHEREAS, subsequent to Council's approval staff became aware that Mission Services would not be undertaking the capital improvements but instead would be purchasing the Property with the capital improvements completed for the provision for 58 permanent emergency shelter beds and 50 transitional;

WHEREAS, subsequent to Council's approval on August 12, 2022, Mission Services and the owner of the property agreed to extend the closing date of the sale of the Property in order that all the capital improvements to the Property would be completed prior to the closing date resulting an emergency shelter with 58 permanent beds and 50 transitional beds;

WHEREAS, the provision of the grant to Mission Services is required for the purchase of the Property.

THEREFORE, BE IT RESOLVED:

That Item 7(a)(i)1 of Emergency and Community Services Committee Report 22- 012 respecting the Adaptation and Transformation of Services for People Experiencing Homelessness Update 6 (HSC20020(f)) (City Wide), be **amended**, as follows:

- (a) That staff be authorized to implement an interim plan for homelessness system service levels at an approximate cost of \$5.472M for additional pressures in 2022 and to the end of **December 2023**, as follows:
  - (i) In 2022:
    - 1. Subject to such conditions as the General Manager of Healthy and Safe Communities deems appropriate, provide a one-time grant to a maximum amount of \$3.04 M to Mission Services to purchase the property known municipally as 400 King Street East (the "Property") for the purpose of operating a new men's emergency shelter location at the Property instead of at Mission Services' current shelter location at 325 James St. North, and which possesses, at the time of closing of the sale, the necessary capital improvements for the relocation and operation of an emergency shelter for men containing 58 permanent emergency beds and **50** transitional beds; and

**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  
NOT PRESENT - Mayor Andrea Horwath  
YES - Ward 4 Councillor Tammy Hwang  
YES - Deputy Mayor - Ward 6 Councillor Tom Jackson  
YES - Ward 2 Councillor Cameron Kroetsch  
YES - Ward 15 Councillor Ted McMeekin  
YES - Ward 3 Councillor Nrinder 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

**7.5 Resignation and Appointment to the Hamilton Enterprise Holding Corporation Board of Directors****(Francis/Danko)**

- (a) That Council accept Mayor Horwath's resignation from the Hamilton Enterprise Holding Corporation Board of Directors, effective immediately; and
- (b) That Councillor Tammy Hwang be appointed to the Hamilton Enterprise Holding Corporation Board of Directors, for the remainder of the 2022-2026 Term of Council, effective immediately.

**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  
NOT PRESENT - Mayor Andrea Horwath  
YES - Ward 4 Councillor Tammy Hwang  
YES - Deputy Mayor - Ward 6 Councillor Tom Jackson  
YES - Ward 2 Councillor Cameron Kroetsch  
YES - Ward 15 Councillor Ted McMeekin  
YES - Ward 3 Councillor Nrinder 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

**7.6 Amendment to Item 4 of the Public Works Committee Report 21-005, respecting Proposed Permanent Closure and Sale of a Portion of Public Unassumed Alleyway Abutting 63 New Street, Hamilton (PW21021) (Ward 1), which was approved by Council, as amended, on April 28, 2021****(M. Wilson/Nann)**

WHEREAS, Council on April 28, 2021 approved the Proposed Permanent Closure and Sale of a Portion of Public Unassumed Alleyway Abutting 63 New Street, Hamilton (PW21021) (Ward 1); and

WHEREAS, on March 10, 2023, correspondence was provided by 1643055 Ontario Ltd., the new owners of 63 New Street, Hamilton, to the Right-of-Way Coordinator, Public Works Department, requesting that the permanent closure and sale of the unassumed alleyway abutting 63 New Street Hamilton, be rescinded and that the lands remain as an unassumed public alleyway.

THEREFORE, BE IT RESOLVED:

That Item 4 of the Public Works Committee Report 21-005, respecting Proposed Permanent Closure and Sale of a Portion of Public Unassumed Alleyway Abutting 63 New Street, Hamilton (PW21021) (Ward 1), be **amended**, as follows:

**4. Proposed Permanent Closure and Sale of a Portion of Public Unassumed Alleyway Abutting 63 New Street, Hamilton (PW21021) (Ward 1) (Item 9.2)**

- (a) That the application of the owner of 63 New Street, Hamilton, to permanently close and purchase a portion of the public unassumed alleyway, abutting the south side of 63 New Street, Hamilton, running east/west from the westerly limit of the alleyway to the east property limit of 63 New Street, Hamilton ("Subject Lands"), as shown on Appendix "A", attached to Public Works Committee Report 21-005, be **withdrawn**.
- ~~(i) That the applicant makes an application to the Ontario Superior Court of Justice, under Section 88 of the Registry Act, for an order to permanently close the Subject Lands, if required by the City, subject to:~~
- ~~(1) The General Manager of Public Works, or designate, signing the appropriate documentation to obtain any required court order; and,~~
- ~~(2) The documentation regarding any required application to the Ontario Superior Court of Justice being prepared by the applicant, to the satisfaction of the City Solicitor;~~
- ~~(ii) That the applicant be fully responsible for the deposit of a reference plan in the proper land registry office, and that said plan be prepared by an Ontario Land Surveyor, to the satisfaction of the Manager, Geomatics and Corridor Management Section, and that the applicant also deposit a reproducible copy of said plan with the Manager, Geomatics and Corridor Management Section;~~
- ~~(iii) That, subject to any required application to the Ontario Superior Court of Justice to permanently close the Subject Lands being approved:~~
- ~~(1) The City Solicitor be authorized and directed to prepare all necessary by-laws to permanently close and sell the alleyway, for enactment by Council;~~
- ~~(2) That the City Solicitor be authorized to amend and waive such terms as the City Solicitor considers reasonable to give effect to this authorization and direction;~~

- ~~(3) — The Real Estate Section of the Planning and Economic Development Department be authorized and directed to enter into any requisite easement agreements, right of way agreements, and/or other agreements deemed necessary to affect the orderly disposition of the Subject Lands and to proceed to sell the Subject Lands to the owner of 63 New Street, Hamilton, as described in Report PW21021, in accordance with the City of Hamilton Sale of Land Policy By-law 14-204;~~
- ~~(4) — The City Solicitor be authorized to complete the transfer of the Subject Lands to the owner of 63 New Street, Hamilton, pursuant to an Agreement of Purchase and Sale or Offer to Purchase as negotiated by the Real Estate Section of the Planning and Economic Development Department;~~
- ~~(5) — The City Solicitor be authorized and directed to register a certified copy of the by-law permanently closing and selling the alleyway in the proper land registry office; and,~~
- ~~(6) — The Public Works Department publish any required notice of the City's intention to pass the by-law and/or permanently sell the closed alleyway pursuant to City of Hamilton Sale of Land Policy By-law 14-204.~~

**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  
NOT PRESENT - Mayor Andrea Horwath  
YES - Ward 4 Councillor Tammy Hwang  
YES - Deputy Mayor - Ward 6 Councillor Tom Jackson  
YES - Ward 2 Councillor Cameron Kroetsch  
YES - Ward 15 Councillor Ted McMeekin  
YES - Ward 3 Councillor Nrinder 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

**7.7 Amendment to Item 19 of Public Works Committee Report 22-012, respecting Enhanced Safety and Security Measures at John Rebecca Park, 76 John Street North, Hamilton (Beasley Neighbourhood) (Ward 2)**

**(Kroetsch/M. Wilson)**

WHEREAS, Council on August 12, 2022, approved Item 12 of Public Works Committee Report 22-012, respecting Enhanced Safety and Security Measures at John Rebecca Park, 76 John Street North, Hamilton (Beasley Neighbourhood) (Ward 2);

WHEREAS, Corporate Security, working with the Privacy Office, have completed the project specific Privacy Impact Assessment on the use and application of CCTV technology, which resulted in no major issues being highlighted; and

WHEREAS, the Ward 2 Councillor requests at this time, that the CCTV cameras not be installed at John Rebecca Park;

THEREFORE, BE IT RESOLVED:

That Item 19 of the Public Works Committee Report 22-012, respecting Enhanced Safety and Security Measures at John Rebecca Park, 76 John Street North, Hamilton (Beasley Neighbourhood) (Ward 2), be **amended**, by deleting Item 19 in its entirety, as follows:

**19. Enhanced Safety and Security Measures at John Rebecca Park, 76 John Street North, Hamilton (Beasley Neighbourhood) (Ward 2) (Item 11.4)**

~~**WHEREAS, CCTV cameras installed in public parks where criminal acts occur have assisted, in partnership with other parallel reasonable security measures and as investigative tools for law enforcement, to mitigate the likelihood of reoccurrence and impact of the criminal behaviour to the property and its local community;**~~

~~**WHEREAS, John Rebecca Park, located at 76 John Street North in Hamilton, is a recently completed multi-million-dollar urban parkette that replaced a surface asphalt parking lot and received substantial public input on design to serve residents and visitors;**~~

~~**WHEREAS, John Rebecca Park has become an unsafe environment due to an increase in criminal acts that include but are not limited to theft of and vandalism to City property and adjacent properties and businesses, alcohol and drug use, physical altercations, violence, vulgar and offensive graffiti, wire and power theft, encampments, illegal dumping and excessive litter, human defecation and urination, harassment of staff and local businesses;**~~

~~**WHEREAS, City of Hamilton staff cannot ensure a safe play environment at John Rebecca Park;**~~

~~**WHEREAS, all City of Hamilton Staff with work assignments at John Rebecca Park must not attend to the work without the presence of the Hamilton Police Service, as further detailed in Appendix "A";**~~

~~**WHEREAS, many assets within the park such as fixed metal chairs and components of the spray pad have been repeatedly vandalized and stolen and due to the high cost to replace these items and likelihood of repeated damage they have not been replaced and will not be replaced until the vandalism and theft incidents are controlled;**~~

~~**WHEREAS, often, when individuals at John Rebecca Park are approached during multiple daily visits from the Hamilton Police Service, Municipal Law Enforcement, Various Health Outreach teams and City of Hamilton Encampment staff they refuse to welcome the help being offered;**~~

~~**WHEREAS, a recently planned festival for John Rebecca Park was relocated by request of the City of Hamilton Special Events Advisory Team (SEAT) due to the concern for public safety at the park; and**~~

~~**WHEREAS, adjacent businesses to the park have incurred substantially higher maintenance costs due to the same incidents that are occurring in the park and would benefit from support by the City to deal with the impacts on their properties.**~~

~~**THEREFORE, BE IT RESOLVED:**~~

~~**(a) — That following a project specific Privacy Impact Assessment on the use and application of CCTV technology, CCTV cameras be installed including all reasonable mitigating measures recommended through the Privacy Impact Assessment at John Rebecca Park, 76 John Street, Hamilton, at the upset limit of \$35,000, to be funded through the Ward 2 Area Rating Capital Reserve account # 108052 along with an annualized \$1,000 operating impact for PM maintenance;**~~

**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  
NOT PRESENT - Mayor Andrea Horwath  
YES - Ward 4 Councillor Tammy Hwang  
YES - Deputy Mayor - Ward 6 Councillor Tom Jackson  
YES - Ward 2 Councillor Cameron Kroetsch  
YES - Ward 15 Councillor Ted McMeekin  
YES - Ward 3 Councillor Nrinder 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

Deputy Mayor Jackson relinquished the chair to Councillor Nann, in order to move the following motion:

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

**(Jackson/Tadeson)**

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).

**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  
NOT PRESENT - Mayor Andrea Horwath  
YES - Ward 4 Councillor Tammy Hwang  
YES - Deputy Mayor - Ward 6 Councillor Tom Jackson  
YES - Ward 2 Councillor Cameron Kroetsch  
YES - Ward 15 Councillor Ted McMeekin  
YES - Ward 3 Councillor Nrinder 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

Deputy Mayor Jackson assumed the chair.

<b>NOTICES OF MOTION</b>
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Deputy Mayor Jackson relinquished the chair to Councillor Nann, in order to move the following motion:

**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**

**(Jackson/Tadeson)**

That the Rules of Order be waived to allow for the introduction of a motion respecting an Amendment to Item 3 of Board of Health Report 22-008, respecting a Request that the Minister of Natural Resources and Forestry Reconsider the Ministry's Decision respecting the composition of the Hamilton Conservation Board of Directors.

**Result: Motion CARRIED by a 2/3rds 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  
NOT PRESENT - Mayor Andrea Horwath  
YES - Ward 4 Councillor Tammy Hwang  
YES - Deputy Mayor - Ward 6 Councillor Tom Jackson  
YES - Ward 2 Councillor Cameron Kroetsch  
YES - Ward 15 Councillor Ted McMeekin  
YES - Ward 3 Councillor Nrinder 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

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

<b>STATEMENTS BY MEMBERS</b>
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Members of Council used this opportunity to discuss matters of general interest.

**COUNCIL COMMUNICATION UPDATES****(Nann/Francis)**

That the listing of Council Communication Updates from February 17, 2023 to March 23, 2023, be received.

**Result: Motion on the Council Communication Updates from February 17, 2023 to March 23, 2023 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  
 NOT PRESENT - Mayor Andrea Horwath  
 YES - Ward 4 Councillor Tammy Hwang  
 YES - Deputy Mayor - Ward 6 Councillor Tom Jackson  
 YES - Ward 2 Councillor Cameron Kroetsch  
 YES - Ward 15 Councillor Ted McMeekin  
 YES - Ward 3 Councillor Nrinder 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

**PRIVATE AND CONFIDENTIAL**

Council determined that discussion of Item 11.1 and 11.2 was not required in Closed Session; therefore, the matter was addressed in Open Session, as follows:

**11. Closed Session Minutes – February 22, 2023 (Item 11.1) and Closed Session Minutes – March 9, 2023 (Item 11.2)**

**(McMeekin/A. Wilson)**

That the Closed Session Minutes dated February 22, 2023 and March 9, 2023 be approved, as presented, and remain confidential.

**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  
 NOT PRESENT - Mayor Andrea Horwath  
 YES - Ward 4 Councillor Tammy Hwang  
 YES - Deputy Mayor - Ward 6 Councillor Tom Jackson  
 YES - Ward 2 Councillor Cameron Kroetsch  
 YES - Ward 15 Councillor Ted McMeekin

YES - Ward 3 Councillor Nrinder 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

**(Kroetsch/A. Wilson)**

That the Committee move into Closed Session to discuss Item 11.3 respecting Appeal to the Ontario Land Tribunal (OLT) for Lack of Decision on Urban Hamilton Official Plan Amendment Application (UHOPA-18-004) and Zoning By-law Amendment Application (ZAC-18-009) for lands located at 299-307 John Street South and 97 St. Joseph's Drive (LS22007(a)/ PED22038(b)) (Ward 2), 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.

**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  
 NOT PRESENT - Mayor Andrea Horwath  
 YES - Ward 4 Councillor Tammy Hwang  
 YES - Deputy Mayor - Ward 6 Councillor Tom Jackson  
 YES - Ward 2 Councillor Cameron Kroetsch  
 YES - Ward 15 Councillor Ted McMeekin  
 YES - Ward 3 Councillor Nrinder 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

**11.3 Appeal to the Ontario Land Tribunal (OLT) for Lack of Decision on Urban Hamilton Official Plan Amendment Application (UHOPA-18-004) and Zoning By-law Amendment Application (ZAC-18-009) for lands located at 299-307 John Street South and 97 St. Joseph's Drive (LS22007(a)/ PED22038(b)) (Ward 2)**

**(Kroetsch/Hwang)**

(a) That closed session recommendations (a), (b), and (c) attached to Report LS22007(a)/PED22038(b) and Appendix "C" attached to the report, be approved and remain confidential until made public as the City's position before the Ontario Land Tribunal; and,

- (b) That the balance of Report LS22007(a)/PED22038(b) remain confidential.

**CARRIED**

<b>BY-LAWS AND CONFIRMING BY-LAW</b>
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**(Nann/Spadafora)**

That Bills No. 23-040 to No. 23-054, 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:

- 040 To Amend By-law No. 01-215, Being a By-law to Regulate Traffic  
Schedule 9 (No Right Turn on Red Light)  
Ward: 3, 10
- 041 To Establish City of Hamilton Land Described as Block C on Plan 62M-246 as Part of  
Anchor Road  
Ward: 6
- 042 To Establish City of Hamilton Land Described as Block 130 on Plan 62M-1116 as Part of  
Chambers Drive  
Ward: 12
- 043 To Establish City of Hamilton Land Described as Block 66 on Plan 62M-676 as Part of  
Wainwright Boulevard  
Ward: 13
- 044 To Amend By-law No. 21-021, A By-law to Govern the Proceedings of Council and  
Committees of Council  
Ward: City Wide
- 045 To Designate Property Located at 66-68 Charlton Avenue West, City of Hamilton as  
Property of Cultural Heritage Value  
Ward: 2
- 046 To Adopt Official Plan Amendment No. 183 to the Urban Hamilton Official Plan  
Respecting 238 Barton Street (Stoney Creek)  
Ward: 10
- 047 To Amend Zoning By-law No. 3692-92, Respecting Lands Located at 238 Barton Street,  
Stoney Creek  
Ward: 10  
ZAC-19-007
- 048 To Amend Zoning By-law No. 05-200 with respect to lands located at 1557 and  
1565 Rymal Road East and 694 Pritchard Road, Hamilton  
Ward: 6  
ZAC-19-035
- 049 To Authorize the Signing of an Agreement between the City of Hamilton and the Ministry  
of Transportation Related to Funding Provided Under the Dedicated Gas Tax Funds for  
Public Transportation Program  
Ward: City Wide

- 050 Removal of Part Lot Control, Block 246, Registered Plan No. 62M-1257, Municipally Known as 185 Bedrock Drive, Stoney Creek  
Ward: 9  
PLC-21-003E
- 051 To Amend By-law No. 01-218, as amended, Being a By-law To Regulate On-Street Parking  
Schedule 8 (No Parking Zones)  
Schedule 12 (Permit Parking Zones)  
Schedule 13 (No Stopping Zones)  
Schedule 23 (Special Enforcement Area)  
Ward: 1, 2, 3, 4, 6, 8, 9, 11, 12
- 052 To Amend By-law No. 19-180, the City Auditor By-law  
Ward: City Wide
- 053 To Amend By-law No. 19-181, the Whistleblower By-law  
Ward: City Wide
- 054 To Confirm the Proceedings of City Council

**CARRIED**

**(Francis/Tadeson)**

That, there being no further business, City Council be adjourned at 4:28 p.m.

**CARRIED**

Respectfully submitted,

Deputy Mayor Tom Jackson

Andrea Holland  
City Clerk



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Montréal, Tuesday, March 14, 2023

**Subject: International Day Against Homophobia and Transphobia, May 17, 2022**

Hi,

Fondation Émergence's mission is to defend the rights of lesbian, gay, bisexual and trans (LGBTQ+) people. Each year, it organizes the International Day Against Homophobia and Transphobia (May 17), which was created by the Foundation for the first time in the world, in Quebec, in 2003. This day is now recognized nationally and internationally.

For last year's International Day Against Homophobia and Transphobia, Fondation Émergence sent a pride flag (rainbow) to every municipality in Quebec. For this year, we're trying to reach out to every municipality in Canada, this will send a stronger message to the government that the population stand with the LGBTQ+ community. We also invite you to adopt a resolution at City Council to mark this important day (see attached template in the email).

Last year 287 municipalities showed their support for LGBTQ+ people, join the movement to help us reach a new record this year for the 20th anniversary of the Day. [Map of Municipalities - May 17](#)

In addition, we invite you to share a photo on your social networks by tagging @journee17mai with the #17mai so that your municipality can shine a light on its inclusivity throughout Quebec.

If you do not have a flag in your possession, you can send us a request at the following email address: ([courrier@fondationemergence.org](mailto:courrier@fondationemergence.org)) with the complete address of the City Hall and we will be able to send you one at the price of only \$15.

With your support, we continue to make history in Canada and internationally by taking a strong stand against homophobia and transphobia. Together, we can create a country that fully accepts sexual and gender diversity.

Yours sincerely

Laurent Breault  
General Director

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Présentateur officiel



Remerciements à



**Le Flag Shop**  
Bien plus que des drapeaux!

This document is a draft municipal resolution template for the recognition of May 17<sup>th</sup> as  
International Day Against Homophobia and Transphobia.

Please send a certified true copy to [may17mai@fondationemergence.org](mailto:may17mai@fondationemergence.org)

RESOLUTION OF THE MUNICIPAL COUNCIL

OF "Name of your municipality"

Date

Resolution No. "resolution number" - **International Day Against Homophobia and Transphobia**

WHEREAS the Quebec Charter of Human Rights and Freedoms recognizes that no one can be discriminated against on the basis of sexual orientation or gender identity or expression;

WHEREAS Quebec is a society open to everyone, including lesbian, gay, bisexual and trans people (LGBTQ+) and to all other people who identify with sexual diversity and the multiplicity of gender identities and expressions;

WHEREAS, despite recent efforts towards greater inclusion of LGBTQ+ people, homophobia and transphobia are still present in society.

WHEREAS May 17<sup>th</sup> is the International Day Against Homophobia and Transphobia, is celebrated as such in many countries and is the result of a Quebec-based initiative promoted by Fondation Émergence starting in 2003.

WHEREAS there is reason to support the efforts of Fondation Émergence in holding this day;

It is resolved to proclaim May 17 INTERNATIONAL DAY AGAINST HOMOPHOBIA AND TRANSPHOBIA and to recognize this day as such.

ADOPTED UNANIMOUSLY

Certified true copy

SIGNATURE

Name

Title



International Day Against  
**Homophobia and Transphobia**

Andrea Holland  
Clerk, City of Hamilton

March 7, 2023

Re: Per Diem for Members of Council Appointed to Other Bodies

You have asked whether members of Council appointed to sit as members of other bodies may collect a per diem for such membership. It has been suggested that receiving a per diem for such activity may constitute a contravention of the Council Code of Conduct which provides as follows:

SECTION 4: GIFTS AND BENEFITS

4. (1) No Member shall accept a fee, advance, gift or benefit, that is connected, directly or indirectly, with the performance of the Members duties or responsibilities of or in office, except as permitted by one or more of the exceptions listed in subsection 4(3).

In our view, receiving a per diem for membership and attendance on another body, such as a conservation authority, an energy board or a police service board, where one is provided, does not contravene the gifts policy contained in the Code of Conduct.

There is also nothing in the *Municipal Act* which would preclude a member of Council from receiving such per diem. In fact, across the province of Ontario, there are quite a number of boards which compensate appointees, including members of Council, for attendance at meetings, and that practice is quite acceptable under the legislation. The amount involved ought to be included and reflected in the Council Remuneration Report.

We trust this provides the clarification you require on this issue.

Principles *Integrity*,  
Integrity Commissioner for the City of Hamilton

**Ministry of Natural Resources and Forestry**

Resources Planning and Development  
Policy Branch  
Policy Division  
300 Water Street  
Peterborough, ON K9J 3C7

**Ministère des Richesses naturelles et des Forêts**

Direction des politiques de planification et d'exploitation des ressources  
Division de l'élaboration des politiques  
300, rue Water  
Peterborough (Ontario) K9J 3C7

Notice: Proposed changes to the OGSRA to regulate projects to test or demonstrate new or innovative activities, such as geologic carbon storage, and to safeguard people and the environment

Hello,

I am pleased to inform you that the Ministry of Natural Resources and Forestry is seeking feedback on a proposal that is part of our plan to develop a framework to regulate new technologies, such as geologic carbon storage. This plan is outlined in a Roadmap that was released in November 2022 and can be viewed on our website at: <https://www.ontario.ca/page/geologic-carbon-storage>.

This proposal builds on previous proposals and the feedback we received related to geologic carbon storage, including a discussion paper released in early 2022 and amendments proposed in November that removed the prohibition on carbon storage from the *Oil, Gas and Salt Resources Act* (the Act).

The changes currently being proposed to the Act have been introduced through Bill 91, Less Red Tape, Stronger Economy Act, 2023. These changes, together with regulatory changes that would be proposed in the future, would allow approval to be sought for projects proposed to test or demonstrate new or innovative activities, such as geologic carbon storage. Further changes under other legislation would be required before carbon storage projects could be authorized on Crown land.

If approved, these changes would provide flexibility in authorization processes and requirements to better address technological innovation to support Ontario's changing energy needs, decarbonization efforts, and reduction of greenhouse gas emissions.

Additional changes proposed would enhance or create new tools to safeguard people and the environment and would apply to all activities regulated under the Act. These tools include new inspector's orders, court orders and clarifying the Minister's ability to consider past non-compliance with the Act in decision-making.

This proposal is available for review on the Ontario Legislative Assembly website: <https://www.ola.org/en/legislative-business/bills/parliament-43/session-1/bill-91>. The

province is also seeking feedback on the proposed changes through the Environmental Registry of Ontario: <https://ero.ontario.ca/notice/019-6752>. A Decision Notice will also be posted soon regarding the removal of the prohibition on carbon storage from the Act. Feedback on the proposed changes can be provided directly to the ministry or through the environmental registry.

If you would like more information or have any questions about the proposed changes, please contact Andrew Ogilvie, Manager of Resources Development Section, at 705-761-5815 or through email: [Resources.Development@ontario.ca](mailto:Resources.Development@ontario.ca).

Sincerely,



Jennifer Keyes

Director, Resources Planning and Development Policy Branch

**ATTN: HAMILTON CITY COUNCIL**

**5.4**

**RE: Letter of Support – Motion to Amend Hamilton’s Board of Health**

**5 April 2023**

Our social identities, the amount of money in our bank-accounts, and the income our parents had when we were born, drastically impact our health. The COVID pandemic highlighted known and avoidable inequities in access and healthcare outcomes that disproportionately impact Black, Indigenous, and racialized people. Striving for a more equitable world while ignoring structural or institutional change is like trying to survive a fire by barricading yourself in the room the flames have yet to reach, but not extinguishing the flames. Structural inequities necessitate structural changes.

In March 2021, community representatives, health care providers and physicians delegated to Hamilton’s Board of Health, sharing their expertise, lived experiences, and recommendations to help improve the board's structure. A system where elected officials with a singular physician (who do not collectively represent the demographics of the communities they serve) decide the fate of our communities is a system designed to fail diverse and marginalized communities. These representatives provided data on restructures that had occurred in other cities which included community members and health care providers on their Boards of Health.

As two racialized physicians living or working in Hamilton, we share our dreams of a better Hamilton.

***Dr. Johnson’s lived experience:***

I am a pediatrician and Adolescent Medicine Specialist, compelled to raise my voice as a Black woman raising two Black sons in the GTA and who has been working exclusively in the city of Hamilton for the past 17 years.

I realize that being a medical doctor confers a certain amount of power and privilege. But my MD does not immunize me against systemic racism and discrimination. When I walk the streets, enter a hospital, encounter a police officer, walk into a principal's office, a court room or city hall, I enter that situation with fear and dread based on my own lived experience and the well documented narrative of Blackness in North America, whereby my knowledge and skills as an experienced physician can instantly evaporate in the face of white women’s tears. Any discourse from me, no matter how measured, risks being portrayed and responded to as an unwarranted attack. My presence: experienced as an invasion. My opinion: uppity. Even in spaces supposedly designed to help. Biases about me, Black, Indigenous, and racialized people can cause premature death. Racism killed Joyce Eshaquan and Murray Sinclair. That they had treatable medical conditions irrelevant to their outcomes.

***Dr. Menezes' lived experience:***

As a racialized physician and researcher, my work focuses on studying how our racial identities shape how much we can achieve in our society. Healthcare is far from race-neutral: Our political and health structures have, and continue to be, shaped by our Colonial history. Evidenced by the unshakable fear I feel when accompanying family members to health appointments, the anxiety and mistrust we, our families, and our communities face when entering a health care system designed by, and for white Canadians. As the COVID pandemic unfolded, we watched as our racialized communities were villainized, and racialized people disproportionately died.

Our health is shaped by so much more than our biology. Rather, our health results from complex interactions between our biology, politics, socioeconomic status, and our experiences with the healthcare system. Improving access to healthcare and increasing trust in such a system cannot be done without being informed by the lived experiences of our community members.

The practice of electing politicians and our governmental representatives form the structure of the social institution of the communities we live in. Far from an actual, tangible, ivory tower, social institutions are the set of unsaid rules that all members of society follow. The power they wield over the population is drawn from the fact that we all fall in line without question, because this is what we've always done. But when we break down these powerful systems and structures in our society to this simple fact, we can see just how powerful each and every one of our individual actions are in affecting societal change. All you have to do is dare to disrupt the status quo.

So Hamilton's Board of Health has only ever been made up of elected members of council. But it doesn't have to be. On what grounds can spending \$50,000 on a consultation to obtain this same information be justified? We ask each and every Hamiltonian: when it comes to the people deciding on the fate of the health and lives of you, your families, loved ones, and communities, why is City Council even debating having representatives who are qualified to understand how these actions will impact us?

***Jointly:***

As racialized individuals, we learn to walk a tightrope delicately balancing between the acuity of our life saving demands and how to articulate them in a way that people will not only hear, but recognize our professional qualifications to make recommendations based on decades of specialized study. We will continue to delegate to city council to collaborate in building a new system that will serve every member of our community. After all, there are lives depending on it.

Sincerely,



***Natasha Johnson, MD, FAAP, FRCPC***



***Anjali Menezes, MBBS, MClined, CCFP***



## **BOARD OF HEALTH REPORT 23-004**

**9:30 a.m.**

**Monday, April 3, 2023**

Council Chambers, City Hall, 2<sup>nd</sup> Floor  
71 Main Street West, Hamilton, Ontario

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**Present:** Councillor M. Wilson (Vice-Chair)  
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

**Absent with  
Regrets:** Mayor A. Horwath (Chair) - Personal  
Councillor N. Nann - Personal

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### **THE BOARD OF HEALTH PRESENTS REPORT 23-004 AND RESPECTFULLY RECOMMENDS:**

**1. Public Health Services COVID-19 After-Action Report (BOH23012) (City  
Wide) (Item 9.1)**

That Report BOH23012, respecting Public Health Services COVID-19 After-Action Report, be received.

**2. Dental Program New Build at Upper James Site (BOH23014) (City Wide) (Item 9.2)**

That Report BOH23014, respecting Dental Program New Build at Upper James Site, be received.

**3. Dental Program Specification Around Procurement (BOH23013) (City Wide) (Item  
10.1)**

That Public Health Services' Dental Program be authorized to standardize the items and products listed in Appendix "A" to Report BOH23013, with purchases to be in compliance with the policies below, as applicable, for a period of five years:

- (i) Policy # 5.1 – Low Dollar Value Procurements;
- (ii) Policy # 5.2 – Request for Quotations;
- (iii) Policy # 5.3 – Request for Tenders; or,
- (iv) Policy # 5.4 – Requests for Proposals.

**FOR INFORMATION:**

**(a) CHANGES TO THE AGENDA (Item 2)**

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

The agenda for the April 3, 2023 Board of Health was approved, as presented.

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

There were no declarations of interest.

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

**(i) March 20, 2023 (Item 4.1)**

The Minutes of the March 20, 2023 meeting of the Board of Health were approved, as presented.

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

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

- (a) Correspondence from Ann-Marie Kungl, Board Chair, Simcoe Muskoka District Health Unit, respecting Support for Bill S-254, An Act to Amend the Food and Drugs Act (Warning Label on Alcoholic Beverages) (Item 5.1)

Recommendation: Be endorsed.

- (b) Correspondence from Elizabeth Walker, Executive Lead, Office of the Chief Medical Officer of Health, respecting Carry Over of 2022-23 Ontario Seniors Dental Program Capital Project Funding - City of Hamilton, Public Health Services - Public Health Funding and Accountability Agreement (Accountability Agreement) (Item 5.2)

Recommendation: Be received and the Medical Officer of Health be authorized and directed to receive, utilize, and report on the use of these funds.

- (c) Correspondence from Sylvia Jones, Deputy Premier and Minister of Health, and Dr. Kieran Moore, Chief Medical Officer of Health, respecting One-Time Funding for Public Health Programs (Item 5.3)

Recommendation: Be received and the Medical Officer of Health be authorized and directed to receive, utilize, and report on the use of these funds.

- (d) Correspondence from Joe Preston, Board of Health Chair, Southwestern Public Health, and Cynthia St. John, Chief Executive Officer, Southwestern Public Health, respecting Support for alPHA's 2023 Pre-Budget Submission (Item 5.4)

Recommendation: Be Received.

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

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

The following amendments to the Board of Health's Outstanding Business List, were approved.

- (1) Items Considered Complete and Needing to be Removed (Item 13.1(a))
  - (i) Follow-up: Alcohol, Drug, & Gambling Services and Community Mental Health Promotion Budget 2022-2023 (BOH22012(b)) (City Wide) (Item 13.1(a)(a))  
OBL Item: 2022-H  
Date Added: November 28, 2022 (BOH Report 22-011 as amended by Council - Item 4(d))  
Date Completed: February 7, 2023 (GIC Budget Report 23-001 - Item 19)
  - (ii) Opioid Emergency Response (Item 13.1)(a)(b))  
OBL Item: 2023-A  
Date Added: January 12, 2023 - Special GIC Report 23-002 (Item 1(a))  
Date Completed: March 20, 2023 (BOH Report 23-003 - Item 3)

**(h) ADJOURNMENT (Item 15)**

That, there being no further business, the Board of Health be adjourned at 10:35 a.m.

Respectfully submitted,

Councillor Maureen Wilson  
Chair, Board of Health

Matt Gauthier  
Legislative Coordinator  
Office of the City Clerk

**Dental Program Procurement Specification:  
Standardized Equipment to Maintain Warranties**

<b>Equipment Brand Name</b>	<b>Standardized Products Required to Maintain Equipment Warranties</b>	<b>Annual Spend</b>
Assistina Handpiece oiler	W&H Cleaning Liquid	\$287.97
Assistina Handpiece oiler	BA International Ltd Service Oil	\$650.37
Quattrocare Plus Handpiece Oiler	QUATTROcare Plus Spray	\$645.45
Instruments	Pro eze (for instruments that need to sit unsterilized for 24H+)	\$139.14
Hydrim instrument washer	HIP Ultra Cleaning Solution	\$2,410.56
Hydrim instrument washer	Sci Can Water Softener Salt	\$620.64
Attest Auto Reader incubator for BI	Attest BI indicator Vials	\$22,578.48
Maxill steri-sox ID+ labeling gun for sterilization	Maxill steri-sox instrument reprocessing label stickers	\$2,705.28
Maxill steri-sox ID+ labeling gun for sterilization	Maxill steri-sox ink roller	\$101.88
Guttacore Oven to heat up gutta percha (root canal material)	Guttacore Obturators	\$391.44
Dentapure sticks	Sensafe Iodine test strips	\$250.98
Microsure H2O Water test kits	Microsure shock	\$146.82
Miele Instrument Washer and Disinfectors	ProCare Washer Test Monitor Kt	\$1,180.68
Miele Instrument Washer and Disinfectors	ProCare Dent 30C Neutralizer	\$3,686.16
Miele Instrument Washer and Disinfectors	ProCare Dent Salt	\$834.96
Miele Instrument Washer and Disinfectors	ProCare Dent Solution Rinse	\$1,313.75
Miele Instrument Washer and Disinfectors	ProCare Dent Alkaline Detergent	\$4,703.76
		\$42,648.32



**PUBLIC WORKS COMMITTEE  
REPORT 23-004**

1:30 p.m.

Monday, April 3, 2023

Council Chambers

Hamilton City Hall

71 Main Street West

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**Present:** Councillors N. Nann (Chair), E. Pauls (Vice-Chair), J. Beattie, C. Cassar, J. P. Danko, M. Francis, T. Jackson, C. Kroetsch, T. McMeekin, M. Spadafora, A. Wilson, M. Wilson

**Also Present:** Councillor T. Hwang

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**THE PUBLIC WORKS COMMITTEE PRESENTS REPORT 23-004 AND  
RESPECTFULLY RECOMMENDS:**

**1. Hamilton Street Railway (HSR) Public Safety Update (PW23025) (City Wide) (Item 9.1)**

That Report PW23025, respecting Hamilton Street Railway (HSR) Public Safety Update, be received.

**2. Hamilton Street Railway (HSR) Vibration Study (PW23022) (City Wide) (Item 9.2)**

That Report PW23022, respecting Hamilton Street Railway (HSR) Vibration Study, be received.

**3. Accessible Transit Services (ATS) Eligibility Audit Management Response Report (PW21055(b)) (City Wide) (Item 9.3)**

That Report PW21055(b), respecting Accessible Transit Services (ATS) Eligibility Audit Management Response Report, be received.

- 4. (Re)envision the Hamilton Street Railway – the (re)Designed HSR Network (PW23021) (City Wide) (Item 11.1)**
- (a) That the General Manager, Public Works or designate, be directed to seek stakeholder feedback on the concept network through formal public consultation completed by September 30, 2023;
  - (b) That the General Manager, Public Works or designate, be directed to review the Council-approved Service Standards considering equity;
  - (c) That the General Manager, Public Works or designate, be directed to review the Council-approved Urban Transit Area (UTA) boundary; and
  - (d) That the General Manager, Public Works or designate, be directed to report back to Council in Q1 2024 with a new Transit growth plan to include:
    - (i) A phasing and implementation strategy of the concept network.
    - (ii) A financial strategy (capital and operating) for the phasing and implementation of the concept network.
    - (iii) A communications strategy for the phasing and implementation of the concept network.
    - (iv) A ridership and revenue forecast for the concept network at full implementation.
    - (v) Recommendations on any changes or updates to the Service Standards to align with Council’s priority for equity, diversity and inclusion and multi-modal accessible transportation.
    - (vi) Recommendations on any changes to the UTA to support transit growth within the current and expanding Urban Boundary to align with Council’s priority for integrated growth and development; and
  - (e) That, through the formal public consultation, the General Manager, Public Works or designate, be directed to solicit feedback respecting the suitability of advertising wraps on HSR vehicle windows and how this may detract from efforts to attract future riders and whether these wraps support efforts to grow ridership and the quality of public transit travel.

**5. myRide Waterdown On-Demand Pilot Review (PW23023) (Ward 15) (Item 11.2)**

- (a) That myRide Waterdown on-demand pilot that commenced on September 7, 2021, be considered complete;
- (b) That the hybrid transit service, introduced on November 7, 2022 and currently operating as a combination of fixed route service and myRide on-demand service, continue to operate as the recommended transit solution for Waterdown; and
- (c) That the General Manager, Public Works or designate, be directed to incorporate any future changes to service in Waterdown or any future introductions of on-demand service into the Transit growth plan recommendations.

**6. Hamilton Street Railway (HSR) Fare Policies (PW23024) (City Wide) (Item 11.3)**

- (a) That the General Manager, Public Works or designate, be directed to implement free fare as a permanent fare concession program for children ages 6-12 who use a PRESTO card, effective May 1, 2023; and
- (b) That the General Manager, Public Works or designate, be directed to seek stakeholder feedback on the Fare Assist Program through public consultation to be completed by May 31, 2023, with a recommendation back to the Public Works Committee.

**7. Playground Improvements at Henry & Beatrice Warden Park, 55 Lake Avenue North, Hamilton (Ward 5) (Item 12.1)**

WHEREAS, the parks in Ward 5 provide valuable recreation and connectivity opportunities to residents;

WHEREAS, Henry & Beatrice Warden Park is located in the Riverdale West neighbourhood, 55 Lake Avenue North, Hamilton;

WHEREAS, the City of Hamilton's Parks & Cemeteries 2022/2023 Capital Workplan includes replacement and upgrades to the playground equipment; and

WHEREAS, additional funding is needed to replace and relocate the existing swing area.

THEREFORE, BE IT RESOLVED:

- (a) That the design and installation of a replacement swing area, including safety surfacing, at Henry & Beatrice Warden Park, 55 Lake Avenue North, Hamilton, to be funded from the Ward 5 Special Capital Re-Investment Reserve Fund (#108055) to an upset limit of \$32,000, be approved;
- (b) That the General Manager of Public Works be authorized and directed to approve and execute all required agreements and ancillary documents, with such terms and conditions in a form satisfactory to the City Solicitor related to the design and installation of a replacement swing area, including safety surfacing, at Henry & Beatrice Warden Park, 55 Lake Avenue North, Hamilton.

**8. Pathway Improvements at Sam Manson Park, 80 Nash Road North, Hamilton (Ward 5) (Item 12.2)**

WHEREAS, the parks in Ward 5 provide valuable recreation and connectivity opportunities to residents;

WHEREAS, Sam Manson Park, is located in the Kently neighbourhood, 80 Nash Road North, Hamilton; and

WHEREAS, the existing Sam Manson park pathway has deteriorated and would benefit from replacement.

THEREFORE, BE IT RESOLVED:

- (a) That the replacement of the asphalt pathways located in Sam Manson Park, 80 Nash Road North, Hamilton, to be funded from the Ward 5 Special Capital Re-Investment Reserve Fund (#108055) to an upset limit of \$90,000, be approved;
- (b) That the General Manager of Public Works be authorized and directed to approve and execute all required agreements and ancillary documents, with such terms and conditions in a form satisfactory to the City Solicitor related to the replacement of the asphalt pathways located in Sam Manson Park, 80 Nash Road North, Hamilton.

**9. Ottawa Street South and Maple Avenue Pedestrian Crossing (Wards 3 and 4)  
(Item 12.3)**

WHEREAS, the Ward 3 Complete Streets Report identified areas of concerns and recommendations to provide a safer environment for all road users on neighbourhood roads based on Vision Zero and Complete Streets principles;

WHEREAS, the need for safe pedestrian crossing at Maple Avenue and Ottawa Street South was identified by residents in the Crown Point area as a safety concern hotspot in Ward 3 Complete Streets Report;

WHEREAS, at the top of the hierarchy of need in Vision Zero principles is the child pedestrian;

WHEREAS, many school routes require children, the most vulnerable road users to cross at major arterial roads to get to school and the intersection of Maple Avenue and Ottawa Street South is an active pathway for children to get to Memorial City School;

WHEREAS, Ottawa Street South is the boundary of Ward 3 and Ward 4 and both offices are prepared to jointly invest in the best technical solution to ensure safe crossing; and

WHEREAS, the Transportation Operations & Maintenance Division completed an assessment of the intersection and determined that an intersection pedestrian signal (IPS) is warranted.

THEREFORE, BE IT RESOLVED:

- (a) That the design and installation of an intersection pedestrian signal at the intersection of Ottawa Street South and Maple Avenue be funded equally from the Ward 3 Capital Re-Investment Reserve #108053 and the Ward 4 Capital Re-Investment Reserve #108054 at an upset limit, including contingency, not to exceed \$200,000; 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 related to the design and installation of an intersection pedestrian signal at the intersection of Ottawa Street South and Maple Avenue.

**10. Waste Pickup for Large Community Cleanups (Item 12.4)**

WHEREAS large community park and alleyway cleanups have been coordinated across the City of Hamilton for many years; and

WHEREAS the City does not currently fully support waste pickup for large community cleanups.

THEREFORE, BE IT RESOLVED:

That City staff report back to the May 15, 2023 meeting of the Public Works Committee on what would be needed to ensure that the City can fully support waste pickup for large community cleanups including the need for safety equipment and training.

**11. Maintenance and Beautification of Birch Avenue Greenspace and Gardens (Ward 3) (Item 12.5)**

WHEREAS, local residents have put time, money and effort into beautifying the Birch Avenue Greenspace over the past number of years;

WHEREAS, this has become a beautiful space to welcome folks to Hamilton who enter the City along Birch Avenue, coming south from Burlington Street East;

WHEREAS, the Birch Avenue Greenspace has become a gathering space and point of pride for local community;

WHEREAS, the GALA Planning Committee has identified individuals willing to provide maintenance to the Birch Avenue Greenspace at a paid rate for the 2023 growing season; and

WHEREAS, Kiwanis is willing to provide funding to the up-keep of the Birch Avenue Greenspace for \$1,000 as long as there is matching funding provided from another source.

THEREFORE, BE IT RESOLVED:

- (a) That \$1,000 of matching funds to be allocated from the Ward 3 Bell Tower Funds Non-Property Tax Revenue Account (3301609603) to GALA Planning Committee towards the efforts of maintaining the Birch Avenue Greenspace;

- (b) That staff be directed to review the delegation requests from the Public Works Committee on March 20, 2023 regarding support for water access to help maintain the Birch Avenue Greenspace and report back with possible recommendations that could also be applied city wide where applicable; and
- (c) 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

**12. Park Pathway Replacements at Ferris Park, 25 Lynwood Drive, and Hunter Estates Park, 314 MacIntosh Drive, Hamilton (Ward 10) (Item 12.6)**

WHEREAS, there are extensive park pathway systems in Ferris Park 25, Lynwood Drive, and Hunter Estates Park, 314 MacIntosh Drive, that connect residents to the park and greater Poplar Park and Guernsey neighbourhoods; and

WHEREAS, these pathways have surpassed their useful life span and need to be replaced to ensure a smooth, accessible path surface.

THEREFORE, BE IT RESOLVED:

- (a) That funds for the park pathway replacements at Ferris Park, 25 Lynwood Drive, and Hunter Estates Park, 314 MacIntosh Drive, Hamilton, to be funded from the Ward 10 Councillor Priority Minor Maintenance account is 4031911610, at an upset limit, including contingency, not to exceed \$400,000, be approved; and
- (b) That the Mayor and City Clerk be authorized and directed to approve and execute all required agreements and ancillary documents, with such terms and conditions in a form satisfactory to the City Solicitor related to the park pathway replacements at Ferris Park, 25 Lynwood Drive, and Hunter Estates Park, 314 MacIntosh Drive, Hamilton.

**13. Installation of a Drinking Water Fountain with Bottle Filler in Newlands Park, 137 Lynbrook Drive, Hamilton (Ward 8) (Item 12.7)**

WHEREAS, Newlands Park, 137 Lynbrook Drive, Hamilton, is an active neighbourhood park supporting the Rolston Neighbourhood and beyond;

WHEREAS, new recreational amenities were added to the park in 2022 through the area-rating fund, to support active recreation and promote health and fitness; and

WHEREAS, the addition of a new water drinking fountain would support residents' access to water and mitigate single use plastic.

THEREFORE, BE IT RESOLVED:

- (a) That staff be directed to install a water drinking fountain with bottle filler in Newlands Park, 137 Lynbrook Drive, Hamilton, to be funded from the Ward 8 Special Capital Re-Investment Reserve Fund (#108058) at an amount not to exceed \$65,000;
- (b) That the annual operating impacts for the required maintenance and repairs for the water drinking fountain in Newlands Park, 137 Lynbrook Drive, Hamilton, be included in the 2024 Public Works Department base operating budget; and
- (c) 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, related to the drinking water fountain in Newlands Park, 137 Lynbrook Drive, Hamilton.

**14. Pedestrian Lighting Improvements at T. Melville Bailey Park, 45 Cloverhill Road, Hamilton (Ward 8) (Item 12.8)**

WHEREAS, T. Melville Bailey Park, 45 Cloverhill Road, is an active neighbourhood park in Ward 8 with pathways that promote active transportation through the community;

WHEREAS, parks provide local opportunities for physical fitness and recreation, throughout the year; and

WHEREAS, the pedestrian pathway lighting that exists in T. Melville Bailey Park supporting commuters and park users is in need of lifecycle replacement.

THEREFORE, BE IT RESOLVED:

- (a) That \$60,000 be allocated from the Ward 8 Special Capital Re-Investment Reserve (#108058), to implement replacement pedestrian lighting along the path through T. Melville Bailey Park, 45 Cloverhill Road, Hamilton; 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, related to the replacement of pedestrian lighting along the path through T. Melville Bailey Park, 45 Cloverhill Road, Hamilton.

**FOR INFORMATION:**

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

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

**5. COMMUNICATIONS**

- 5.1 Correspondence from Anna Roberts, Lakewood Beach Community Council, respecting Item 11.2 myRide Waterdown On-Demand Pilot Review (PW23023)

**6. DELEGATION REQUESTS**

- 6.2 Delegation Requests respecting how the City of Hamilton can Make the Hamilton Street Railway (HSR) Frequent, Electric and Free (for a future meeting)

- (c) Christine McNabb, Council of Canadians, Hamilton Chapter

- 6.3 Delegation Requests respecting Item 9.3, ATS Eligibility Audit Management Response Report (PW21055(b)) (City Wide) (for today's meeting)

- (e) James Kemp, Advisory Committee for Persons with Disabilities

**8. STAFF PRESENTATIONS**

- 8.1 Transit: Public Works, April 3, 2023

The Agenda for the April 3, 2023 Public Works 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) March 20, 2023 (Item 4.1)**

The Minutes of the March 20, 2023 meeting of the Public Works Committee were approved, as presented.

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

**(i) Correspondence from Anna Roberts, Lakewood Beach Community Council, respecting Item 11.2 myRide Waterdown On-Demand Pilot Review (PW23023) (Item 5.1)**

Correspondence from Anna Roberts, Lakewood Beach Community Council, respecting Item 11.2 myRide Waterdown On-Demand Pilot Review, was received and referred to the consideration of Item 11.2.

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

The following Delegation Requests were approved:

- (i) Rosemary Lukosius, Ainslie Wood Community Association, respecting the Waste Calendar (for a future meeting) (Item 6.1)
- (ii) Delegation Requests respecting how the City of Hamilton can Make the Hamilton Street Railway (HSR) Frequent, Electric and Free (for a future meeting) (Item 6.2)
  - (a) Edward Reece, Council of Canadians, Hamilton Chapter (Item 6.2(a))
  - (b) Jason Hindle, Hamilton 350 (Item 6.2(b))
  - (c) Christine McNabb, Council of Canadians, Hamilton Chapter (Item 6.2(c))
- (iii) Delegation Requests respecting Item 9.3, ATS Eligibility Audit Management Response Report (PW21055(b)) (City Wide) (for today's meeting)
  - (a) Susanne Craig, Adult Community Support Program (Item 6.3(a))

- (b) Aznive Mallett, Advisory Committee for Persons with Disabilities (Item 6.3(b))
- (c) Tim Nolan, Accessibility Hamilton Alliance (Item 6.3(c))
- (d) Tiffany Garvey, Accessibility Hamilton Alliance (Item 6.3(d))
- (e) James Kemp, Advisory Committee for Persons with Disabilities (Item 6.3(e))

**(f) DELEGATIONS (Item 7)**

**(i) Delegations respecting Item 9.3, ATS Eligibility Audit Management Response Report (PW21055(b)) (City Wide) (Item 7.1)**

The following delegates addressed the Committee respecting Item 9.3, ATS Eligibility Audit Management Response Report:

- (a) Susanne Craig, Adult Community Support Program (Item 7.1(a))  
  
Susanne Craig was not present when called upon.
- (b) Aznive Mallett, Advisory Committee for Persons with Disabilities (Item 7.1(b))
- (c) Tim Nolan, Accessibility Hamilton Alliance (Item 7.1 (c))
- (d) Tiffany Garvey, Accessibility Hamilton Alliance (Item 7.1 (d))
- (e) James Kemp, Advisory Committee for Persons with Disabilities (Item 7.1 (e))

The following delegations, were received:

- (i) Delegations respecting Item 9.3, ATS Eligibility Audit Management Response Report (PW21055(b)) (City Wide)
  - (b) Aznive Mallett, Advisory Committee for Persons with Disabilities
  - (c) Tim Nolan, Accessibility Hamilton Alliance
  - (d) Tiffany Garvey, Accessibility Hamilton Alliance
  - (e) James Kemp, Advisory Committee for Persons with Disabilities

**(g) STAFF PRESENTATIONS (Item 8)**

**(i) Transit: Public Works, April 3, 2023 (Item 8.1)**

Maureen Cosyn Heath, Director of Transit, provided the Committee with an overview of Report PW23021, (Re)envision the HSR – the (re)Designed HSR Network; Report PW23022, Hamilton Street Railway (HSR) Vibration Study; PW23023, myRide Waterdown On-Demand Pilot Review; Report PW23024, Hamilton Street Railway (HSR) Fare Policies; Report PW23025, Hamilton Street Railway (HSR) Public Safety Update and Report PW21055(b), Accessible Transit Services (ATS) Eligibility Audit Management Response Report, with the aid of a PowerPoint presentation.

The presentation from Maureen Cosyn Heath, Director of Transit, respecting Transit: Public Works, April 3, 2023, was received.

**(h) DISCUSSION ITEMS (Item 11)**

**(i) (Re)envision the HSR – the (re)Designed HSR Network (PW23021) (City Wide) (Item 11.1)**

- (a) That the General Manager, Public Works or designate, be directed to seek stakeholder feedback on the concept network through formal public consultation completed by September 30, 2023;
- (b) That the General Manager, Public Works or designate, be directed to review the Council-approved Service Standards considering equity;
- (c) That the General Manager, Public Works or designate, be directed to review the Council-approved Urban Transit Area (UTA) boundary; and
- (d) That the General Manager, Public Works or designate, be directed to report back to Council in Q1 2024 with a new Transit growth plan to include:
  - (i) A phasing and implementation strategy of the concept network.
  - (ii) A financial strategy (capital and operating) for the phasing and implementation of the concept network.

- (iii) A communications strategy for the phasing and implementation of the concept network.
- (iv) A ridership and revenue forecast for the concept network at full implementation.
- (v) Recommendations on any changes or updates to the Service Standards to align with Council's priority for equity, diversity and inclusion and multimodal accessible transportation.
- (vi) Recommendations on any changes to the UTA to support transit growth within the current and expanding Urban Boundary to align with Council's priority for integrated growth and development.

Report PW23021, respecting (Re)envision the HSR – the (re)Designed HSR Network, was **amended** by adding recommendation (e), to read as follows:

- (e) ***That, through the formal public consultation, the General Manager, Public Works or designate, be directed to solicit feedback respecting the suitability of advertising wraps on HSR vehicle windows and how this may detract from efforts to attract future riders and whether these wraps support efforts to grow ridership and the quality of public transit travel.***

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

**(i) MOTIONS (Item 12)**

Councillor Nann relinquished the Chair to Councillor Pauls in order to introduce the following Motions:

- (i) Ottawa Street South and Maple Avenue Pedestrian Crossing (Wards 3 and 4) (Item 12.3)**

For disposition of this matter, refer to Item 9.

- (ii) Maintenance and Beautification of Birch Avenue Greenspace and Gardens (Ward 3) (Item 12.5)**

For disposition of this matter, refer to Item 11.

Councillor Nann assumed the Chair for the remainder of the meeting.

**(j) ADJOURNMENT (Item 16)**

That there being no further business, the meeting adjourned at 5:26 p.m.

Respectfully submitted,

Councillor Nann, Chair,  
Public Works Committee

Carrie McIntosh  
Legislative Coordinator  
Office of the City Clerk



**PLANNING COMMITTEE  
REPORT  
23-005**

April 4, 2023  
9:30 a.m.

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

**Present:** Councillor J.P. Danko (Chair)  
Councillor T. Hwang (1st Vice Chair)  
Councillor C. Cassar (2nd Vice Chair)  
Councillors J. Beattie, E. Pauls, M. Francis,  
C. Kroetsch, T. McMeekin, N. Nann, M. Tadeson, A. Wilson,  
M. Wilson

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**THE PLANNING COMMITTEE PRESENTS REPORT 23-005 AND RESPECTFULLY RECOMMENDS:**

1. **Active Official Plan Amendment, Zoning By-law Amendment, and Plan of Subdivision Applications (PED23054) (City Wide) (Item 9.1)**  
  
That Report PED23054 respecting Active Official Plan Amendment, Zoning By-law Amendment, and Plan of Subdivision Applications, be received.
2. **Appeal of Urban Hamilton Official Plan Amendment Application UHOPA-22-022 and Zoning By-law Amendment Application ZAC-22-048 to the Ontario Land Tribunal (OLT) for Lack of Decision for Lands Located at 2900 King Street East, Hamilton (PED23073) (Ward 5) (Item 9.2)**  
  
That Report PED23073 respecting Appeal of Urban Hamilton Official Plan Amendment Application UHOPA-22-022 and Zoning By-law Amendment Application ZAC-22-048 to the Ontario Land Tribunal (OLT) for Lack of Decision for Lands Located at 2900 King Street East, Hamilton, be received.
3. **Hamilton Municipal Heritage Committee Report 23-003 (Item 11.1)**
  - (a) **Heritage Permit Application HP2023-005, Under Part V of the Ontario Heritage Act, for the Erection of a Rear Detached Accessory Structure at 18 Chilton Place, Hamilton (PED23001) (Ward 2) (Item 8.1)**

- (i) That Heritage Permit Application HP2023-005, for the erection of a rear detached accessory structure on the designated property at 18 Chilton Place, Hamilton (Durand-Markland Heritage Conservation District), as shown in Appendix “A” attached to Report PED23001, be approved, subject to the approval of any required Planning Act applications and the following Heritage Permit conditions:
  - (a) That the final details of the windows and garage doors be submitted, to the satisfaction and approval of the Director of Planning and Chief Planner, prior to installation;
  - (b) That any minor changes to the plans and elevations following approval shall be submitted to the satisfaction and approval of the Director of Planning and Chief Planner, prior to submission as part of any application for a Building Permit;
  - (c) That construction and site alterations, in accordance with this approval, shall be completed no later than March 31, 2025. If the construction and site alterations are not completed by March 31, 2025, then this approval expires as of that date, and no alterations shall be undertaken without a new approval issued by the City of Hamilton.
  
- (b) Recommendation to Designate 115-117 George Street, Hamilton, under Part IV of the Ontario Heritage Act (PED23027) (Ward 2) (Item 8.2)**
  - (i) That the City Clerk be directed to give notice of Council’s intention to designate 115-117 George Street, Hamilton, shown in Appendix “A” attached to PED23027, as a property of cultural heritage value pursuant to the provisions of Part IV, Section 29 of the Ontario Heritage Act, in accordance with the Statement of Cultural Heritage Value or Interest and Description of Heritage Attributes, attached as Appendix “A” to Hamilton Municipal Heritage Committee Report 23-002, subject to the following:
    - (a) If no objections are received to the notice of intention to designate in accordance with the Ontario Heritage Act, City Council directs staff to introduce the necessary by-law to designate the property to be of cultural heritage value or interest to City Council;
    - (b) If an objection to the notice of intention to designate is received in accordance with the Ontario Heritage Act, City Council directs staff to report back to Council through

Planning Committee to allow Council to consider the objection and decide whether or not to withdraw the notice of intention to designate the property.

- (ii) That staff be directed to investigate the addition of a designated heritage plaque to be added by the developer, to the property at 115-117 George Street, Hamilton.
  
- (c) Council Initiative to Repeal Designation By-laws under Section 31 the Ontario Heritage Act for Vacant Properties at 14 Belvidere Avenue and 14 Mary Street, Hamilton (PED23038) (Wards 2 and 8) (Item 10.1)**
  - (i) That the City Clerk be directed to give notice of Council's intention to repeal By-law No. 83-183, being a by-law designating 14 Belvidere Avenue, Hamilton (Appendix "A" attached hereto to Report PED23038), and By-law No. 01-225, being a by-law designating 14 Mary Street, Hamilton (Appendix "B" attached hereto to Report PED23038), in accordance with the requirements of Section 31(3) of the Ontario Heritage Act, subject to the following:
    - (a) For each property that receives no objections to the notice of intention to repeal in accordance with the Ontario Heritage Act, staff be directed to introduce the necessary by-law to repeal to City Council;
    - (b) For each property that receives any objection to the notice of intention to repeal in accordance with the Ontario Heritage Act, staff be directed to report back to Council through Planning Committee to allow Council to consider the objection and decide whether or not to withdraw the notice of intention to repeal.
  
  - (d) Notice of Intention to Demolish the Building Located at 99 Creighton Road, Dundas, being a Non-Designated Property Listed on the Municipal Heritage Register (PED23068) (Ward 13) (Item 10.2)**

That the non-designated property located at 99 Creighton Road, Dundas, be removed from the Municipal Heritage Register.

**4. Outdoor Commercial Patios – Minor Variances and Temporary Use By-laws (Item 12.1)**

WHEREAS, Outdoor Commercial Patios are regulated in size and location by Zoning By-law No. 05-200;

WHEREAS, By-law No. 20-181, as amended by By-law Nos. 20-215 and 21-143 amended the Outdoor Commercial Patio regulations in the Zoning By-law to provide temporary relief from the locational requirements for Outdoor Commercial Patios;

WHEREAS, Report PED20135(c) recommended reinstatement of the temporary locational permissions for Outdoor Commercial Patios to support local businesses by increasing operational flexibility;

WHEREAS, Council approved By-law No. 22-073 to reinstate the temporary locational permissions for Outdoor Commercial Patios on properties abutting a Residential Zone provided a minimum setback of 5 metres from a Residential Zone is provided and the patio does not obstruct a driveway, parking aisle or fire route, and the Zoning By-law restricts Outdoor Commercial Patios to the front yard of a property if the rear lot line abuts a Residential Zone, Downtown Residential (D5) Zone, or Downtown Multiple Residential (D6) Zone, or is separated by a laneway from said zones;

WHEREAS, Report PED20135(c) directed staff to report back to Council before April 2025, prior to the expiration of the Temporary Use By-law, to present staff's evaluation of the merits of establishing the temporary locational permissions for Outdoor Commercial Patios as permanent given that commercial entertainment and recreation on Outdoor Commercial Patios is now permitted in the Zoning By-laws and regulated by the Noise Control-By-law;

WHEREAS, a Minor Variance Application is required to assess variations from the requirements of the Zoning By-law;

WHEREAS, a Minor Variance Application fee is \$3,735.00.

WHEREAS, a Routine Minor Variance fee of \$675.00 is applied to pools, decks, sheds, accessory buildings, porches, eave projections, recognizing legal non-complying situations and secondary dwelling units;

WHEREAS, in 2022, four Minor Variance Applications were received to modify the zoning regulations associated with Outdoor Commercial Patio locations;

WHEREAS, a variance to the locational permissions and setback requirements for Outdoor Commercial Patios shall require varying the location requirements in the Zoning By-law and the temporary location permissions and setback requirements of the Temporary Use By-law;

**THEREFORE, BE IT RESOLVED:**

That staff be directed to amend the interpretation note for Routine Minor Variance applications in the Tariff of Fees By-law to include variances to the zoning by-law regulations for Outdoor Commercial Patios and the temporary use

provisions where a Temporary Use By-law applies to the property for Outdoor Commercial Patios as a Routine Minor Variance.

**5. Demolition Permit for 1262 Centre Road, Flamborough (Added Item 12.2)**

WHEREAS, the owner of the above-mentioned property would like to demolish the existing dwelling without having to obtain a Building Permit for a replacement building.

WHEREAS, in order to preserve the land, in a safe and secure manner, the family has removed (with building permit) the dilapidated garage. The remaining house is beyond repair and dangerous for people to enter, yet people continue to break in; and

WHEREAS, for the past 25 years, the majority of the 32 acres has been rented and farmed by a local farming family, Robinson Farms. This parcel would also be incorporated into farmland.

THEREFORE, BE IT RESOLVED:

That the Chief Building Official be authorized to issue a demolition permit for 1262 Centre Road, Flamborough, pursuant to Section 33 of the Planning Act as amended, without having to comply with the conditions in Sub-Section 6.(a) of Demolition Control Area By-law 22-101.

**6. Extension for Reconstruction at 3334 Homestead Drive, Glanbrook (Added Item 12.3)**

WHEREAS, a permit to demolish the existing residential building containing a single family dwelling (the “original building”) at 3334 Homestead Drive, Glanbrook was issued to the owner, Joel Tavormina, on August 5, 2018.

WHEREAS, a condition of the demolition permit required the owner to construct and substantially complete the new residential building containing a single family dwelling (the “replacement building”) that was proposed to be erected on the property not later than two (2) years from date of the demolition of the original building.

WHEREAS, on September 4, 2018 the original building was demolished and the condition of the demolition permit required that the replacement single family dwelling be constructed and substantially complete not later than September 4, 2020.

WHEREAS, on May 1, 2019 the partially constructed replacement building caught on fire during construction and was substantially damaged, which did not alter the condition that the replacement building be constructed and substantially complete by September 4, 2020.

WHEREAS, on May 31, 2019 a permit to demolish the fire damaged partially constructed replacement building and a replacement reconstruction permit were issued to permit the construction of another replacement building.

WHEREAS the owner has not commenced construction of the second replacement building.

WHEREAS, pursuant to subsection 33(7) of the *Planning Act*, upon failure to complete the replacement building within the time specified in the permit, the clerk of the municipality shall be entitled to enter on the collector's roll, to be collected in like manner as municipal taxes, the sum of \$20,000, as specified in the permit.

WHEREAS, pursuant to subsections 33(11) and (12) of the *Planning Act*, the demolition permit holder may submit a notice of application to the clerk requesting relief by Council from the conditions on which the permit was issued where the holder of the permit is of the opinion it is not possible to complete the replacement building within the time specified in the permit or that the construction of the replacement building has become not feasible on economic or other grounds, and this notice must be filed not less than sixty (60) days before the time specified in the permit for the construction of the replacement building.

WHEREAS, the statutory timeline to apply for relief from the conditions of the permit expired on July 6, 2020.

WHEREAS, subsection 33(13) of the *Planning Act*, authorizes Council to extend the sixty (60) day timeline for making of an application for relief from the conditions on which the permit was issued.

WHEREAS, subsection 33(14) of the *Planning Act* specifies where an application is made under subsection (11), the council shall consider the application and may grant the same or may extend the time for completion of the replacement building for such period of time and on such terms and conditions as the council considers appropriate or the council may relieve the person applying from the requirement of constructing the replacement building.

WHEREAS, the permit holder has requested that Council exercise its authority under subsection 33(13) of the *Planning Act* to extend the sixty (60) day period to submit notice and apply for relief as provided under subsection 33(11) and (12) of the *Planning Act*; and

WHEREAS, Council has considered the permit holder's applicant.

NOW THEREFORE BE IT RESOLVED:

That the permit holder be granted an extension to file a notice of application under section 33(13) of the *Planning Act* and is granted relief from the time for

completion of a replacement building, on the property at 3334 Homestead Drive, Glanbrook, from two (2) years of the date of the demolition of the original building to two (2) years from the date of Council resolution.

7. **Appeal to the Ontario Land Tribunal (OLT) for Lack of Decision on Urban Hamilton Official Plan Amendment Application (UHOPA-19-012), Zoning By-law Amendment Application (ZAC-19-044) and Draft Plan of Subdivision Application (25T-201905) for lands located at the Northeast and Southeast corners of Highway No. 6 and 30 Dundas Street East, Flamborough (OLT-21-001345) (LS22004(a)/PED22019(a)) (Ward 15) (Added Item 15.2)**
  - (a) That the directions to staff in Closed Session respecting Report LS22004(a)/PED22019(a), be approved;
  - (b) That closed session recommendations (a), (b), and (c) to Report LS22004(a) /PED22019(a) be released to the public, following approval by Council; and
  - (c) That the balance of Report LS22004(a)/PED22019(a) remain confidential.
8. **Appeal to the Ontario Land Tribunal (OLT) of By-law #22-258, Melville Street Heritage Conservation District Study Area (LS23017/PED23075) (Ward 13) (Added Item 15.3)**
  - (a) That the directions to staff in closed session respect Report LS23017/PED23075, be approved;
  - (b) That closed session recommendations (a), (b), and (c) contained in Report LS23017/PED23075 remain confidential until made public coincident with staff's presentation of the City's position to the OLT;
  - (c) That Appendices "A" and "B" be approved and remain confidential until made public coincident with staff's presentation of the City's position to the OLT; and
  - (d) That the balance of Report LS23017/PED23075 remain confidential.
9. **Committee of Adjustment Decision regarding Minor Variance Application (AN/A-22:180) for Lands Located at 64 Lovers Lane, Ancaster (LS23015) (Ward 12) (Added Item 15.4)**
  - (a) That the directions to staff in closed session respect Report LS23015, be approved;
  - (b) That closed session recommendations (a) and (b) to Report LS23015 be released to the public, following approval by Council; and,

- (c) That the balance of Report LS23015 remain confidential.

**FOR INFORMATION:**

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

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

**5. COMMUNICATIONS**

- 5.2 Greg Dunnett, Hamilton Chamber of Commerce respecting Outdoor Commercial Patios - Routine Minor Variances and Temporary Use By-laws (Item 12.1)

**13. NOTICES OF MOTION**

- 13.1 Demolition Permit for 1262 Centre Road, Flamborough

**15. PRIVATE AND CONFIDENTIAL**

- 15.2 Appeal to the Ontario Land Tribunal (OLT) for Lack of Decision on Urban Hamilton Official Plan Amendment Application (UHOPA-19-012), Zoning By-law Amendment Application (ZAC-19-044) and Draft Plan of Subdivision Application (25T-201905) for lands located at the Northeast and Southeast corners of Highway No. 6 and 30 Dundas Street East, Flamborough (OLT-21-001345) (LS22004(a)/PED22019(a)) (Ward 15)
- 15.3 Appeal to the Ontario Land Tribunal (OLT) of By-law #22-258, Melville Street Heritage Conservation District Study Area (LS23017/PED23075) (Ward 13)
- 15.4 Committee of Adjustment Decision regarding Minor Variance Application (AN/A-22:180) for Lands Located at 64 Lovers Lane, Ancaster (LS23015) (Ward 12)

The agenda for the April 4, 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) March 21, 2023 (Item 4.1)**

The Minutes of the March 21, 2023 meeting were approved, as presented.

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

**(i) ACORN Hamilton respecting 1083 Main Street East (Item 5.1)**

The Communication from ACORN Hamilton respecting 1083 Main Street East, was received.

**(ii) Greg Dunnett, Hamilton Chamber of Commerce respecting Outdoor Commercial Patios - Routine Minor Variances and Temporary Use By-laws (Item 12.1) (Added Item 5.2)**

The Communication from Greg Dunnett, Hamilton Chamber of Commerce respecting Outdoor Commercial Patios - Routine Minor Variances and Temporary Use By-laws (Item 12.1), was received.

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

**(i) Matt Johnston, Urban Solutions, respecting Redesignation of Class 4 Noise Designation for 115 and 121 Vansitmart Avenue (For a future meeting) (Item 6.1)**

The Delegation Request from Matt Johnston, Urban Solutions, respecting Redesignation of Class 4 Noise Designation for 115 and 121 Vansitmart Avenue, was approved for a future meeting.

**(f) DELEGATIONS (Item 7)**

**(i) Joel Tavormina respecting an Extension for Reconstruction (approved at the March 21st meeting) (Item 7.1)**

Joel Tavormina addressed the Committee respecting an Extension for Reconstruction.

The Delegation from Joel Tavormina respecting an Extension for Reconstruction, was received.

For disposition of this matter, refer to Item 6 and (g)(ii).

- (ii) **Mike Burnet, ACORN, respecting a Landlord Registry (Approved at the February 14th meeting and deferred from the March 21<sup>st</sup> meeting) (Item 7.2)**

Mike Burnet was not in attendance when called upon.

**(g) NOTICES OF MOTION (Item 13)**

- (i) **Demolition Permit for 1262 Centre Road, Flamborough (Added Item 13.1)**

The Rules of Order were waived to allow for the introduction of a Motion respecting a Demolition Permit for 1262 Centre Road, Flamborough.

For disposition of this matter, refer to Item 5.

- (ii) **Extension for Reconstruction at 3334 Homestead Drive, Glanbrook (Added Item 13.2)**

The Rules of Order were waived to allow for the introduction of a Motion respecting Extension for Reconstruction at 3334 Homestead Drive, Glanbrook.

WHEREAS a permit to demolish the existing residential building containing a single family dwelling (the “original building”) at 3334 Homestead Drive, Glanbrook was issued to the owner, Joel Tavormina, on August 5, 2018.

WHEREAS a condition of the demolition permit required the owner to construct and substantially complete the new residential building containing a single family dwelling (the “replacement building”) that was proposed to be erected on the property not later than two (2) years from date of the demolition of the original building.

WHEREAS on September 4, 2018 the original building was demolished and the condition of the demolition permit required that the replacement single family dwelling be constructed and substantially complete not later than September 4, 2020.

WHEREAS on May 1, 2019 the partially constructed replacement building caught on fire during construction and was substantially damaged, which did not alter the condition that the replacement building be constructed and substantially complete by September 4, 2020.

WHEREAS on May 31, 2019 a permit to demolish the fire damaged partially constructed replacement building and a replacement

reconstruction permit were issued to permit the construction of another replacement building.

WHEREAS the owner has not commenced construction of the second replacement building.

WHEREAS pursuant to subsection 33(7) of the *Planning Act*, upon failure to complete the replacement building within the time specified in the permit, the clerk of the municipality shall be entitled to enter on the collector's roll, to be collected in like manner as municipal taxes, the sum of \$20,000, as specified in the permit.

WHEREAS pursuant to subsections 33(11) and (12) of the *Planning Act*, the demolition permit holder may submit a notice of application to the clerk requesting relief by Council from the conditions on which the permit was issued where the holder of the permit is of the opinion it is not possible to complete the replacement building within the time specified in the permit or that the construction of the replacement building has become not feasible on economic or other grounds, and this notice must be filed not less than sixty (60) days before the time specified in the permit for the construction of the replacement building.

WHEREAS the statutory timeline to apply for relief from the conditions of the permit expired on July 6, 2020.

WHEREAS subsection 33(13) of the *Planning Act*, authorizes Council to extend the sixty (60) day timeline for making of an application for relief from the conditions on which the permit was issued.

WHEREAS subsection 33(14) of the *Planning Act* specifies where an application is made under subsection (11), the council shall consider the application and may grant the same or may extend the time for completion of the replacement building for such period of time and on such terms and conditions as the council considers appropriate or the council may relieve the person applying from the requirement of constructing the replacement building.

WHEREAS the permit holder has requested that Council exercise its authority under subsection 33(13) of the *Planning Act* to extend the sixty (60) day period to submit notice and apply for relief as provided under subsection 33(11) and (12) of the *Planning Act*.

WHEREAS Council has considered the permit holder's applicant.

NOW THEREFORE BE IT RESOLVED:

That the permit holder be granted an extension to file a notice of application under section 33(13) of the Planning Act and is granted relief from the conditions to construct a replacement building on the property at 3334 Homestead Drive, Glanbrook.

The above motion, was **amended** by adding a timeline, as follows:

That the permit holder be granted an extension to file a notice of application under section 33(13) of the *Planning Act* and is granted relief from the **time for completion of** a replacement building, on the property at 3334 Homestead Drive, Glanbrook, **from two (2) years of the date of the demolition of the original building to two (2) years from the date of Council resolution.**

For disposition of this matter, refer to Item 6 and (f)(i).

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

**(i) Outstanding Business List (Item 14.1)**

The following changes to the Outstanding Business List, were approved:

**(a) Items to be Removed**

12B - Request to Designate 437 Wilson Street East (Ancaster)  
(Addressed as Item 9 on Planning Committee Report 23-004)

14A - Adding 206, 209 and 210 King St E to the Register of  
Property of Cultural Heritage Value or Interest  
(Addressed as Item 9 on Planning Committee Report 23-004)

17B - Designation of the Gore District as a Heritage Conservation  
District  
(Addressed as Item 9 on Planning Committee Report 23-004)

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  
(Addressed as Item 9 on Planning Committee Report 23-004)

22B - MCR / Official Plan Review  
(Addressed as Item (i)(iii) on Planning Committee Report 22-014 -  
Referred to the November 30, 2022 Special Council meeting)

(b) Items to be Added

Annual Report on the Impacts of the No Growth Option  
(Referred to the Planning Committee at the March 22, 2023  
General Issues Committee meeting) (November 19, 2021, GIC 21-  
023, Item 3(h))

(i) **PRIVATE AND CONFIDENTIAL (Item 15)**

(i) **Closed Session Minutes – March 21, 2023 (Item 15.1)**

The Closed Session Minutes dated March 21, 2023 were approved, as presented, and remain confidential.

The 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-19-012), Zoning By-law Amendment Application (ZAC-19-044) and Draft Plan of Subdivision Application (25T-201905) for lands located at the Northeast and Southeast corners of Highway No. 6 and 30 Dundas Street East, Flamborough (OLT-21-001345) (LS22004(a)/PED22019(a)) (Ward 15) (Added Item 15.2)**

For disposition of this matter, refer to Item 7.

(iii) **Appeal to the Ontario Land Tribunal (OLT) of By-law #22-258, Melville Street Heritage Conservation District Study Area (LS23017/PED23075) (Ward 13) (Added Item 15.3)**

For disposition of this matter, refer to Item 8.

(iv) **Committee of Adjustment Decision regarding Minor Variance Application (AN/A-22:180) for Lands Located at 64 Lovers Lane, Ancaster (LS23015) (Ward 12) (Added Item 15.4)**

For disposition of this matter, refer to Item 9.

**(j) ADJOURNMENT (Item 16)**

That there being no further business, the Planning Committee be adjourned at 11:11 a.m.

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Councillor J.P. Danko  
Chair, Planning Committee

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Lisa Kelsey  
Legislative Coordinator



## **GENERAL ISSUES COMMITTEE REPORT 23-012**

9:30 a.m.

April 5, 2023

Council Chambers, City Hall, 2<sup>nd</sup> Floor  
71 Main Street West, Hamilton, Ontario

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

**Absent:** Mayor A. Horwath - Personal

### **THE GENERAL ISSUES COMMITTEE PRESENTS REPORT 23-012 AND RESPECTFULLY RECOMMENDS:**

**1. Hamilton's Foreign Direct Investment (FDI) Attraction Strategy (PED23033)  
(City Wide) (Item 8.1)**

That Report PED23033, respecting Hamilton's Foreign Direct Investment (FDI) Attraction Strategy, be received.

**2. 2023 Priority Focus Areas for the Office of Climate Change Initiatives  
(PED23064) (City Wide) (Added Item 8.2)**

- (a) That, in addition to the various Climate Change related initiatives already contained within the 2023 workplans of multiple Divisions across the Corporation, the Priority Focus Areas for 2023 for the newly-created Office of Climate Change Initiatives, as summarized in Report PED23064 be received;
- (b) That the General Manager of Planning and Economic Development be authorized to approve expenditures up to \$250,000 from the Climate Change Reserve to fund projects and initiatives that implement or advance the Office of Climate Change Initiatives Priority Focus Areas summarized in Report PED23064, or projects and initiatives that implement or advance the City of Hamilton's Climate Change Strategy adopted by Council on August 12, 2022 through GIC Report 22-016 ((CM22016 / PED22058(a) / HSC22030(a)), and that the authorities within

the Reserve Policy – Climate Change Reserve (Policy No. FPAP-RE-015) be amended accordingly; and,

- (c) That staff report back on progress toward each of the Office of Climate Change Initiatives Priority Focus Areas, including any funding commitments from the Climate Change Reserve as part of the annual Climate Change Strategy report.

**3. Corporate Strategic Growth Initiatives (CSGI) – Master Plan Updates and Development Charge By-law Approach (PED23084) (City Wide) (Added Item 8.3)**

- (a) That the following recommendations be referred to the Development Charges Stakeholders Sub-Committee for consideration:
  - (i) That the City's new 2024 Development Charges (DC) By-law be prepared based on the 2031 growth forecast.
  - (ii) That, notwithstanding (i) above, the City's new 2024 Development Charges (DC) By-law may include growth allocations to facilitate DC considerations to 2041 / 2051 based on timing of completed Master Plan updates.
- (b) Pursuant to Procurement Policy #11 - Non-competitive Procurements, that Council approve the extension to Contract C11-05-17, for the provision of professional engineering consultant services required to complete the Water, Wastewater and Stormwater Master Plan, including an additional Development Charges (DC) By-law Update, for the upset limit of \$550,000, to be funded equally from capital project IDs #5141555264 (City Wide Water Master Plan), #5161555264 (City Wide Wastewater Master Plan) and #5181555422 (GRIDS 2 - Stormwater Master Plan), all which were approved to complete the proposed objective and with sufficient budget available to accommodate this purchase order increase, and that the General Manager, Public Works Department be authorized to negotiate, enter into and execute the extension and any ancillary documents required to give effect thereto with GM BluePlan Engineering Limited (GMBP), in a form satisfactory to the City Solicitor.

**4. Red Hill Valley Parkway Inquiry Update (LS19036(r) / PW23029) (City Wide) (Added Item 8.4)**

That Report LS19036(r) / PW23029, respecting the Red Hill Valley Parkway Inquiry Update, be received.

**5. Locke Street Business Improvement Area (BIA) Revised Board of Management (PED23060) (Ward 1) (Item 9.1)**

That the following individuals be appointed to the Locke Street Business Improvement Area (BIA) Board of Management for the 2022-2026 term:

- (a) Bettina Schormann, Earth to Table: Bread Bar;
- (b) Brandon Stanicak, West Town Bar & Grill;
- (c) Steve Knight, Jewellery Judge;
- (d) Robyn Allen, Nest;
- (e) Alex Hobcraft, Footprints Music;
- (f) Rachael Amy Shay, Community Rep;
- (g) Dao Nguyen, Modern Design Studio;
- (h) Andrew Webster, Webster Financial;
- (i) Dwayne Cline, Vintage Charm.

**6. Media Accreditation Review Terms of Reference (CM23008(a)) (City Wide) (Outstanding Business List) (Item 10.1)**

That a third-party review process for the proposed media accreditation policy, attached as Appendix "A" to General Issues Committee Report 23-012, be approved, with funding up to \$15,000, to be funded from Dept ID 310031.

**7. Locke Street Business Improvement Area (BIA) Proposed Budget and Schedule of Payment (PED23061) (Ward 1) (Item 10.2)**

- (a) That the 2023 Operating Budget for the Locke Street Business Improvement Area, attached as Appendix "B" to General Issues Committee Report 23-012, in the amount of \$97,725 be approved;
- (b) That the levy portion of the Operating Budget for the Locke Street Business Improvement Area (BIA) in the amount of \$36,225 be approved;
- (c) That the General Manager of Finance and Corporate Services be hereby authorized and directed to prepare the requisite By-law pursuant to Section 208, The Municipal Act, 2001, to levy the 2023 Budget as referenced in Recommendation of Report PED23061;
- (d) That the following schedule of payments for 2023 Operating Budget for the Locke Street Business Improvement Area (BIA) be approved:
  - (i) February \$18,112.50
  - (ii) June \$18,112.50

Note: Assessment appeals may be deducted from the levy payments.

**8. Green and Inclusive Community Buildings Program Intake 2 (FCS21055(a))  
(City Wide) (Item 10.3)**

- (a) That the General Manager, Finance and Corporate Services, and the General Manager, Public Works, be authorized to delegate the appropriate person to be duly authorized to submit all necessary documentation to support the City of Hamilton's application, attached as Appendix "C" to General Issues Committee Report 23-012, for the Green and Inclusive Community Buildings Program Intake 2;
- (b) That the Mayor and City Clerk be authorized to execute all necessary documentation, including Funding Agreements, to receive funding under the Green and inclusive Community Buildings Program Intake 2 with content satisfactory to the General Manager, Finance and Corporate Services, and in a form satisfactory to the City Solicitor;
- (c) That the City Solicitor be authorized and directed to prepare any necessary by laws for Council approval, for the purpose of giving effect to the City's acceptance of funding from the Green and Inclusive Community Buildings Program Intake 2;
- (d) That the City's contribution to the Green and Inclusive Community Buildings Program Intake 2 funded from the City's Unallocated Capital Levy Reserve (108020), Library Reserves (106008) and Development Charge Reserves (110322, 110323), as identified in Appendix "C" to General Issues Committee Report 23-012, be approved;
- (e) That, should the project submission for the Green and Inclusive Community Buildings Program Intake 2 be unsuccessful, the remaining funds be requested through the budget process or in year approval process;
- (f) That the General Manager, Public Works, be authorized to negotiate, enter into and execute a contract and any ancillary documents required to begin the detailed design of the Mount Hope Library Renovation / Expansion (7502141101) in a form satisfactory to the City Solicitor;
- (g) That copies of Report FCS21055(a) be forwarded to local Members of Parliament;
- (h) That the City Manager, General Manager of Finance and Corporate Services, General Manager of Public Works, General Manager of Planning and Economic Development and General Manager of Healthy and Safe Communities be authorized to delegate the appropriate person to be duly authorized to submit all necessary documentation to support the City of Hamilton's application in Federal Government and Provincial Government grant funding programs.

**9. City of Hamilton Property Tax Increases due to Ontario Legislative Changes (FCS23039) (City Wide) (Outstanding Business List Item) (Item 10.4)**

- (a) That staff be directed to review the costs related to legislative changes such as, but not limited to, Bill 108, More Homes, More Choice Act, 2019, Bill 109, More Homes for Everyone Act, 2022 and Bill 23, the More Homes Built Faster Act, 2022, beginning with the 2023 taxation year and update the following, as required:
  - (i) The “Provincially Shared Programs” line item of the property tax bill;
  - (ii) The property tax brochure to include information on the impacts;
- (b) That staff be directed to review the feasibility of identifying the costs related to legislative changes as a separate line item on the property tax bill for the 2024 taxation year.

**10. Advisory Committee for Persons with Disabilities (ACPD) Report 23-003 (Added Item 10.5)**

**(a) Reimbursement for the Purchase of Flowers for Condolences on behalf of the Advisory Committee for Persons with Disabilities (Item 12.1)**

That reimbursement to Aznive Mallett for purchasing flowers for condolences on behalf of the Advisory Committee for Persons with Disabilities, be approved as follows:

- (i) \$101.63, including HST, attached as Appendix “A” to ACPD Report 23-003, from Crescent Gardens Floral Ltd., Ridgeway, ON; and
- (ii) \$126.50, including HST, attached as Appendix “B” to ACPD Report 23-003, from Fascination Flowers, Hamilton, ON.

**11. Stairs at Grant Boulevard, Hamilton (Ward 13) (Item 11.1)**

WHEREAS, historically residents living in the University Gardens Neighbourhood accessed the trail system, parking lot and active transportation routes to McMaster University via a set of stairs on Hamilton Conservation Authority Lands at Grant Boulevard;

WHEREAS, the Hamilton Conservation Authority, in their review of the stairs determined that the stairs were in poor condition and unsafe, and therefore removed the stairs and upgraded the trail to provide an alternative route in the area;

WHEREAS, residents of the neighbourhood desire the stairs to be reinstated as the shortest route to the paths connecting to McMaster University;

WHEREAS, the land on which the stairs were constructed is owned by the Hamilton Conservation Authority; and

WHEREAS, the provision of active transportation routes provides benefit to the city by encouraging residents to walk or bike to their destination, reducing greenhouse gas emissions, and increasing health and wellness.

THEREFORE, BE IT RESOLVED:

- (a) That Corporate Real Estate Office staff be authorized and directed to negotiate the requisite agreement(s) between the City and the Hamilton Conservation Authority (HCA) to permit the City to design, construct and maintain a new set of stairs on HCA property located at the end of Grant Boulevard, and report back to General Issues Committee for approval; and,
- (b) That Public Works staff be directed to determine the budget and work required to design, construct (capital) and maintain (operating) a new set of stairs on Hamilton Conservation Authority property located at the end of Grant Boulevard, and report back to General Issues Committee for approval.

**12. Securing Canada's \$1 Billion Investment in a Strengthened Freshwater Action Plan (Item 11.2)**

WHEREAS, the City of Hamilton, as a member of the Great Lakes and St. Lawrence Cities Initiative, supports: protecting source water, planning for climate change impacts and shoreline resilience, ensuring safe and affordable water services for all our residents, and building up a sustainable blue economy in the Great Lakes and St. Lawrence River Basin;

WHEREAS, ensuring healthy communities and a strong economy for Canadians depend on securing Canada's source water, which includes addressing water quality issues, contaminants and pollution, supporting biodiversity and reversing wetland and fish and wildlife habitat loss and improving community knowledge to empower citizens to safeguard this essential resource;

WHEREAS, a Freshwater Action Plan and the Great Lakes Protection Initiative it supported were first announced in the 2017 Canadian federal budget with a \$44.84 million investment over five years;

WHEREAS, the Freshwater Action Plan has combined science and action to address priorities in the Great Lakes such as preventing toxic and nuisance algae, enhancing the resilience of coastal wetlands in the Great Lakes, restoring Great Lakes Areas of Concern and supporting Canada's commitments under the Great Lakes Water Quality Agreement, among other priorities;

WHEREAS, a commitment was made by the Liberal Party of Canada in the 2021 federal election to strengthen the Freshwater Action Plan with an historic investment of \$1 billion over ten years to restore and protect large lakes and river systems starting with the Great Lakes and St. Lawrence River Basin;

WHEREAS, to-date the federal government has only committed \$19.6 million in funding in the 2022 Budget and \$650 million over 10 years in the 2023 Budget, for the Freshwater Action Plan, falling short of the aforementioned commitment.

WHEREAS, the United States has invested \$1.8 billion in the Great Lakes Restoration Initiative (GLRI) since 2017 and will see accelerated funding with the *Infrastructure Investment and Jobs Act*;

WHEREAS, a 2018 University of Michigan study shows that for every dollar of federal spending on GLRI projects between 2010 and 2016, yielded \$3.35 in additional economic activity;

WHEREAS, nearly half of Canada's population lives in the Great Lakes and St. Lawrence River Basin, a region that will continue to see accelerated growth, resulting in greater land and resource use pressures that will further contribute to water availability and quality issues;

WHEREAS, the Stockholm Resilience Centre recently identified the importance of wetlands as carbon sinks and fresh water's role in climate mitigation;

WHEREAS, the Great Lakes-St. Lawrence Collaborative outlined 30 recommendations to Environment and Climate Change Canada as part of a ten-year, \$2.2 billion *Action Plan 2020-2030 to protect the Great Lakes and St. Lawrence* (Action Plan 2020-2030), addressing shoreline erosion, outdated infrastructure, invasive species, exposure to toxins and beach contamination, following an 18-month consultation with First Nations, NGOs, academics and other experts;

WHEREAS, the recommendations outlined in Action Plan 2020-2030 should serve as the basis of programming for strengthened federal action in the Great Lakes and St. Lawrence River Basin through its strengthened Freshwater Action Plan;

WHEREAS, the newly established Canada Water Agency should play a role in accelerating the rollout of funding made available through a strengthened Freshwater Action Plan;

WHEREAS, Freshwater Action Plan funding should largely be directed to community groups, local governments and First Nations to ensure that investments made will have the biggest local impact and empower action at the local level, rather than being held back for federal administration and operations;

WHEREAS, it is critical to implement a strengthened Freshwater Action Plan, including accelerating \$1 billion in funding over five years, and to create a Canada Water Agency to consolidate and coordinate federal water efforts and support provinces and territories in addressing systemic issues impacting the viability of the Great Lakes and St. Lawrence River Basin and the communities dependent upon the region's source water;

THEREFORE, BE IT RESOLVED:

- (a) That the City of Hamilton calls on the federal government to commit \$1 billion in funding over five years for a strengthened Freshwater Action Plan;
- (b) That the City of Hamilton calls on the federal government to guide its Freshwater Action Plan funding to implement recommendations in the Action Plan 2020-2030;
- (c) That the City of Hamilton calls on the federal government to direct priority funding under the strengthened Freshwater Action Plan to projects in the Great Lakes and St. Lawrence River Basin;
- (d) That the City of Hamilton calls on the federal government to make municipalities eligible for future funding in programs announced under the strengthened Freshwater Action Plan; and,
- (e) That the City of Hamilton directs its staff to submit this resolution to the federal Deputy Prime-Minister and Minister of Finance; the Minister of Environment and Climate Change; the Parliamentary Secretary to the Minister of Environment and Climate Change (responsible for the Canada Water Agency), local Member of Parliaments, to the Federation of Canadian Municipalities (FCM) and the Association of Municipalities of Ontario (AMO).

**13. Proposed Settlement of Appeals by 2362302 Ontario Inc. of City of Hamilton Development Charge By-law Nos. 19-141 and 19-142 (LS23004 / FCS23012 / PED23077) (City Wide) (Item 14.2)**

- (a) That the direction provided to staff in Closed Session, respecting Report LS23004 / FCS23012 / PED23077, Proposed Settlement of Appeals by 2362302 Ontario Inc. of City of Hamilton Development Charge By-law Nos. 19-141 and 19-142 (LS23004 / FCS23012 / PED23077) (City Wide), be approved; and
- (b) That Report LS23004 / FCS23012 / PED23077, Proposed Settlement of Appeals by 2362302 Ontario Inc. of City of Hamilton Development Charge By-law Nos. 19-141 and 19-142 (LS23004 / FCS23012 / PED23077) (City Wide) including the appendices, remain confidential.

**14. National Steel Car Litigation Update (LS23019) (City Wide) (Item 14.3)**

That Report LS23019, respecting the National Steel Car Litigation Update, be received and remain confidential.

**15. Red Hill Valley Parkway Inquiry Update (LS19036(s)) (City Wide) (Added Item 14.4)**

That Report LS19036(s), respecting the Red Hill Valley Parkway Inquiry Update, be received and remain confidential.

**FOR INFORMATION:**

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

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

**5. COMMUNICATIONS**

- 5.1 Correspondence from Caroline Hill Smith, Action 13 Member, respecting endorsement of Report PED23064 to establish priorities for the Office of Climate Change Initiatives

Recommendation: Be received and referred to consideration of Item 8.2.

- 5.2 Correspondence from Richard Koroscil, Chair and Zoe Green, Manager, Bay Area Climate Change Council, respecting support for the 2023 Priority Focus Areas of the Office of Climate Change Initiatives (PED23064)

Recommendation: Be received and referred to consideration of Item 8.2.

**6. DELEGATION REQUESTS**

- 6.3 Charlie Mattina, Hamilton Community Land Trust, respecting an introduction to the Hamilton Community Land Trust, a grass roots all volunteer Non-for-profit community organization (In-Person) (For a future meeting)
- 6.4 Don McLean, respecting Item 8.2 - Priority Focus Areas for the Office of Climate Change Initiatives (PED23064) (Virtually) (For today's meeting)

**8. STAFF PRESENTATIONS**

- 8.2 2023 Priority Focus Areas for the Office of Climate Change Initiatives (PED23064) (City Wide)
- 8.3 Corporate Strategic Growth Initiatives (CSGI) – Master Plan Updates and Development Charge By-law Approach (PED23084) (City Wide)
- 8.4 Red Hill Valley Parkway Inquiry Update (LS19036(r) / PW23029) (City Wide)

**10. DISCUSSION ITEMS**

- 10.5 Advisory Committee for Persons with Disabilities (ACPD) Report 23-003

**12. NOTICES OF MOTION**

- 12.1 Investing in Beautiful Alleys (Ward 3)

**13. GENERAL INFORMATION / OTHER BUSINESS**

- 13.2 Vacant Home Tax Communication Update (No Copy)

**14. PRIVATE AND CONFIDENTIAL**

- 14.4 Red Hill Valley Parkway Inquiry Update (LS19036(s)) (City Wide)

The agenda for the April 5, 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) March 22, 2023 (Item 4.1)
- (ii) March 24, 2023 – Special (Item 4.2)

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

The Communications items, were approved, as follows:

- (i) Correspondence from Caroline Hill Smith, Action 13 Member, respecting endorsement of Report PED23064 to establish priorities for the Office of Climate Change Initiatives (Added Item 5.1)

Recommendation: Be received and referred to consideration of Item 8.2.

- (ii) Correspondence from Richard Koroscil, Chair and Zoe Green, Manager, Bay Area Climate Change Council, respecting support for the 2023 Priority Focus Areas of the Office of Climate Change Initiatives (PED23064) (Added Item 5.2)

Recommendation: Be received and referred to consideration of Item 8.2.

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

The following Delegation Requests, were approved, as follows:

- (i) Vic Djurdjevic, Nikola Tesla Educational Corp, respecting permission to hold Tesla Electric City Festival and the Hamilton Museum of Steam and technology (In-Person) (For a future meeting) (Item 6.1)
- (ii) David Braden, respecting an approach that the City could adopt to respond to and encourage climate sensitive, demonstration projects (In-Person) (For a future meeting) (Item 6.2)

- (iii) Charlie Mattina, Hamilton Community Land Trust, respecting an introduction to the Hamilton Community Land Trust, a grass roots all volunteer Non-for-profit community organization (In-Person) (For a future meeting) (Added Item 6.3)
- (iv) Don McLean, respecting Item 8.2 - Priority Focus Areas for the Office of Climate Change Initiatives (PED23064) (Virtually) (For today's meeting) (Added Item 6.4)

**(f) DELEGATIONS (Item 7)**

- (i) Hafeez Hussain, respecting Equity, Diversity and Inclusion and My Experience with the City of Hamilton (Virtually) (Item 7.1)**

Hafeez Hussain, addressed the Committee respecting Equity, Diversity and Inclusion and his experience with the City of Hamilton.

The Delegation from Hafeez Hussain, respecting Equity, Diversity and Inclusion and his experience with the City of Hamilton, was received.

- (ii) Don McLean, respecting Item 8.2 - Priority Focus Areas for the Office of Climate Change Initiatives (PED23064) (Virtually) (Added Item 7.2)**

Don McLean, addressed the Committee respecting Item 8.2 - Priority Focus Areas for the Office of Climate Change Initiatives (PED23064).

The Delegation from Don McLean, respecting Item 8.2 - Priority Focus Areas for the Office of Climate Change Initiatives (PED23064), was received.

**(g) STAFF PRESENTATIONS (Item 8)**

- (i) Hamilton's Foreign Direct Investment (FDI) Attraction Strategy (PED23033) (City Wide) (Item 8.1)**

Norm Schleeahn, Director of Economic Development introduced Clark Savolaine, KPMG; and Kevin McCaffery, KPMG who provided the presentation respecting Report PED23033, Hamilton's Foreign Direct Investment (FDI) Attraction Strategy.

The presentation respecting Report PED23033, Hamilton's Foreign Direct Investment (FDI) Attraction Strategy, was received.

For disposition of this matter, refer to Item 1.

The General Issues Committee recessed for 30 minutes until 12:40 pm.

**(ii) 2023 Priority Focus Areas for the Office of Climate Change Initiatives (PED23064) (City Wide) (Added Item 8.2)**

Lynda Lukasik, Director, Office of Climate Change Initiatives provided the presentation respecting Report PED23064, 2023 Priority Focus Areas for the Office of Climate Change Initiatives.

The staff presentation respecting Report PED23064, 2023 Priority Focus Areas for the Office of Climate Change Initiatives, was received.

For disposition of this matter, refer to Item 2.

**(iii) Corporate Strategic Growth Initiatives (CSGI) – Master Plan Updates and Development Charge By-law Approach (PED23084) (City Wide) (Added Item 8.3)**

Heather Travis, Manager, Staging of Development and Legislative Approvals provided the presentation respecting Report PED23084, Corporate Strategic Growth Initiatives (CSGI) – Master Plan Updates and Development Charge By-law Approach.

The staff presentation respecting Report PED23084, Corporate Strategic Growth Initiatives (CSGI) – Master Plan Updates and Development Charge By-law Approach, was received.

For disposition of this matter, refer to Item 3.

**(iv) Red Hill Valley Parkway Inquiry Update (LS19036(r) / PW23029) (City Wide) (Added Item 8.4)**

Lisa Shield, City Solicitor introduced Legal Consultants Eli Lederman, Jonathan Chen, and Delna Contractor, from Leczner Slaght LLP; who provided the presentation respecting Report LS19036(r) / PW23029, Red Hill Valley Parkway Inquiry Update.

The presentation respecting Report LS19036(r) / PW23029, Red Hill Valley Parkway Inquiry Update, was received.

For disposition of this matter, refer to Item 4.

**(h) CONSENT ITEMS (Item 9)**

**(i) Business Improvement Advisory (BIA) Sub-Committee Minutes – February 14, 2023 (Item 9.2)**

The Business Improvement Advisory (BIA) Sub-Committee Minutes of February 14, 2023, was received.

**(i) NOTICES OF MOTION (Item 12)**

**(i) Investing in Beautiful Alleys (Ward 3) (Added Item 12.1)**

Councillor Nann withdrew her Notice of Motion and will present it as a Motion at Council.

**(j) 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 Requiring a New Due Date: (Item 13.1(a))**

Encampment Pilot Evaluation (HSC20038(e) / PED21188(b)) (City Wide)

OBL Item: 2023-E

Current Due Date: April 20, 2023

Proposed New Due Date: May 2023

Hamilton Region Decarbonization Hub

OBL Item: II

Current Due Date: April 19, 2023

Proposed New Due Date: May 2023

**(b) Items Considered Complete and Needing to be Removed: (Item 13.1(b))**

City of Hamilton Property Tax Bill Increases Due to Ontario Legislative Changes

OBL Item: 2023-J

Added: February 15, 2023 at GIC (Item 11.2)

Completed: April 5, 2023 at GIC (Item 10.5)

**(ii) Vacant Home Tax Communication Update (No Copy) (Added Item 13.2)**

Janette Smith, City Manager provided the Committee with information on the Vacant Home Tax Communication Update.

The General Issues Committee meeting of April 5, 2023, was extended past the 5:30 pm curfew, up to an additional 90 minutes.

The information provided by staff on the Vacant Home Tax Communication Update, was received.

**(k) PRIVATE & CONFIDENTIAL (Item 14)**

**(i) Closed Session Minutes – March 22, 2023 (Item 14.1)**

The General Issues Committee Closed Session Minutes of February 15, 2023, were approved and remain confidential.

The Committee moved into Closed Session to discuss Items 14.2, 14.3 and 14.4, pursuant to Section 9.3, Sub-sections (e), (f), (i) and (k) of the City's Procedural By-law 21-021, as amended, and Section 239(2), Sub-sections (e), (f), (i) and (k) of the *Ontario Municipal Act, 2001*, as amended, as the subject matters pertain 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; a trade secret or scientific, technical, commercial, financial or labour relations information, supplied in confidence to the municipality 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; 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) Proposed Settlement of Appeals by 2362302 Ontario Inc. of City of Hamilton Development Charge By-law Nos. 19-141 and 19-142 (LS23004 / FCS23012 / PED23077) (City Wide) (Item 14.2)**

For disposition of this matter, please refer to Item 13.

**(iii) National Steel Car Litigation Update (LS23019) (City Wide) (Item 14.3)**

For disposition of this matter, please refer to Item 14.

**(iv) Red Hill Valley Parkway Inquiry Update (LS19036(s)) (City Wide)  
(Added Item 14.4)**

For disposition of this matter, please refer to Item 15.

**(I) ADJOURNMENT (Item 15)**

There being no further business, the General Issues Committee adjourned at 7:15 p.m.

Respectfully submitted,

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Deputy Mayor Brad Clark  
Chair, General Issues Committee

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Angela McRae  
Legislative Coordinator  
Office of the City Clerk

## **Scope of Third-Party Review of the City of Hamilton's Proposed Media Accreditation Policy**

### **Proposed Scope of Review**

To review the City of Hamilton's proposed media accreditation, provide analysis on how the policy compares with best practice, and provide any recommendations for improvement to members of Hamilton City Council.

### **Estimated Timeframe**

Upon receipt of an approved review process, it is estimated that this review would take three months to complete.

### **Process**

The committee will review the proposed media accreditation policy as well as other relevant documentation related to media accreditation in public sector organizations across Canada.

The committee will meet with interested stakeholders (local media outlets, media that serves diverse communities, independent media, City Communications staff) to gather input and insights.

The committee will also review current literature, related City policies including the Media Relations Policy, policies on media accreditation from other public sector organizations, including municipalities, and any other documentation relevant to the policy review.

The committee will present its review and recommendations to council.

### **Proposed Review Team**

**Chair:** Dr. Terry Flynn, APR, FCPRS, LM, Associate Professor and Director of the Masters of Communications Management program, McMaster University

#### **Members:**

- Mr. Scott White, MBA, Editor-In-Chief, The Conversation, member of the Global Journalism Innovation Lab at the University of British Columbia, former executive at Canadian Press and Postmedia
- Dr. Mary Francoli, Associate Professor and Associate Dean, Faculty of Public Affairs, Carleton University
- Dr. Josh Greenburg, Professor and Director of School of Journalism and Communication, Carleton University
- Dr. Tokunbo Ojo, Associate Professor, Department of Communication and Media Studies at York University



## Locke Street BIA Approved Budget 2023

<b>Revenue:</b>	<b>2023</b>
City BIA Levy	\$36,225
BIA Reserve	\$5,000
Other City Revenue	\$16,500
Festivals and/or Sundays Unlocked sponsorship & grants Revenue	\$40,000
<b>TOTAL</b>	<b>\$97,725</b>

<b>Expenses:</b>	
Social media management	\$12,500
General Advertising	\$1,000
Special Events	\$10,075
Street Beautification	\$14,000
Festivals and/or Sundays Unlocked	\$40,000
Auditors	\$500
Executive Director	\$12,000
Bookkeeping & Business Support	\$1,000
Office Supplies	\$150
Insurance	\$1,500
Reserve	\$5,000
<b>TOTAL</b>	<b>\$97,725</b>

**Green and Inclusive Community Buildings (GICB) Program Intake 2 Project Submission**

<b>Project Description</b>	<b>Total Gross (000's)</b>	<b>Cost Sharing Breakdown</b>			
		<b>Total Eligible (000's)</b>	<b>Federal Share 60% (000's)</b>	<b>City Share (Eligible) 40% (000's)</b>	<b>City Ineligible (000's)</b>
Mount Hope Library Renovation / Expansion (New Build) - Transition to Zero Carbon Ready Building Design and Accessibility Improvements	\$ 5,239.0	\$ 4,855.5	\$ 2,913.3	\$ 1,942.2	\$ 383.5

<b>Financing Strategy</b>	<b>2023 (000's)</b>
Federal Share	\$ 2,913.3
City Share (Eligible and Ineligible)	\$ 2,325.7
<b>Total</b>	<b>\$ 5,239.0</b>
<b>City Funding Details:</b>	
Library Reserves (106008)	\$ 1,000.0
Development Charge Reserve (110322/110323)	\$ 558.2
Unallocated Capital Levy Reserves (108020)	\$ 767.5
<b>Total</b>	<b>\$ 2,325.7</b>



## **HAMILTON UTILITIES CORPORATION SHAREHOLDER REPORT 23-001**

April 5, 2023

Immediately Following General Issues Committee  
Council Chambers, City Hall, 2nd Floor  
71 Main Street West, Hamilton, Ontario

**Present:** Deputy Mayor B. Clark (Chair)  
Councillors J. Beattie, C. Cassar, J. P. Danko, T. Hwang, T. Jackson,  
C. Kroetsch, N. Nann, M. Tadeson, A. Wilson, M. Wilson

**Absent:** Mayor A. Horwath – Personal  
Councillors M. Francis, T. McMeekin, E. Pauls, M. Spadafora - Personal

### **THE HAMILTON UTILITIES CORPORATION SHAREHOLDER PRESENTS REPORT 23-001 AND RESPECTFULLY RECOMMENDS:**

- 1. Re-Appointment of Sean Donnelly as the Corporations Independent Director to the Board of Directors of Alectra and Amendment to the Unanimous Shareholder Declaration (Item 5.1)**

#### **HAMILTON UTILITIES CORPORATION (the “Corporation”)**

#### RESOLUTIONS OF THE SOLE SHAREHOLDER OF THE CORPORATION

WHEREAS the Corporation owns 17.31% of the issued and outstanding share capital of Alectra Inc. (“Alectra”).

AND WHEREAS Alectra’s Unanimous Shareholders’ Agreement entitles the Corporation to appoint one (1) independent and one (1) non-independent director to the board of directors of Alectra.

AND WHEREAS the City of Hamilton is the sole shareholder of the Corporation (the “Sole Shareholder”) and has previously selected Mayor Andrea Horwath to serve as the non-independent director to the board of directors of Alectra.

AND WHEREAS the Shareholder Direction and Unanimous Shareholder Declaration from the Sole Shareholder to the Corporation (the “USD”) states in Section 3.02 that, in relation to the Corporation’s appointees to the board of directors of Alectra, the Corporation’s Nominating Committee shall make a report and recommendation to the Sole Shareholder regarding qualified candidates for the Sole Shareholder to select as the Corporation’s appointees to the board of directors of Alectra.

AND WHEREAS the Corporation's Nominating Committee has prepared a report and recommendation (the "Proposal") which identifies and recommends a candidate to serve as the independent director to the board of directors of Alectra and the Board of Directors of the Corporation subsequently received and approved the Proposal at a meeting of the Board of Directors of the Corporation.

AND WHEREAS the USD states in Section 3.02 that the Corporation shall not, without the approval of the Sole Shareholder, place forward or nominate any appointee or nominee of the Corporation to the board of directors of Alectra.

AND WHEREAS the President of the Corporation has provided the Proposal to the Sole Shareholder, attached hereto as Schedule "A", for the consideration and approval of the Sole Shareholder pursuant to Section 3.02 of the USD.

AND WHEREAS it is desirable for the Sole Shareholder to amend the USD by adding certain clarifying language in relation to the re-appointment of incumbent independent directors to the board of directors of Alectra.

NOW THEREFORE the Council of the City of Hamilton, acting in its capacity as representative of the Sole Shareholder of the Corporation, RESOLVES AS FOLLOWS:

**(a) RE-APPOINTMENT OF SEAN DONNELLY AS THE CORPORATION'S INDEPENDENT DIRECTOR TO THE BOARD OF DIRECTORS OF ALECTRA, BE IT RESOLVED:**

- (i) That the Proposal be and the same is hereby received by the Sole Shareholder; and
- (ii) That the recommendation in the Proposal is hereby approved by the Sole Shareholder and Sean Donnelly is hereby re-appointed as the Corporation's independent director to the board of directors of Alectra for a three-year term commencing on April 28, 2023; and
- (iii) That the Sole Shareholder approves the preparation of all necessary documents and/or agreements to give effect to the foregoing and the Corporation's President (or designate) is hereby authorized and directed to execute, on behalf of the Corporation, all such necessary documents and/or agreements or to take any action deemed necessary in respect of any of the foregoing.

**(b) AMENDMENT TO THE USD, BE IT RESOLVED:**

- (i) That the USD is hereby amended by the Sole Shareholder to add the following language as a new paragraph to Section 3.02 of the USD: "For greater certainty and notwithstanding anything to the contrary herein, with respect to the Corporation's appointees to the board of directors of Alectra, on or about the conclusion of an appointee's term and upon receipt of a report and recommendation from the Nominating

Committee advising such action, the Shareholder may elect to re-appoint such appointee for another term.”

- (ii) That the Mayor and City Clerk are hereby authorized and directed to sign and/or dispatch and deliver all other agreements, documents, notices, articles and/or certificates to be signed and/or dispatched or delivered under or in connection with the USD or to take any action deemed necessary in respect of any of the foregoing.

**FOR INFORMATION:**

**(a) CHANGES TO THE AGENDA (Item 1)**

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

The agenda for the April 5, 2023 Utilities Corporation Shareholder was approved, as presented.

**(b) DECLARATIONS OF INTEREST (Item 2)**

There were no declarations of interest.

**(c) APPROVAL OF MINUTES OF PREVIOUS MEETING (Item 3)**

**(i) June 17, 2022 (Item 3.1)**

The Minutes of the June 17, 2022 Hamilton Utilities Corporation Shareholder meeting, were approved, as presented.

**(d) ADJOURNMENT (Item 8)**

There being no further business, the Hamilton Utilities Corporation Shareholder meeting, was adjourned at 7:44 p.m.

Respectfully submitted,

Deputy Mayor Brad Clark  
Acting Chair  
Hamilton Utilities Corporation  
Shareholder

Angela McRae  
Legislative Coordinator  
Office of the City Clerk



## **AUDIT, FINANCE AND ADMINISTRATION COMMITTEE REPORT 23-005**

**9:30 a.m.  
April 6, 2023  
Council Chambers  
Hamilton City Hall**

**Present:** Councillors C. Kroetsch (Chair), T. Hwang (Vice-Chair), J. Beattie, B. Clark, M. Spadafora M. Tadeson, A. Wilson, and M. Wilson

### **THE AUDIT, FINANCE AND ADMINISTRATION COMMITTEE PRESENTS REPORT 23-005 AND RESPECTFULLY RECOMMENDS:**

**1. Accessible Transit Services: DARTS Fleet Management and Vehicle Safety Audit (Report 50695) Management Action Plans (AUD22007(a)) (City Wide) (Item 8.1)**

- (a) That the Management Action Plans, as detailed in Appendix “A” to Audit, Finance and Administration Committee Report 23-005, be approved; and,
- (b) That the General Manager of Public Works be directed to implement the Management Action Plans (attached as Appendix “A” to Report AUD22007(a) and report back to the Audit, Finance and Administration Committee by October 2023 on the nature and status of actions taken in response to the audit report.

**2. Consent Items (Item 9)**

That the following Consent Items be received:

- (a) 2022 Fourth Quarter Emergency and Non-competitive Procurements Report (FCS22046(c)) (City Wide) (Item 9.1)
- (b) 2022 Fourth Quarter Non-compliance with the Procurement Policy Report (FCS22047(c)) (City Wide) (Item 9.2)
- (c) 2022 Fourth Quarter Request for Tenders and Proposals Report (FCS22048(c)) (City Wide) (Item 9.3)

**3. Indigenous Advisory Committee - Citizen Committee Report, respecting Revised Terms of Reference for the Indigenous Advisory Committee (IAC23001) (Item 10.1)**

That the Indigenous Advisory Committee revised Terms of Reference attached as Appendix "B" to Audit, Finance and Administration Committee Report 23-005,, be approved.

**4. Private Water Service Line Leak Wastewater Bill Adjustment Policy (FCS23030) (City Wide) (Outstanding Business List Item) (Item 10.2)**

That the Private Water Service Line Leak Wastewater Bill Adjustment Policy, effective May 1, 2023, attached as Appendix "C" to Audit, Finance and Administration Committee Report 23-005, be approved;

**5. HMRP-HWRF Pension Administration Sub-Committee Report 23-001, March 30, 2023 (Added Item 10.3)**

**(a) Appointment of Chair and Co-Vice-Chairs (Item 1)**

- (i) That Councillor Craig Cassar be appointed Chair of the HMRP-HWRF Pension Administration Sub-Committee for 2022-2026.
- (ii) That Don Skarratt (HMRP) be appointed Co-Vice-Chair of the HMRP-HWRF Pension Administration Sub-Committee.
- (iii) That Robert Slack (HWRF) be appointed Co-Vice-Chair of the HMRP-HWRF Pension Administration Sub-Committee.

**(b) Hamilton Municipal Retirement Fund (HMRP) Valuation at December 31, 2021 (FCS23003) (City Wide) (Item 8.1)**

That Report FCS23003, respecting Hamilton Municipal Retirement Fund (HMRP) Valuation at December 31, 2021, be received.

**(c) Hamilton Wentworth Retirement Fund (HWRF) Valuation at December 31, 2021 (FCS23005) (City Wide) (Item 8.2)**

That Report FCS23004, respecting Hamilton Wentworth Retirement Fund (HWRF) Valuation at December 31, 2021, be received.

**(d) Consent Items (Item 9)**

That the following Consent Items, be received:

- (i) 2021 Hamilton Municipal Retirement Fund Financial Statements (FCS23002) (City Wide) (Item 9.1)

- (ii) 2021 Hamilton Wentworth Retirement Fund Financial Statements (FCS23004) (City Wide) (Item 9.2)
  - (iii) Master Trust Pension Investment Performance Report as at December 31, 2021 (FCS21091(a)) (City Wide) (Item 9.3)
  - (iv) Master Trust Pension Investment Performance Report as at June 30, 2022 (FCS23044) (City Wide) (Item 9.4)
  - (v) Master Trust Pension Investment Performance Report as at December 31, 2022 (FCS23044(a)) (City Wide) (Added Item 9.5)
- (e) 2022 Master Trust Pension Statement of Investment Policies and Procedures (FCS23009) (City Wide) (Item 10.1)**
- (i) That Appendix “D” to Audit, Finance and Administration Committee Report 23-005, respecting the 2022 City of Hamilton Defined Benefit Pension Plans Master Trust Statement of Investment Policies and Procedures, be approved and replace the previous 2021 City of Hamilton Defined Benefit Pension Plans Master Trust Statement of Investment Policies and Procedures contained in Report FCS21095 and approved by Council on December 15, 2021;
  - (ii) That Appendix “D” to Audit, Finance and Administration Committee Report 23-005, respecting the 2022 City of Hamilton Defined Benefit Pension Plans Master Trust Statement of Investment Policies and Procedures, be forwarded to the Hamilton Street Railway Pension Advisory Committee for their information.
- (f) Hamilton Municipal Retirement Fund (HMRF), Hamilton Wentworth Retirement Fund (HWRF) Plan Wind-Up (FCS23006) (City Wide) (Item 10.2)**
- (i) That the General Manager, Finance and Corporate Services Department, or their designate, be authorized to explore the option of winding up the Hamilton Municipal Retirement Fund (HMRF) and Hamilton Wentworth Retirement Fund (HWRF) pension plans, including performing a survivor audit and mortality study and any other studies necessary; and,
  - (ii) That staff report back to the HMRF/HWRF Pension Administration Committee on pricing estimates to purchase annuities from an insurance company that will provide HMRF and HWRF plan members with the same level of benefit that is currently being provided under their respective pension plans.
- 6. Governance Review Sub-Committee Report 23-001, March 27, 2023 (Added Item 10.4)**

- (a) That the Governance Review Sub-Committee Report 23-001 be received and the recommendation as follows, be approved:

**(i) Appointment of Chair and Vice-Chair**

1. That Councillor Tammy Hwang be appointed Chair of the Governance Review Committee for 2022-2026.
2. That Councillor Cameron Kroetsch be appointed Vice-Chair of the Governance Review Committee for 2022-2026.

**(ii) Feedback from the Advisory Committees on the Code of Conduct for Local Boards (FCS23032) (Item 9.1)**

1. That Report FCS23032, respecting Feedback from the Advisory Committees on the Code of Code of Conduct for Local Boards, be received.
2. That the Integrity Commissioner for the City of Hamilton be invited to appear before the General Issues Committee, preferably before May 1, 2023, to address concerns raised by the Advisory Committees respecting the Code of Conduct for Local Boards and to discuss:
  - (aa) a process for receiving and integrating feedback from Advisory Committees to Code of Conduct for Local Boards; and
  - (ab) how training may be conducted in a more cost-effective manner; and
3. That staff be directed to obtain feedback and recommendations from the Advisory Committees who are noted as "received without comment" and "have not met to review" in Appendix B to Report FCS23032, and report back to Governance by the end of May 2023.

**(iii) Procedural Handbook for Citizen Appointees to City of Hamilton Local Boards (FCS23034) (Item 10.1)**

1. That consideration of the Procedural Handbook for Citizen Appointees to City of Hamilton Local Boards be deferred until such time as there has been a report back from City staff to the April 6, 2023 meeting of the Audit, Finance and Administration Committee about how feedback has been incorporated;
2. That staff be directed to obtain feedback and recommendations from the Advisory Committees who are noted as "received without comment" and "have not met to

review" in Appendix C to Report FCS23034, and report back to Governance by the end of May 2023.

3. That the Corporate Policy, Hamilton City Council – Appointment of Citizens to the City's Local Boards attached as Appendix 'E' to Audit, Finance and Administration Committee Report 23-005, be approved.

**(iv) 2024 and 2025 Committee / Council Meeting Calendars (FCS23048) (Item 10.2)**

1. That the 2024 Committee / Council Meeting Calendar, attached as Appendix 'F' to Audit, Finance and Administration Committee Report 23-005, be approved; and
2. That the 2025 Committee / Council Meeting Calendar, attached as Appendix 'G' to Audit, Finance and Administration Committee Report 23-005, be approved.

**(v) Amendments to the Procedural By-law 21-021 respecting the Board of Health Standing Committee (FCS23031) (City Wide) (Item 10.3)**

1. That By-law 21-021, A By-Law To Govern The Proceedings of Council and Committees of Council, as Amended, be **amended** to reflect the Board of Health Standing Committee's name change to the **Public Health Committee**, as follows:

(aa) the Board of Health Terms of Reference (Appendix 'B' to By-law 21-021, as amended), be **amended**, as follows:

- (i) Title: Public Health Committee
- (ii) Composition: The Public Health Committee shall be comprised of all 16 members of Council
- (iii) *Specific duties shall include:*
  - To consider recommendations of any Sub-Committees and/or Task Forces which report directly to the Public Health Committee
  - To consider Citizen Committee Report recommendations of any Advisory Committee which reports directly to the Public Health Committee

- (ab) Section 5.1 “Standing Committees” be **amended**, as follows:

### **5.1 Standing Committees**

The Standing Committees that report directly to Council shall be as follows:

- (b) Public Health Committee
- (ac) Section 5.2 “Appointment of Committee Chairs and Vice Chairs” be **amended**, as follows:

### **5.2 Appointment of Committee Chairs and Vice Chairs**

- (2) Despite subsections 5.2(1)(a) and (b):
- (a) the Mayor shall stand as Chair for the term of Council for the Public Health Committee; and
- (3) The Public Health Committee shall recommend to Council the appointment of a Vice Chair in accordance with 5.2(1). Despite subsection 5.2(1)(a) and (b), the Vice Chair shall stand as Vice Chair for the term of Council for the Public Health Committee.

- (ad) Section 5.3 “Standing Committee Membership” be **amended**, as follows:

### **5.3 Standing Committee Membership**

- (1) General Issues Committee and Public Health Committee shall be comprised of all Members of Council.
- (6) Each Member of Council shall sit on a minimum of 2 Standing Committees, in addition to the Public Health Committee and General Issues Committee.
- (ae) Section 5.6 “Standing Committee Meeting Times” be **amended**, as follows:

### **5.6 Standing Committee Meeting Times**

- (1) Unless otherwise decided by Council, scheduled meetings of the Standing Committees will be as follows:
  - (a) (ii) Public Health Committee shall meet at least once per month commencing at 9:30 a.m.;
- 2. That By-law 21-021, A By-Law To Govern The Proceedings of Council and Committees of Council, as Amended, be **amended** to confirm applicability of the Procedure By-law when Council operates and functions as the Board of Health for the City of Hamilton, as follows:
  - (aa) Section 3 “Council Meetings” be **amended** by adding the following new sub-section 3.15 “Board of Health Meetings” and renumbering the remaining sub-sections accordingly:

### **3.15 Board of Health Meetings**

Where Council is exercising the jurisdiction of a Board of Health under the Health Protection and Promotion Act, 1990:

- (a) Council shall meet as necessary to complete such business as would normally be completed by a Board of Health and as required pursuant to the Health Protection and Promotion Act, 1990 and its Regulations, any Public Health Standards published by the Minister, and any other applicable law including municipal by-laws and policies governing a Board or Health; and
  - (b) the Mayor and Clerk are authorized, upon approval by Council operating as a Board of Health, to sign any necessary resolutions.
- 3. That the draft By-law attached as Appendix ‘A’ to Report FCS23031, respecting amendments to By-law 21-021, A By-Law To Govern The Proceedings of Council and Committees of Council, be enacted by Council.

(vi) **Fixing Long-Term Care Act – Governance Requirements (FCS23033 / HSC23025) (Item 10.4)**

**Council – April 12, 2023**

1. That in accordance with the requirements of the *Fixing Long-Term Care Act, 2021* and Ontario Regulation 246/22 (as amended) which requires the municipality to establish a committee of management, and the corresponding qualifications for same, from among members of council for its Long Term Care Homes, that the Emergency and Community Services Committee comprised of members of Council who have completed the required screening measures as mandated in the legislation shall be the Committee of Management for the City of Hamilton's Long Term Care Homes; and
2. That the draft By-law attached as Appendix "D" to Governance Review Sub-Committee Report 23-001, respecting amendments to By-law 21-021, A By-law to Govern the Proceedings of Council and Committees of Council, to establish a Long-Term Care Homes Committee of Management for the City of Hamilton be enacted by Council.

**(vii) Code of Conduct and Conflict of Interest Education and Communications (HUR22011(a)/CM22018(a)) (City Wide) (Outstanding Business List Item) (Item 10.5)**

1. That City of Hamilton employees not be permitted to sell goods and services to the City, or to bid on City contracts unless there are specific circumstances where it can be demonstrated that employee bids are in the best interest of the organization. Circumstances that would give rise to an exemption may include, but are not limited to, contracts tendered during a declared state of emergency or contracts tendered to purchase products whereby the employee is the sole source (no other vendor provides the same or equivalent product).
2. That a review of a potential exemption, as outlined above, would be initiated through the following process:
  - (aa) Employees will be required to submit a Code of Conduct Disclosure Form that outlines all perceived and real conflicts of interest.
  - (ab) Disclosure Forms will be reviewed to determine if any conflicts of interest should disqualify the employee from selling goods and services or from participating in the bid process, despite the extenuating circumstances.

- (ac) Staff involved in reviewing Disclosure Forms and confirming that the extenuating circumstances exist will include Legal, Procurement and Human Resources.
  - (ad) Any employee bids that are approved by Legal, Procurement and Human Resources due to extenuating circumstances, require City Manager approval when the value of the contract exceeds \$25,000.
3. It is further recommended, that notwithstanding any extenuating circumstances, employees would be precluded from consideration for an exemption for the following reasons:
- (aa) Access to confidential or proprietary information that could give them an unfair advantage in the bidding or sale process,
  - (ab) Direct or indirect involvement in the procurement process or the decision-making process by virtue of their position with the City.
4. That the Code of Conduct, Schedule D Outside Activity, attached as Appendix 'H' to Audit, Finance and Administration Committee Report 23-005, be approved, as amended with the recommendations noted above.
5. That this item be removed from the Governance Review Sub-Committee Outstanding Business List.

**(viii) Integrity Commissioner Contract Extension (FCS22074 (a)) (City Wide) (Outstanding Business List Item) (Item 10.6)**

- 1. That Council approve the extension to Contract C2-06-19, Provision of Services of an Integrity Commissioner and Lobbyist Registrar for the City of Hamilton from June 1, 2023 until **September 30, 2023** and that the City Clerk be authorized to negotiate, enter into and execute the extension and any ancillary documents required to give effect thereto with Principles Integrity, in a form satisfactory to the City Solicitor;
- 2. That staff be directed to take the alternative action set out in Report FCS22074 (a)), attached as Appendix I to Audit, Finance and Administration Committee Report 23-005, to conduct a competitive procurement process to secure the services of an Integrity Commissioner and Lobbyist Registrar in accordance with the City's Procurement Policy By-Law 20-205, as amended, with the addition of the Auditor General as a member of the Selection Committee; and

3. That Appendix J to Audit, Finance and Administration Committee Report 23-005, be approved.

**(ix) Restructuring the Board of Health Standing Committee (Item 11.1)**

WHEREAS, Council, believes that the current composition of the City's Board of Health Standing Committee (recommendation to change name to "Public Health Committee" as per FCS23031) should be adjusted;

THEREFORE, BE IT RESOLVED:

1. That the composition of the Public Health Committee be approved as follows:
  - (aa) 6 members of Council;
  - (ab) 6 community health professionals (can be from either a regulated profession (i.e. doctor, nurse, social worker) or an unregulated profession (i.e. harm reduction worker, outreach worker, disability justice advocate); and
  - (ac) 1 education representative
2. That By-law No. 21-021, as amended, A By-Law to Govern the Proceedings of Council and Committees of Council (Procedural By-law), be **amended** as follows with the renumbering of the remaining sub-sections accordingly:
  - (aa) the definition of "Selection Committee", be **amended** as follows:

"Selection Committee" means a Committee established by Council, comprised entirely of Members of Council, to interview and report back to Council on the appointment of citizen representatives to agencies, boards and Committees, and reports directly to Council, with the exception of the Hamilton Police Services Board Selection Committee for the recruitment of the one person appointed by resolution of council to the Hamilton Police Services Board which is comprised of six (6) community representatives and six (6) Council representatives with full voting privileges and with the exception of the Public Health Committee Selection Committee for the recruitment of the 6 community health professionals and the 1 education representative which is comprised of six (6) members of Council and six (6) community representatives with full voting privileges.

(ab) the Public Health Committee Terms of Reference (Appendix 'B' to By-law 21-021, as amended), be **amended**, as follows:

(i) The Public Health Committee shall be comprised of:

1. 6 members of Council;
2. 6 community health professionals (can be from either a regulated profession (i.e. doctor, nurse, social worker) or an unregulated profession (i.e. harm reduction worker, outreach worker, disability justice advocate); and
3. 1 education representative

(ac) Section 5.2 "Appointment of Committee Chairs and Vice Chairs" be **amended**, as follows:

### **5.2 Appointment of Committee Chairs and Vice Chairs**

(2) Despite subsections 5.2(1)(a) and (b):

(a) the Mayor may stand as the Chair of the General Issues Committee for the term of Council or the Chair of the General Issues Committee may be rotated amongst the Deputy Mayors.

(ad) Section 5.3 "Standing Committee Membership" be **amended**, as follows:

### **5.3 Standing Committee Membership**

(1) General Issues Committee shall be comprised of all Members of Council.

(2) Public Health Committee shall be comprised of 6 Members of Council, 6 community health professionals (can be from either a regulated profession (i.e. doctor, nurse, social worker) or an unregulated profession (i.e. harm reduction worker, outreach worker, disability justice advocate); and 1 education representative;

- (7) Each Member of Council shall sit on a minimum of 3 Standing Committees, in addition to the General Issues Committee.
3. That the Selection Process for the appointment of the 6 community health professionals and the 1 education representative to the Public Health Committee, be approved, as follows:
- (aa) That the Public Health Committee Selection Committee for the recruitment of the 6 community health professionals (can be from either a regulated profession (i.e. doctor, nurse, social worker) or an unregulated profession (i.e. harm reduction worker, outreach worker, disability justice advocate); and the 1 education representative to the Public Health Committee, be comprised of the six (6) members of Council and six (6) community representatives;
  - (ab) That the Greater Hamilton Health Network (GHHN), GHHN Health Equity Council, Hamilton Trans Health Coalition, Woman Abuse Working Group (WAWG), Refugee Newcomer Health, and the Hamilton Anti-Racism Resource Centre (HARRC) recommend the appointment of the six (6) community representatives on the Public Health Committee Selection Committee for the recruitment 6 community health professionals and the 1 education representative to the Public Health Committee for the 2022-2026 term of Council for Council's consideration;
  - (ac) That the six (6) community representatives appointed to the Public Health Committee Selection Committee for the recruitment of 6 community health professionals and the 1 education representative to the Public Health Committee, be required to complete and adhere to a confidentiality agreement as well as the Code of Conduct for Local Boards.
  - (ad) That the Corporate Policy - Hamilton City Council - Appointment of Citizens to the City's Agencies, Boards, Commissions, Advisory (Volunteer) Committees and Sub-Committees, be **amended**, by adding the following new sub-section 16 and renumbering the remaining sub-sections accordingly:

Selection Process for the Appointment of the 6 community health professionals and the 1 education representative to the Public Health Committee

16. Six (6) members of Council and six (6) community representatives are appointed to the Public Health Committee Selection Committee whose mandate will be to:

- (i) Review applications for the appointment of the 6 community health professionals (can be from either a regulated profession (i.e. doctor, nurse, social worker) or an unregulated profession (i.e. harm reduction worker, outreach worker, disability justice advocate); to the Public Health Committee;
- (ii) Shortlist the applicants with assistance of staff, where appropriate, based on the applicant information provided;
- (iii) Request that the following Advisory Committees submit confidential interview questions:
  - (a) Hamilton Women and Gender Equity Advisory Committee
  - (b) Indigenous Advisory Committee
  - (c) LGBTQ Advisory Committee
  - (d) Committee Against Racism Advisory Committee
  - (e) Advisory Committee for Persons with Disabilities
- (iv) Request that the Hamilton District School Board and the Hamilton Catholic District School Board nominate a candidate(s) as the 1 education representative to be appointed to the Public Health Committee for the Public Health Committee Selection Committee consideration;
- (v) Interview applicants and nominated candidates, if necessary, who have met the criteria (below), ensuring that they are not ineligible (below);

Preference will be given to applicants who meet the following criteria:

- a resident of, or owner of a business in, the City at least 18 years of age;
- an owner or tenant of land in the City, or the spouse of such a person;
- not employed by the City of Hamilton;
- interest or background in issues affecting municipal public health programs and services
- interest or skills in planning and policy development leading to a comprehensive municipal public health agenda that meets local community needs experience in organizational activities, such as committees, non-profit groups, voluntary societies, occupational associations skills in leadership and management
- experience in administration and budget development
- demonstrated skills in conflict management, negotiation and mediation
- ability to make a commitment to monthly involvement in Public Health Committee meetings and related committees or other activities
- a youthful perspective, defined as an individual in the 18-30 age range, a desired qualification for at least one public member
- a frontline worker perspective

(b) That the Revised Appendix C to Report FCS23034, as requested by Committee, attached as Appendix K to Audit, Finance and Administration Committee Report 23-005, be received. (Added Item 10.4(a))

**7. Grants Sub-Committee Report 23-001, March 31, 2023 (Added Item 10.5)**

**(a) Funding Recommendations for the One-Time Enhancement Grant (GRA22001(b)) (City Wide) (Item 8.1)**

- (i) That, the funding allocation, earmarked for potential matching opportunities in the City Enrichment Fund reserve #112230 be approved to fund the One-Time Enhancement Grant in the amount of \$500,000; and,

(ii) That, the distribution of funds to recommended organizations as outlined in Appendix "L" to Audit, Finance and Administration Committee Report 23-005, be approved.

**(iii) *That any funds allocated and distributed through the One-Time Enhancement Grant Relief Program be exempt on a one-time basis and not be counted toward any formula that restricts regular funding from the City including the City Enrichment Fund (e.g. the City's 30% formula).***

**(b) Appointment of Committee Chair and Vice-Chair (Item 1.1)**

(i) That Councillor Nrinder Nann be appointed as Chair of the Grants Sub-Committee for the remainder of the 2022-2026 term.

(ii) That Councillor Cameron Kroetsch be appointed as Vice-Chair of the Grants Sub-Committee for the remainder of the 2022-2026 term.

**8. Committee Report Referral (FCS23051) (Added Item 14.2)**

(a) That Report FCS23051, respecting Committee Report Referral, be received; and

(b) That Report FCS23051, respecting Committee Report Referral remain confidential.

**FOR INFORMATION:**

**(a) CHANGES TO THE AGENDA (Item 2)**

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

**5. COMMUNICATION ITEMS**

5.2 Sjanita Harrison, respecting Restructuring the Board of Health

Recommendation: Be received and referred to Item 9 of Governance Review Sub-Committee Report 23-001, March 27, 2023 (Item 10.4 on today's agenda)

**6. DELEGATION REQUESTS**

6.1 Mark A. McNeil, Advisory Committee for Persons with Disabilities, respecting Motion to reorganize the Board of Health (for today's meeting)  
***Subsequently WITHDRAWN***

**10. DISCUSSION ITEMS**

10.3 HMRF-HWRF Pension Administration Sub-Committee Report 23-001, March 30, 2023

10.4 Governance Review Sub-Committee Report 23-001, March 27, 2023

10.5 Grants Sub-Committee Report 23-001, March 31, 2023

**11. MOTIONS**

11.1 Fair Wage Policy Review

**13. GENERAL INFORMATION/OTHER BUSINESS**

13.1 Amendments to the Outstanding Business List

a. Items Considered Completed and to be Removed

a. Use of External Services for Tax Assessment & Appeals  
Item on the OBL: 21-Q  
Addressed as Item 10.1 on the March 23, 2023 agenda

b. Delegated Authority to Staff Relating to Water Service Line Leaks  
Item on OBL: 23-A  
Addressed as Item 10.2 on today's agenda.

That the agenda for the April 6, 2023 Audit, Finance and Administration 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) March 23, 2023 (Item 4.1)**

That the Minutes of the March 23, 2023 meeting of the Audit, Finance and Administration Committee, be approved, as presented.

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

**(i)** That staff be directed to develop a process through which letters of appreciation are sent to members of volunteer Advisory Committees on their resignation or at the end of their term.

(ii) That Communications Items 5.1 to 5.2, be approved, as presented, as follows:

1. Heather Platt, respecting Resignation from the Hamilton Women and Gender Equity Committee (Item 5.1)

Recommendation: Be received.

2. Sjanita Harrison, respecting Restructuring the Board of Health (Added Item 5.2)

Recommendation: Be received and referred to Item 9 of Governance Review Sub-Committee Report 23-001, March 27, 2023 (Item 10.4 on today's agenda).

**(e) STAFF PRESENTATIONS / PRESENTATIONS (Item 8)**

- (i) **Accessible Transit Services: DARTS Fleet Management and Vehicle Safety Audit (Report 50695) Management Action Plans (AUD22007(a)) (City Wide) (Item 8.1)**

Charles Brown, Auditor General, addressed Committee respecting the DARTS Fleet Management and Vehicle Safety Audit (Report 50695) Management Action Plans, with the aid of a presentation.

That the presentation from Charles Brown, Auditor General, respecting DARTS Fleet Management and Vehicle Safety Audit (Report 50695) Management Action Plans, be received.

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

**(f) CONSENT ITEMS (Item 9)**

- (i) **Quarterly Emergency and Non-competitive Procurements Report (Item 9.1)**

That staff include descriptions of and rationale for purchases identified in the quarterly Emergency and Non-competitive Procurements Report.

**(g) DISCUSSION ITEMS (Item 10)**

Councillor Kroetsch relinquished the Chair to Councillor Hwang to introduce the following amendment to Item 2 of the Grants Sub-Committee Report 23-001:

- (i) **Grants Sub-Committee Report 23-001, March 31, 2023 (Added Item 10.5)**

2. **Funding Recommendations for the One-Time Enhancement Grant (GRA22001(b)) (City Wide) (Item 8.1)**

That the recommendations in Report GRA22001(b), be **amended** to add a new subsection (c) as follows:

- (c) ***That any funds allocated and distributed through the One-Time Enhancement Grant Relief Program be exempt on a one-time basis and not be counted toward any formula that restricts regular funding from the City including the City Enrichment Fund (e.g. the City's 30% formula).***

For further disposition of this matter, refer to Item 7.

**(h) MOTIONS (Item 11)**

Councillor Kroetsch relinquished the Chair to Councillor Hwang to introduce the motion.

**(i) Fair Wage Policy Review (Item 11.1)**

WHEREAS, the Fair Wage Policy has not been updated recently, especially in light of the serious changes to the industry as a result of the COVID-19 pandemic;

WHEREAS, there are record-level investments in building and a renewed interest in health, hygiene, and safety on job sites; and

WHEREAS, the City and other employers are contending with an underground economy which is destabilizing the associated job markets.

THEREFORE, BE IT RESOLVED:

- (a) That Human Resources and Finance and Corporate Services staff be directed to engage in a review of the Fair Wage Policy and any related schedules through stakeholder meetings for report back to the Audit, Finance and Administration Committee by the end of Q3 2023 with recommendations; based on stakeholder feedback;
- (b) That the following stakeholder groups be included in the consultation: Christian Labour Association Canada; Electrical Construction Association Hamilton; Hamilton Brantford Ontario Building & Construction Trades Council; Golden Horseshoe General Contractors Association; Greater Hamilton & Niagara Construction Association; Hamilton Halton Construction Association; Mechanical Contractors Association Hamilton Niagara; Labourers' International Union of North America; and Merit OpenShop Contributors Association of Ontario;
- (c) That there be two stakeholder meetings, inviting all stakeholders to each, at the beginning of Q3 2023; and

- (d) That members of City Council be permitted to attend as guests to hear stakeholder feedback directly.

At the request of Committee, sub-section (d) was voted on separately.

- (d) That members of City Council be permitted to attend as guests to hear stakeholder feedback directly.
- (a) That Human Resources and Finance and Corporate Services staff be directed to engage in a review of the Fair Wage Policy and any related schedules through stakeholder meetings for report back to the Audit, Finance and Administration Committee by the end of Q3 2023 with recommendations; based on stakeholder feedback;
- (b) That the following stakeholder groups be included in the consultation: Christian Labour Association Canada; Electrical Construction Association Hamilton; Hamilton Brantford Ontario Building & Construction Trades Council; Golden Horseshoe General Contractors Association; Greater Hamilton & Niagara Construction Association; Hamilton Halton Construction Association; Mechanical Contractors Association Hamilton Niagara; Labourers' International Union of North America; and Merit OpenShop Contributors Association of Ontario;
- (c) That there be two stakeholder meetings, inviting all stakeholders to each, at the beginning of Q3 2023; and

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

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

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

- (a) Items Considered Complete and to be Removed
  1. Use of External Services for Tax Assessment & Appeals  
  
Item on OBL: 21-Q  
Addressed as Item 10.1 on today's agenda
  2. Delegated Authority to Staff Relating to Water Service Line Leaks  
Item on OBL: 23-A  
Addressed as Item 10.2 on today's agenda.

**(j) PRIVATE AND CONFIDENTIAL (Item 14)**

**(i) Closed Minutes – March 23, 2023 (Item 14.1)**

- (a) That the Closed Session Minutes of the March 23, 2023 Audit, Finance and Administration Committee meeting, be approved as presented; and
- (b) That the Closed Session Minutes of the March 23, 2023 Audit, Finance and Administration Committee meeting, remain confidential.

That the Audit, Finance and Administration Committee move into Closed Session respecting Item 14.2, pursuant to Section 9.3, Sub-section (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.

**(ii) Committee Report Referral (FSC23051) (Added Item 14.2)**

For further disposition of this matter, refer to Item 8.

**(k) ADJOURNMENT (Item 15)**

That, there being no further business, the Audit, Finance and Administration Committee, be adjourned at 1:18 p.m.

Respectfully submitted,

Councillor Cameron Kroetsch, Chair  
Audit, Finance and Administration  
Committee

Tamara Bates  
Legislative Coordinator  
Office of the City Clerk



**Accessible Transit Services:  
DARTS Fleet Management and Vehicle  
Safety Audit (Report #50695)**

**Recommendations  
and  
Management Action Plans**

**April 6, 2023**

**Office of the Auditor General  
Brigitte Minard, Deputy Auditor General  
Domenic Pellegrini, Senior Auditor  
Charles Brown, Auditor General**

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## Introduction

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As a result of the audit completed by the Office of the Auditor General (OAG) with support from Fleet Challenge Canada (FCC), many significant opportunities for improvement were identified and a total of 73 (nine from the OAG and 64 from FCC) recommendations were made.

The Office of the Auditor General requested one high-level management response from management in the Transit Division in Q3 2022, with direction received from Council to report back to the OAG by January 2023 with a detailed management action plan, which were then to be reported to the Audit, Finance and Administration Committee for approval. The detailed management action plans were received by the OAG and are included below.

### FCC Recommendations-Key Highlights

The FCC recommendations covered a broad range of themes including:

- DARTS Driver Communications
- DARTS Safety Practices
- Recommendations for Accessible Transit Services (ATS)
- Recommendations for DARTS
- Recommendations for DARTS Regarding its Subcontractors
- Insurance
- Contracts-Memorandum of Agreement (MOA)
- Contracts-Subcontractor Service Agreements

Broadly speaking, many recommendations related to vehicle safety and how to ensure that service is delivered to residents-that is providing them with a trip in a safe vehicle that is properly insured, and are driven by a driver that is properly trained with an adequate safety and training record.

The many recommendations that related to contracts and insurance ultimately support the safe delivery of accessible transit services, while achieving value for money in service delivery (primary focus being effectiveness of service delivery).

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## Recommendations

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### Office of the Auditor General Recommendations

#### Recommendation 1

We recommend that the existing Memorandum of Agreement (MOA) be substantially redesigned with a view to ensuring safe and efficient operations, clear standards, and effective remedies and contingencies. The MOA is dated, and lacks many critical areas of contract language such as driver training, vehicle safety, remedies for non-performance or conformance, penalties for non-compliance, vehicle specifications and standards, etc. A new, modern legal document that meets the City's requirements is needed.

#### Management Response

##### **Agree.**

ATS acknowledges that the existing contract between the parties is insufficient. The overall approach to arrive at a new agreement will be undertaken in two parts:

- For existing terms which require minor updates or revisions, the Transit Division will work with internal legal counsel to issue an amending agreement to the existing contract between the parties, where it is practical to do so to cover interim matters pending the preparation of a new agreement. (In progress)
- For areas which require either substantive changes or new requirements, the Director of Transit will define business terms through discussions with the contractor. Legal counsel will thereafter prepare the appropriate terms and conditions for inclusion in a new agreement for the parties to execute. (Not yet started)

**Anticipated completion:** Q2 2023 (amending agreements), Q4 (new Agreement).

#### Recommendation 2

We recommend that the Transit Division set standards for contractor and sub-contractor vehicle safety inspection results and include this language in future contract updates to ensure public safety risks are properly addressed. When assessing inspection results, the City should exercise contractual rights to penalize contractors failing to meet the safety standards to the fullest extent

possible, and it should have intervention mechanisms that are effective and timely.

## Management Response

### **Agree.**

Best practices in contracting provide clauses which escalate dependent on the severity of the incident and incorporate corrective measures and cancellation and/or termination clauses which are more robust in nature than in the existing document between the parties.

**Anticipated completion:** Q2 2023 (amending agreements) Q4 (new Agreement). See also response below to themed recommendations 44-50.

## Recommendation 3

We recommend that a single, accurate, and complete list of DARTS and Subcontractor vehicles be maintained by the contractor and be available to the Transit Division. The list should be up to date in real time and revised whenever there are changes proposed by the contractor. This should be part of any updated contract related to the provision of accessible transit services.

In order to properly identify each unique vehicle, this list should include the vehicle number, the license plate number, the VIN number, and proof of insurance. It should also reflect whether the vehicle is active or inactive. The accuracy and completeness of this list should be tested and verified at least annually. Consideration should also be given to defining key terms relating to the above in future contract updates.

## Management Response

### **Agree.**

The City will establish a rolling fleet inventory report with specified requirements and timelines to be completed by the Contractor/subcontractors. This will be set out as an Appendix in the revised Master Operating Agreement (MOA). Contract Management (CM) criteria will be established for verifying the vehicles. The City will establish this on a shared Fleet Management Information System to which the parties can have real-time access.

**Anticipated completion:** Q2 2023 (amending agreements) Q4 (new Agreement) Q2 2023 (Fleet Management Information System).

**Recommendation 4**

We recommend that Transit's contract management practices be improved to ensure adequate contract management documentation is maintained by the City, including for amendments, non-conformances, and penalties, ensuring that contract management administrative requirements are strictly adhered to, maintaining appropriate contractor boundaries, and formal communications with them are timely, effective, and sufficient.

**Management Response**

**Agree.**

ATS service is delivered through contracted services and the audit findings highlight the need for stronger oversight of the contractor/subcontractors given the performance concerns. A Contract Management (CM) program will be embedded into future agreements between the parties based on the new terms.

While ATS has improved its contract management practices over the past two years, there is more work to be done. Currently, responsibility for contract management on the DARTS file is a shared responsibility between the Manager and a Senior Project Manager whose portfolio also includes other divisional contracts.

A review will be conducted to assess the need for a dedicated Contract Manager position with sole responsibility for managing ATS contracts/subcontractor activity.

**Anticipated completion:** Q4 2023 (following Agreement completion) for new contract management framework. Q3 2023 (business case for dedicated Contract Manager for 2024 budget submission).

**Recommendation 5**

We recommend that Transit's process for approving subcontractors be improved and replaced with a consistent, formalized process and criteria that will ensure appropriate due diligence and provide the City with assurances that any proposed subcontractors are being properly vetted prior to being considered for approval. It should be the City's sole discretion if any sub-contractors are to be utilized or not.

**Management Response**

**Agree.**

ATS will include subcontractor approvals as part of the assessment set out in Recommendation 4 (above) regarding a dedicated Contract Manager.

**Anticipated completion:** Q2 2023 (amending agreements) Q4 (new Agreement); Q3 2023 (business case for dedicated Contract Manager).

## Recommendation 6

We recommend that the Trapeze application and the service data be under the control of the City. The Transit Division needs access to all the Trapeze functionalities and captured data, and this should be a critical requirement of the terms that form part the next agreement with a contractor. Consideration should also be given to having future contracts include some level of authority over routing decisions by the City.

## Management Response

**Agree.**

Trapeze should be returned to the control of the City, with contractor staff receiving restricted access based on job functions. ATS will discuss with Information Technology to determine a work plan to return that functionality back to City control.

A number of years ago, the City gave control to the contractor for reservations and routing, which necessitated the contractor having control of the software (Report PW11093).

ATS will conduct a study to determine if reservations and routing should be brought back within the control of the City not only for greater oversight of routing decisions, but also for effectiveness and efficiency reasons, including the delivery of a successful integrated transit pilot (see also Appendix "A" to Report PW21055 - Review of ATS Eligibility Determination Process and Services, and PW19083(a)/FCS18048(b) Investing in Canada Infrastructure Program, Public Transit Stream - Allocation of Funding Balance).

**Anticipated completion:** Q3 2023 (workplan for return of Trapeze database to City control, with implementation to follow); Q4 2023 (business case for return of scheduling and reservations decisions to ATS).

## Recommendation 7

We recommend that contractor performance for the accessible transit services contracts be tracked and evaluated using a consistent and robust process.

**Management Response**

**Agree.**

ATS will develop a new Contract Management (CM) framework based on the terms of a modified or new Agreement between the parties. The CM program will include site inspections, document review and reporting requirements, at a minimum.

**Anticipated completion:** Q2 2023 (amending agreements) Q4 (new Agreement), Q3 2023 (business case for dedicated Contract Manager).

**Recommendation 8**

We recommend that contract management training be provided to Transit Division staff to ensure the City's rights under contract are protected and timely remedies can be implemented during the contract management process.

**Management Response**

**Agree.**

ATS will ensure that staff receive updated Contract Management training from the City of Hamilton as available.

**Anticipated completion:** Q3 2023.

**Recommendation 9**

We recommend that Transit develop contingency plans that can be executed should the need arise to replace and/or cancel a contract with a contractor/subcontractor.

**Management Response**

**Agree.**

ATS agrees that contingency planning is important, however, noting the specialized equipment in use on this type of contract, it is not operationally feasible to switch to a different provider in an emergent situation under a sole contract.

Future contingency planning will require consideration of more than one contract for similar work to ensure there are alternative service options.

**Anticipated completion:** Q3 2023 (contingency workplan).

## Fleet Challenge Canada Recommendations

### Theme A: Recommendations Regarding DARTS Driver Communications

#### Recommendation 1

DARTS drivers, whether employed by DARTS or its subcontractors, should have a mechanism for freely reporting their concerns and complaints without fear of reprisal.

#### Management Response

**Agree.**

The contractor has an Incident Management System in place available to it and its subcontractor drivers. The system has feedback loop capabilities and tiered access rights, and covers mechanical, scheduling, health and safety, and passenger issues.

**Anticipated completion:** Complete (incident management reporting system); Q2 2023 (Quality Management System database for anonymous and transparent non-conformance and resolution reporting).

#### Recommendation 2

DARTS drivers filing a complaint or concern should be given the option of anonymity if that is their choice.

#### Management Response

**Agree.**

The contractor advised they have an employee suggestion process available to staff. The contractor will implement a Non-Conformance Reporting (NCR) process for drivers through a Quality Management System (QMS) database.

The contractor advised they will include an anonymous reporting feature on their web site for employee use, and issue resolution will be posted online for their employees and those of their subcontractors.

ATS is working with City staff to explore a QMS database solution for the contractor that aligns with City processes.

**Anticipated completion:** Complete (Incident Management Reporting System); Q2 2023 (Quality Management System database for anonymous and transparent non-conformance and resolution reporting).

### Recommendation 3

DARTS should appoint a designate to receive driver concerns and complaints. The designate should be a senior-level representative, sufficiently empowered and accountable for taking reasonable and appropriate corrective actions to address the driver's complaints/concerns once validated.

### Management Response

**Agree.**

The contractor advised they have an employee suggestion process available to staff and will implement a Non-Conformance Reporting (NCR) process for drivers through a Quality Management System database.

The contractor will include an anonymous reporting feature on their web site for employee use, and issue resolution will be posted online for DARTS and subcontractor employees.

**Anticipated completion:** Complete (Incident Management Reporting System); Q2 2023 (Quality Management System database for anonymous and transparent non-conformance and resolution reporting).

### Recommendation 4

Complaints and comments by DARTS drivers should be documented and time-stamped, and an action plan prepared to address the driver's issue(s) by the DARTS designate selected to receive driver concerns and complaints.

### Management Response

**Agree.**

The contractor advised they have an employee suggestion process available to staff and will be implementing a Non-Conformance Reporting (NCR) process for drivers through a Quality Management System database.

The contractor will include an anonymous reporting feature on their web site for employee use, and issue resolution will be posted online for their employees and those of their subcontractors.

**Anticipated completion:** Complete (Incident Management Reporting System); Q2 2023 (Quality Management System database for anonymous and transparent non-conformance and resolution reporting).

## Recommendation 5

The DARTS designate should ensure that there is a follow-up process in place to advise the complainant of the actions taken by DARTS to correct the issue.

## Management Response

**Agree.**

The contractor advised they have an employee suggestion process available to staff and will be implementing a Non-Conformance Reporting (NCR) process for drivers through a Quality Management System database.

The contractor will include an anonymous reporting feature on their web site for employee use, and issue resolution will be posted online for their employees and those of their subcontractors.

**Anticipated completion:** Complete (Incident Management Reporting System); Q2 2023 (Quality Management System database for anonymous and transparent non-conformance and resolution reporting).

## Recommendation 6

The DARTS designate should be required to prepare a monthly report to DARTS senior management and the ATS of all complaints/concerns and corrective actions taken.

## Management Response

**Agree**

This will be incorporated into a Monthly Report from the contractor to ATS in an agreed-upon format, to include customer complaints and a summary of the incident management system referenced above. Customer complaints and Operator incident reports are currently followed up individually.

**Anticipated completion:** Q2 2023 (finalize monthly report format).

## Theme B: Recommendations Regarding DARTS Safety Practices

### Recommendation 7

DARTS should take immediate actions to ensure its vehicles, and those of its subcontractors always meet MTO safety standards, not just when inspections are completed.

### Management Response

#### **Agree.**

The contractor immediately implemented a 6-month safety check process for all ambulatory vehicles (all accessible vehicles are already required to have a safety inspection ever 6 months under MTO regulation). The contractor hired a new Clerk to perform data entry for subcontractors, licence management, vehicle oversight, etc.

The contractor has been notified that ATS expects internal inspections to be completed monthly (at a minimum) for all vehicles used to provide service. Sample records are now audited by ATS, and ATS flags vehicles each month for third party inspections at an MVIS location beginning with the minimum random selection of five (5) percent of each fleet and adding more vehicles as is judged to be prudent, based on review of available records and previous inspection outcomes. The contractor and subcontractors have been compliant with the third-party inspection process as communicated by ATS.

Based on the above process, ATS currently selects vehicles for inspection each month, and will continue to do so until it is satisfied that any residual vehicle issues are resolved. Expectations regarding the ongoing oversight and audit of contractor and subcontractor vehicle maintenance will be set in the revised contractor Agreement.

**Anticipated completion:** Ongoing (ATS third party inspections); Q2 2023 (refine and document expectations as part of amending agreement to existing contract).

### Recommendation 8

Safety inspections of the DARTS fleet, and its subcontractors should be conducted in accordance with applicable Ministry of Transportation of Ontario (MTO) Safety Standards Inspection (SSI) protocol and guidelines.

(For further details please see the section of this report that deals with DARTS and DARTS subcontractor's practices).

## Management Response

### Agree.

The contractor has been notified that ATS expects internal inspections to be completed at least monthly for all vehicles used to provide service: sample records are now audited by ATS each month and ATS flags vehicles each month for third party inspections at an MVIS location based on random selection as well as available records. The contractor and its subcontractors have been compliant with the third-party inspection process as communicated by ATS.

**Anticipated completion:** Complete (process in place for ATS third party vehicle inspections, ATS records inspections, and ATS expectations communicated). Q2 2023 (refine and document expectations as part of amending agreement to existing contract).

## Recommendation 9

DARTS should provide drivers instruction on the use of emergency brakes and required to deploy their emergency brakes whenever their vehicle is stopped.

## Management Response

### Agree.

The contractor advised the topic has been included in its Driver Refresher Training Workshops. Sessions are scheduled for once a year, in groups of 2-3 (so as not to impact service) and are 4 hours in length.

These workshops are designed to provide refresher opportunities and current issues of the day based on trends. Recent topics include Q-Strait securement techniques and the new circle check process in response to recent complaints and audit findings. Subcontractors will be providing the same training to their drivers and will share the curriculum and content expectations. Attendees will sign off on participation and filed in their employee records. The contractor has implemented electronic reminders on driver tablets and notices in driver mailboxes for safety bulletins.

**Anticipated completion:** Complete.

## Recommendation 10

DARTS should ensure that emergency brakes are inspected, tested and functional at all times.

## Management Response

**Agree.**

The contractor has added Emergency brakes to the revised vehicle Circle Check used by drivers and have been included for checking every time vehicle is in for other repair under the revised procedures.

**Anticipated completion:** Complete.

## Recommendation 11

DARTS should provide drivers with additional training and regular refresher on completing driver's daily inspections.

## Management Response

**Agree.**

The contractor has advised the topic has been included in Driver Refresher Training Workshops described above.

**Anticipated completion:** Complete.

## Theme C: Recommendations for ATS

### Recommendation 12

ATS should conduct random MTO safety compliance inspections of Contractor (DARTS) and Subcontractor in-service vehicles.

## Management Response

**Agree.**

ATS has put a robust process in place for inspecting contractor and subcontractor vehicles:

ATS immediately began inspecting vehicles based on repair history up until October 21; as these inspections wrapped up, we directed the contractor as of November 16 that we expected safety inspections to be completed internally at minimum monthly, in addition to regularly scheduled MTO inspections and operator circle checks.

ATS has begun randomly selecting five (5) percent of vehicles monthly from each provider, starting in December, for third party safety inspection and on-site records inspection, with additional vehicles as deemed prudent based on ATS review of available vehicle records and previous inspection outcomes. This will be embedded into the Contract Management program.

**Anticipated completion:** Complete.

### Recommendation 13

Regarding contract language in the current MOA requiring DARTS vehicles to be "certified mechanically fit and safe" and "meet the requirements of the Ministry of Transportation" (MTO), the ATS should ensure that contract language is amended to apply the correct terminology and applicable requirements of the MTO (For further details please see section of this report dealing with Contracts)

### Management Response

**Agree.**

These terms will be modified through an amending agreement between the parties.

**Anticipated completion:** Q2 2023 (amending agreements) Q4 (new Agreement).

### Recommendation 14

ATS should have real-time online access into a new DARTS fleet maintenance information system (FMIS) that would be managed and maintained by DARTS. This would enable ATS to verify the status of all DARTS MTO safety inspections and vehicle histories at any time while saving ATS time and administrative effort (as opposed to the ATS' current practice of laboriously tracking Vehicle Inspection Records (VIRs) in Excel after-the-fact). (For further details please see recommendations for DARTS later in this report.)

### Management Response

**Agree.**

After consideration and consultation with City of Hamilton Information Technology division and Enterprise Asset Management team, ATS has decided to work with staff to develop an interim FMIS solution that the contractor will use.

**Anticipated completion:** Q2 2023.

**Recommendation 15**

DARTS and DARTS subcontractor's driver's daily inspections should be in electronic format (as opposed to paper-based as they are now). ATS should have real-time access to drivers' inspection electronic records. Driver's electronic daily reports should be integrated into a fleet maintenance information system (FMIS) managed by DARTS. ATS should always have online access to the system to confirm actions are being taken by DARTS and subcontractors when defects are reported by drivers.

**Management Response****Agree in part.**

ATS is now regularly conducting on-site inspections of DARTS and subcontractor vehicle records, including driver's daily inspections. ATS also requests additional records based on repair history or third-party inspection outcomes, as it deems necessary. The contractor has advised its current paper-based form has been updated to include more focus on undercarriage, tire check, visible fluids on ground. Proper completion of circle checks is part of new driver training. The process for driver reporting for major defect going into service aligns with industry norms. There are few known technologies for electronic pre-trip checks. The contractor is not acting on this recommendation at this time.

ATS notes that some of this functionality for electronic access to records will be addressed in the response to Recommendation 14.

**Anticipated completion:** Not Applicable.

**Recommendation 16**

Vehicle inspection worksheets prepared to guide technicians in completing DARTS and subcontractor vehicle safety inspections should be reviewed by the ATS to confirm full compliance with applicable MTO Safety Standards Inspection guidelines (see previous point).

**Management Response****Agree.**

Working with the HSR Manager of Fleet Maintenance, ATS has reviewed monthly inspection forms in use by the contractor to provide direction for improvement and sample forms to use to ensure MTO compliance. The contractor is working with its subcontractors and with ATS to ensure all recommended amendments are clearly applied.

**Anticipated completion:** Complete (review and direction from ATS).

### Recommendation 17

ATS should review and ensure that vehicle inspection worksheets prepared to guide technicians in completing DARTS and subcontractor vehicle safety inspections must be signed by the licenced mechanic completing the inspections.

### Management Response

**Agree.**

Working with the HSR Manager of Fleet Maintenance, ATS has reviewed monthly inspection forms in use by DARTS and provided direction for improvement and sample forms to use to ensure MTO compliance. The contractor is working with its subcontractors and with ATS to ensure all recommended amendments are clearly applied. Mechanic's name, signature and license number are now added to all vehicle inspection worksheets.

**Anticipated completion:** Complete (review and direction from ATS).

### Recommendation 18

DARTS and DARTS subcontractors should provide ATS with current copies of the trade licences for their technicians/mechanics engaged in completing their MTO safety inspections and advise the ATS in the event of mechanic's trade certificate suspensions.

### Management Response

**Agree.**

All DARTS and DARTS subcontractor mechanic's license numbers have been provided to ATS for verification in the Skilled Trades Ontario public register. Expectations regarding updates to ATS in the event of license suspensions will be set in the revised contractor Agreement.

**Anticipated completion:** Complete (review of DARTS and subcontractor mechanic's licenses); Q2 2023 (refine and document expectations as part of amending agreement to existing contract).

### Recommendation 19

Major portions of the DARTS Master Operating Agreement (MOA) are no longer relevant. A new MOA is needed, ideally prepared with a clean slate approach. (Please see Contracts section of this report.)

## Management Response

### Agree.

ATS acknowledges that the existing contract between the parties is insufficient. The overall approach to arrive at a new agreement will be undertaken in two parts:

- For existing terms which require minor updates or revisions, the Transit Division will work with internal legal counsel to issue an amending agreement to the existing contract between the parties, where it is practical to do so to cover interim matters pending the preparation of a new agreement. (In progress)
- For areas which require either substantive changes or new requirements, the Director of Transit will define business terms through discussions with the contractor. Legal counsel will thereafter prepare the appropriate terms and conditions for inclusion in a new agreement for the parties to execute. (Not yet started)

**Anticipated completion:** Q2 2023 (amending agreements); Q4 (new Agreement).

## Recommendation 20

An approval process and protocol to be followed by DARTS and ATS should be in place in the MOA regarding fuel rates and upcharges, weekend rates and in general, all relevant pricing and rate structures. (Please see Contracts section of this report.)

## Management Response

### Agree.

ATS acknowledges that the existing contract between the parties is insufficient. The overall approach to arrive at a new agreement will be undertaken in two parts:

- For existing terms which require minor updates or revisions, the Transit Division will work with internal legal counsel to issue an amending agreement to the existing contract between the parties, where it is practical to do so to cover interim matters pending the preparation of a new agreement. (In progress)
- For areas which require either substantive changes or new requirements, the Director of Transit will define business terms through discussions with the contractor. Legal counsel will thereafter prepare the appropriate terms

and conditions for inclusion in a new agreement for the parties to execute.  
(Not yet started)

**Anticipated completion:** Q2 2023 (amending agreements); Q4 2023 (new Agreement).

## Recommendation 21

Language in the DARTS subcontractors Service Agreements regarding Validated Registered Drivers should be reviewed to include pre-hire driver abstracts, and follow-up abstracts after hire. (Please see Contracts section of this report.)

## Management Response

**Agree.**

DARTS will include language from its contract into those of their subcontractors for consistency.

**Anticipated completion:** Q4 2023.

## Recommendation 22

Language in the DARTS subcontractors Service Agreements regarding Validated Registered Drivers should be reviewed to define the minimum standards for drivers and include a maximum demerit point threshold. (Please see Contracts section of this report.)

## Management Response

**Agree.**

DARTS will include language from its contract into those of their subcontractors for consistency.

**Anticipated completion:** Q4 2023.

## Recommendation 23

Language in the DARTS subcontractors Service Agreements should include a commitment to professional driver improvement courses (PDIC) or remedial training, rather than taking a punitive approach when driver complaints are received, as is the current practice. (Please see Contracts section of this report.)

## Management Response

**Agree.**

Agreed. DARTS will include language from its contract into those of their subcontractors for consistency.

**Anticipated completion:** Q4 2023.

## Theme D: Recommendations for DARTS

### Recommendation 24

DARTS should practice vigilance regarding the contractual vehicle safety inspection requirements and maintenance procedures of its subcontractors to prevent a recurrence of unsafe subcontractor vehicles being operated in the DARTS fleet.

## Management Response

**Agree.**

DARTS reports it has directed all sub-contractors vehicles to subject vehicles to monthly inspections and forward the paperwork to DARTS to monitor vehicle repairs; random selections for inspection by DARTS are now in effect in addition to the 6-month safety inspections in place.

**Anticipated completion:** Ongoing (DARTS implementation of internal monthly inspections process); Complete (6-month safety inspections implemented).

### Recommendation 25

DARTS preventive maintenance (PM) inspections should be increased in intensity and frequency to reduce or eliminate safety defects – how much they need to increase would be determined by a new fleet maintenance information system (FMIS) (See point #28 below regarding fleet maintenance systems) based on "uptime" tracking functionalities of the FMIS.

## Management Response

**Agree.**

After consideration and consultation with City of Hamilton Information Technology division and Enterprise Asset Management team, ATS has decided

to work with staff to develop an interim FMIS in that will align with City of Hamilton practices.

ATS notified DARTS that it should be completing internal inspections at least monthly for all vehicles used to provide service. ATS audits sample records and then flags vehicles each month for third party inspections at an MVIS location based on both a minimum random selection, and on available records and previous inspection outcomes.

DARTS and subcontractors have been compliant with the third-party inspection process as communicated by ATS. DARTS reports it has implemented monthly vehicle inspection process for their fleet and that of their subcontractors, but ATS notes this has not yet been fully realized.

**Anticipated completion:** Complete (ATS third-party vehicle and ATS records inspections process implemented); Q2 2023 (FMIS); ongoing (DARTS internal monthly inspections process implemented).

## Recommendation 26

The requirement for subcontractors' drivers to complete daily vehicle circle checks, and the processes of managing the checks, and in particular, defects reported by drivers, should be defined in the subcontractor's service agreements (SAs).

## Management Response

**Agree.**

DARTS reports that all defect paperwork and maintenance checks for operators and subcontractors are being updated; DARTS will set expectations for subcontractors in updated subcontractor service agreements.

**Anticipated completion:** Q4 2023.

## Recommendation 27

DARTS should immediately implement quality assurance measures. In its current preventive maintenance practices, there are no quality assurance processes in place at DARTS. We feel this is likely the root cause of the high rate of safety inspection failures during the recent safety inspection campaign.

The DARTS Maintenance/Driver Supervisor is not a licenced mechanic and therefore not in possession of the skills and accreditations required to confirm that the work of the mechanics is satisfactory.

As one option, DARTS should consider a new Lead Mechanic job classification, in which a licensed mechanic would be given responsibility for final inspection of work completed by DARTS mechanics thusly assuring quality and increasing adherence to safety protocols.

## Management Response

### Agree.

DARTS advised it has restructured its Maintenance area, hiring a shop assistant, three technicians (mechanics) and recruited a Lead Mechanic. Additionally, one of its existing technicians has been promoted to a Supervisor position. ATS is working with City staff to explore a QMS database solution for DARTS that aligns with City processes, but DARTS will be required to have their own internal QMS.

DARTS reports they continue to use various software programs with tiered access according to position responsibilities; DARTS is currently investigating International Organization for Standardization (ISO) 9001 quality management training for the DARTS Supervisor of Quality Assurance, to be pursued in 2023.

**Anticipated completion:** Complete (licensed supervising mechanic and shop assistant); Q2 2023 (Quality Management System database); Q4 2023 (DARTS staff QMS training).

## Recommendation 28

DARTS should invest in a proper fleet maintenance information system (FMIS) to replace the current whiteboard. The fleet maintenance scheduling and management functionalities of the current program, which was developed in-house, are far inadequate for the needs of a modern fleet.

## Management Response

### Agree.

After consideration and consultation with City of Hamilton Information Technology division and Enterprise Asset Management team, ATS has decided to work with staff to develop an interim FMIS in that will align with City of Hamilton practices.

**Anticipated completion:** Q2 2023.

**Recommendation 29**

The recommended FMIS (see above) should be capable of multi-criteria preventive maintenance (PM) scheduling, tracking DARTS and subcontractor maintenance and safety inspection histories (now tracked by ATS externally in Excel), enable complex cost-analysis, track fuel usage and driver profiles, abstracts and a myriad of other functions required by a modern fleet. Electronic drivers' daily inspections should be connected to the FMIS to replace paper-based records now in place.

**Management Response****Agree.**

After consideration and consultation with City of Hamilton Information Technology division and Enterprise Asset Management team, ATS has decided to work with staff to develop an interim FMIS in that will align with City of Hamilton practices.

**Anticipated completion:** Q2 2023.

**Recommendation 30**

In the long-term, and once quality assurance processes are in place and the issue of safety inspections failures has been fully addressed in a manner that is acceptable to the ATS, DARTS should consider re-applying to become a licenced, accredited Ministry of Transportation (MTO) Motor Vehicle Inspection Station (MVIS).

If successful in becoming an MVIS, it would lower costs and increase efficiencies by eliminating the dependency on third-party garages for performing its MTO safety inspections.

That stated, without having quality assurance processes in place, as is the situation now, it would be risky if DARTS was able to complete its own MTO safety inspections given the results (~26% fail rate) from our independent safety inspections. At this time, a licenced, independent third-party MTO Motor Vehicle Inspection Station (MVIS) of the City's choosing would be a more prudent choice.

**Management Response****Agree in part.**

The DARTS location is unsuitable as an MVIS station as DARTS does not hold a lease to occupy its operating location at a facility that is shared by several different City divisions. To ensure our absolute confidence in MTO inspection

outcomes, ATS has arranged a location for external third party MTO-grade inspections, as the prudent choice outlined in Recommendation 30 (above).

**Anticipated completion:** Not Applicable (Contractor as MVIS); Complete (process in place for third party MVIS inspections).

### Recommendation 31

Under the terms of the MOA, there is a contractual requirement for DARTS use of subcontractors to be approved by the General Manager of Public Works. DARTS management should immediately seek this approval for existing and future subcontractors and ensure that documentation of the approval(s) is available at all times.

### Management Response

**Agree.**

There are currently 3 subcontractors that DARTS utilizes to provide shared ride specialized transit service. DARTS reports all subcontractor contracts are currently with DARTS legal, and changes are being applied as requested by the City in response to Audit recommendations. DARTS anticipates completion of the sub-contractor contract drafts by March 2023, for submission to the City for review, noting that the drafts will be more fully informed by the terms in the new City and DARTS Agreement.

ATS notes that since September of 2022, challenges with subcontractors have continued.

**Anticipated completion:** Q2 2023 (DARTS draft revised subcontractor agreements).

### Recommendation 32

DARTS should conduct a detailed financial review to compare the cost of subcontractor vehicles versus similar vehicles being obtained by DARTS through leases, rentals, or purchases. The latter options may be more cost-effective than previously expected. Consider issuing an RFQ/Q for the provision options (i.e., buy, rent or lease) for acquisition of light-duty vans now being provided by its subcontractors.

### Management Response

**Agree.**

DARTS has committed to undertaking this assessment, however, note that their current rented location at 330 Wentworth cannot house additional vehicles if expansion was considered. DARTS will perform this cost analysis and report back to ATS by Q2 2023.

**Anticipated completion:** Q2 2023.

## **Theme E: Recommendations for DARTS Regarding its Subcontractors**

### **Recommendation 33**

DARTS should take a vigilant approach in managing its subcontractors as far as their vehicle safety inspections and quality standards. For example, DARTS should require that annual MTO Safety Standards Inspections and 6-month accessible vehicle MTO Safety Standards Inspections required under the subcontractor Service Agreements to be carried out at MTO licenced Motor Vehicle Inspection Stations (MVIS') of DARTS choice, not the subcontractors.

#### **Management Response**

**Agree.**

DARTS reports all subcontractors have been contacted with dates for 6-month safety inspections at the MVIS station of DARTS' choice.

In the intermission, ATS is reviewing subcontractor vehicle information with DARTS and sending vehicles for third party assessment when required. ATS can advise that challenges with the subcontractors has not resolved since October of 2022.

**Anticipated completion:** Ongoing.

### **Recommendation 34**

DARTS should re-investigate its dependency on outsourced subcontractors. Cost-effective alternatives may include in-sourcing the services now outsourced to the sub-contractors.

#### **Management Response**

**Agree.**

DARTS has committed to undertaking this assessment, however, note that their current rented location at 330 Wentworth cannot house additional vehicles if expansion was considered.

ATS also notes that if subcontractors are no longer used, there is a risk of having no alternatives for service. DARTS will perform this cost analysis and report back to ATS by Q2 2023. ATS will also consider other alternatives.

**Anticipated completion:** Q2 2023.

### **Recommendation 35**

DARTS should complete comprehensive business case analysis to revisit the lowest cost options between insourcing or outsourcing to subcontractors.

### **Management Response**

**Agree.**

DARTS has committed to undertaking this assessment, however, note that their current rented location at 330 Wentworth cannot house additional vehicles if expansion was considered.

ATS also notes that if subcontractors are no longer used, there is a risk of having no alternatives for service. DARTS will perform this cost analysis and report back to ATS by Q22023. ATS will also consider other alternatives.

**Anticipated completion:** Q2 2023.

### **Recommendation 36**

For vehicles now provided and driven by DARTS subcontractors, DARTS should consider a hybrid business model in which DARTS would provide and maintain the vehicles while drivers would be provided and managed by contracted driver pool service-provider(s).

### **Management Response**

**Agree in part.**

ATS agrees with the investigation of alternative service models. Our immediate priority is public safety and the above suggestion would add management and oversight complexity.

DARTS reports its current location cannot accommodate housing and maintaining the vehicles currently housed on two subcontractor lots, and one

subcontractor employs unionized staff who are allowed to bring their vehicles directly home at the end of their shift, as part of their collective bargaining agreement.

**Anticipated completion:** Not Applicable.

### **Recommendation 37**

DARTS subcontractor Service Agreements should set a limit regarding the maximum age and total kilometres for subcontractor vehicles. As a starting point, we recommend vehicles should be no older than five model years and 200,000 total kilometres, but these thresholds should be confirmed through historical operating data and safety inspection failure rate analysis.

### **Management Response**

**Agree.**

This is a material change in existing agreements. ATS will work directly with DARTS to review repair and inspection history of vehicles with more than 200,000 total kilometres and older than 10 model years to determine if this should be adjusted in the subcontractor agreements.

DARTS reports it has directed subcontractors to retire vehicles after 10 model years but have not applied a cap to kilometres.

**Anticipated completion:** Q2 2023 (amending agreements).

## **Theme F: Recommendations – Insurance**

### **Recommendation 38**

DARTS should require subcontractors to obtain insurance coverage that applies to all vehicles owned or operated by the insured (as opposed to insurance coverage for specific vehicles identified by their vehicle identifications numbers, fleet unit numbers, makes/model/year of units or other methods).

### **Management Response**

**Agree.**

ATS is requesting copies of Certificate of Insurance (COI) for all vehicles owned and operated, as COIs are renewed. The type of policy used to cover all owned and operated vehicles is dependent on insurance policies obtained by subcontractors under the current DARTS MOA and subcontractor service

agreements. COIs are reviewed for compliance under these agreements and sent for review by the City of Hamilton Legal and Risk Management Service. Contract language governing insurance in both the DARTS MOA and subcontractor service agreements will be reviewed to include the requirement for vehicle coverage that applies to "all owned or leased" as opposed to vehicle-specific "as described" coverage, to avoid the extra administrative work necessary to track coverage for individual vehicles added or removed from service. There may be circumstances wherein subcontractors are only able to procure "as described" coverage. In these instances, Risk Management Services will review the coverage to ensure compliance.

**Anticipated completion:** Q4 2023 (revised subcontractor service agreement).

### **Recommendation 39**

DARTS and ATS, as additional named insureds, on subcontractor's insurance policies should be provided legally notarized copies of the subcontractor's certificates of insurance (COIs).

### **Management Response**

**Agree.**

An alternative and more vigilant approach as determined in consultation with the subject matter experts in Legal and Risk Management Services is to be implemented. Insurance documents from DARTS and/or their subcontractors should be submitted to ATS directly from the insurers, and then provided to Risk Management for a fulsome review, with a reserved right to request additional information and/ or notarized copies as needed to satisfy the City. Subject matter experts in Risk Management will reach directly out to these insurers as required. ATS has provided this direction to DARTS in a letter reviewed by Legal and Risk Management Services.

**Anticipated completion:** Q3 2023 (last subcontractor renewal due).

### **Recommendation 40**

In subcontractor COIs, DARTS and ATS should be provided full details including Declarations (e.g., at minimum the risks that are covered, policy limits, and deductibles), Insuring Agreements (e.g., policy conditions, exclusions and special limits, risks that are covered, policy limits, and deductibles, other insureds, a list of form numbers and endorsements that add to or alter the policy, losses covered, the subject matter of the insurance and description of the property covered, the perils insured against and circumstances when the insured may receive the proceeds of the insurance), Policy Conditions and Exclusions and Special Limits.

## Management Response

### **Agree.**

An alternative and more vigilant approach as determined in consultation with the subject matter experts in Legal and Risk Management Services is to be implemented. Insurance documents from DARTS and/or their subcontractors should be submitted to ATS directly from the insurers, and then provided to Risk Management for a fulsome review, with a reserved right to request additional information and/ or notarized copies as needed to satisfy the City. Subject matter experts in Risk Management will reach directly out to these insurers as required. ATS has provided this direction to DARTS in a letter reviewed by Legal and Risk Management Services.

**Anticipated completion:** Q3 2023 (last subcontractor renewal due).

## Recommendation 41

DARTS and ATS should be provided legally notarized subcontractor insurance COIs at least annually, any time changes are made to the policies, whenever a vehicle is added to the subcontractor's fleet, or any time a vehicle is returned to active DARTS service.

## Management Response

### **Agree.**

An alternative and more vigilant approach as determined in consultation with the subject matter experts in Legal and Risk Management Services is to be implemented. Insurance documents from DARTS and/or their subcontractors should be submitted to ATS directly from the insurers, and then provided to Risk Management for a fulsome review, with a reserved right to request additional information and/ or notarized copies as needed to satisfy the City. Subject matter experts in Risk Management will reach directly out to these insurers as required. ATS has provided this direction to DARTS in a letter reviewed by Legal and Risk Management Services.

**Anticipated completion:** Q3 2023 (last subcontractor renewal due).

## Recommendation 42

City of Hamilton Risk Management should review and approve in writing to DARTS and ATS management, the legally notarized COIs provided by each subcontractor's insurers before vehicles are put into active service in the DARTS operation.

## Management Response

### Agree.

An alternative and more vigilant approach as determined in consultation with the subject matter experts in Legal and Risk Management Services is to be implemented. Insurance documents from DARTS and/or their subcontractors should be submitted to ATS directly from the insurers, and then provided to Risk Management for a fulsome review, with a reserved right to request additional information and/ or notarized copies as needed to satisfy the City. Subject matter experts in Risk Management will reach directly out to these insurers as required. ATS has provided this direction to DARTS in a letter reviewed by Legal and Risk Management Services.

**Anticipated completion:** Q3 2023 (last subcontractor renewal due).

## Recommendation 43

City of Hamilton Risk Management should review subcontractor insurance requirements at least annually.

## Management Response

### Agree.

City of Hamilton Risk Management reviews all COI's upon renewal and requests amendments where any deficiencies are noted.

**Anticipated completion:** Complete (all COIs and any amendments as required are submitted by ATS to Risk Management for review).

## Theme G: Recommendations – Contracts – the MOA

## Recommendation 44

The DARTS Master Operating Agreement (MOA) should be re-written or replaced in its entirety. Although DARTS business structure has changed significantly over the years the MOA was executed almost ten years ago and has remained much the same:

- MOA Schedule A is irrelevant as it relates to vehicles and buses, they (the City) leased to DARTS, however there are no buses leased to the City as of last year

- MOA Schedule B relates to IT Services and has been stricken as DARTS procure their own servers and licences
- MOA Schedule C relates to City-owned land, offices & parking used by DARTS
- ATS no longer handles reservations – now DARTS manages

#### **Recommendation 45**

The terminology used in the MOA section 3.3.13 c): "Certificate of Mechanical Fitness" should be referred to as the Ministry of Transportation (MTO) Safety Standards Inspection (SSI) program.

#### **Recommendation 46**

The MOA should define requirements of accessible vehicles that must receive MTO accessible vehicle safety inspections every 6-months.

#### **Recommendation 47**

The MOA should be re-worded to require the Contractor (DARTS) to keep records of vehicle maintenance (it now refers to Schedule A regarding leased City-owned vehicles).

#### **Recommendation 48**

The MOA should define the requirement for driver's daily pre-trip inspections and the processes for managing documentation of, and actions resulting from these inspections.

#### **Recommendation 49**

The MOA should set out the requirements regarding driver screening and driver's abstracts, both pre-hire and during employment.

#### **Recommendation 50**

The MOA contract language should define the minimum standards as far as DARTS driver's demerit point status.

#### **Management Response for Themed Recommendations 44-50**

**Agree.**

ATS acknowledges that the existing contract between the parties is insufficient. The overall approach to arrive at a new agreement will be undertaken in two parts:

- For existing terms which require minor updates or revisions, the Transit Division will work with internal legal counsel to issue an amending agreement to the existing contract between the parties, where it is practical to do so to cover interim matters pending the preparation of a new agreement. (In progress)
- For areas which require either substantive changes or new requirements, the Director of Transit will define business terms through discussions with the contractor. Legal counsel will thereafter prepare the appropriate terms and conditions for inclusion in a new agreement for the parties to execute. (Not yet started)

**Anticipated completion:** Q2 2023 (amending agreements) Q4 (new Agreement).

## **Theme H: Recommendations – Contracts - Subcontractor Service Agreements (SAs)**

### **Recommendation 51**

Subcontractor Service Agreements (SAs) should be aligned with the DARTS MOA contractual obligations to the City.

### **Recommendation 52**

Contract language throughout the subcontractor SAs including current references to "Certificate of Mechanical Fitness", should be updated to correctly refer to the Ministry of Transportation (MTO) Safety Standards Inspection (SSI) program.

### **Recommendation 53**

The SAs should define requirements for accessible vehicles to receive MTO accessible vehicle safety inspections every 6-months.

### **Recommendation 54**

The SAs should be re-worded to require the subcontractors to keep records of vehicle maintenance and promptly provide such records to DARTS.

### **Recommendation 55**

The SAs should define minimum acceptable vehicle safety and preventive maintenance (PM) standards consistent with MTO safety standards.

**Recommendation 56**

The SAs should set out the consequence of non-compliance with MTO safety standards.

**Recommendation 57**

The SAs should define the consequence of non-compliance with MTO safety and PM standards, up to and including cancellation of their SA contracts.

**Recommendation 58**

The SAs should define the requirement for driver's daily pre-trip inspections, the processes for managing documentation of, and corrective actions resulting from these inspections.

**Recommendation 59**

The SAs should set out the requirements regarding driver screening and driver's abstracts, both pre-hire and during employment.

**Recommendation 60**

The SAs contract language should define the minimum standards as far as driver's demerit point status.

**Recommendation 61**

The SAs should include specific language requiring subcontractor vehicles to conform to safety requirements for the modification and construction of accessible vehicles.

**Recommendation 62**

Language in the SAs regarding Validated Registered Drivers should be reviewed to include pre-hire driver abstracts, and follow-up abstracts after hire.

**Recommendation 63**

Language in the SAs regarding Validated Registered Drivers should be reviewed to define the minimum standards for drivers and a maximum demerit point threshold.

**Recommendation 64**

Language in the SAs should include remedial measures such as professional driver improvement courses (PDIC) or training, rather than taking a punitive approach when driver complaints are received.

**Management Response for Themed Recommendations 51-64****Agree.**

ATS acknowledges that the existing contract between the parties is insufficient. The overall approach to arrive at a new agreement will be undertaken in two parts:

- For existing terms which require minor updates or revisions, the Transit Division will work with internal legal counsel to issue an amending agreement to the existing contract between the parties, where it is practical to do so to cover interim matters pending the preparation of a new agreement. (In progress)
- For areas which require either substantive changes or new requirements, the Director of Transit will define business terms through discussions with the contractor. Legal counsel will thereafter prepare the appropriate terms and conditions for inclusion in a new agreement for the parties to execute. (Not yet started)

**Anticipated completion:** Q2 2023 (amending agreements) Q4 (new Agreement).



Hamilton

## CITY OF HAMILTON

### Vision

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

## HAMILTON INDIGENOUS ADVISORY COMMITTEE Terms of Reference<sup>1</sup>

**Preamble:** This document uses the format and content typically used by the City of Hamilton for its advisory committees, but this Committee's work should be understood to have vital cultural traditions and teachings at its core. These may not be obvious in this document, but they are part of this Committee's approach and philosophy and how it pursues an effective path and a meaningful future through its work. The Committee respects a whole-world view that recognizes each individual's interconnectedness and also their contributions to the collective wellbeing of the whole. Balance, harmony, peace and justice are valued concepts within this philosophy.

### COMMITTEE MANDATE

The Indigenous Advisory Committee assists the City of Hamilton to honour and engage its Indigenous citizens in the pursuit of the City's vision by providing advice and/or recommendations, through the appropriate Standing Committee of Council, that enhance the wellbeing of Indigenous people and/or resolve municipal issues.

The Committee supports the City of Hamilton's Urban Indigenous Strategy and the successful and meaningful implementation of its Strategic Actions.

The Committee envisions a future where Hamilton is an inclusive and culturally-aware community, where issues of importance to Indigenous peoples living here are addressed proactively, effectively and respectfully on the municipal agenda.

### COMMITTEE OBJECTIVES

- to assist the City in achieving and demonstrating progress or positive change in support of the equitable economic, social, health and overall wellbeing of Indigenous citizens;
- to provide a forum and mechanism for coordinated dialogue and consultation between and among Indigenous leaders and other stakeholders, acting as a catalyst for the

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<sup>1</sup> The Terms of Reference for the Hamilton Indigenous Advisory Committee were approved by Council on September 22, 2014. The Selection Process and Composition sections were amended on July 10, 2015; and further amended on September 5, 2019. The committee name and terminology were revised February 23, 2022.

development of positive relationships and open, transparent dialogue between and among the City and these stakeholders; and,

- to offer input, advice and recommendations, through the Audit, Finance & Administration Committee, informed by stakeholder consultation, to support the City in determining effective municipal strategies and/or policies on issues of importance to Indigenous peoples.

### **COMMITTEE VALUES**

In fulfilling our mandate, members of the Committee uphold the following values of collective and individual importance: trust, respect, unity, truthfulness, inclusiveness, pride and empowerment. In our collective work with the City and with Indigenous stakeholders, members of the Committee seek relationships that are sustained by mutual respect and flexibility and that lead to constructive solutions, productive outcomes and improved opportunities for Indigenous peoples. We value increased visibility and recognition of the importance of Indigenous peoples and cultures, as a means to eliminating stereotypes.

### **SELECTION PROCESS**

The selection process for the Indigenous Advisory Committee is to include the local Hamilton Indigenous Community, which will recommend to Council the appointment of residents from the Hamilton Indigenous community, to sit on the Hamilton Indigenous Advisory Committee.

### **COMPOSITION**

The Advisory Committee will be comprised of seven (7) to nine (9) citizen appointees from the urban Indigenous community in Hamilton.

**POLICY TITLE: Private Water Service Line Leak Wastewater Bill Adjustment Policy**

POLICY NO: PP-015

LAST REVISION DATE: N/A

EFFECTIVE DATE: May 1, 2023

MANAGER REVIEWED: Kirk Weaver

TO BE REVIEWED: May 2028

MAINTENANCE RESPONSIBILITY: Financial Planning, Administration and Policy Division

## **I GENERAL**

The City of Hamilton’s Private Water Service Line Leak Wastewater Bill Adjustment Policy (Policy) provides customers who utilize City water services the opportunity to request adjustments of wastewater bills and associated fees, penalties and interest accrued, when wastewater / storm billings increase significantly, as a result of private watermain / service line leak(s), where the leak(s) are downstream of the property’s water meter. An adjustment would only occur where Hamilton Water determines that the leaking water from the private watermain / service line leak(s) likely did not enter the City’s sanitary sewer, storm sewer or combined sewer system.

## **II BACKGROUND**

As outlined by the City’s Waterworks By-law, the City’s ownership and maintenance obligations for the water distribution system includes the public watermains and the portion of the water service line up to and including the water curb stop located at the property line. The water meter is owned and maintained by the City.

The property owner is responsible for the private watermain / service line from the water curb stop to the structure, as well as, the premise plumbing and fixtures. It is the customer’s responsibility to keep their water lines and plumbing system in good working order. However, the City recognizes that water leaks do occur from time to time. Water leaks that occur downstream of a property’s water meter will affect the property’s water bills. Water meters may be located at the property line typically in underground chambers for some multi-residential and industrial, commercial and institutional (ICI) properties.

The Policy sets out specific eligibility criteria that a customer must meet in order to qualify for a billing adjustment due to increased wastewater / storm billings related to downstream private watermain / service line leaks. As wastewater / storm billings are based on potable water usage, the Policy aims to ensure that fundamental user fee principles related to Water/Wastewater services are maintained.

### III POLICY

#### PURPOSE

To provide staff with the delegated authority to make decisions on bill adjustments related to private watermain / service line leaks supporting the principle of a user-pay water and wastewater / storm system. A user fee is a charge imposed by the City for the primary purpose of covering the cost of providing a service, directly raising funds from those who benefit from the public good or service being provided. The Policy recognizes that water from private watermain / service line breaks may not enter into the City's sanitary sewer, storm sewer or combined sewer system and therefore, should not be subject to wastewater treatment charges.

#### DEFINITIONS

For the purposes of this Policy, the following definitions apply:

**abnormally high water usage:** Water and wastewater / storm billing for a City of Hamilton customer where the recorded metered water consumption for the customer is two (2) or more times greater than the historical daily average consumption of that customer for the same property and for a similar time period from the previous year.

**leak:** An unintentional water loss caused by broken and / or malfunctioning plumbing fixtures and / or pipes within a residence or building. A leak occurs when there is a failure of the plumbing system to do what it was designed to do.

**vacant:** Regardless of the presence of furnishings, a vacant dwelling and / or building means the occupants have moved out with no intent to return. A newly constructed dwelling and / or building is also considered to be vacant after it is completed and before the occupants move in. A dwelling and / or building is also vacant when the occupants move out and before any new occupant moves in.

#### REQUIREMENTS FOR WASTEWATER / STORM BILLING ADJUSTMENTS

Under this Policy, a credit adjustment may be available up to a maximum of twelve (12) months and \$100 K to qualifying City wastewater / storm customers who experience a private watermain / service line leak when determined by the City that the water did not enter the City's sanitary sewer, storm sewer or combined sewer system. Adjustments for amounts exceeding \$100 K are to be brought forward for the consideration of the Audit, Finance and Administration (AFA) Committee.

**Adjustment Amount (Credit)** – The customer's wastewater / storm billings may be adjusted based on the amount of water associated with the private watermain / service line leak(s) costed at the applicable year's wastewater rates.

#### To qualify for such determination:

- It is the property owner's responsibility to keep the private watermain / service line and their plumbing system in good working order.

- To qualify for a service line leak adjustment, the eligible watermain / service line leak(s) must generate a minimum additional charge of at least two (2) times the average of the past twelve (12) months' bills.
- An adjustment would only occur where Hamilton Water determines that the leaking water from private watermain / service line leak(s) likely did not enter the City's sanitary sewer, storm sewer or combined sewer system.
- The customer agrees to permit City personnel to access the customer's property to conduct inspections and determine that the leakage did not enter the City's sanitary sewer, storm sewer or combined sewer system.
- Upon receipt of an abnormally high water bill, the customer has actively attempted to address the leakage in a reasonable timeframe. The claim must be accompanied by proof that the leak(s) has been repaired before an adjustment will be made (i.e. copy of invoice for materials, contractor invoice).

#### OTHER CONDITIONS / EXCLUSIONS

- Water loss due to theft, vandalism or construction damage is not eligible for relief under this Policy. Resolving these issues is the responsibility of the customer.
- Leaks associated with structures that have been left or abandoned. In accordance with the Waterworks By-law, for all long-term vacant properties, the water service should be shut off at the property line.
- Leaks on irrigation systems or irrigation lines.
- Filling of water features, fountains or fish ponds, or leaks associated with water features.
- Filling of or leaks associated with and / or general water usage associated with outdoor recreational activities such as, but not limited to, hot tubs, pools, slip-n-slides and sprinklers.
- Watering of lawns or gardens and washing or pressure-washing driveways, cars, windows or siding of any structure.
- Water loss due to theft, vandalism or construction damage.

The Customer is required to keep their water and wastewater / storm account current with payment in full or establish a payment arrangement pending consideration in order to be eligible for billing adjustments under this Policy. Any unpaid amounts under appeal will be treated in the same manner as all other unpaid accounts so that collection activity continues as per the City's Water and Wastewater / Storm Arrears Policy.

## Statement of Investment Policies and Procedures

City of Hamilton Defined Benefit Pension Plans Master Trust

December 2022

**APPROVED** on this day of \_\_\_\_\_, 2023

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## Contents

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<b>Section 1—Overview</b>	<b>3</b>
1.01 Purpose of Statement	3
1.02 Background of the Master Trust	3
1.03 Objective of the Plan	3
1.04 Investment and Risk Philosophy	3
1.05 Administration	3
<b>Section 2—Asset Mix and Diversification Policy</b>	<b>4</b>
2.01 Master Trust Return Expectations	4
2.02 Expected Volatility	4
2.03 Asset Mix	4
2.04 Management Structure	8
2.05 Environmental, Social and Governance (ESG) Issues	8
<b>Section 3—Permitted and Prohibited Investments</b>	<b>9</b>
3.01 General Guidelines	9
3.02 Permitted Investments	9
3.03 Minimum Quality Requirements	11
3.04 Maximum Quantity Restrictions	13
3.05 Prior Permission Required	14
3.06 Prohibited Investments	14
3.07 Securities Lending	15
3.08 Borrowing	15
3.09 Conflicts between the Policy and Pooled Fund Investment Policies	15
<b>Section 4—Monitoring and Control</b>	<b>16</b>
4.01 Delegation of Responsibilities	16
4.02 Performance Measurement	18
4.03 Compliance Reporting by Investment Manager	19
4.04 Standard of Professional Conduct	19
<b>Section 5—Administration</b>	<b>20</b>
5.01 Conflicts of Interest	20
5.02 Related Party Transactions	21
5.03 Selecting Investment Managers	22
5.04 Directed Brokerage Commissions	22
5.05 Monitoring of Asset Mix	22
5.06 Monitoring of Investment Managers	23
5.07 Dismissal of an Investment Manager	23
5.08 Voting Rights	23
5.09 Valuation of Investments Not Regularly Traded	23
5.10 Policy Review	24
<b>Appendix A - Statement of Investment Policies &amp; Procedures Hamilton Municipal Retirement Fund</b>	<b>25</b>
<b>Appendix B - Statement of Investment Policies &amp; Procedures Hamilton Street Railway Pension Plan (1994)</b>	<b>27</b>
<b>Appendix C - Statement of Investment Policies &amp; Procedures The Hamilton-Wentworth Retirement Fund</b>	<b>30</b>
<b>Appendix D – Compliance Reports</b>	<b>32</b>

## Section 1—Overview

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### 1.01 Purpose of Statement

This Statement of Investment Policies and Procedures (the “Policy” or “Master Trust SIPP”) provides the framework for the investment of the assets of the City of Hamilton Defined Benefit Pension Plans Master Trust (the “Master Trust”).

This Policy is based on the “prudent person portfolio approach” to ensure the prudent investment and administration of the assets of the Master Trust are within the parameters set out in the *Pension Benefits Act*, (Ontario) and the Regulations thereunder.

### 1.02 Background of the Master Trust

The inception date of the Master Trust is November 1, 1999, when three defined benefit pension plans, the “Plans”, (the Hamilton Municipal Retirement Fund (Registration number 0275123), the Hamilton Street Railway Pension Plan (1994) (Registration number 0253344), and the Hamilton Wentworth Retirement Fund (Registration number 1073352)) invested in units of the Master Trust. The portfolio of assets in the Master Trust is referred to as “the Fund”. These Plans hold units of the Master Trust and share, on a pro-rata basis, in all income, expenses and capital gains and losses of the Master Trust.

For reference purposes, the details of the Statement of Investment Policies and Procedures for each of the above mentioned Plans participating in the Master Trust have been attached to Appendix A of this Policy.

### 1.03 Objective of the Plan

The objective of the Plans is to provide members of the Plans with retirement benefits prescribed under the terms thereof.

### 1.04 Investment and Risk Philosophy

The primary investment objective is to provide an economic return on assets sufficient to fund Plan liabilities over the long-term, while adhering to prudent investment practices.

The investment philosophies and strategies must take into account both return and risk objectives of the Plans and the City of Hamilton (the “City”).

In recognition of the risk and return objectives of the Plans and the City, an initial asset allocation policy was developed by the Investment Consultant in consultation with both the Chief Investments Officer and the Treasurer of the City (the “Treasurer”) based on the Plans’ current (at that time) funded status and the characteristics of the Plans and City. It is recognized, however, that the Plans’ return requirements and risk tolerance will change over time, and the intent is to reallocate the portfolio to lower risk allocations dynamically as the Plans’ funded statuses improve.

### 1.05 Administration

The General Manager of Finance and Corporate Services for the City (“General Manager of Finance and Corporate Services”) is the designated contact person at the City for administrative purposes.

## Section 2—Asset Mix and Diversification Policy

### 2.01 Master Trust Return Expectations

Each of the investment managers appointed to invest the assets of the Master Trust (the “Investment Managers”) is directed to achieve a satisfactory long-term real rate of return through a diversified portfolio, consistent with acceptable risks, performance objectives and prudent management.

In order to achieve their long-term investment goals, the Plans must invest in assets that have uncertain returns, such as Canadian equities, foreign equities and bonds. However, the City attempts to reduce the overall level of risk by diversifying the asset classes and further diversifying within each individual asset class. Based on historical data and reasonable expectations for future returns, the City believes that a diversified portfolio of Canadian equities, nominal bonds, real return bonds and foreign equities will likely outperform over the long term.

The overall goal of this Policy is to maximize the return of the Fund while bearing a reasonable level of risk relative to the liabilities in order to ensure the solvency of the Fund over time. The assets of the Plans are sufficiently liquid to make payments which may become due from the Plans. The weights applied to each of the asset classes are based on the targets in the initial asset allocation outlined in Section 2.03 and adjusted based on the target allocation in the Dynamic Investment Policy Schedule in Section 2.03.

### 2.02 Expected Volatility

The volatility of the Master Trust is directly related to its asset mix, specifically, the balance between Canadian bonds, Canadian equities and foreign equities. Since the Investment Managers do not have the authority to make any type of leveraged investment on behalf of the Master Trust, the volatility of the Master Trust should be similar to the volatility of the Benchmark Portfolio set out in Section 4.02 (Performance Measurement).

### 2.03 Asset Mix

(a) In order to achieve the long-term objective within the risk/return considerations described in Section 1.04, the following asset mix policy (Benchmark Portfolio) and ranges were selected for the initial asset allocation:

Assets	Minimum %	Initial Target Weight %	Maximum %	Asset Category
Canadian Equity	25	30	35	Return-Seeking
Global Equity	25	30	35	Return-Seeking
Total Equities	50	60	70	Return-Seeking
Fixed Income	30	40	50	Liability-Hedging

For purpose of the total asset mix described above, the Investment Managers' asset class pooled funds are deemed to be 100% invested, even though these funds may contain a portion held in cash and cash equivalent instruments.

The Plan's target asset allocation<sup>1</sup> for each investment category listed in subsection 76(12) of the Regulation 909 to the Pension Benefits Act (Ontario) is as follows:

**PfAD Table**

<b>Investment Category under subsection 76(12) of Regulation 909</b>	<b>Target Asset Allocation*</b>	<b>Accessed through mutual or pooled or segregated funds</b>
1. Insured Contracts	0.0%	-
2. Mutual or pooled funds or segregated funds	N/A	-
3. Demand deposits and cash on hand	0.0%	-
4. Short-term notes and treasury bills	0.0%	-
5. Mortgage Loans	0.0%	-
6. Mortgage Loans	0.0%	-
7. Real Estate	0.0%	-
8. Real Estate Debentures	0.0%	-
9. Resource properties	0.0%	-
10. Venture Capital	0.0%	-
11. Corporations referred to in subsection 11(2) of Schedule III to the federal investment regs	0.0%	-
12. Employer issued securities	0.0%	-
13. Canadian stocks other than investments referred to in 1 to 12 above	23.0%	Yes
14. Non-Canadian stocks other than investments referred to in 1 to 12 above	22.0%	Yes
15. Canadian bonds and debentures other than investments referred to in 1 to 12 above	55.0%	Yes
16. Non-Canadian bonds and debentures other than investments referred to in 1 to 12 above	0.0%	-
17. Investments other than investments referred to in 1 to 16 above	0.0%	-

For inclusion within a fixed income investment category in the above table, the minimum ratings for target asset allocations of fixed income assets are outlined below. This framework is used to inform whether the target asset allocation to an investment category qualifies as fixed income for purposes of calculating the Provision for Adverse Deviations (PfAD) as defined under Regulation 909.

<b>Credit Rating Agency</b>	<b>Rating – Bond Market Securities</b>	<b>Rating – Money Market Securities</b>
DBRS	BBB	R-2 (middle)
Fitch Ratings	BBB-	F-3
Moody's Investors Services	Baa3	P-3
Standard & Poor's	BBB-	A-3

- (b) **Return-Seeking Assets:** These assets generally will consist of all non-fixed income investments, such as equities and alternatives, with a main focus on price appreciation with generally higher expected long-term returns.
- (c) **Liability-Hedging Assets:** These assets generally will be fixed-income investments, such as bonds, with similar duration characteristics as the pension liabilities (i.e., these assets generally behave like pension liabilities). Since these assets focus mainly on current income, their expected long-term returns will generally be lower than return-seeking assets.
- (d) **Sub-Allocations and Rebalancing Ranges:** The sub-allocations and rebalancing ranges within the return-seeking portfolio will be reviewed from time to time as the total return-seeking allocation changes due to the Dynamic Investment Policy Schedule below. The rebalancing ranges for the total return-seeking assets and liability-hedging

\* The target asset allocation indicated in the PfAD table is based on the glidepath positioning as of June 30, 2022.

assets (fixed income) are also determined by the Dynamic Investment Policy Schedule below.

- (e) In recognition of the risk and return objectives of the Plans and the City, an initial asset allocation policy was developed by the Investment Consultant in consultation with both the Chief Investments Officer and the Treasurer based on the Plans' current (at that time) funded status and the characteristics of the Plans and City. It is recognized, however, that the Plans' return requirements and risk tolerance will change over time, and the intent is to reallocate the portfolio to lower risk allocations dynamically as the Plans' funded statuses improve.

Based on an assessment of the Plans' long-term goals and desired risk levels, the HMRF/HWRF Pension Administration Sub-Committee (following advice from the Investment Consultant) recommended to City Council a "Dynamic Investment Policy" which was subsequently approved by City Council. The Dynamic Investment Policy was developed by the Investment Consultant in consultation with the Chief Investments Officer and the Treasurer, and is based on the 2010 Dynamic Investment Policy Study which was conducted by the Investment Consultant.

The Dynamic Investment Policy dynamically adjusts the allocation to return-seeking assets and liability-hedging assets as the Plans' funded statuses improve. Funded status may change due to any combination of investment returns, contributions, benefit payments, fund expenses, and changes to liabilities (including discount rate changes).

This Policy is based on the results of the 2010 Dynamic Investment Policy Study and the Dynamic Investment Policy Schedule is as follows:

Funded Ratio <sup>1 2</sup>	Return -Seeking Allocation		
	Minimum	Target	Maximum
<65%	50%	60%	70%
65%	50%	60%	70%
66%	50%	60%	70%
67%	50%	60%	70%
68%	50%	60%	70%
69%	50%	60%	70%
70%	50%	60%	70%
71%	49%	59%	69%
72%	47%	57%	67%
73%	46%	56%	66%
74%	44%	54%	64%
75%	43%	53%	63%
76%	41%	51%	61%
77%	40%	50%	60%
78%	38%	48%	58%
79%	37%	47%	57%
80%	35%	45%	55%
81%	34%	44%	54%
82%	32%	42%	52%
83%	31%	41%	51%

Return -Seeking Allocation			
Funded Ratio <sup>1 2</sup>	Minimum	Target	Maximum
84%	29%	39%	49%
85%	28%	38%	48%
86%	26%	36%	46%
87%	25%	35%	45%
88%	23%	33%	43%
89%	22%	32%	42%
90%	20%	30%	40%
91%	19%	29%	39%
92%	17%	27%	37%
93%	16%	26%	36%
94%	14%	24%	34%
95%	13%	23%	33%
96%	11%	21%	31%
97%	10%	20%	30%
98%	8%	18%	28%
99%	7%	17%	27%
100%	5%	15%	25%
>100%	5%	15%	25%

<sup>1</sup> Funded ratio defined on a Wind-up basis.

<sup>2</sup> Funded ratio will change based on any combination of investment returns, contributions, benefits payments, expenses and changes in liabilities.

Sub-Allocations: The sub-allocations within the liability hedging and return seeking categories will be drawn down approximately based on the table below. However, allocations to illiquid assets may be adjusted at a slower rate. Sub-allocations should be within 5% of their targets. The sub-allocations will be adjusted proportionately when the return-seeking allocation is between the levels listed in the table below.

	Return Seeking		Liability Hedging	
	Canadian Equity	Global Equity	Long-Term Bonds	Real Return Bonds
15% return seeking	8%	7%	11%	74%
20% return seeking	10%	10%	12%	68%
25% return seeking	13%	12%	14%	61%
30% return seeking	15%	15%	15%	55%
35% return seeking	18%	17%	17%	48%
40% return seeking	20%	20%	18%	42%
45% return seeking	23%	22%	20%	35%
50% return seeking	25%	25%	21%	29%
55% return seeking	28%	27%	23%	22%
60% return seeking	30%	30%	25%	15%

Duration Strategy: Based on the Dynamic Investment Policy Study completed in 2010, the portfolio interest rate dollar duration will increase as the funded status improves and the allocation to liability hedging assets increases. Interest rate derivatives may be used on either a strategic or opportunistic basis to mitigate risk by increasing the hedge ratio up to 100%. This will be at the discretion of the Administrator and based on the duration of the Plan's liabilities.

Rebalancing and Monitoring: A systematic rebalancing procedure will be utilized to ensure that the asset allocation of the Fund stays within the ranges defined above. As the return-seeking asset allocation changes, the sub-category allocations will be kept approximately proportional to the Initial allocation specified above. However, the allocations to illiquid investments may be adjusted more slowly. The funded ratio and asset allocation of the Fund will be reviewed regularly or when significant cash flows occur, and will be monitored and reported on at least an annual basis, or upon such more frequent basis as may be requested by City Council or its delegates from time to time. The Fund will be rebalanced as necessary, making use of benefit payments and contributions to the extent possible and considering the transaction costs involved in the rebalancing.

## **2.04 Management Structure**

The Master Trust may employ a mix of active and passive management styles. Active management provides the opportunity to outperform specific investment benchmarks and it can provide lower absolute volatility of returns. Passive, or index, management minimizes the risk of underperformance relative to a benchmark index and is generally less expensive than active management. This approach also diversifies the manager risk, making the Master Trust less reliant on the skills of a single Investment Manager.

Because holding large amounts of foreign assets can expose the Master Trust to fluctuations in the level of the Canadian dollar, a portion of the foreign assets may be hedged back into Canadian dollars.

## **2.05 Environmental, Social and Governance (ESG) Issues**

The Administrator's primary responsibility is to make decisions in the best interest of the Plan beneficiaries. This responsibility requires that there be an appropriate balance between the need to seek long-term investment returns to help build better pensions for all members of the Plans and the needs for those returns to be delivered in as stable a manner as possible (given the behaviour of the investment markets).

The Administrator neither favours nor avoids managers and investments based on ESG integration. In keeping with the foregoing, and having regard to the size of the Plans and the pension fund, the Administrator does not take ESG factors into account when making investment decisions. As previously noted, the Administrator has delegated the search for investment managers to its Investment Consultant. On the direction of the Administrator, the Investment Consultant is directed to search and select the best investment managers for investing the assets of the Plans considering factors such as business, staff, historical performance and investment process, since the Administrator believes that these factors will contribute to higher investment returns in the long run and manage risk. Investment Managers are not prohibited from considering ESG factors if they believe that it will have a positive impact on the Plans' investment returns.

## Section 3—Permitted and Prohibited Investments

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### 3.01 General Guidelines

The investments of the Master Trust must comply with the requirements and restrictions set out in the *Income Tax Act* (Canada) and the *Pension Benefits Act* (Ontario), and their respective Regulations.

### 3.02 Permitted Investments

In general, and subject to the restrictions in this Section 3, the Investment Managers may invest in any of the following asset classes and in any of the investment instruments listed below:

- (a) **Canadian and Foreign Equities**
  - (i) Common and convertible preferred stock the shares of which are (a) listed on a prescribed stock exchange in Canada; or (b) listed on a prescribed stock exchange outside Canada;
  - (ii) Debentures convertible into common or convertible preferred stock, provided such instruments are traded on a recognized public exchange or through established investment dealers;
  - (iii) Rights, warrants and special warrants for common or convertible preferred stock the shares of which are (a) listed on a prescribed stock exchange in Canada; or (b) listed on a prescribed stock exchange outside Canada;
  - (iv) Private placement equities, where the security will be eligible for trading on a recognized public exchange within a reasonable and defined time frame;
  - (v) Instalment receipts, American Depository Receipts, Global Depository Receipts and similar exchange traded instruments;
  - (vi) Units of real estate investment trusts (REITs);
  - (vii) Exchange traded index-participation units (e.g., iUnits; SPDRs);
  - (viii) Income trusts registered as reporting issuers under the Securities Act, domiciled in a Canadian jurisdiction that provides limited liability protection to unit holders; and
  - (ix) Units of limited partnerships which are listed on the TSX exchange.

(b) **Canadian and Foreign Fixed Income**

- (i) Bonds, debentures, notes, non-convertible preferred stock and other evidence of indebtedness of Canadian or developed market foreign issuers whether denominated and payable in Canadian dollars or a foreign currency, provided such instruments are traded on a recognized public exchange or through established investment dealers, subject to Section 3.04 below;
- (ii) Real return bonds, subject to Section 3.04 below;
- (iii) Mortgages secured against Canadian real estate subject to Section 3.05 below;
- (iv) Mortgage-backed securities, guaranteed under the *National Housing Act*;
- (v) Term deposits and guaranteed investment certificates;
- (vi) Private placements of bonds subject to Section 3.03 below; and,
- (vii) Investment in bond and debenture issues of the City and affiliated bodies is neither encouraged nor discouraged. The decision by the Investment Manager(s) to invest in such issues is entirely their responsibility and they should be governed by the same degree of due diligence and prudence that they would apply when assessing any other investment in respect of a registered pension plan.

(c) **Cash and Short Term Investments**

- (i) Cash on hand and demand deposits;
- (ii) Canadian and U.S. Treasury bills and bonds (with remaining maturities not exceeding 365 days) issued by the federal (Canada & U.S., as applicable) and provincial governments and their agencies;
- (iii) Sovereign short-term debt instruments of developed countries, with maturities not exceeding 365 days;
- (iv) Obligations of trust companies and Canadian and foreign banks chartered to operate in Canada, including bankers' acceptances;
- (v) Commercial paper and term deposits; and
- (vi) Other money market instruments (maturity not exceeding 365 days).

(d) **Derivatives**

Assets are not invested in derivative instruments and the trust will not invest in derivatives directly (including options and futures). In the event that a pooled fund invests in derivatives, prior to investing in such pooled fund, appropriate risk management processes and procedures will be in place in order to help mitigate any risks associated with derivatives. Specifically, all derivative investments will

be made in accordance with applicable legislation and regulatory policies relating to the investment of pension plan assets in derivatives. The following uses of non-leveraged derivative instruments are permitted:

- (i) Covered put and/or call options with respect to publicly traded securities that are held in the portfolio;
  - (ii) The Investment Manager of an index portfolio may utilize fully backed, i.e. non-leveraged, derivative strategies designed to replicate the performance of specific market indices, i.e.- exchange-traded equity index futures contracts;
  - (iii) Investment Managers may use currency futures contracts and forward contracts to hedge foreign currency exposure; and
  - (iv) Interest rate derivatives can be used to hedge the interest rate risk in the liabilities.
- (e) **Other Investments**
- (i) Investments in open-ended or closed-ended pooled funds provided that the assets of such funds are permissible investments under this Policy, and
  - (ii) Deposit accounts of the Custodian can be used to invest surplus cash holdings.
- (f) **Index Mandates**
- (i) For managers of index mandates, permitted investment vehicles may include all instruments that may form part of the respective index.

### 3.03 Minimum Quality Requirements

(a) **Quality Standards**

Within the investment restrictions for individual portfolios, all portfolios should hold a prudently diversified exposure to the intended market.

- (i) The minimum quality standard for individual bonds and debentures is 'BBB-' or equivalent as rated by a Recognized Bond Rating Agency, at the time of purchase.
- (ii) The minimum quality standard for individual short term investments is 'R-1' low or equivalent as rated by a Recognized Bond Rating Agency, at the time of purchase.
- (iii) The minimum quality standard for individual preferred shares is 'P-1' or equivalent as rated by a Recognized Bond Rating Agency, at the time of purchase.
- (iv) All investments shall be reasonably liquid (i.e. in normal circumstances they should be capable of liquidation within 1 month).

(b) **Split Ratings**

In cases where the Recognized Bond Rating Agencies do not agree on the credit rating, the bond will be classified according to the following methodology:

- (i) If two agencies rate a security, use the lower of the two ratings;
- (ii) If three agencies rate a security, use the most common; and if four agencies rate a security, use the lowest most common; and
- (iii) If three agencies rate a security and all three agencies disagree, use the middle rating; if four agencies rate a security and all four agencies disagree, use the lowest middle rating.

(c) **Downgrades in Credit Quality**

Each Investment Manager will take the following steps in the event of a downgrade in the credit rating of a portfolio asset by a Recognized Rating Agency to below the purchase standards set out in Section 3.03 (a) Quality Standards:

- (i) The Chief Investments Officer will be notified of the downgrade by telephone at the earliest possible opportunity;
- (ii) Within ten business days of the downgrade, the Investment Manager will advise the Chief Investments Officer in writing of the course of action taken or to be taken by the Investment Manager, and its rationale; and
- (iii) Immediately upon downgrade, the Investment Manager will place the asset on a Watch List subject to monthly review by the Investment Manager with the Chief Investments Officer until such time as the security matures, is sold or until it is upgraded to a level consistent with the purchase quality standards as expressed in the above guidelines.

(d) **Rating Agencies**

For the purposes of this Policy, the following rating agencies shall be considered to be 'Recognized Bond Rating Agencies':

- (i) Dominion Bond Rating Service Limited;
- (ii) Standard and Poor's;
- (iii) Moody's Investors Services Inc.; and
- (iv) Fitch Ratings

(e) **Private Placement Bonds**

Private placement bonds are permitted subject to **all** of the following conditions:

- (i) The issues acquired must be 'A' or equivalent rated;
- (ii) The total investment in such issues must **not** exceed 10% of the market value of the Investment Manager(s) bond portfolio;

- (iii) The Investment Manager's portfolio may **not** hold more than 5% of the market value of any one private placement;
- (iv) The Investment Manager(s) must be satisfied that there is sufficient liquidity to ensure sale at a reasonable price; and
- (v) The minimum issue size for any single security must be at least \$150 million.

### 3.04 Maximum Quantity Restrictions

#### (a) Total Fund Level

No one equity holding shall represent more than 10% of the total market value of the Master Trust's assets.

#### (b) Individual Investment Manager Level

The Investment Manager(s) shall adhere to the following restrictions:

##### (i) *Equities*

- (A) No one equity holding shall represent more than 10% of the market value of any one Investment Manager's equity portfolio.
- (B) No one equity holding shall represent more than 10% of the voting shares of a corporation.
- (C) No one equity holding shall represent more than 10% of the available public float of such equity security.
- (D) Income Trusts shall not comprise more than 15% of any Investment Manager's Canadian equity portfolio.

##### (ii) *Bonds and Short Term*

- (A) Except for federal and provincial bonds (including government guaranteed bonds), no more than 10% of an Investment Manager's bond portfolio may be invested in the bonds of a single issuer and its related companies.
- (B) Except for federal and provincial bonds, no one bond holding shall represent more than 10% of the market value of the total outstanding for that bond issue.
- (C) No more than 8% of the market value of an Investment Manager's bond portfolio shall be invested in bonds rated BBB (this includes all of BBB's: BBB+, BBB, and BBB-) or equivalent.
- (D) This Policy will permit the continued holding of instruments whose ratings are downgraded below BBB- after purchase, provided that such instruments are disposed of in an orderly fashion.

- (E) No more than 10% of the market value of an Investment Manager's bond portfolio shall be invested in bonds denominated in a currency other than Canadian dollars.
- (F) Except for the dedicated real return bond mandate, no more than 10% of the market value of the bond portfolio may be held in real return bonds.

**(iii) Other**

The use of derivative securities shall be supported at all times by the explicit allocation of sufficient assets to back the intended derivative strategy. For greater certainty, Investment Managers are not permitted to leverage the assets of the Master Trust. The use of derivative securities is only permitted for the uses described in this Policy. Purchase or sale of any of these instruments for speculative purposes is prohibited.

Notwithstanding the limits described in this Section, the single security limits do not apply to an Investment Manager's index mandate.

### 3.05 Prior Permission Required

The following investments are permitted **provided that** prior permission for such investments has been obtained from the Administrator:

- (a) Investments in private placement equities (except for the foreign equity investment managers investing in pooled funds where the pooled fund policy permits private placement equities).
- (b) Direct investments in mortgages.
- (c) Direct investments in any one parcel of real property that has a book value less than or equal to 5% of the book value of the Master Trust's assets. The aggregate book value of all investments in real property and Canadian resource properties shall not exceed 25% of the book value of the Master Trust's assets. (Previously, the overall 25% limit in respect of real and resource properties was a requirement under the *Pension Benefits Act* (Ontario).)
- (d) Direct investments in venture capital financing or private equity partnerships; and
- (e) Derivatives other than those described in 3.02(d).

### 3.06 Prohibited Investments

The Investment Managers shall not:

- (a) Invest in companies for the purpose of managing them;
- (b) Invest in securities that would result in the imposition of a tax on the Fund under the *Income Tax Act* (Canada) unless they provide a prior written acknowledgement that such investments will result in a tax and receive prior written permission for such investments from the Administrator or;
- (c) Make any investments not specifically permitted by this Policy.

### **3.07 Securities Lending**

The investments of the Master Trust may be loaned, for the purpose of generating revenue for the Fund, subject to the provisions of the *Pension Benefits Act* (Ontario) and the *Income Tax Act* (Canada), and applicable regulations.

For securities held in segregated accounts, such loans must be secured by cash and/or readily marketable government bonds, treasury bills and/or letters of credit, discount notes and bankers' acceptances of chartered banks. For loaned securities, the security held or collateral must have an aggregate market value which shall never be less than the percentage of the aggregate market value of the loaned securities which is the highest of: (i) the minimum percentage required by any applicable legislation, regulatory authority or prevailing market practice; or (ii) 105%. The aggregate market value of the loaned securities and of the collateral shall be monitored and calculated by the Custodian daily.

The terms and conditions of any securities lending program will be set out in a contract with the custodian. The custodian shall, at all times, ensure that the Chief Investments Officer has a current list of those institutions that are approved to borrow the Fund's investments.

Lending of the portion of the Master Trust's assets held in a pooled fund is governed by the terms of the conditions set out in the pooled fund Statement of Investment Policies and Procedures or similar document.

### **3.08 Borrowing**

The Master Trust shall not borrow money, except to cover short-term contingency and the borrowing is for a period that does not exceed ninety days, subject to the *Pension Benefits Act* (Ontario), the *Income Tax Act* (Canada) and the written permission of the General Manager of Finance and Corporate Services.

### **3.09 Conflicts between the Policy and Pooled Fund Investment Policies**

While the guidelines in this Policy are intended to guide the management of the Master Trust, it is recognized that, due to the use of pooled funds, there may be instances where there is a conflict between the Policy and the investment policy of a pooled fund. In that case, the Investment Manager is expected to notify Chief Investments Officer upon the initial review of the Policy and whenever a change in the pooled fund policy creates a conflict. However, it is understood that any ambiguity will be interpreted in favour of the pooled fund policy, provided such interpretation complies with all applicable laws.

## Section 4—Monitoring and Control

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### 4.01 Delegation of Responsibilities

The General Manager of Finance and Corporate Services is the designated contact person for administrative matters. However, City Council has delegated certain administrative duties and responsibilities to internal and external agents, including to the HMRF/HWRF Pension Administration Sub-committee, the Chief Investments Officer and the General Manager of Finance and Corporate Services. Overall responsibility for the Master Trust ultimately rests with City Council, and the City (acting through Council) is the pension plan administrator of the Plans (for each Plan, the “Administrator”).

**(a) Chief Investments Officer**

The Chief Investments Officer has been delegated the following responsibilities:

- (i) monitoring the Master Trust asset mix and rebalancing as required, including executing asset mix changes required per the Dynamic Policy Schedules outlined in section 2.03;
- (ii) day-to-day liaison including contract management with external Investment Managers, the Investment Consultant, and the Custodian/Trustee;
- (iii) monitoring and budgeting for cash flow within the pension fund;
- (iv) researching, recommending and implementing improvements to asset management of the Master Trust;
- (v) directing and implementing strategy for self-managed portfolios, if any; and
- (vi) preparing and presenting to City Council and the HMRF/HWRF Pension Administration Sub-Committee a report on the Plan’s investment performance and asset mix, and such other information as City Council may require and/or other such information as the Chief Investments Officer considers appropriate to include in the report, on at least an annual basis, or upon such more frequent basis as may be requested by City Council or its delegates from time to time.

**(b) Investment Managers**

The Investment Managers have been delegated the following responsibilities:

- (i) invest the assets of the Master Trust in accordance with this Policy;
- (ii) meet with the Chief Investments Officer as required and provide written reports regarding the Investment Manager’s past performance, their future strategies and other issues as requested;

- (iii) notify the Chief Investments Officer, in writing of any significant changes in the Investment Manager's philosophies and policies, personnel or organization and procedures;
- (iv) will provide periodically, but no less than on an annual basis, or upon such more frequent basis as may be requested by City Council or its delegates from time to time, lists of assets and such other information as may be requested by the Chief Investments Officer; and,
- (v) file, on at least an annual basis, or upon such more frequent basis as may be requested by City Council or its delegates from time to time compliance reports (see Section 4.03).

**(c) Custodian/Trustee**

The custodian/trustee will:

- (i) Fulfil the regular duties of a Custodian/Trustee as required by law;
- (ii) maintain safe custody over the assets of the Master Trust Plans;
- (iii) execute the instructions of the Chief Investments Officer and the Investment Managers; and
- (iv) record income and provide financial statements to the Chief Investments Officer on at least an annual basis, or upon such more frequent basis as may be requested by City Council or its delegates from time to time, or as otherwise required.

**(d) Investment Consultant**

The investment consultant has been delegated the following responsibilities:

- (i) assist the Chief Investments Officer in developing a prudent long-term asset mix, and specific investment objectives and policies;
- (ii) monitor, analyse and report on the Master Trust's investment performance and to support the Chief Investments Officer on any investment related matters;
- (iii) monitor and report the funded status of the Plans to the Chief Investments Officer on at least an annual basis, or upon such more frequent basis as may be requested by City Council or its delegates from time to time;
- (iv) assist with the selection of Investment Managers, custodians and other suppliers; and
- (v) meet with the Chief Investments Officer as required.

**(e) Actuary**

The actuary has been delegated the following responsibilities:

- (i) perform actuarial valuations of the Plan as required; and
- (ii) advise the Chief Investments Officer and the Investment Consultant on any matters relating to Plan design, membership and contributions, and actuarial valuations.

**4.02 Performance Measurement**

For the purpose of evaluating the performance of the Master Trust and the Investment Managers, all rates of returns are measured over moving four-year periods. Return objectives are net of fees and include realized and unrealized capital gains or losses plus income from all sources. Returns will be measured quarterly and will be calculated as time-weighted rates of return.

**(a) Active and Index Canadian Equity Managers**

Investment results of the active and index Canadian Equity Managers are to be tested regularly against a Benchmark Portfolio comprising:

Benchmark	%
S&P/TSX Composite Index	100

**(b) Active and Index Global Equity Managers**

Investment results of the active and index Global Equity Managers are to be tested regularly against a long-term Benchmark Portfolio comprising:

Benchmark	%
MSCI World Index (C\$)	100

**(c) Active and Index Canadian Bond Managers – Long Bonds**

Investment results of the active and index Canadian Bond Managers for Long Bonds are to be tested regularly against a Benchmark Portfolio comprising:

Benchmark	%
FTSE Canada Long Bond Index	100

**(d) Active and Index Canadian Bond Managers – Real Return Bonds**

Investment results of the active and index Canadian Bond Managers for Real Return Bonds are to be tested regularly against a Benchmark Portfolio comprising:

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Benchmark	%
FTSE Canada Real Return Bond Index	100

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#### 4.03 Compliance Reporting by Investment Manager

The Investment Managers are required to complete and deliver a compliance report to the Chief Investments Officer and the Investment Consultant on at least an annual basis, or upon such more frequent basis as may be requested by City Council or its delegates from time to time. The compliance report will indicate whether or not the Investment Manager was in compliance with this Policy during the period covered in the report.

In the event that an Investment Manager is not in compliance with this Policy, the Investment Manager is required to advise the Chief Investments Officer immediately, detail the nature of the non-compliance and recommend an appropriate course of action to remedy the situation.

The Master Trust invests in pooled funds with separate investment policies. In that case, the Investment Manager must confirm compliance to the pooled fund policy. In addition, should a conflict arise between a pooled fund policy and this Policy, the Investment Manager is required to advise the Chief Investments Officer immediately and detail the nature of the conflict.

#### 4.04 Standard of Professional Conduct

The Investment Managers are expected to comply, at all times and in all respects, with a written code of ethics that is no less stringent in all material respects than the Code of Ethics and Standards of Professional Conduct as promulgated by the CFA Institute.

The Investment Managers will manage the assets with the care, diligence and skill that an investment manager of ordinary prudence would use in dealing with pension plan assets. The Investment Managers will also use all relevant knowledge and skill that they possess or ought to possess as prudent investment managers.

## Section 5—Administration

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### 5.01 Conflicts of Interest

#### (a) Responsibilities

This standard applies to the City’s staff, as well as to all agents employed by the City, in the execution of their responsibilities under the *Pension Benefits Act* (Ontario) (the “Affected Persons”).

An “agent” is defined to mean a company, organization, association or individual, as well as its employees who are retained by the Administrator to provide specific services with respect to the investment, administration and management of the assets of the Master Trust.

#### (b) Disclosure

In the execution of their duties, the Affected Persons shall disclose any material conflict of interest relating to them, or any material ownership of securities, which could impair their ability to render unbiased advice, or to make unbiased decisions, affecting the administration of the Master Trust assets.

Further, it is expected that no Affected Person shall make any personal financial gain (direct or indirect) because of his or her fiduciary position. However, normal and reasonable fees and expenses incurred in the discharge of their responsibilities are permitted in accordance with City policies as approved by Council.

No Affected Person shall accept a gift or gratuity or other personal favour, other than one of nominal value, from a person with whom the employee deals in the course of performance of his or her duties and responsibilities for the Master Trust.

It is incumbent on any Affected Person who believes that he or she may have a conflict of interest, or who is aware of any conflict of interest, to disclose full details of the situation to the attention of the General Manager of Finance and Corporate Services and/or the Treasurer immediately. The General Manager of Finance and Corporate Services and/or the Treasurer, in turn, will decide what action is appropriate under the circumstances.

No Affected Person who has or is required to make a disclosure as contemplated in this Policy shall participate in any discussion, decision or vote relating to any proposed investment or transaction in respect of which he or she has made or is required to make disclosure, unless otherwise determined permissible by decision of the General Manager of Finance and Corporate Services and/or the Treasurer.

## 5.02 Related Party Transactions

The Chief Investments Officer shall not, on behalf of the Plans or the Master Trust, directly or indirectly,

- (i) lend the moneys of the Plans to a related party or use those moneys to hold an investment in the securities of a related party; or
- (ii) enter into a transaction with a related party.

The Chief Investments Officer may enter into a transaction with a related party:

- (i) for the operation or administration of the Plans if it is under terms and conditions that are not less favourable to the Plans than market terms and conditions and such transaction does not involve the making of loans to, or investments in, the related party or
- (ii) the value of the transaction is nominal or the transaction is immaterial. In assessing whether the value of the transaction is nominal or immaterial, two or more transactions with the same related party shall be considered as a single transaction.

For the purposes of Section 5.02, only the market value of the combined assets of the Fund shall be used as the criteria to determine whether a transaction is nominal or immaterial. Transactions less than 0.5% of the combined market value of the assets of the Fund are considered nominal.

The following investments are exempt from the related party rules:

- (i) investments in an investment fund or a segregated fund (as those terms are used in the *Pension Benefits Standards Regulations*) in which investors other than the administrator and its affiliates may invest and that complies with Section 9 and Section 11 of Schedule III to the *Pension Benefits Standards Regulations*;
- (ii) investments in an unallocated general fund of a person authorized to carry on a life insurance business in Canada;
- (iii) investments in securities issued or fully guaranteed by the Government of Canada, the government of a province, or an agency of either one of them;

- (iv) investments in a fund composed of mortgage-backed securities that are fully guaranteed by the Government of Canada, the government of a province, or an agency of either one of them;
- (v) investments in a fund that replicates the composition of a widely recognized index of a broad class of securities traded at a marketplace (as that term is used in the *Pension Benefits Standards Regulations*); or
- (vi) investments that involve the purchase of a contract or agreement in respect of which the return is based on the performance of a widely recognized index of a broad class of securities traded at a marketplace (as that term is used in the *Pension Benefits Standards Regulations*).

A “related party” is defined to mean the Administrator of the Plans, including any officer, director or employee of the Administrator. It also includes, the Investment Managers and their employees, a union representing employees of the employer, a member of the Master Trust, a spouse or child of the persons named previously, or a corporation that is directly or indirectly controlled by the persons named previously, and any other person constituting a “related party” under the *Pension Benefits Act* (Ontario). Related party does not include government or a government agency, or a bank, trust company or other financial institution that holds the assets of the Master Trust.

### **5.03 Selecting Investment Managers**

In the event that a new Investment Manager must be selected or additional Investment Manager(s) added to the existing Investment Manager(s), the Chief Investments Officer will undertake an Investment Manager search with or without the assistance of a third-party investment consultant depending on the expertise required. The criteria used for selecting an Investment Manager will be consistent with the investment and risk philosophy set out in Section 1.04 (Investment and Risk Philosophy).

### **5.04 Directed Brokerage Commissions**

Investment Managers may use directed brokerage to pay for research and other investment related services provided they comply with, and provide the disclosure required by, the Soft Dollar Standards promulgated by the CFA Institute.

### **5.05 Monitoring of Asset Mix**

In order to ensure that the Master Trust operates within the minimum and maximum guidelines stated in this Policy as outlined in Section 2, the Chief Investments Officer shall monitor the asset mix on at least an annual basis, or upon such more frequent basis as may be requested by City Council or its delegates from time to time. Rebalancing between the investment mandates can take place over a reasonably short period of time after an imbalance has been identified. Rebalancing may be effected by redirecting the net cash flows to and from the Master Trust, or by transferring cash or securities between portfolios and/or Investment Managers.

### **5.06 Monitoring of Investment Managers**

An important element in the success of this Policy is the link between the Investment Managers and the Chief Investments Officer. It is expected that the Investment Managers will communicate with the Chief Investments Officer whenever necessary. Periodic, written investment reports from the Investment Managers are sent to and reviewed by the Chief Investments Officer and form part of the monitoring process.

Meetings including telephone conference call meetings between the Investment Managers and the Chief Investments Officer will be scheduled as required. At each meeting or telephone conference call meeting, it is expected that the Investment Managers will prepare a general economic and capital markets overview, which will be distributed prior to or during the meeting. They should also include the following in their presentations:

- review of the previous period's strategy and investment results,
- discussion of how the condition of the capital markets affects the investment strategy of their respective portfolios,
- economic and market expectations,
- anticipated changes in the asset mix within the limits provided in this Policy, and,
- discussion of compliance and any exceptions.
- discussion of any votes that were cast against the wishes of company management by the Investment Managers in exercising voting rights (Section 5.08).

### **5.07 Dismissal of an Investment Manager**

Reasons for considering the termination of the services of an Investment Manager include, but are not limited to, the following factors:

- (a) performance results which are below the stated performance benchmarks;
- (b) changes in the overall structure of the Master Trusts' assets such that the Investment Manager's services are no longer required;
- (c) change in personnel, firm structure or investment philosophy which might adversely affect the potential return and/or risk level of the portfolio; and/or
- (d) failure to adhere to this Policy.

### **5.08 Voting Rights**

The Administrator has delegated voting rights acquired through the investments held by the Master Trust to the custodian of the securities to be exercised in accordance with the Investment Manager's instructions. Investment Managers are expected to exercise all voting rights related to investments held by the Master Trust in the interests of the members of the underlying pension plans. The Investment Managers shall report when they vote against the wishes of the company management to the Chief Investments Officer, providing information as to the reasons behind this vote.

### **5.09 Valuation of Investments Not Regularly Traded**

The following principles will apply for the valuation of investments that are not traded regularly:

- (a) **Equities**  
Average of bid-and-ask prices from two major investment dealers, at least once every calendar quarter.
- (b) **Bonds**  
Same as for equities.
- (c) **Mortgages**  
Unless in arrears, the outstanding principal plus/minus the premium/discount resulting from the differential between face rate and the currently available rate for a mortgage of similar quality and term, determined at least once every month.
- (d) **Real Estate**  
A certified written appraisal from a qualified independent appraiser at least once every two years.

### 5.10 Policy Review

This Policy may be reviewed and revised at any time, but at least once every calendar year it must be formally reviewed. Should the Investment Manager(s) wish to review this Policy at any time, it is his/her responsibility to contact the Chief Investments Officer with specific recommendations.

The appropriateness of the Dynamic Investment Policy asset allocation parameters should be reviewed on an ongoing basis. A new Dynamic Investment Policy Study (Dynamic Asset-Liability Modeling Study) may be undertaken if any of the following events occur:

- (a) The plan gets significantly closer to the end-state of the flight path, including if the flight path funded ratio measurement changes significantly (to over 84%) from the starting point of the 2010 study, which was 69%.
- (b) There are significant changes to the regulations that affect the key metrics used in making decisions in the 2010 Dynamic Investment Policy Study or should affect the asset allocation in the future;
- (c) Capital market conditions change significantly such that the assumptions embedded in the 2010 Dynamic Investment Policy Study are no longer reasonable; or
- (d) The plan sponsor's risk posture changes significantly.

## Appendix A - Statement of Investment Policies & Procedures Hamilton Municipal Retirement Fund

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### Overview

#### 1.01 Purpose of Statement

This Statement of Investment Policies and Procedures (the “Hamilton Municipal Retirement Fund SIPP”) provides the framework for the investment of the assets of the Hamilton Municipal Retirement Fund, registration number 0275123 (the “Plan”);

The objective of the Hamilton Municipal Retirement Fund SIPP is to ensure that the assets of the Plan, together with expected contributions made by both the City and the Plan members, shall be invested in a continued prudent and effective manner.

The Hamilton Municipal Retirement Fund SIPP is based on the “prudent person portfolio approach” to ensure the prudent investment and administration of the assets of the Plan (the “Fund”) are within the parameters set out in the *Pension Benefits Act*, (Ontario) and the Regulations thereunder.

All provisions in the Master Trust SIPP apply to this Appendix.

#### 1.02 Background of the Plan

The Hamilton Municipal Retirement Fund is a contributory defined benefit plan. The plan has been closed to new entrants since 1965. Municipal employees hired after June 30, 1965 participate in the OMERS Pension Plan. Therefore, this is a closed fund and will terminate upon the death of the last retiree or successor. Effective July 1, 2001, the last active member retired from the Plan.

#### 1.03 Plan Profile

##### a) Contributions

There are no active members in the Plan.

##### b) Benefits

2% of average annual earnings in best consecutive 5 years before retirement for each year of credited service up to 35 years reduced by 0.675% of the 5-year average earnings up to the final year’s YMPE for each year of contributory service after January 1, 1966. CPP Offset suspended from date of retirement to age 65. Effective Jan 1, 2006 annual increases will not be less than the increase provided to retirees under the OMERS plan. .

##### c) Liabilities

As of the most recent actuarial valuation of the Plan as at December 31, 2021 there were no active members, 3 deferred members and 148 retirees and beneficiaries.

As of December 31, 2021, the going-concern liability of the plan was \$58,278,888, including a Provision for Adverse Deviation (PfAD) of \$3,143,871, compared to the actuarial value of assets of \$73,721,565. On a solvency basis, the liability was \$48,960,477, while the assets (at market) were \$73,571,565 (net of a provision for

plan windup expenses of \$150,000). On a windup basis, the liability was \$60,690,521.

#### **1.04 Objective of the Plan**

The objective of the Plans is to provide members of the Plans with retirement benefits prescribed under the terms thereof.

#### **1.05 Investment and Risk Philosophy**

The primary investment objective is to provide an economic return on assets sufficient to fund plan liabilities over the long-term, while adhering to prudent investment practices.

The investment philosophies and strategies must take into account both return and risk objectives of the Plan and the City.

In recognition of the risk and return objectives of the Plan and the City, an initial Asset Allocation Policy was developed based on the Plan's current funded status and the characteristics of the Plan and City. It is recognized, however, that the Plan return requirements and risk tolerance will change over time, and the intent is to reallocate the portfolio to lower risk allocations dynamically as the Plan's funded status improves.

#### **1.06 Administration**

The General Manager of Finance and Corporate Services for the City of Hamilton is the designated contact at the City for administrative purposes.

#### **1.07 Pooling of Assets**

For investment purposes, certain assets of the Plan are invested in units of the City of Hamilton Defined Benefit Plans Master Trust, along with certain assets of the Hamilton-Wentworth Retirement Fund and the Hamilton Street Railway Pension Plan (1994).

Up to 2 % of Plan assets may be invested outside of the City of Hamilton Defined Benefit Plans Master Trust for operating expenses and liquidity purposes, in accordance with the parameters set out in Section 3.02 (c) and (e) of the City of Hamilton Defined Benefit Plans Master Trust SIPP. The provisions of the City of Hamilton Defined Benefit Plans Master Trust SIPP apply to the investment of these assets.

#### **1.08 Master Trust SIPP**

The Master Trust SIPP is the policy that should be followed while investing the pooled assets of the Hamilton Municipal Retirement Fund.

## Appendix B - Statement of Investment Policies & Procedures Hamilton Street Railway Pension Plan (1994)

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### Overview

#### 1.01 Purpose of Statement

This Statement of Investment Policies and Procedures (the “Hamilton Street Railway Pension Plan SIPP”) provides the framework for the investment of the assets of the Hamilton Street Railway Pension Plan (1994), registration number 0253344 (the “Plan”);

The objective of the Hamilton Street Railway Pension Plan SIPP is to ensure that the assets of the Plan, together with expected contributions made by both the City and the Plan members, shall be invested in a continued prudent and effective manner.

The Hamilton Street Railway Pension Plan SIPP is based on the “prudent person portfolio approach” to ensure the prudent investment and administration of the assets of the Plan (the “Fund”) are within the parameters set out in the *Pension Benefits Act*, (Ontario) and the Regulations thereunder.

All provisions in the Master Trust SIPP apply to this Appendix.

#### 1.02 Background of the Plan

The current Plan dates from January 1, 1994 when two former plans – Canada Coach Lines and Hamilton Street Railway plans were merged. Effective January 1, 2009 this contributory defined benefit plan was closed to new members and active members stopped contributing and accruing service under the plan.

#### 1.03 Plan Profile

##### a) Contributions

Under the terms of the Plan text, members’ contributions prior to 1999 were 7.5% of earnings less contributions made to Canada Pension Plan. For the calendar years 1999 through 2008, members (depending on the year) either enjoyed a contribution holiday or were limited to contribution rates of 1% of earnings. Effective January 2009, as members became City employees, no member contributions have been required or permitted to be made to the Plan.

##### b) Benefits

Members receive a pension equal to 1.5% of average pensionable earnings up to the average Year’s Maximum Pensionable Earnings (YMPE) as established under the Canada Pension Plan, plus 2% of the excess, multiplied by years of credited service accrued up to December 31, 2008. The “average pensionable earnings” are defined as the average of best five years’ earnings during the member’s credited service and OMERS credited service, if any. The “average YMPE” is defined as the average of the YMPE for the last thirty-six complete months of plan membership.

In the event that pensions accrued under the prior plan exceed the pension accrued under the current plan for service prior to July 1, 1980, then the pension is increased accordingly. Pensions are subject to annual indexing equal to the indexing provided

to retirees under the OMERS plan (100% of inflation to a maximum of 6% per annum).

**c) Liabilities**

As of the most recent actuarial valuation of the Plan as at January 1, 2020, there were 315 active members, 29 deferred members and 610 retirees and beneficiaries. The average age of the active members was approximately 54.3 years with average pensionable earnings of \$70,474.

As of January 1, 2020, the going-concern liability of the plan was \$228,695,400, including a Provision for Adverse Deviation (PfAD) of \$17,103,300, compared to the actuarial value of assets of \$211,167,500. On a solvency basis, the liability was \$216,314,100 while the assets (at market) were \$210,967,500 (net of a provision for plan windup expenses of \$200,000). On a windup basis the liability was \$315,487,000.

The going-concern deficit is being eliminated through a series of special payments. No special payments are required for the solvency deficit since the solvency ratio exceeds .85.

#### **1.04 Objective of the Plan**

The objective of the Plan is to provide members of the Plan with retirement benefits prescribed under the terms thereof.

#### **1.05 Investment and Risk Philosophy**

The primary investment objective is to provide an economic return on assets sufficient to fund plan liabilities over the long-term, while adhering to prudent investment practices.

The investment philosophies and strategies must take into account both return and risk objectives of the Plan and the City.

In recognition of the risk and return objectives of the Plan and the City, an initial Asset Allocation Policy was developed based on the Plan's current funded status and the characteristics of the Plan and City. It is recognized, however, that the Plan return requirements and risk tolerance will change over time, and the intent is to reallocate the portfolio to lower risk allocations dynamically as the Plan's funded status improves.

#### **1.06 Administration**

The General Manager of Finance and Corporate Services for the City of Hamilton is the designated contact at the City for administrative purposes.

#### **1.07 Pooling of Assets**

For investment purposes, certain assets of the Plan are invested in units of the City of Hamilton Defined Benefit Plans Master Trust, along with certain assets of the Hamilton-Wentworth Retirement Fund and the Hamilton Municipal Retirement Fund.

Up to 2 % of Plan assets may be invested outside of the City of Hamilton Defined Benefit Plans Master Trust for operating expenses and liquidity purposes, in accordance with the

parameters set out in Section 3.02 (a), (c) and (e) of the City of Hamilton Defined Benefit Plans Master Trust SIPP. The provisions of the City of Hamilton Defined Benefit Plans Master Trust SIPP apply to the investment of these assets.

**1.08 Master Trust SIPP**

The Master Trust SIPP is the policy that should be followed while investing the pooled assets of the Hamilton Street Railway Pension Plan (1994).

## Appendix C - Statement of Investment Policies & Procedures The Hamilton-Wentworth Retirement Fund

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### Overview

#### 1.01 Purpose of Statement

This Statement of Investment Policies and Procedures (the “Hamilton-Wentworth Retirement Fund SIPP”) provides the framework for the investment of the assets of the Hamilton-Wentworth Retirement Fund, registration number 1073352 (the “Plan”);

The objective of the Hamilton-Wentworth Retirement Fund SIPP is to ensure that the assets of the Plan, together with expected contributions made by both the City and the Plan members, shall be invested in a continued prudent and effective manner.

The Hamilton-Wentworth Retirement Fund SIPP is based on the “prudent person portfolio approach” to ensure the prudent investment and administration of the assets of the Plan (the “Fund”) are within the parameters set out in the *Pension Benefits Act*, (Ontario) and the Regulations thereunder.

All provisions in the Master Trust SIPP apply to this Appendix.

#### 1.02 Background of the Plan

The Plan is a contributory, defined benefit Plan. Effective January 1, 1985 all active Region Other Participants, excluding Police Civilians, were transferred to OMERS. The liability to transfer such members to OMERS was met by monthly payments of \$115,187 until December 31, 2000 and monthly payments of \$361 thereafter, concluding September 30, 2003. Effective January 1, 2002, the last active member retired from the plan.

#### 1.03 Plan Profile

##### a) Contributions

Under the terms of the Plan text:

For normal retirement age 60 class:

- 1) Senior Police Officers: contributions should be 7% of earnings up to the YMPE plus 8.5% of contributory earnings in excess of YMPE.
- 2) Other Police Officers: contributions should be 6.5% of earnings up to YMPE plus 8% of contributory earnings in excess of YMPE.

For a normal retirement age of 65 contributions should be 5.75% of earnings.

##### b) Benefits

2% of average annual earnings in best 5 years before retirement for each year of credited service up to 35 years reduced by 0.675% of the 5-year average earnings up to the final year’s YMPE for each year of contributory service after January 1, 1966. CPP Offset suspended from date of retirement to age 65. Effective Jan 1, 2006 annual increases will not be less than the increase provided to retirees under the

OMERS plan, which is currently equal to 100% of the increase in the Consumer Price Index to a maximum of 6.0% per annum.

c) *Liabilities*

As of the most recent actuarial valuation of the Plan as at December 31, 2021, there were no active members, no deferred members and 124 retirees and beneficiaries.

As of December 31, 2021, the going-concern liability of the plan was \$47,727,000, including a Provision for Adverse Deviation (PfAD) of \$3,510,000, compared to the actuarial value of assets of \$54,459,000. On a solvency basis, the liabilities were \$44,957,000 while the assets were \$54,389,000 (net of a provision for plan windup expenses of \$70,000). On a windup basis the liability was \$55,457,000.

#### **1.04 Objective of the Plan**

The objective of the Plan is to provide members of the Plan with retirement benefits prescribed under the terms thereof.

#### **1.05 Investment and Risk Philosophy**

The primary investment objective is to provide an economic return on assets sufficient to fund plan liabilities over the long-term, while adhering to prudent investment practices.

The investment philosophies and strategies must take into account both return and risk objectives of the Plan and the City.

In recognition of the risk and return objectives of the Plan and the City, an initial Asset Allocation Policy was developed based on the Plan's current funded status and the characteristics of the Plan and City. It is recognized, however, that the Plan return requirements and risk tolerance will change over time, and the intent is to reallocate the portfolio to lower risk allocations dynamically as the Plan's funded status improves.

#### **1.06 Administration**

The General Manager of Finance and Corporate Services for the City of Hamilton is the designated contact at the City for administrative purposes.

#### **1.07 Pooling of Assets**

For investment purposes, certain assets of the Plan are invested in units of the City of Hamilton Defined Benefit Plans Master Trust, along with certain assets of the Hamilton Street Railway Pension Plan (1994) and the Hamilton Municipal Retirement Fund.

Up to 2 % of Plan assets may be invested outside of the City of Hamilton Defined Benefit Plans Master Trust for operating expenses and liquidity purposes, in accordance with the parameters set out in Section 3.02 (c) and (e) of the City of Hamilton Defined Benefit Plans Master Trust SIPP. The provisions of the City of Hamilton Defined Benefit Plans Master Trust SIPP apply to the investment of these assets.

#### **1.08 Master Trust SIPP**

The Master Trust SIPP is the policy that should be followed while investing the pooled assets of the Hamilton-Wentworth Retirement Fund Pension Plan.

## Appendix D – Compliance Reports

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**The City of Hamilton Master Trust  
Index Bond Manager**

**Compliance Report for the Quarter Ended \_\_\_\_\_  
(date)**

		GUIDELINES	POLICY COMPLIED WITH  YES/NO *
<b>ASSET MIX (at Market Value)</b>		%	
<b>FIXED INCOME</b>	BONDS	100%	
<b>CASH</b>	SHORT-TERM & CASH	0%	
<b>CONSTRAINTS</b>			
<b>GENERAL</b>	Investment Policy Section 3.01 – General Guidelines		
<b>BONDS</b>	Investment Policy Section 3.02 (b) – Bonds		
<b>CASH</b>	Investment Policy Section 3.02 (c) – Cash		
<b>DERIVATIVES</b>	Investment Policy Section 3.02 (c) – Derivatives		
<b>OTHER</b>	Investment Policy Section 3.02 (e) – Other Investments		
<b>INDEX</b>	Investment Policy Section 3.02 (f) – Index Mandates		
<b>QUALITY REQUIREMENTS</b>	Investment Policy Section 3.03 – Minimum Quality Requirements		
<b>QUANTITY RESTRICTIONS</b>	Investment Policy Section 3.04 – Maximum Quantity Restrictions		
<b>PRIOR PERMISSION</b>	Investment Policy Section 3.05 – Prior Permission Required		
<b>PROHIBITED INVESTMENTS</b>	Investment Policy Section 3.06 – Prohibited Investments		
<b>SECURITIES LENDING</b>	Investment Policy Section 3.07 – Securities Lending		
<b>RESPONSIBILITIES</b>	Investment Policy Section 4.01 (b) – Delegation of Responsibilities – Investment Managers		
<b>STANDARDS OF PROFESSIONAL CONDUCT</b>	Investment Policy Section 4.04 - Standards of Professional Conduct		
<b>CONFLICTS OF INTEREST</b>	Investment Policy Section 5.01 - Conflicts of Interest		
<b>VOTING RIGHTS</b>	Investment Policy Section 5.08 - Voting Rights		

\* If policy not complied with, comment on specifics

**COMPLETED BY:** \_\_\_\_\_ **SIGNED BY:** \_\_\_\_\_

**The City of Hamilton Master Trust  
Index Equity Manager**

**Compliance Report for the Quarter Ended \_\_\_\_\_  
(date)**

		<b>GUIDELINES</b>	<b>POLICY COMPLIED WITH YES/NO *</b>
<b>ASSET MIX (at Market Value)</b>		%	
<b>EQUITIES</b>			
	U.S.		
	EAFE		
	TOTAL FOREIGN		
<b>CASH</b>	<b>SHORT-TERM &amp; CASH</b>		
<b>CONSTRAINTS</b>			
<b>GENERAL</b>	Investment Policy Section 3.01 – General Guidelines		
<b>EQUITIES</b>	Investment Policy Section 3.02 (a) – Canadian and Foreign Equities		
<b>CASH</b>	Investment Policy Section 3.02 (c) – Cash and Short Term Investments		
<b>DERIVATIVES</b>	Investment Policy Section 3.02 (d) – Derivatives		
<b>OTHER INVESTMENTS</b>	Investment Policy Section 3.02 (e) – Other Investments		
<b>INDEX</b>	Investment Policy Section 3.02 (f) – Index Mandates		
<b>QUALITY REQUIREMENTS</b>	Investment Policy Section 3.03 – Minimum Quality Requirements		
<b>QUANTITY RESTRICTIONS</b>	Investment Policy Section 3.04 – Maximum Quantity Restrictions		
<b>PRIOR PERMISSION</b>	Investment Policy Section 3.05 – Prior Permission Required		
<b>PROHIBITED INVESTMENTS</b>	Investment Policy Section 3.06 – Prohibited Investments		
<b>SECURITIES LENDING</b>	Investment Policy Section 3.07 – Securities Lending		
<b>BORROWING</b>	Investment Policy Section 3.08 – Borrowing		
<b>RESPONSIBILITIES</b>	Investment Policy Section 4.01 (b) – Delegation of Responsibilities – Investment Managers		
<b>STANDARDS OF PROFESSIONAL CONDUCT</b>	Investment Policy Section 4.04 - Standards of Professional Conduct		
<b>CONFLICTS OF INTEREST</b>	Investment Policy Section 5.01 - Conflicts of Interest		
<b>VOTING RIGHTS</b>	Investment Policy Section 5.08 - Voting Rights		

\* If policy not complied with, comment on specifics

**COMPLETED BY:** \_\_\_\_\_ **SIGNED BY:** \_\_\_\_\_

**The City of Hamilton Master Trust  
Active Bond Manager**

**Compliance Report for the Quarter Ended \_\_\_\_\_  
(date)**

		<b>GUIDELINES</b>	<b>POLICY COMPLIED WITH YES/NO *</b>
<b>ASSET MIX (at Market Value)</b>		%	
<b>FIXED INCOME</b>	BONDS	100%	
<b>CASH</b>	SHORT-TERM & CASH	0%	
<b>CONSTRAINTS</b>			
<b>GENERAL</b>	Investment Policy Section 3.01 – General Guidelines		
<b>BONDS</b>	Investment Policy Section 3.02 (b) – Bonds		
<b>CASH</b>	Investment Policy Section 3.02 (c) – Cash		
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<b>CONFLICTS OF INTEREST</b>	Investment Policy Section 5.01 - Conflicts of Interest		
<b>VOTING RIGHTS</b>	Investment Policy Section 5.08 - Voting Rights		

\* If policy not complied with, comment on specifics

**COMPLETED BY:** \_\_\_\_\_ **SIGNED BY:** \_\_\_\_\_

**The City of Hamilton Master Trust  
Active Equity Manager**

**Compliance Report for the Quarter Ended \_\_\_\_\_  
(date)**

		GUIDELINES	POLICY COMPLIED WITH  YES/NO *
<b>ASSET MIX (at Market Value)</b>		%	
<b>EQUITIES</b>	CANADIAN		
	U.S.		
	EAFE		
	TOTAL FOREIGN		
<b>CASH</b>	SHORT-TERM & CASH		
<b>CONSTRAINTS</b>			
<b>GENERAL</b>	Investment Policy Section 3.01 – General Guidelines		
<b>EQUITIES</b>	Investment Policy Section 3.02 (a) – Canadian and Foreign Equities		
<b>CASH</b>	Investment Policy Section 3.02 (c) – Cash and Short Term Investments		
<b>DERIVATIVES</b>	Investment Policy Section 3.02 (d) – Derivatives		
<b>OTHER INVESTMENTS</b>	Investment Policy Section 3.02 (e) – Other Investments		
<b>INDEX</b>	Investment Policy Section 3.02 (f) – Index Mandates		
<b>QUALITY REQUIREMENTS</b>	Investment Policy Section 3.03 – Minimum Quality Requirements		
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<b>VOTING RIGHTS</b>	Investment Policy Section 5.08 - Voting Rights		

\* If policy not complied with, comment on specifics

**COMPLETED BY:** \_\_\_\_\_ **SIGNED BY:** \_\_\_\_\_

<b>Corporate Policy</b> <b>Hamilton City Council –</b> <b>Appointment of Citizens to the City’s</b> <b>Local Boards</b>	 Hamilton	<b>Policy Alignment: <i>Municipal Act 2001, as amended</i></b>  <b>Council Approved: March 2017</b> <b>Revisions: September 18, 2018, December 15, 2021, July 8, 2022, August 12, 2022, September 28, 2022 and March 29, 2023</b>
Policy No: #	Page 1 of 8	

## Purpose

The City of Hamilton recognizes the importance and value of involving residents to help shape City projects, policies and initiatives. Engaging residents on issues that affect their lives and their City is a vital component of a well-functioning democratic society and is a key priority of the City’s 25-year Community Vision. Hamilton is committed to creating and nurturing a City that is welcoming and inclusive where citizens of all ages, backgrounds, and abilities have the chance to participate in meaningful engagement opportunities.

The purpose of this policy is to outline the process to appoint citizens to the City’s Agencies, Boards, Commissions, Advisory Committees and Sub-Committees, including:

- The eligibility criteria
- Public Notice
- Recruitment
- Public information sessions
- Description of the selection process for:
  - o Local Boards (excluding Advisory Committees)
  - o Advisory Committees (excluding the Hamilton Indigenous Advisory Committee)
  - o the one Citizen Appointment to the Hamilton Police Services Board
  - o the Hamilton Indigenous Advisory Committee
  - o Local Boards Established during the Term of Council
- Selection Committee & Interview Sub-Committee Guiding Principles
- Description of the Interview Process
- The Roles and Responsibilities Appointed Citizens
- Appointment at Pleasure of Council
- The Filling of Vacancies during the Term of Council

## Eligibility

1. The Selection Process is open to all residents and business owners of the City of Hamilton who are at least 18 years of age, unless otherwise stated (Note: Additional requirements may be requested by the individual Local Board, if they are governed by separate legislation, policies or mandates);
2. City Council wishes to ensure that its Local Boards reflect the diverse nature of the City of Hamilton’s population and encourages all residents to apply for appointment opportunities.
3. The Agencies, Boards, Commissions, Advisory (Volunteer) Committees and Sub-Committees should reflect the diversity of the City of Hamilton’s population, and are committed to being inclusive and equitable for all involved. All residents are encouraged to apply for appointment opportunities.

<b>Corporate Policy</b> <b>Hamilton City Council –</b> <b>Appointment of Citizens to the City’s</b> <b>Local Boards</b>	 Hamilton	<b>Policy Alignment: <i>Municipal Act 2001, as amended</i></b>  <b>Council Approved: March 2017</b> <b>Revisions: September 18, 2018,</b> <b>December 15, 2021, July 8, 2022, August 12, 2022, September 28, 2022 and March 29, 2023</b>
Policy No: #	Page 2 of 8	

## ***Public Notice***

4. The City Clerk’s Office advertises for citizen member vacancies on the City’s Local Boards in the Hamilton Spectator and/or relevant Community Newspapers, on the City’s website and through other appropriate methods.

## ***Recruitment***

5. Citizen membership on all of the City’s Local Boards, with the exception of those terms of office defined by Provincial or Federal legislation, will be to serve for a period of up to four years, which coincides with the Term of Council.
6. Citizens are permitted to apply for membership on no more than two (2) of the City’s Local Boards.
7. Applications and information regarding the City’s Local Boards (i.e. Roles, Responsibilities and Expectations of New Members, Terms of Reference, Mandate, approximate number of meetings per year, etc.) are made available at the City Clerk’s Office, at all Municipal Service Centre locations and on the City’s website ([www.hamilton.ca](http://www.hamilton.ca)). The City will provide accommodation for applicants in all aspects of the selection process, up to the point of undue hardship. If you have an accommodation need, please contact [clerk@hamilton.ca](mailto:clerk@hamilton.ca) as soon as possible to make appropriate arrangements;
8. Completed application forms are to be returned to the City Clerk’s Office or any of the Municipal Service Centres by the application deadline as set out in the advertised Public Notice. Applications received after the deadline will not be considered for appointment.
9. Completed applications may be submitted to the City Clerk’s Office by one of the following methods:
  - (a) Online Application Process on the City’s website;
  - (b) Hand delivered or mailed to the Office of the City Clerk, 1<sup>st</sup> Floor, 71 Main Street West, Hamilton, Ontario, L8P 4Y5;
  - (c) Delivered to any Municipal Service Centre;
  - (d) Scanned and forwarded via e-mail to the contact person listed in the Advertisement; or,
  - (e) By Facsimile Transmission at (905) 546-2095

<b>Corporate Policy Hamilton City Council – Appointment of Citizens to the City’s Local Boards</b>	 <b>Hamilton</b>	<b>Policy Alignment: <i>Municipal Act 2001, as amended</i></b>  <b>Council Approved: March 2017</b> <b>Revisions: September 18, 2018, December 15, 2021, July 8, 2022, August 12, 2022, September 28, 2022 and March 29, 2023</b>
Policy No: #		Page 3 of 8

10. Applications shall be kept on file by the City Clerk’s Office for the Term of Council. In the event of a vacancy, the Selection Committee or Interview Sub-Committee may consider interviewing applicants whose applications are on file for the current term, and the appointment would be for the balance of the current Council term.
11. Incumbents who are eligible and willing to seek reappointment to a Local Board must reapply in the same manner as other applicants.

### ***Public Information Session(s)***

12. A Public Information Session(s) is scheduled during the beginning of the initial recruitment process (end of the previous Term of Council) and although attendance is not mandatory, attendance is strongly encouraged for new applicants.

At the Information Session(s), citizens are provided with information regarding the City’s Local Boards and are afforded the opportunity to ask questions of the Staff Liaisons.

Interested citizens may also fill out and submit an application during the Information Session(s).

### ***Selection Process for Local Boards (excluding Advisory Committees)***

13. A minimum of five (5) members of Council are appointed to the Selection Committee whose mandate will be to:
  - (i) Review citizen member applications for the City’s local boards (excluding Advisory Committees);
  - (ii) Applicants are shortlisted with assistance of staff, where appropriate, based on information provided in the application;
  - (iii) Interview candidates as deemed appropriate by the Selection Committee;
  - (iv) Make recommendations to City Council for the appointment of citizens to the various local boards (excluding Advisory Committees).

<b>Corporate Policy Hamilton City Council – Appointment of Citizens to the City’s Local Boards</b>	 <b>Hamilton</b>	<b>Policy Alignment: <i>Municipal Act 2001, as amended</i></b>  <b>Council Approved: March 2017</b> <b>Revisions: September 18, 2018, December 15, 2021, July 8, 2022, August 12, 2022, September 28, 2022 and March 29, 2023</b>
Policy No: #		Page 4 of 8

### ***Selection Process for Advisory Committees (excluding the Hamilton Indigenous Advisory Committee)***

14. A minimum of two (2) members of each Standing Committee (plus alternates, where applicable) are appointed to the respective Standing Committee Interview Sub-Committee whose mandate will be to:
- (i) Review citizen member applications for the City’s Advisory Committees (excluding the Hamilton Indigenous Advisory Committee);
  - (ii) Applicants are shortlisted with assistance of staff, where appropriate, based on information provided in the application;
  - (iii) Interview candidates as deemed appropriate by the respective Standing Committee Interview Sub-Committee;
  - (iv) Make recommendations to the respective Standing Committee for the appointment of citizen members to the various Advisory Committees (excluding the Hamilton Indigenous Advisory Committee). These recommendations are ratified by Council.

### ***Selection Process for the one Citizen Appointment to the Hamilton Police Services Board***

15. Six (6) members of Council and six (6) community representatives are appointed to the Hamilton Police Services Board Selection Committee whose mandate will be to:
- (i) Review applications for the one citizen appointment to the Hamilton Police Services Board;
  - (ii) Shortlist the applicants with assistance of staff, where appropriate, based on the applicant information provided;
  - (iii) Request that the Hamilton Police Service as well as the following Advisory Committees submit confidential interview questions:
    - (a) Hamilton Women and Gender Equity Advisory Committee
    - (b) Indigenous Advisory Committee
    - (c) LGBTQ Advisory Committee
    - (d) Committee Against Racism Advisory Committee

<p><b>Corporate Policy</b>  <b>Hamilton City Council –</b>  <b>Appointment of Citizens to the City’s</b>  <b>Local Boards</b></p>		<p><b>Policy Alignment: <i>Municipal Act 2001, as amended</i></b></p> <p><b>Council Approved: March 2017</b>  <b>Revisions: September 18, 2018, December 15, 2021, July 8, 2022, August 12, 2022, September 28, 2022 and March 29, 2023</b></p>
<p>Policy No: #</p>		<p>Page 5 of 8</p>

- (iv) Interview applicants who have met the criteria (below), ensuring that they are not ineligible (below);

Preference will be given to applicants who meet the following criteria:

- a resident of, or owner of a business in, the City;
- an owner or tenant of land in the City, or the spouse of such a person;
- a Canadian citizen, at least 18 years of age;
- not a member of the Legislative Assembly, the Senate, House of Commons, or an elected official of the City;
- not a Crown employee, nor an employee of a municipality;
- not otherwise disqualified from holding office or voting;
- of good character (applicants will be required to provide authorization to the Police Service to conduct a comprehensive background check);
- a demonstrated history of community service i.e., previous experience on Boards or Committees;
- able to devote up to 20 to 25 hours per month to Police Board matters, including availability during normal business hours;
- skills or leadership in a business or a profession, which demonstrates ability to work effectively as a member of the Board; and,
- specific knowledge, training, education or experience, which may be an asset to the Board.

The following persons are ineligible to be a citizen appointee to the Board:

- a member of City Council;
- an employee of the City of Hamilton;
- a Judge or a Justice of the Peace;
- a police officer; or,
- a person who practices criminal law as a defense counsel.

- (v) Submit two (2) preferred candidate(s) to Council for consideration for the appointment of one person to the Hamilton Police Services Board.

***Selection Process for the Hamilton Indigenous Advisory Committee***

16. The local Hamilton Indigenous Community leadership, will recommend to Council the appointment of residents from the Hamilton Indigenous community, to sit on the Hamilton Indigenous Advisory Committee.

<b>Corporate Policy</b> <b>Hamilton City Council –</b> <b>Appointment of Citizens to the City’s</b> <b>Local Boards</b>	 <b>Hamilton</b>	<b>Policy Alignment: <i>Municipal Act 2001, as amended</i></b>  <b>Council Approved: March 2017</b> <b>Revisions: September 18, 2018,</b> <b>December 15, 2021, July 8, 2022, August 12, 2022, September 28, 2022 and March 29, 2023</b>
Policy No: #		Page 6 of 8

### ***Selection Process for Local Boards Established during the Term of Council***

17. When a local board is established during the Term of Council, the respective process outlined in Section 12 and 13 will be followed.

### ***Selection Committee & Interview Sub-Committee Guiding Principles***

18. The Selection Committee and Interview Sub-Committees are committed to fulfilling the recruitment and selection of its citizens to the City’s Local Boards in an open, transparent and equitable manner.
19. The Selection Committee and Interview Sub-Committees are committed to a public recruitment process which is communicated well in advance and which encourages a broad range and diverse participation of citizens, free of barriers.
20. The Selection Committee and Interview Sub-Committees are committed to a competitive recruitment process which seeks suitable candidates evaluated on interest, merit and related competencies.
21. The Selection Committee and Interview Sub-Committees are committed to unbiased decision making essential to a fair and impartial selection process.

### ***Interview Process***

22. The Selection Committee or Interview Sub-Committee may, at its discretion, with the assistance of staff, shortlist candidates using the following criteria:
- (i) Related skills, abilities and knowledge competencies;
  - (ii) Lived experience as described by the applicant; and,
  - (iii) Number of citizens who applied for vacancy(ies).
23. Interviews will be conducted, where required, with those applicants who are most suited to serve on a City’s Local Board, being notified verbally or by e-mail by the City Clerk’s office of the interview date and time, which will be approximately ten (10) minutes in length.
24. Interview questions will be developed by staff in relation to the mandated role of the Local Board in consultation with the City Clerk’s Office.

25. Successful applicants will be notified in writing by the City Clerk’s Office once their appointment has been approved by Council.

<p><b>Corporate Policy Hamilton City Council – Appointment of Citizens to the City’s Local Boards</b></p>	 <p>Hamilton</p>	<p><b>Policy Alignment: <i>Municipal Act 2001, as amended</i></b></p> <p><b>Council Approved: March 2017</b>  <b>Revisions: September 18, 2018, December 15, 2021, July 8, 2022, August 12, 2022, September 28, 2022 and March 29, 2023</b></p>
<p>Policy No: #</p>		<p>Page 7 of 8</p>

26. In some circumstances, applicants may be required to have background checks.
27. One Legislative Coordinator and the Staff Liaison to the Local Board, shall attend the interviews and serve as a resource person.

***Roles and Responsibilities of Appointed Citizen Members of the City’s Local Boards***

28. Citizen members of the City’s Local Boards are encouraged to make themselves familiar with the Terms of Reference, the Roles, Responsibilities and Expectations of New Members and mandated activities of the Local Board to which they are making application to.
29. Citizen members of the City’s Local Boards:
- (i) are required to attend and participate fully in the meetings;
  - (i) who miss more than three consecutive (3) meetings during their term, the Chair, after hearing and considering any explanation provided by the member, may ask the member to resign, or request that Council remove the member;
  - (ii) upon appointment and prior to attending the first meeting, are required to sign an Acknowledgement Form (page 30 of the Procedural Handbook for Citizen Appointees to City of Hamilton Local Boards). Such declaration will remain on file in the Office of the City Clerk for the duration of the citizen’s appointment;
  - (iv) are bound by the *Municipal Conflict of Interest Act* found at the following link: <https://www.ontario.ca/laws/statute/90m50> and explained further under section ‘Conflicts of Interest’ in the Procedural Handbook for Citizen Appointees to City of Hamilton Local Boards; and
  - (v) are to comply with the Code of Conduct for Local Boards (attached as Appendix “B” to the Procedural Handbook for Citizen Appointees to City of Hamilton Local Boards).

***Appointment at Pleasure of Council***

30. Despite the set term of appointment of up to 4 years or until a successor is appointed, all citizen members are appointed at the pleasure of City Council and City Council retains the right to remove any citizen appointed member at any time and for any reason, unless legislation provides otherwise.

<p><b>Corporate Policy</b>  <b>Hamilton City Council –</b>  <b>Appointment of Citizens to the City’s</b>  <b>Local Boards</b></p>		<p><b>Policy Alignment: <i>Municipal Act 2001, as amended</i></b></p> <p><b>Council Approved: March 2017</b>  <b>Revisions: September 18, 2018,</b>  <b>December 15, 2021, July 8, 2022, August 12, 2022, September 28, 2022 and March 29, 2023</b></p>
<p>Policy No: #</p>		<p>Page 8 of 8</p>

***Filling of Vacancies***

31. Vacancies on the City’s Local Boards can occur throughout the Term of Council, due to a member’s resignation, should a vacancy occur during the Term of Council, the following process will be followed:

- (i) The Committee member who is resigning shall do so formally in writing by providing a completed and signed copy of the Local Board Member Resignation Form (attached as Appendix “C” to the Procedural Handbook for Citizen Appointees to City of Hamilton Local Boards) or an email to the committee’s Staff Liaison, who will forward the form or the email to the appropriate Legislative Coordinator, in the City Clerk’s office, stating which Local Board the Committee member is resigning from and general reasons why (the inclusion of private/personal information is not required).
- (ii) The Local Board Member’s Resignation Form or email will be:
  - (a) placed on the respective Standing Committee’s agenda to be formally received by the Committee; or
  - (b) placed on the Council Agenda, (due to time sensitivity) to be formally received by Council; and forwarded to the Selection Committee or Interview Sub-Committee for review.
- (iii) Requests for the removal of a member by the Chair due to the member’s absences from more than three consecutive (3) meetings during their term, will be approved by the local board and presented to Council and forwarded to the Selection Committee or Interview Sub-Committee for review.
- (iv) The Selection Committee or respective Interview Sub-Committee will consider whether to fill the vacancy from those applicants who applied in the initial call for applications, or to re-advertise.
- (v) If the vacancy occurs within 12 months of the end of the Term of Council, and there are insufficient applicants on file to fill the vacancy, the vacancy will not be filled, and the quorum of the Local Board will be adjusted accordingly.

**January 2024**

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
	<b>1</b> NEW YEAR'S DAY	<b>2</b>	<b>3</b>	<b>4</b>	<b>5</b>	<b>6</b>
	<b>NO MEETINGS – PLEASE DO NOT USE</b>					
<b>7</b>	<b>8</b>	<b>9</b>	<b>10</b>	<b>11</b>	<b>12</b>	<b>13</b>
<b>14</b>	<b>15</b> BOH – 9:30 a.m. PW – 1:30 p.m.	<b>16</b> Planning – 9:30 a.m.	<b>17</b> GIC – 9:30 a.m.	<b>18</b> AF&A – 9:30 a.m. E&CS – 1:30 p.m.	<b>19</b>	<b>20</b>
<b>21</b>	<b>22</b>	<b>23</b>	<b>24</b> COUNCIL 9:30 a.m.	<b>25</b>	<b>26</b>	<b>27</b>
<b>28</b>	<b>29</b>	<b>30</b>	<b>31</b>			

- |          |   |                          |      |   |                                 |
|----------|---|--------------------------|------|---|---------------------------------|
| GIC      | = | General Issues Committee | AF&A | = | Audit, Finance & Administration |
| PW       | = | Public Works Committee   | E&CS | = | Emergency & Community Services  |
| Planning | = | Planning Committee       | BOH  | = | Board of Health                 |

**All meetings will be in the Council Chambers, Hamilton City Hall, 2<sup>nd</sup> Floor**

**February 2024**

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
				1	2	3
4	5 BOH – 9:30 a.m. PW – 1:30 p.m.	6 Planning – 9:30 a.m.	7 GIC – 9:30 a.m.	8 AF&A – 9:30 a.m. E&CS – 1:30 p.m.	9	10
11	12	13	14 COUNCIL 9:30 a.m.	15	16	17
18	19 FAMILY DAY	20 PW – 1:30 p.m.	21 GIC – 9:30 a.m.	22 AF&A – 9:30 a.m. <i>If required</i> E&CS – 1:30 p.m. <i>If required</i>	23 Planning – 9:30 a.m.	24
25	26	27	28 COUNCIL 9:30 a.m.	29		

GIC = General Issues Committee      AF&A = Audit, Finance & Administration  
PW = Public Works Committee      E&CS = Emergency & Community Services  
Planning = Planning Committee      BOH = Board of Health

**All meetings will be in the Council Chambers, Hamilton City Hall, 2<sup>nd</sup> Floor**

**March 2024**

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
					1	2
3	4	5	6	7	8	9
	<b>NO MEETINGS – PLEASE DO NOT USE</b>					
10	11	12	13	14	15	16
	<b>MARCH BREAK</b>		<b>MARCH BREAK</b>		<b>MARCH BREAK</b>	
17	18	19	20	21	22	23
	BOH – 9:30 a.m. PW – 1:30 p.m.	Planning – 9:30 a.m.	GIC – 9:30 a.m.	AF&A – 9:30 a.m. E&CS – 1:30 p.m.		
24/31	25	26	27	28	29	30
			<b>COUNCIL 9:30 a.m.</b>		<b>GOOD FRIDAY</b>	

GIC = General Issues Committee      AF&A = Audit, Finance & Administration  
 PW = Public Works Committee      E&CS = Emergency & Community Services  
 Planning = Planning Committee      BOH = Board of Health

**All meetings will be held in the Council Chambers, Hamilton City Hall, 2<sup>nd</sup> Floor**

April 2024

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
	1 EASTER MONDAY	2 BOH – 9:30 a.m. PW – 1:30 p.m.	3 GIC – 9:30 a.m.	4 AF&A – 9:30 a.m. E&CS – 1:30 p.m.	5 Planning – 9:30 a.m.	6
7	8	9	10 COUNCIL 9:30 a.m.	11	12	13
14	15 PW – 1:30 p.m.	16 Planning – 9:30 a.m.	17 GIC – 9:30 a.m.	18 AF&A – 9:30 a.m. <i>If required</i> E&CS – 1:30 p.m. <i>If required</i>	19	20
21	22	23	24 COUNCIL 9:30 a.m.	25	26	27
28	29 BOH – 9:30 a.m. PW – 1:30 p.m.	30 Planning – 9:30 a.m.				

GIC = General Issues Committee

PW = Public Works Committee

Planning = Planning Committee

AF&A = Audit, Finance & Administration

E&CS = Emergency & Community Services

BOH = Board of Health

All meetings will be in the Council Chambers, Hamilton City Hall, 2<sup>nd</sup> Floor

**May 2024**

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
			1 GIC – 9:30 a.m.	2 AF&A – 9:30 a.m. E&CS – 1:30 p.m.	3	4
5	6	7	8 COUNCIL 9:30 a.m.	9	10	11
12	13 PW – 1:30 p.m.	14 Planning – 9:30 a.m.	15 GIC – 9:30 a.m.	16 AF&A – 9:30 a.m. <i>If required</i> E&CS – 1:30 p.m. <i>If required</i>	17	18
19	20 VICTORIA DAY	21	22 COUNCIL 9:30 a.m.	23	24	25
26	27	28	29	30	31	

GIC = General Issues Committee      AF&A = Audit, Finance & Administration  
 PW = Public Works Committee      E&CS = Emergency & Community Services  
 Planning = Planning Committee      BOH = Board of Health

**All meetings will be in the Council Chambers, Hamilton City Hall, 2<sup>nd</sup> Floor**

**June 2024**

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
						1
2	3 BOH – 9:30 a.m. PW – 1:30 p.m.	4 Planning – 9:30 a.m.	5 GIC – 9:30 a.m.	6 AF&A – 9:30 a.m. E&CS – 1:30 p.m.	7	8
9	10	11	12 COUNCIL 9:30 a.m.	13	14	15
16	17 PW – 1:30 p.m.	18 Planning – 9:30 a.m.	19 GIC – 9:30 a.m.	20 AF&A – 9:30 a.m. <i>If required</i> E&CS – 1:30 p.m. <i>If required</i>	21	22
23/30	24	25	26 COUNCIL 9:30 a.m.	27	28	29

GIC = General Issues Committee      AF&A = Audit, Finance & Administration  
 PW = Public Works Committee      E&CS = Emergency & Community Services  
 Planning = Planning Committee      BOH = Board of Health

**All meetings will be in the Council Chambers, Hamilton City Hall, 2<sup>nd</sup> Floor**

**July 2024**

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
	<b>1</b> CANADA DAY	<b>2</b>	<b>3</b>	<b>4</b>	<b>5</b>	<b>6</b>
<b>7</b>	<b>8</b> GIC – 9:30 a.m.	<b>9</b> Planning – 9:30 a.m.	<b>10</b> BOH – 9:30 a.m. PW – 1:30 p.m.	<b>11</b> AF&A – 9:30 a.m. E&CS – 1:30 p.m.	<b>12</b> COUNCIL 9:30 a.m.	<b>13</b>
<b>14</b>	<b>15</b>	<b>16</b>	<b>17</b>	<b>18</b>	<b>19</b>	<b>20</b>
<b>21</b>	<b>22</b>	<b>23</b>	<b>24</b>	<b>25</b>	<b>26</b>	<b>27</b>
<b>28</b>	<b>29</b>	<b>30</b>	<b>31</b>			

GIC = General Issues Committee      AF&A = Audit, Finance & Administration  
PW = Public Works Committee      E&CS = Emergency & Community Services  
Planning = Planning Committee      BOH = Board of Health

**All meetings will be in the Council Chambers, Hamilton City Hall, 2<sup>nd</sup> Floor**

### August 2024

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
				1	2	3
4	5 <b>CIVIC HOLIDAY</b>	6	7	8	9	10
11	12 <b>GIC – 9:30 a.m.</b>	13 <b>Planning – 9:30 a.m.</b>	14 <b>BOH – 9:30 a.m.</b> <b>PW – 1:30 p.m.</b>	15 <b>AF&amp;A – 9:30 a.m.</b> <b>E&amp;CS – 1:30 p.m.</b>	16 <b>COUNCIL 9:30 a.m.</b>	17
18	19	20	21	22	23	24
25	26	27	28	29	30	31

GIC = General Issues Committee      AF&A = Audit, Finance & Administration  
 PW = Public Works Committee      E&CS = Emergency & Community Services  
 Planning = Planning Committee      BOH = Board of Health

**All meetings will be in the Council Chambers, Hamilton City Hall, 2<sup>nd</sup> Floor**

## September 2024

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
1	2 <b>LABOUR DAY</b>	3 PW – 1:30 p.m. BOH – 9:30 a.m.	4 GIC – 9:30 a.m.	5 AF&A – 9:30 a.m. E&CS – 1:30 p.m.	6 Planning – 9:30 a.m.	7
8	9	10	11 COUNCIL 9:30 a.m.	12	13	14
15	16 PW – 1:30 p.m.	17 Planning – 9:30 a.m.	18 GIC – 9:30 a.m.	19 AF&A – 9:30 a.m. <i>If required</i> E&CS – 1:30 p.m. <i>If Required</i>	20	21
22	23	24	25 COUNCIL 9:30 a.m.	26	27	28
29	30 BOH – 9:30 a.m. PW – 1:30 p.m.					

GIC = General Issues Committee      AF&A = Audit, Finance & Administration  
PW = Public Works Committee      E&CS = Emergency & Community Services  
Planning = Planning Committee      BOH = Board of Health

**All meetings will be in the Council Chambers, Hamilton City Hall, 2<sup>nd</sup> Floor unless otherwise noted.**



**October 2024**

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
		1 Planning – 9:30 a.m.	2 GIC – 9:30 a.m.	3 AF&A – 9:30 a.m. E&CS – 1:30 p.m.	4	5
6	7	8	9 COUNCIL 9:30 a.m.	10	11	12
13	14 THANKSGIVING	15 PW – 1:30 p.m.	16 GIC – 9:30 a.m.	17 AF&A – 9:30 a.m. <i>If required</i> E&CS – 1:30 p.m. <i>If Required</i>	18 Planning – 9:30 a.m.	19
20	21	22	23 COUNCIL 9:30 a.m.	24	25	26
27	28	29	30	31		

GIC = General Issues Committee      AF&A = Audit, Finance & Administration  
 PW = Public Works Committee      E&CS = Emergency & Community Services  
 Planning = Planning Committee      BOH = Board of Health

**All meetings will be in the Council Chambers, Hamilton City Hall, 2<sup>nd</sup> Floor**

**November 2024**

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
					1	2
3	4 BOH – 9:30 a.m. PW – 1:30 p.m.	5 Planning – 9:30 a.m.	6 GIC – 9:30 a.m.	7 AF&A – 9:30 a.m. E&CS – 1:30 p.m.	8	9
10	11	12	13 COUNCIL 9:30 a.m.	14	15	16
17	18 PW – 1:30 p.m.	19 Planning – 9:30 a.m.	20 GIC – 9:30 a.m.	21 AF&A – 9:30 a.m. <i>If required</i> E&CS – 1:30 p.m. <i>If Required</i>	22	23
24	25	26	27 COUNCIL 9:30 a.m.	28	29	30

GIC = General Issues Committee      AF&A = Audit, Finance & Administration  
PW = Public Works Committee      E&CS = Emergency & Community Services  
Planning = Planning Committee      BOH = Board of Health

**All meetings will be in the Council Chambers, Hamilton City Hall, 2<sup>nd</sup> Floor unless otherwise noted.**

**December 2024**

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
1	2 BOH – 9:30 a.m. PW – 1:30 p.m.	3 Planning – 9:30 a.m.	4 GIC – 9:30 a.m.	5 AF&A – 9:30 a.m. E&CS – 1:30 p.m.	6	7
8	9	10	11 COUNCIL 9:30 a.m.	12	13	14
15	16	17	18	19	20	21
22	23	24 CHRISTMAS EVE	25 CHRISTMAS DAY	26 BOXING DAY	27 SHUTDOWN	28
29	30 SHUTDOWN	31 NEW YEARS EVE!				

GIC = General Issues Committee      AF&A = Audit, Finance & Administration  
 PW = Public Works Committee      E&CS = Emergency & Community Services  
 Planning = Planning Committee      BOH = Board of Health

**All meetings will be in the Council Chambers, Hamilton City Hall, 2<sup>nd</sup> Floor unless otherwise noted.**

**January 2025**

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
			<b>1 NEW YEAR'S DAY</b>	<b>2  NO MEETINGS – PLEASE DO NOT USE</b>	<b>3</b>	<b>4</b>
<b>5</b>	<b>6</b>	<b>7</b>	<b>8</b>	<b>9</b>	<b>10</b>	<b>11</b>
<b>12</b>	<b>13 BOH – 9:30 a.m. PW – 1:30 p.m.</b>	<b>14 Planning – 9:30 a.m.</b>	<b>15 GIC – 9:30 a.m.</b>	<b>16 AF&amp;A – 9:30 a.m. E&amp;CS – 1:30 p.m.</b>	<b>17</b>	<b>18</b>
<b>19</b>	<b>20</b>	<b>21</b>	<b>22 COUNCIL 9:30 a.m.</b>	<b>23</b>	<b>24</b>	<b>25</b>
<b>26</b>	<b>27</b>	<b>28</b>	<b>29</b>	<b>30</b>	<b>31</b>	

GIC = General Issues Committee      AF&A = Audit, Finance & Administration  
 PW = Public Works Committee      E&CS = Emergency & Community Services  
 Planning = Planning Committee      BOH = Board of Health

**All meetings will be in the Council Chambers, Hamilton City Hall, 2<sup>nd</sup> Floor**

**February 2025**

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
						1
2	<p align="center">3</p> <p align="center">BOH – 9:30 a.m.</p> <p align="center">PW – 1:30 p.m.</p>	<p align="center">4</p> <p align="center">Planning – 9:30 a.m.</p>	<p align="center">5</p> <p align="center">GIC – 9:30 a.m.</p>	<p align="center">6</p> <p align="center">AF&amp;A – 9:30 a.m.</p> <p align="center">E&amp;CS – 1:30 p.m.</p>	7	8
9	10	11	12  COUNCIL 9:30 a.m.	13	14	15
16	17  FAMILY DAY	<p align="center">18</p> <p align="center">PW – 1:30 p.m.</p>	<p align="center">19</p> <p align="center">GIC – 9:30 a.m.</p>	<p align="center">20</p> <p align="center">AF&amp;A – 9:30 a.m. <i>If required</i></p> <p align="center">E&amp;CS – 1:30 p.m. <i>If required</i></p>	<p align="center">21</p> <p align="center">Planning – 9:30 a.m.</p>	22
23	24	25	26  COUNCIL 9:30 a.m.	27	28	

GIC = General Issues Committee      AF&A = Audit, Finance & Administration  
PW = Public Works Committee      E&CS = Emergency & Community Services  
Planning = Planning Committee      BOH = Board of Health

**All meetings will be in the Council Chambers, Hamilton City Hall, 2<sup>nd</sup> Floor**

**March 2025**

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
						1
2	3	4	5	6	7	8
	<b>NO MEETINGS – PLEASE DO NOT USE</b>					
9	10	11	12	13	14	15
	<b>MARCH BREAK</b>			<b>MARCH BREAK</b>		<b>MARCH BREAK</b>
16	17	18	19	20	21	22
	BOH – 9:30 a.m. PW – 1:30 p.m.	Planning – 9:30 a.m.	GIC – 9:30 a.m.	AF&A – 9:30 a.m. E&CS – 1:30 p.m.		
23	24	25	26	27	28	29
			<b>COUNCIL 9:30 a.m.</b>			
30	31					
	BOH – 9:30 a.m. PW – 1:30 p.m.					

GIC = General Issues Committee  
PW = Public Works Committee

AF&A = Audit, Finance & Administration  
E&CS = Emergency & Community Services

Planning = Planning Committee

BOH = Board of Health

**All meetings will be held in the Council Chambers, Hamilton City Hall, 2<sup>nd</sup> Floor**

April 2025

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
		1 Planning – 9:30 a.m.	2 GIC – 9:30 a.m.	3 AF&A – 9:30 a.m. E&CS – 1:30 p.m.	4	5
6	7	8	9 COUNCIL 9:30 a.m.	10	11	12
13	14 PW – 1:30 p.m.	15 Planning – 9:30 a.m.	16 GIC – 9:30 a.m.	17 AF&A – 9:30 a.m. <i>If required</i> E&CS – 1:30 p.m. <i>If required</i>	18 GOOD FRIDAY	19
20	21 EASTER MONDAY	22	23 COUNCIL 9:30 a.m.	24	25	26
27	28 BOH – 9:30 a.m. PW – 1:30 p.m.	29 Planning – 9:30 a.m.	30 GIC – 9:30 a.m.			

GIC = General Issues Committee

AF&A = Audit, Finance & Administration

PW = Public Works Committee

E&CS = Emergency & Community Services

**Appendix G to Audit, Finance and Administration Committee Report 23-005**

Planning = Planning Committee

BOH = Board of Health

All meetings will be in the Council Chambers, Hamilton City Hall, 2<sup>nd</sup> Floor

**May 2025**

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
				1 AF&A – 9:30 a.m. E&CS – 1:30 p.m.	2	3
4	5	6	7 COUNCIL 9:30 a.m.	8	9	10
11	12 PW – 1:30 p.m.	13 Planning – 9:30 a.m.	14 GIC – 9:30 a.m.	15 AF&A – 9:30 a.m. <i>If required</i> E&CS – 1:30 p.m. <i>If required</i>	16	17
18	19 VICTORIA DAY	20	21 COUNCIL 9:30 a.m.	22	23	24
25	26	27	28	29	30	31

GIC = General Issues Committee

AF&A = Audit, Finance & Administration

PW = Public Works Committee

E&CS = Emergency & Community Services

Planning = Planning Committee

BOH = Board of Health

**All meetings will be in the Council Chambers, Hamilton City Hall, 2<sup>nd</sup> Floor**

**June 2025**

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
1	2 BOH – 9:30 a.m. PW – 1:30 p.m.	3 Planning – 9:30 a.m.	4 GIC – 9:30 a.m.	5 AF&A – 9:30 a.m. E&CS – 1:30 p.m.	6	7
8	9	10	11 COUNCIL 9:30 a.m.	12	13	14
15	16 PW – 1:30 p.m.	17 Planning – 9:30 a.m.	18 GIC – 9:30 a.m.	19 AF&A – 9:30 a.m. <i>If required</i> E&CS – 1:30 p.m. <i>If required</i>	20	21
22	23	24	25 COUNCIL 9:30 a.m.	26	27	28
29	30					

GIC = General Issues Committee      AF&A = Audit, Finance & Administration  
PW = Public Works Committee      E&CS = Emergency & Community Services  
Planning = Planning Committee      BOH = Board of Health

**All meetings will be in the Council Chambers, Hamilton City Hall, 2<sup>nd</sup> Floor**

**July 2025**

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
		1 <b>CANADA DAY</b>	2	3	4	5
6	GIC – 9:30 a.m.	Planning – 9:30 a.m.	BOH – 9:30 a.m. PW – 1:30 p.m.	AF&A – 9:30 a.m. E&CS – 1:30 p.m.	COUNCIL 9:30 a.m.	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30	31		

GIC = General Issues Committee      AF&A = Audit, Finance & Administration  
 PW = Public Works Committee      E&CS = Emergency & Community Services  
 Planning = Planning Committee      BOH = Board of Health

**All meetings will be in the Council Chambers, Hamilton City Hall, 2<sup>nd</sup> Floor**

**August 2025**

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
					1	2
3	4 <b>CIVIC HOLIDAY</b>	5	6	7	8	9
10	11 GIC – 9:30 a.m.	12 Planning – 9:30 a.m.	13 BOH – 9:30 a.m. PW – 1:30 p.m.	14 AF&A – 9:30 a.m. E&CS – 1:30 p.m.	15 <b>COUNCIL</b> 9:30 a.m.	16
17	18	19	20	21	22	23
24/31	25	26	27	28	29	30

GIC = General Issues Committee      AF&A = Audit, Finance & Administration  
PW = Public Works Committee      E&CS = Emergency & Community Services  
Planning = Planning Committee      BOH = Board of Health

**All meetings will be in the Council Chambers, Hamilton City Hall, 2<sup>nd</sup> Floor**

## September 2025

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
	1 <b>LABOUR DAY</b>	2 PW – 1:30 p.m. BOH – 9:30 a.m.	3 GIC – 9:30 a.m.	4 AF&A – 9:30 a.m. E&CS – 1:30 p.m.	5 Planning – 9:30 a.m.	6
7	8	9	10 COUNCIL 9:30 a.m.	11	12	13
14	15 PW – 1:30 p.m.	16 Planning – 9:30 a.m.	17 GIC – 9:30 a.m.	18 AF&A – 9:30 a.m. <i>If required</i> E&CS – 1:30 p.m. <i>If Required</i>	19	20
21	22	23	24 COUNCIL 9:30 a.m.	25	26	27
28	29 BOH – 9:30 a.m. PW – 1:30 p.m.	30 Planning – 9:30 a.m.				

GIC = General Issues Committee      AF&A = Audit, Finance & Administration  
PW = Public Works Committee      E&CS = Emergency & Community Services  
Planning = Planning Committee      BOH = Board of Health

**All meetings will be in the Council Chambers, Hamilton City Hall, 2<sup>nd</sup> Floor unless otherwise noted.**



**October 2025**

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
			1 GIC – 9:30 a.m.	2 AF&A – 9:30 a.m. E&CS – 1:30 p.m.	3	4
5	6	7	8 COUNCIL 9:30 a.m.	9	10	11
12	13 THANKSGIVING	14 PW – 1:30 p.m.	15 GIC – 9:30 a.m.	16 AF&A – 9:30 a.m. <i>If required</i> E&CS – 1:30 p.m. <i>If Required</i>	17 Planning – 9:30 a.m.	18
19	20	21	22 COUNCIL 9:30 a.m.	23	24	25
26	27	28	29	30	31	

GIC = General Issues Committee      AF&A = Audit, Finance & Administration  
 PW = Public Works Committee      E&CS = Emergency & Community Services  
 Planning = Planning Committee      BOH = Board of Health

**All meetings will be in the Council Chambers, Hamilton City Hall, 2<sup>nd</sup> Floor**

**November 2025**

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
						1
2	3 BOH – 9:30 a.m. PW – 1:30 p.m.	4 Planning – 9:30 a.m.	5 GIC – 9:30 a.m.	6 AF&A – 9:30 a.m. E&CS – 1:30 p.m.	7	8
9	10	11	12 COUNCIL 9:30 a.m.	13	14	15
16	17 PW – 1:30 p.m.	18 Planning – 9:30 a.m.	19 GIC – 9:30 a.m.	20 AF&A – 9:30 a.m. <i>If required</i> E&CS – 1:30 p.m. <i>If Required</i>	21	22
23/30	24	25	26 COUNCIL 9:30 a.m.	27	28	29

GIC = General Issues Committee      AF&A = Audit, Finance & Administration  
 PW = Public Works Committee      E&CS = Emergency & Community Services  
 Planning = Planning Committee      BOH = Board of Health

**All meetings will be in the Council Chambers, Hamilton City Hall, 2<sup>nd</sup> Floor unless otherwise noted.**

**December 2025**

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
	1 BOH – 9:30 a.m. PW – 1:30 p.m.	2 Planning – 9:30 a.m.	3 GIC – 9:30 a.m.	4 AF&A – 9:30 a.m. E&CS – 1:30 p.m.	5	6
7	8	9	10 COUNCIL 9:30 a.m.	11	12	13
14	15	16	17	18	19	20
21	22	23	24 CHRISTMAS EVE	25 CHRISTMAS DAY	26 BOXING DAY	27
28	29 SHUTDOWN	30 SHUTDOWN	31 NEW YEARS EVE!			

GIC = General Issues Committee      AF&A = Audit, Finance & Administration  
 PW = Public Works Committee      E&CS = Emergency & Community Services  
 Planning = Planning Committee      BOH = Board of Health

**All meetings will be in the Council Chambers, Hamilton City Hall, 2<sup>nd</sup> Floor unless otherwise noted.**

<b>Corporate Human Resources Policy</b>		<b>Code of Conduct for Employees</b>
Work Environment		Content Updated: 2019-08-23
Policy No: HR-01-09		
Page 1 of 6		Approval: 2019-09-10

**Schedule D: Outside Employment and Activity**

<b>PURPOSE</b>	<p>The City of Hamilton recognizes that City employees are engaged in pursuits outside of their workday. This may include, but is not limited to, involvement in community groups and organizations, working with political organizations, and/or seeking additional employment opportunities in addition to their role at the City.</p> <p>While the City supports employees in their personal endeavors, the outside activities of employees must align with the City’s culture and values and must not create a conflict of interest, contravene City of Hamilton policies and procedures or misrepresent the City of Hamilton in any way. In addition, employees’ behaviour outside of the workplace must not diminish the trust and confidence that the community has in City administration or impact the City’s ability to provide services to the community.</p>
<b>DEFINITIONS</b>	
<b>Hate</b>	<p>Acts of hate are committed to intimidate, harm or terrify victims and the identifiable groups to which they belong. Victims of hate are targeted on the sole basis of who they are and/or the groups to which they belong (i.e., being Jewish, Muslim, Transgender, Black, Indigenous, etc.).</p> <p>Hate Related Incidents may involve intimidation, harassment, physical force or threat of physical force against a person, a group or a property if motivated by hatred/bias/prejudice against an identifiable group. Acts of hate may be committed by strangers or individuals well known to the victim. Perpetrators may include individuals, groups, organizations and institutions. Victims may be reluctant to report hate for a variety of reasons, including: not recognizing that the motivation was hate; fear of retaliation; embarrassment and humiliation; and/or uncertainty of the criminal justice system response.</p>
<b>Hate Activity</b>	<p>Can include, but is not limited to, verbal slurs; threats; vandalism; intimidation and harassment; and public messages that imply that members of an identifiable group are to be despised, scorned, denied respect and made subject to ill-treatment on the basis of</p>

<b>Corporate Human Resources Policy</b>		<b>Code of Conduct for Employees</b>
Work Environment		Content Updated: 2019-08-23
Policy No: HR-01-09		
Page 2 of 6		Approval: 2019-09-10

	<p>group affiliation. Such messages may include group symbols, slogans or epithets and can be transmitted in many ways (e.g., graffiti, posters, flyers, hate mail, over the telephone, website and e-mail content, etc.)</p>
<p><b>TERMS AND CONDITIONS</b></p> <p><b>Outside Employment</b></p>	<p>Employees shall not take outside employment, including self-employment, if such employment:</p> <ul style="list-style-type: none"> <li>• causes a real or apparent conflict of interest; or</li> <li>• is performed in such a way as to appear to be an official act of or to represent the City; or</li> <li>• interferes with regular duties in any way, or involves the use of City premises, resources or equipment including but not limited to City e-mail, telephones, cell phones, or supplies.</li> </ul> <p>Where it appears that a conflict of interest might arise in accepting outside employment, employees must notify their supervisor in writing of the nature of such outside employment prior and receive written permission prior to the acceptance of such employment (See Reporting a Conflict of Interest below).</p>
<p><b>Outside Business &amp; Financial Activity</b></p>	<p>No employee participating in any outside business or financial activity shall do so during work hours or use the City's facilities or property including but not limited to vehicles, equipment, tools, photocopiers, stationery, telephones or cell phones, computers, etc., for the benefit or purpose of such business or activity.</p>
<p><b>Purchase or Lease of Real Property</b></p>	<p>No employee of the City shall directly or indirectly purchase or lease real property from or to the City, nor shall an employee have any direct or indirect interest in a company which purchases or leases real property from or to the City, unless this interest has been fully disclosed to the appropriate approving authority and unless the</p>

<b>Corporate Human Resources Policy</b>		<b>Code of Conduct for Employees</b>
Work Environment		Content Updated: 2019-08-23
Policy No: HR-01-09		
Page 3 of 6		Approval: 2019-09-10

<p><b>Employees Doing Business with the City</b></p>	<p>purchase or lease of the real property is done through a public process.</p> <p>No employee shall knowingly approve or attempt to influence the approval of any license, permit, contract, agreement or other document on behalf of the City for his or her own personal use, or for the use of an individual with whom the employee has a financial or social relationship. This is in accordance with the City's <u>Procurement Policy By-law</u>.</p> <p><u>No employee shall be permitted to sell goods and services to the City or to bid on a City contract unless:</u></p> <ul style="list-style-type: none"> <li>• <u>extenuating circumstances exist, such as a declared state of emergency, or where the employee is the sole provider of a unique product, and</u></li> <li>• <u>it can be demonstrated that the employee bid or sale of goods and services is in the best interest of the City of Hamilton.</u></li> </ul> <p><u>The employee must submit a Code of Conduct Disclosure Form that outlines all real and apparent conflicts of interest to (codeofconduct@hamilton.ca).</u></p> <ul style="list-style-type: none"> <li>• <u>Disclosure Forms will be reviewed to determine if any conflicts of interest should disqualify the employee from selling goods and services or from participating in the bid process, despite the extenuating circumstances.</u></li> <li>• <u>Staff involved in reviewing Disclosure Forms and confirming that the extenuating circumstances exist will include Legal, Procurement and Human Resources.</u></li> </ul> <p><u>Notwithstanding any extenuating circumstances, employees will be precluded from bidding on a City contract or from selling goods and services to the City for the following reasons:</u></p> <ul style="list-style-type: none"> <li>• <u>access to confidential or proprietary information that could give them an unfair advantage in the bidding or sale process,</u></li> <li>• <u>direct or indirect involvement in the procurement process or the decision-making process by virtue of their position with the City.</u></li> </ul> <p><u>Employee bids and the sale of goods and services to the City must be approved by Human Resources, Legal, and Procurement. Bids of</u></p>
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<b>Corporate Human Resources Policy</b>		<b>Code of Conduct for Employees</b>
Work Environment		Content Updated: 2019-08-23
Policy No: HR-01-09		
Page 4 of 6		Approval: 2019-09-10

<p><b>Individual Behavior Outside of the Workplace</b></p>	<p><u><b>\$25,000 and over also require City Manager approval. This is in accordance with the City's Procurement Policy By-law.</b></u></p> <p>Employees must not engage in any behaviour outside of the workplace that:</p> <ul style="list-style-type: none"> <li>• Violates City polices, including the Code of Conduct and the Harassment and Discrimination policy</li> <li>• Falls under the City's definition of hate or hate activity</li> <li>• Is in misalignment with the City's culture and values</li> <li>• Is detrimental to the City of Hamilton</li> <li>• Impacts the City's ability to carry out services</li> <li>• Negatively impacts the trust and confidence that the community has in City administration</li> </ul>
<p><b>Involvement with Outside Groups</b></p>	<p>No employee of the City of Hamilton shall participate or otherwise be involved with groups who engage in hate or hate activity.</p> <p>When considering involvement with outside groups, employees should ensure that they are aware of and fully understand the group's objectives, values and beliefs to ensure that they are not in misalignment with the City's corporate culture and values.</p>
<p><b>Community Board Activity</b></p>	<p>No employee shall accept an appointment to the Board of a community agency or association that deals with matters related to the activities of the City, without the written permission of his or her Director or designate. Written permission of the Director or designate is not required if the employee is appointed to the Board of the agency or association by the City to represent the City's interests.</p> <p>Any City employee serving on a community board shall take all reasonable actions to avoid any real conflict or apparent conflict between Board activity and the City's interests. Where a real or apparent conflict exists, the employee shall declare the conflict and shall not take part in, or be present for, any Board discussion or decision about the issue raising the conflict of interest. If the conflict of interest is significant, the employee shall resign from the board.</p>

<b>Corporate Human Resources Policy</b>		<b>Code of Conduct for Employees</b>
Work Environment		Content Updated: 2019-08-23
Policy No: HR-01-09		
Page 5 of 6		Approval: 2019-09-10

<b>Political Activity</b>	<p>To ensure public trust in the City of Hamilton, employees must be, and appear to be, both personally impartial and free from undue political influence in the exercise of their duties.</p> <p>Employees engaged in political activities must take care to separate personal political activities from their position of employment with the City.</p> <p>Employees who are politically involved in Municipal, Provincial, or Federal levels of government must make it clearly understood that they are acting personally and not as representatives of the City.</p> <p>Employees who are running for elected office at the municipal level must abide by the respective legislation governing such elections. This includes abiding by s. 30 of the Municipal Elections Act, 1996 which requires that employees request and <u>obtain an unpaid leave of absence beginning as of the day the employee is nominated and ending on voting day</u>; and deems employees who are elected to office to have resigned from employment immediately before making their declaration of office.</p> <p>Any employee who is politically involved shall ensure that such involvement does not interfere with his or her ability to perform his or her corporate duties objectively.</p> <p>Employees must not engage in any political activity during working hours or utilize City assets resources or property.</p> <p>Employees shall not identify themselves as City employees when engaged in political activity (e.g. employees shall not wear clothing with the City of Hamilton logo while canvassing for a candidate).</p> <p>Notices, posters or similar material in support of a particular candidate or political party are not to be displayed or distributed by employees at City work sites or on City property. An employee's decision to support a candidate or political party financially remains a personal decision.</p>
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<b>Corporate Human Resources Policy</b>		<b><i>Code of Conduct for Employees</i></b>
Work Environment		Content Updated: 2019-08-23
Policy No: HR-01-09		
Page 6 of 6		Approval: 2019-09-10

<b>COMPLIANCE</b>	<p>Every employee is expected to be aware of and act in compliance with the Code of Conduct for Employees Policy and the related Schedules. Any employee under investigation may be suspended with or without pay or be re-assigned to other duties pending completion of the investigation, depending on the particulars of the case and the best interests of the City. Where there is a serious wrongdoing, as defined in the Whistleblower By-law, that By-law applies. Violations of this Schedule may result in appropriate disciplinary measures, up to and including dismissal with cause.</p>



**CITY OF HAMILTON**  
**CORPORATE SERVICES DEPARTMENT**  
 City Clerk's Office

<b>TO:</b>	Chair and Members of Governance Review Sub-Committee
<b>COMMITTEE DATE:</b>	March 27, 2023
<b>SUBJECT/REPORT NO:</b>	Integrity Commissioner Contract Extension (FCS22074 (a)) (City Wide)(Outstanding Business List Item)
<b>WARD(S) AFFECTED:</b>	City Wide
<b>PREPARED BY:</b>	Andrea Holland (905) 546-2424 Ext. 5409
<b>SUBMITTED BY:</b>	Andrea Holland City Clerk
<b>SIGNATURE:</b>	

**RECOMMENDATION**

- (a) That Council approve the extension to Contract C2-06-19, Provision of Services of an Integrity Commissioner and Lobbyist Registrar for the City of Hamilton from June 1, 2023 until May 31, 2027 and that the City Clerk be authorized to negotiate, enter into and execute the extension and any ancillary documents required to give effect thereto with Principles Integrity, in a form satisfactory to the City Solicitor.

**EXECUTIVE SUMMARY**

Under the current Contract, C2-06-19, the City has the option to renew the contract for one additional term of council based on the same terms and conditions, subject to satisfactory performance to date of renewal and price negotiations. Staff have had preliminary discussions with Principles Integrity, and they are willing to extend the contract and are open to further negotiations. Staff are seeking approval and authority to proceed with negotiation and an extension.

On September 28, 2022, Council approved the extension of contract C2-06-19 for Council's Integrity Commissioner, Principles Integrity until May 31, 2023 to allow staff to report back with a recruitment selection process option for future appointments for the Integrity Commissioner position, as well as the option to further extend the current

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

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

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

contract C2-06-19 past May 31, 2023. During the discussion at the September Standing Committee meeting, staff were asked to review the City of Ottawa model.

**Alternatives for Consideration – See Page 6**

**FINANCIAL – STAFFING – LEGAL IMPLICATIONS**

Financial: Currently, the annual costs for the Integrity Commissioner and Lobbyist Registrar are funded through IC-Lobbyist Registrar (Account Number 300400). The annual costs from the previous five (5) years is listed below in chart 1.

**Chart 1: 5 Year History of Integrity Commissioner Costs**

<b>Dept ID 300400</b>					
	<b>2018</b>	<b>2019</b>	<b>2020</b>	<b>2021</b>	<b>2022</b>
<b>PRINCIPLES INTEGRITY</b>	9,950.96	30,715.62	66,475.36	64,846.69	39,768.28

Staffing: N/A

Legal: The current contract C2-06-19 includes an option to renew for one further term of Council based on the same terms and conditions subject to price negotiations.

**HISTORICAL BACKGROUND**

On November 25, 2019, the City Manager, Executive Director of Human Resources, City Solicitor and City Clerk, with the assistance of Procurement staff, issued a Request for Proposals (“RFP”), C2-06-19, to select and retain an Integrity Commissioner and Lobbyist Registrar. The City received three proposals in response to the RFP. All of the proposals were evaluated and as a result, two proposals met the benchmark and were eligible to have their costing proposal opened and evaluated in accordance with the RFP with Principles Integrity approved as the Successful Proponent in 2020.

In September of 2022, the City Clerk reported with a recommendation to Audit, Finance and Administration Committee (“AF&A”) to extend Contract C2-06-19 for an additional term of Council as per the contract. During the discussion at AF&A, Committee expressed an interest to explore recruitment options that other municipalities, expressly the City of Ottawa, utilize to contract their Integrity Commissioners. Committee and Council approved the following direction to staff:

Integrity Commissioner and lobbyist Registrar Contract (FCS22074) (City Wide)  
(Item 10.2)

- (a) That Council approve the extension to Contract C2-06-19, Provision of Services of an Integrity Commissioner and Lobbyist Registrar for the City of Hamilton until May 31, 2023 and that the City Clerk be authorized to negotiate, enter into and execute the extension and any ancillary documents required to give effect thereto with Principles Integrity, in a form satisfactory to the City Solicitor;
- (b) That the City Clerk inform Council on the results of the negotiation; and,
- (c) That the City Clerk report back to Governance Review Sub-Committee by March 31, 2023 with a recruitment selection process option for future appointments for the Integrity Commissioner position, as well as the option to further extend the current contract C2-06-19 past May 31, 2023.

The extension of the current contact has been completed as per the direction (a) above.

## **POLICY IMPLICATIONS AND LEGISLATED REQUIREMENTS**

*Bill 68, the Modernizing Ontario's Municipal Legislation Act, 2017*, which received Royal Assent on May 30, 2017, expanded the responsibilities of Integrity Commissioners and required that all municipal governments provide for an Integrity Commissioner by either appointing an Integrity Commissioner to perform the functions set out in subsection 223.3(1) of the *Municipal Act, 2001* (the "Act"), or where Council has not appointed a Commissioner, by making arrangements for the responsibilities set out in subsection 223.3(1) of the Act to be provided by an Integrity Commissioner of another municipality, or through a combination of the two, by March 1, 2019.

Part V.1 Accountability and Transparency, subsections 223.2 to 223.12 (Appendix "B") of the Act outlines the requirements for City Council "to appoint an Integrity Commissioner who reports to council and who is responsible for performing in an independent manner the functions assigned by the municipality". Council has expressed their intent to retain their own Integrity Commissioner and Lobbyist Registrar and to not provide that service through another municipality.

Subsection 223.9 of the Act authorizes a municipality to establish and maintain a Lobbyist Registry which is a publicly accessible accountability and transparency tool that records and regulates the activities of those persons who lobby public office holders.

Subsection 223.11 of the Act authorizes a municipality to appoint a Lobbyist Registrar who is responsible for performing, in an independent manner, the functions assigned to it by the municipality with respect to its Lobbyist Registry.

The City of Hamilton By-Law 16-288 To Establish and Govern the Office of Integrity Commissioner and Provide for the Resolution of Allegations of Contravention of the Code of Conduct by Members of Council (the “By-Law”) provides as follows:

2. Council’s appointment of an Integrity Commissioner pursuant to the Act and this By-law, shall be for a fixed term, such term to be established by Council at the time of such appointment.

7. The appointment of an Integrity Commissioner may be terminated by Council for cause, before the expiration of her or his term of office.

The current authority to appoint and remove the Integrity Commissioner, under the By-Law rests with Council only and does not provide delegation of authority.

## **RELEVANT CONSULTATION**

Following the Council direction, staff reached out to other municipalities to obtain information on their Integrity Commissioner recruitment strategies. All Municipalities who responded, with the exception of the City of Ottawa, recruit using an application or RFP method to select their Integrity Commissioner with the appointment confirmed by Council.

The City of Ottawa was the only respondent that had a Council that provided delegated authority to a staff recruitment team to select and appoint the Integrity Commissioner. The rationale from the City of Ottawa was that, with a recognition that the Integrity Commissioner oversees the conduct of Members of Council, the recruitment and contract administration process is undertaken by the City Clerk, while the selection and appointment process is overseen by an interview panel comprised of the City Clerk, Deputy City Clerk and Auditor General.

Staff consulted with the City Manager and Manager of Procurement to inform the report and recommendations.

## **ANALYSIS AND RATIONALE FOR RECOMMENDATION**

Under the current agreement with Principles Integrity, Council has an option to renew the contract for one additional term of Council based on the same terms and conditions, subject to satisfactory performance to date of renewal and price negotiations. Staff are seeking direction from Council to enter into negotiations with Principles Integrity to

extend the current Contract. If negotiations with Principles Integrity are unsuccessful, staff would then proceed with an RFP process for a new Integrity Commissioner.

The recruitment completed in 2019 resulted in 3 proposals, with only two proposals meeting the benchmark for evaluation. Staff are recommending a contract extension as there was little response in the last recruitment for an Integrity Commissioner and the current contract provides Council with the ability to extend through negotiation.

Principles Integrity has acted as the Integrity Commissioner for the City of Hamilton for since 2018. Historically they have provided timely advice, guidance and investigation services in accordance with the terms of their contract. Principles Integrity currently acts as the Integrity Commissioner for over 50 municipalities, including Peel Region, York Region, Halton Region, County of Simcoe, and the City of Windsor. They have an excellent reputation among municipalities and possess the expertise, network of resources and necessary skill set to enable them to successfully perform the responsibilities set out in their contract.

As there is a very small pool of qualified and experienced Integrity Commissioners available to bid on provision of this service to the City, staff do not believe that issuance of an RFP will result in more options for the City than the search produced back in 2019.

Staff recommend that the renewed term to be negotiated with Principles Integrity be set to expire on or about May 31, 2027 rather than on November 14, 2026, to enable sufficient opportunity for the new Council (2026-2030 Term) to determine a mechanism for appointing its Integrity Commissioner and Lobbyist Registrar.

## **ALTERNATIVES FOR CONSIDERATION**

### Recruitment Selection Process for Future Appointments

An alternative to the recommended approach of extending the City's existing contract with Principles Integrity would be to conduct a competitive procurement process to secure the services of an Integrity Commissioner and Lobbyist Registrar in accordance with the City's Procurement Policy By-Law 20-205, as amended.

Attached as Appendix "A" to this report FCS22074(a) is an Integrity Commissioner Appointment and Contract Administration Procedure which provides delegated authority to staff to issue an RFP, with all proposals received evaluated by the City Manager, Executive Director of Human Resources, City Solicitor and the City Clerk. Using the prescribed method, set out in the RFP, any eligible proposals would have their costing proposal opened and evaluated only if they meet the required benchmark. Following

selection of the preferred candidate, the City Clerk would be authorized to place a By-law for Appointment of the preferred candidate on the Council agenda for consideration and enactment by Council. Following formal appointment by Council, the Clerk would hold delegated authority for contract administration, including the execution of a contract with the candidate appointed.

The Procedure attached as Appendix “A” is similar to the process followed for the previous appointment of the City of Hamilton’s Integrity Commissioner and similar to the Ottawa procedure reviewed by staff except that staff propose that Council retain the appointment authority.

### **FINANCIAL – STAFFING – LEGAL IMPLICATIONS FOR ALTERNATIVES FOR CONSIDERATION**

Financial: Currently, the annual costs for the Integrity Commissioner and Lobbyist Registrar are funded through IC-Lobbyist Registrar (Account Number 300400). The annual costs from the previous five (5) years is listed below in chart 1.

Staffing: N/A

Legal: Legal staff will be involved in the review of any contract extension.

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

#### **Our People and Performance**

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

### **APPENDICES**

Appendix A – Integrity Commissioner Appointment and Contract Administration Procedures

Appendix B – Municipal Act, 2001, sections 223.2 to 223.12, as amended

### **REFERENCES**

*Municipal Act, 2001*, as amended

Council Code of Conduct, By-Law 16-290

Lobbyist Registry, By-Law 14-244

Establish and Govern the Office of Integrity Commissioner, By-Law 16-188

<b>Council/Corporate Procedure</b>		<b>Policy Alignment:</b>
<b>Office of the City Manager</b>		<b><i>Municipal Act 2001, as amended</i></b>
Page 1 of 4		<b>Council Approved: Last Reviewed: March 2023</b>

***Integrity Commissioner/Lobbyist Registrar Appointment and Contract Administration Procedures***

**APPLICATION**

This procedure applies to the process for the Integrity Commissioner and Lobbyist Registrar recruitment, appointment and contract administration. This procedure applies to Members of Council, the Selection Panel, and City staff responsible for the recruitment/selection and contract administration process and designates.

**LEGISLATIVE REQUIREMENTS**

*Bill 68, the Modernizing Ontario’s Municipal Legislation Act, 2017*, which received Royal Assent on May 30, 2017, expanded the responsibilities of Integrity Commissioners and required that all municipal governments provide access to an Integrity Commissioner and either appoint its own Integrity Commissioner or make provisions that the services of an Integrity Commissioner be provided by another municipality by March 1, 2019.

Part V.1 Accountability and Transparency, section 223.2 to 223.12 of the *Municipal Act, 2001*, as amended, (Appendix ‘A’) outlines the requirements for City Council “to appoint an Integrity Commissioner who reports to council and who is responsible for performing in an independent manner the functions assigned by the municipality”. Council has expressed their intent to retain their own Integrity Commissioner and Lobbyist Registrar and to not provide that service through another municipality.

Subsections 223.9 of the Act authorizes a municipality to establish and maintain a Lobbyist Registry which is a publicly accessible accountability and transparency tool that records and regulates the activities of those persons who lobby public office holders.

Subsection 223.11 of the *Municipal Act, 2001* authorizes a municipality to appoint a Lobbyist Registrar who is responsible for performing, in an independent manner, the functions assigned to it by the municipality with respect to its Lobbyist Registry.

The City of Hamilton By-Law 16-288 To Establish and Govern the Office of Integrity Commissioner and Provide for the Resolution of Allegations of Contravention of the Code of Conduct by Members of Council (the “By-Law”) provides as follows:

2. Council’s appointment of an Integrity Commissioner pursuant to the Act and this By-

<b>Council/Corporate Procedure</b>		<b>Policy Alignment:</b>
<b>Office of the City Manager</b>		<b><i>Municipal Act 2001, as amended</i></b>
Page 2 of 4		<b>Council Approved: Last Reviewed: March 2023</b>

law, shall be for a fixed term, such term to be established by Council at the time of such appointment.

7. The appointment of an Integrity Commissioner may be terminated by Council for cause, before the expiration of her or his term of office.

Policy 5.4 of the City’s Procurement Policy By-law, By-law 20-205, as amended requires that the Request for Proposals (“RFP”) process be used for Goods and/or Services with an estimated procurement value of \$10,000 or greater and where comprehensive technical specifications cannot be fully defined or specified, or when alternate methods are being sought to perform a certain function or service, at the time of the request.

**RELATED DOCUMENTS**

- Council Code of Conduct, By-Law 16-290
- Lobbyist Registry, By-Law 14-244
- Establish and Govern the Office of Integrity Commissioner, By-Law 16-188
- Procurement Policy By-law, By-law 20-205, as amended

**PROCEDURE**

1. City Council shall consider a motion that provides as follows:
  - If applicable, the incumbent may be thanked for their work;
  - If applicable, providing the incumbent with any required notice as set out under the agreement and regulations;
  - Direct the City Clerk to follow the process as outlined within this Procedure.
2. Following the selection of a preferred candidate for Integrity Commissioner/Lobbyist Registrar through an RFP and pursuant to this Procedure, the City Clerk shall place a By-law for Appointment of the preferred candidate on the Council agenda for consideration and enactment. The By-law will specify the terms and conditions of such appointment and will delegate authority to finalize and execute the contract with terms satisfactory to the City Solicitor, and authority for contract administration to the City Clerk.
3. The following criteria and principles shall be applied by the City Clerk in the exercise of their delegated authority relating to the recruitment and selection through an RFP process:
  - The Integrity Commissioner/Lobbyist Registrar’s independence and

<b>Council/Corporate Procedure</b>		<b>Policy Alignment:</b>
<b>Office of the City Manager</b>		<b><i>Municipal Act 2001, as amended</i></b>
Page 3 of 4		<b>Council Approved: Last Reviewed: March 2023</b>

impartiality;

- Confidentiality with respect to the Integrity Commissioner’s activities; and
- The credibility of the Integrity Commissioner/Lobbyist Registrar’s investigation process.

In considering the recruitment and selection of an Integrity Commissioner/Lobbyist Registrar, the successful candidate should possess:

- Previous municipal, governance, procedural and/or ethics experience (e.g. former Chief Administrative Officer, Clerk, municipal lawyer, similar experience in another level of government);
  - Knowledge of municipal government and the accountability and transparency provisions of the *Municipal Act, 2001*;
  - Understanding of Council operations and policies, including the City’s Accountability Framework;
  - Ability to provide services on a part-time, flexible and as-needed basis, without competing employment demands;
  - The ability to receive complaints and conduct investigations; and
  - No specific connection or interest with the City (specifically a financial or business relationship).
4. The City Clerk shall ensure that all individuals and City staff with access to confidential information sign a mandatory confidentiality agreement in relation to the process. The confidentiality agreement shall be signed at the outset of the process, before receiving any confidential information.
  5. Interviews of any candidate who meet the benchmark established by the RFP shall be conducted by a Selection Panel composed of the City Manager, the City Clerk, the City Solicitor, the Auditor General and the Executive Director of Human Resources. Based on the interviews and scoring, including cost proposals, the preferred candidate will be selected, and a recommendation made to Council for appointment.
  6. The initial term of the Integrity Commissioner/Lobbyist Registrar shall be set at four years with an optional renewal for an additional four-year term.

Contract Administration Process

<b>Council/Corporate Procedure</b>		<b>Policy Alignment:</b>
<b>Office of the City Manager</b>		<b><i>Municipal Act 2001, as amended</i></b>
Page 4 of 4		<b>Council Approved: Last Reviewed: March 2023</b>

The City Clerk shall have delegated authority to negotiate, finalize and execute the contract for the Integrity Commissioner/ Lobbyist Registrar and any subsequent renewals, subject to Council-approved term lengths and any Council-approved changes to terms and conditions, including the remuneration schedule, and with terms satisfactory to the City Solicitor. The City Clerk shall report to Council on the exercise of this delegated authority by way of memorandum immediately following the execution of any agreement.

**Monitoring/Contraventions**

The City Clerk shall review and monitor invoicing from the Integrity Commissioner/Lobbyist Registrar to ensure consistency with the specifications of the agreement. Any discussion of complaints regarding the performance of the Integrity Commissioner/Lobbyist Registrar shall be conducted in closed session.

Any complaints under these procedures relating to Members of Council shall be addressed by the Integrity Commissioner in accordance with the Integrity Commissioner’s oversight of the Code of Conduct for Members of Council.

**Definitions**

“City” means the Corporation of the City of Hamilton.

“City Manager” means the City Manager and Chief Administrative Officer of the City of Hamilton.

“Council” means the Mayor of the City of Hamilton and all Ward Councillors.

“Senior Management” means the members of the Senior Leadership Team.

“Staff” or “City Staff” means all City of Hamilton employees, including Management.

## **Advisory Committee for Persons with Disabilities:**

Reviewed at their meeting on December 14, 2022:

Staff was asked to consider adding a section to the Procedural Handbook for Citizen Appointees to City of Hamilton Local Boards (2023) clarifying, specifically, the role of and processes followed by the Advisory Committee for Persons with Disabilities as a Sub-Committee of Council within the context of the procedures that must be followed by Advisory Committees.

### **Response:**

*Under the Accessibility for Ontarians with Disabilities Act, Council is legislated to form an Advisory Committee. The Procedural Handbook for Citizen Appointees has been updated to encompass all Local Boards:*

*Excerpt from the Accessibility for Ontarians with Disabilities Act:*

*Accessibility advisory committees*

29. (1) *The council of every municipality having a population of not less than 10,000 shall establish an accessibility advisory committee or continue any such committee that was established before the day this section comes into force.*

## **Women and Gender Equity Committee:**

Reviewed at their meeting on January 26, 2023 and submitted their comments through a Citizen Committee Report to Audit, Finance and Administration Committee on February 2, 2023:

The Hamilton Women and Gender Equity Committee recommends that Council, with the support of staff, consider the following items of feedback respecting the Procedural Handbook, and ensure that commitments listed by the city and staff are upheld.

The document's table of contents and references to by-laws and other pieces of legislation should include hyperlinks for ease of access in electronic format. Additionally, the document should be available in a plain language format, recognizing that the format and legalese creates a barrier to engagement and ensuring all committee members understand their roles and commitments.

### **Response:**

*Staff have been advised to refrain from adding links to any documents, as they are not reliable and have a tendency to break. However, given the size of some of the referenced documents, staff have used a few links in the document. Staff will monitor the online document and readjust links when required. Using the online version provides*

## **Appendix K to Audit, Finance and Administration Committee Report 23-005**

*users the ability to search for topics or key words.*

*Staff worked with Communications staff to review the document for readability and accepted changes.*

The following items of feedback were identified by members of the Hamilton Women and Gender Equity Committee through working group sessions:

- Page 10: regarding the appointment and recruitment process, there should be a commitment by the City of Hamilton to provide recruitment information to community partners and organizations, with particular focus on encouraging members of marginalized communities to apply, in line with a focus on equity, diversity, and inclusion in the recruitment process.

### **Response:**

*Clerks included the changes to the Appointment of Citizens to the City's Local Boards Policy which were contained within Report HUR18017(a)/FCS23046, Attracting Diversity During the Recruitment Process considered by General Issues Committee on March 22, 2023, which focuses on equity, diversity, and inclusion in the recruitment process. Appendix B of that report identified the groups that were provided with notification of the recruitment for citizen appointees.*

- Page 12: regarding member training, it is imperative that the City Clerk ensure existing and new members of the committee receive training, as new members to this committee beginning early 2022 did not receive most of the listed training, or materials related to it. In the sharing of training information and reference documents, it should be readily available and easily accessible for both committee members and the general public to access, including having such information available on the City of Hamilton website along with up-to-date committee information. The City Clerk should have a commitment and procedure to monitor their fulfilment of training and reference documents provided. Committee members feel that training and orientation has been minimal and insufficient, causing confusion and limiting engagement and the development of action items in formal meetings. Providing additional training in procedure, meeting format, and how to prepare documents such as Citizen Committee Reports or Meeting Minutes would be helpful to effective operation and success.

### **Response:**

*Clerks have included member training (excerpt from the Handbook below) within the Handbook, which is significantly improved from our current practice.*

#### **Member Training**

*The Office of the City Clerk is committed to ensuring all citizen appointees to the City's*

## **Appendix K to Audit, Finance and Administration Committee Report 23-005**

*local boards are trained, providing the following training information and reference documents to all citizen appointees to the City's local boards:*

- *orientation for citizen appointees to the City's local boards provided by the Staff Liaison*
- *current Procedural Handbook for Citizen Appointees to City of Hamilton Local Boards*
- *relevant City policies (Appointment, etc.)*
- *Code of Conduct for Local Boards*
- *Municipal Conflict of Interest Act*
- *Local boards Terms of Reference*
- *Accessibility Standards for Customer Service AODA e-learning Program*

*Any appointees after the initial recruitment will be provided access to online training modules to complete this training.*

- Page 14: regarding council representatives on advisory committees, there should be a commitment of attendance, or otherwise a process to allow committees to request another council representative if attendance becomes a challenge. The Women and Gender Equity Advisory Committee has only had a council representative attend one meeting since the beginning of its current term.

### **Response:**

*Two (2) members of City Council are appointed as representatives to each of the Advisory Committees, with a requirement for each member to attend at least one (1) meeting per year, as approved by Council, July 10, 2015. Council representatives are non voting members and do not count towards quorum. It is within Council's preview to change the commitment of their representation on advisory committees .*

- Page 21: regarding consultation on staff reports, this is a practice that has not taken place during this term of the committee. Staff should be committed to utilizing advisory committees for feedback on reports on a frequent and consistent basis, and members of council should be encouraged to directly request staff consult with advisory committees to ensure this takes place. In the absence of this practice, citizen advisory committees often lack notice and necessary time to review documents and generate reports and feedback before items are reviewed by members of council. Again, there should be a commitment by staff to regularly and consistently consult with advisory committees, and a procedure to ensure the commitment is maintained.

### **Response:**

*This practice is in place and has been emphasized by including a section in the handbook respecting Consultation on Staff Reports (excerpt from the Handbook below).*

### **Consultation with Staff**

*City staff will attend meetings to seek feedback on program areas. At the meeting, staff will provide background on the program area, answer questions of members and request the member's feedback on potential program changes. The feedback received will be included in the 'Relevant Consultation' section of the staff report or appendix. Staff will inform the committee of the reporting date.*

*Committees may submit formal correspondence and/or a Committee member may delegate at the standing committee meeting to provide the committee's feedback on a staff report. A motion is required to be passed at a meeting approving the committee's submission of correspondence and/or the attendance of the committee's Chair or designate as a delegate at a standing committee meeting. The content of the correspondence and/or the speaking notes of the Chair also require the committee's approval.*

*Members may choose to submit their own correspondence or register to speak at a meeting as a citizen. It must be clear that the individual's views are their own and not that of the committee.*

- Page 23: regarding calls to vote, there is no mention of an option to abstain from votes and how they would be recorded. If there is no abstention option for members, it should be clearly stated along with reasoning in this handbook.

#### **Response:**

*There is no mention of abstaining from a vote, as abstaining is not permitted at the City of Hamilton, if you are in attendance at a meeting at the time of a vote, you are required to vote and if you do not or refuse to vote, your vote is recorded in the negative.*

- Page 33, regarding public notice of citizen member vacancies, these again should be shared with community organizations with a focus on equity, diversity, and inclusion.

#### **Response:**

*Clerks included the changes to the Appointment of Citizens to the City's Local Boards Policy which were contained within Report HUR18017(a)/FCS23046, Attracting Diversity During the Recruitment Process considered by General Issues Committee on March 22, 2023, which focuses on equity, diversity, and inclusion in the recruitment process. Appendix B of that report identified the groups that were provided with notification of the recruitment for citizen appointees.*

*Clerks works with Communications to ensure that we are advertising widely throughout the City of Hamilton and reaching out the various community organizations.*

**Keep Hamilton Clean and Green Committee:**

Reviewed at their meeting on January 17, 2023:

Received without comment

**Arts Advisory Commission:**

Have not met to review.

**Committee Against Racism:**

Have not met to review

**Food Advisory Committee:**

Have not met to review

**Hamilton Cycling Committee:**

Reviewed at their meeting on February 2, 2023:

Received without comment

**Lesbian, Gay, Bisexual, Transgender and Queer Advisory Committee (LGBTQ):**

Reviewed at their meeting on November 22, 2022:

Review of the 2023 Procedural Handbook for Citizen Appointees (Item 10.2) The Committee discussed the 2023 Procedural Handbook for Citizen Appointees. Committee members were advised to send any comments directly to the Clerk's Office.

The Clerk's Office did not receive any comments.

**Senior Advisory Committee:**

Reviewed at their meeting on December 2, 2022:

The members of the Senior Advisory Committee were asked to review the 2023 Procedural Handbook and send any feedback to L. Maychak by January 31, 2023, who will forward any comments received to Clerks.

L. Maychak confirmed that no comments were received.

## **Hamilton Indigenous Advisory Committee**

Received without comment

## **Hamilton Veterans Committee**

The Chair was tasked with submitting comments on behalf of the Committee, the following comments were submitted to Clerks:

- 1) Appointment and Recruitment Process (Page 10)

When is this going to happen? This is confusing – so we all must re-apply? When? Another application to be submitted? Another interview?

### **Response:**

*Recruitment is set to begin after Council sets their priorities..*

*Existing members are required to re-apply in order to provide all applicants the same opportunity, interviews can be requested by the selection committee, however, interviews are not a requirement.*

- 2) Election of Chair and Vice-Chair (Page 14)

This section should set a total term limit for the Chair and Vice-Chair. It does say that you can serve for more than one year within a Council (4 yr) term so how many years consecutive? Non-consecutive?

### **Response:**

*Council considered term limits in 2014 and decided not to implement them.*

## **Housing and Homelessness Advisory Committee**

Reviewed at their meeting on December 5, 2022:

Overall discussion about ways to engage the broader public about housing conversations

Challenge in doing this with the formalized structure of advisory committees

Working groups to be utilized in the future to help with this.

## ***Appendix K to Audit, Finance and Administration Committee Report 23-005***

### ***Response:***

*Clerk's has engaged Communications in order to ensure that the advertisements for the recruitment of citizens is broadly advertisement and communicated throughout the City of Hamilton.*

### **Advisory Committee for Immigrants and Refugees**

Reviewed at their meeting on February 9, 2023:

Received without comment

### **Mundialization Committee**

Have not met to review

### **Climate Change Advisory Committee**

*Have not met to review – this is a new Advisory Committee, who at the current time don't have any members appointed.*

**One-Time Enhancement Grant - 2023**

	<b>Date Application Received</b>	<b>Organization and/or Community Group</b>	<b>Program Name</b>	<b>Amount Requested</b>	<b>Amount Recommended</b>	<b>Providing an essential need or service to Hamilton communities</b>	<b>Led by/Serving an equity-deserving &amp; priority population</b>
1	3-Jan	Workers Arts & Heritage Centre	Second Saturdays Family Programming	\$9,000	\$9,000	<input type="checkbox"/>	<input checked="" type="checkbox"/>
2	4-Jan	Eva Rothwell Centre	Emergency Food Pantry	\$4,000	\$4,000	<input checked="" type="checkbox"/>	<input type="checkbox"/>
3	4-Jan	St. Matthew's House	Seniors First Response Team	\$25,000	\$15,000	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
4	6-Jan	Hamilton-Halton Chinese Choir	Choir's Performing Activities for Local Residents	\$1,500	\$1,500	<input type="checkbox"/>	<input checked="" type="checkbox"/>
5	10-Jan	Glanbrook Community Services	Meals Support Program	\$5,000	\$5,000	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
6	10-Jan	Hamilton Foundation for Student Success (HFSS)	Student Support Grants	\$25,000	\$10,000	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
7	11-Jan	Empowerment Squared	School Readiness Program	\$25,000	\$20,000	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
8	11-Jan	The AIDS Network	One Pot Meals	\$22,080	\$11,043	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
9	12-Jan	Dundas Community Services	Meals on Wheels Program Expansion and Enhancement	\$12,000	\$7,100	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
10	12-Jan	Threshold School of Building	Ready to Work	\$15,000	\$10,000	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
11	12-Jan	Grace Anglican Church	Grace Cooking Club	\$4,741	\$4,741	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
12	13-Jan	Cancer Assistance Program (CAP)	Cancer Assistance Program (CAP) Drive Programs - Drive & Ride and Drive2Deliver	\$25,000	\$15,000	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
13	16-Jan	PACK Running Club	Athlete Support Program	\$5,000	\$5,000	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
14	16-Jan	Micah House Refugee Reception Services	Creating a Safe Home for Refugee Claimants in Hamilton	\$3,416	\$3,416	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>

15	16-Jan	John Howard Society of Hamilton, Burlington & Area	Emergency Support Packs, Court Liaison Community Worker, Rapid Intervention and Support Team	\$5,000	\$5,000	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
16	16-Jan	Ancaster Heritage Days	Ancaster Heritage Days - Summer Event	\$6,000	\$6,000	<input type="checkbox"/>	<input checked="" type="checkbox"/>
17	16-Jan	Open Heart Arts Theatre	Dramatic Arts Day Program in collaboration with L'Arche Hamilton	\$22,200	\$13,200	<input type="checkbox"/>	<input checked="" type="checkbox"/>
18	16-Jan	Afro Canadian Caribbean Association	Centering Black Seniors Isolation During the Pandemic	\$25,000	\$25,000	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
19	16-Jan	Farm Crawl Hamilton (Farm Crawls of Ontario)	Hamilton Farm Crawl	\$5,000	\$5,000	<input type="checkbox"/>	<input checked="" type="checkbox"/>
20	16-Jan	Centre de Santé Communautaire Hamilton/Niagara (Centre de santé communautaire Hamilton-Niagara Inc.)	S'amuser Pour la Vie	\$25,000	\$15,000	<input type="checkbox"/>	<input checked="" type="checkbox"/>
21	16-Jan	Flamborough Connects (Flamborough Information and Community Services)	Food Bank Delivery in Flamborough Project	\$10,000	\$5,000	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
22	16-Jan	Hamilton Chamber of Commerce	Rapid Testing Program for Businesses	\$25,000	\$15,050	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
23	16-Jan	Willowbridge Community Services	Community Connect Hamilton	\$21,500	\$11,400	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
24	16-Jan	LIFT Church	Serve Our City	\$6,000	\$6,000	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
25	17-Jan	Niwasa Kendaaswin Teg	Indigenous Food Security-Niwasa Kendaaswin Teg Food Bank	\$25,000	\$25,000	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
26	17-Jan	Social Planning and Research Council of Hamilton	Financial Empowerment Program	\$25,000	\$18,500	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
27	19-Jan	Christ's Church Cathedral	Cathedral Cafe	\$5,000	\$5,000	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
28	23-Jan	The HUB Rest & Hygiene Centre	The HUB 5-9PM Drop in program	\$25,000	\$25,000	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
29	24-Jan	Essential Aid and Family Services of Ontario Inc.	Emergency Infant and Toddler Foodbank	\$25,000	\$15,000	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
30	24-Jan	Bay Area Restoration Council (Bay Area Restoration Council of Hamilton and Halton Inc.)	Improving Water Literacy Programming Impact and Efficiencies	\$14,750	\$14,750	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>

31	25-Jan	Kahnekanoron (Indigenous Sustenance Reclamation Network, CO Hamilton Centre for Civic Inclusion)	Kahnekanoron	\$5,000	\$5,000	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
32	26-Jan	Sisters Circle Canada	Community and Social Service Supports and Advocacy (home and companionship support programs)	\$23,550	\$20,000	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
33	26-Jan	Aeris Korper Contemporary Dance	Aeris Korper IBPOC Subsidy Program	\$10,000	\$10,000	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
34	27-Jan	Hamilton Anti-Racism Resource Centre (HARRC)	Engagment with Equity-Deserving Groups inclusive of the Hamilton Community Cup Event	\$15,000	\$15,000	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
35	29-Jan	Catholic Youth Organization	Camp Marydale Childrens Summer Day Camp - Busing Program	\$5,000	\$5,000	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
36	30-Jan	St. Joseph's Healthcare Hamilton	Connecting Mental Health and Employment Services: Hamilton's Supported Employment OT (SEOT) Bridging Service	\$25,000	\$20,000	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
37	31-Jan	Hamilton Regional Indian Center	Life Long Care	\$25,000	\$15,000	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
38	31-Jan	Sacajawea Non Profit Housing Inc.	Tenant Food Security and Set Up	\$25,000	\$22,500	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
39	7-Feb	A Rocha Canada (Ontario Hub)	Operation Wild Relaunch	\$15,000	\$15,000	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
40	10-Feb	Action 13	Green Block Growing	\$3,200	\$3,200	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
41	13-Feb	Tree Mobile Hamilton (Christi Hodgson)	Tree Mobile Workshops	\$5,000	\$5,000	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
42	13-Feb	Immigrant Culture and Art Association (ICAA)	Newcomer Artist Club (NAC)	\$25,000	\$15,000	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
43	23-Feb	Sexual Assault Centre (Hamilton and Area) - SACHA	SACHA Programing Enhancement	\$18,600	\$18,600	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
			<b>TOTALS</b>	<b>\$652,537</b>	<b>\$500,000</b>		
			<b>ONE-TIME ENHANCEMENT FUNDING AMOUNT</b>		<b>\$500,000</b>		
			<b>REMAINING FUNDS</b>		<b>\$0</b>		



## **EMERGENCY & COMMUNITY SERVICES COMMITTEE REPORT 23-004**

1:30 p.m.  
Thursday, April 6, 2023  
Council Chambers  
Hamilton City Hall  
71 Main Street West

**Present:** Councillors B. Clark (Chair), T. Jackson, C. Kroetsch, T. Hwang, N. Nann and A. Wilson and M. Wilson

### **THE EMERGENCY AND COMMUNITY SERVICES COMMITTEE PRESENTS REPORT 23-004 AND RESPECTFULLY RECOMMENDS:**

**1. Community Safety and Well-Being Plan Annual Report (HSC23015)(City Wide) (Item 8.1)**

That the Community Safety and Well-Being Plan Annual Report (HSC23015), be received.

**2. Seniors Strategy Update (HSC23018) (City Wide)**

That the Seniors Strategy Update (HSC23018), be received.

**3. Behavioural Supports Ontario Initiative – Macassa Lodge (HSC23011) (Ward 7) (Item 10.1)**

- (a) That the Behavioural Supports Ontario (BSO) Hamilton Niagara Haldimand Brand (HNHB) – Ontario Health (OH) West base annual funding in the amount of \$112,073 for the 2023/2024 fiscal year be received;
- (b) That the General Manager of Healthy and Safe Communities Department, or their designate, be authorized to increase the Long Term Care (LTC) Division's 2023 budgeted complement by one full time permanent position of a Recreational Therapist, at an estimated annual cost of \$103,618, to be funded from BSO new base funding, and;
- (c) That ancillary administrative costs of approximately \$1,700, that is not permissible to be funded per BSO, to be absorbed by the division's 2023

in year savings that may be realized through gapping or other in year savings.

**4. Declarations of Emergency in the Areas of Homelessness, Mental Health and Opioid Addiction (Item 11.1)**

- (a) That the Mayor formally issue three separate declarations of emergency, in the areas of homelessness, mental health and opioid overdoses/poisoning;
- (b) That the Mayor send correspondence to the Provincial Government requesting that action be taken on the eight measures proposed by the Association of Local Public Health Agencies including:
  - (i) Creation of a multi-sectoral task force to guide the development of a robust provincial opioid response plan that will ensure necessary resourcing, policy change, and health and social system coordination;
  - (ii) Expanding access to evidence informed harm reduction programs and practices including lifting the provincial cap of 21 Consumption and Treatment Service (CTS) Sites, funding Urgent Public Health Needs Sites (UPHNS) and scaling up safer supply options;
  - (iii) Revision of the current CTS model to address the growing trends of opioid poisoning amongst those who are using inhalation methods;
  - (iv) Expanding access to opioid agonist therapy for opioid use disorder through a range of settings (e.g. mobile outreach, primary care, emergency departments, Rapid Access to Addiction Medicine Clinics), and a variety of medication options;
  - (v) Providing a long-term financial commitment to create more affordable and supportive housing for people in need, including people with substance use disorders;
  - (vi) Addressing the structural stigma and harms that discriminate against people who use drugs, through provincial support and advocacy to the Federal government to decriminalize personal use and possession of substances and ensure increased investments in health and social services at all levels;
  - (vii) Increasing investments in evidence-informed substance use prevention and mental health promotion initiatives that provide foundational support for the health, safety and well-being of individuals, families, and neighbourhoods, beginning from early childhood; and

- (viii) Funding additional and dedicated positions for public health to support the critical coordination and leadership of local opioid and substance abuse strategies;
- (c) That the Mayor send correspondence to the Minister of Municipal Affairs and Housing requesting action be taken to correct the funding allocation model for homelessness based on the results of Auditor General's 2021 report which found that provincial funding in this area is incorrect;
- (d) That the Mayor send correspondence to the Ministry of Health and the CEO of Ontario Health requesting that the province immediately commit to fully funding gaps in mental health service, as well as funding ongoing annual increases as required by inflation and population need;
- (e) That the Mayor send correspondence to Federal Minister of Justice and Attorney General, David Lametti, and Federal Minister of Health, Jean-Yves Duclos, urging the Federal government convene a task force to explore the legal regulation and decriminalization of all drugs in Canada; and
- (f) That the Mayor send correspondence to the Association of Municipalities of Ontario (AMO) requesting that targeted advocacy be conducted in these areas, including the development of a singular motion that can be ratified by municipal councils across Ontario calling on the province to take immediate action.

**FOR INFORMATION:**

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

The Committee Clerk advised the following changes to the agenda:

**6. DELEGATION REQUESTS**

- 6.3 Mary Vaccaro, respecting the Safer Drug Use Space at YWCA Hamilton and the Declarations of Emergency

**9. CONSENT ITEMS**

- 9.2 Advisory Committee Minutes

- 9.2a LGBTQ Advisory Committee Minutes - February 21, 2023
- 9.2b Hamilton Veterans Committee Minutes - November 29, 2022
- 9.2c Hamilton Veterans Committee Minutes - February 28, 2023

**13. GENERAL INFORMATION / OTHER BUSINESS**

- 13.1 Amendments to the Outstanding Business List

- (a) Items To Be Removed:
  - (a) 16-A: Endorsement of Report “The Right to an Adequate Standard of Living: An Update to the 2006 Report” to the United Nations Committee on Economic, Social and Cultural Rights in Geneva. February 8, 2016, 16-002, Item 1
  - (b) 18-A: Funding Requests from Agencies HSC 18-007 Addressed in subsequent reports.
  - (c) 20-G: Crisis with Supportive Housing for those with Disabilities E&CS 20-010 Item (f)(i) Addressed in subsequent reports
  - (d) 20-K: Establishing a Sub-Committee to Address Impacts of Social Issues – COVID-19 Council 20-010, Item 6.3
  - (e) 21-C: Citizen Committee Report Seniors Advisory Committee respecting Long Term Care Homes 21-005, Item 4
- (b) Items Requiring New Due Date:
  - (a) 21-F: Advisory Committee for Persons with Disabilities Report 20-007, December 8, 2020 GIC 21-003, Item 3(b)
  - (b) 23-B: Hamilton Alliance for Tiny Shelters Site Options and Considerations (HSC22015(b)) (City Wide) ECS 23-001, January 19, 2023, Item 6, As amended by Council on January 25, 2023
  - (c) 23-G: Canada Mortgage and Housing Corporation (CMHC)Rapid Housing Initiative (RHI) Round 3 (HSC20056(c)) (ECS 23-001 Added Item 14.4) Special Council Meeting, February 15, 2023

The agenda for the April 6, 2023 Emergency and Community Services 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) March 23, 2023 (Item 4.1)**

The Minutes of the March 23, 2023 meeting of the Emergency and Community Services Committee, were approved, as presented.

**(d) DELEGATION REQUESTS (Item 6)**

The following Delegation Requests, be approved, as presented:

- (i) Elizabeth Watson-Morlog respecting the Dundas Community Pool (for a future meeting) (Item 6.1)
- (ii) Calvin Cain, Ontario Homes for Special Needs Association Hamilton, respecting Hamilton Residential Care Facilities (for a future meeting) (Item 6.2)
- (iii) Mary Vaccaro, respecting the Safer Drug Use Space at YWCA Hamilton and the Declarations of Emergency (for today's meeting) (Added Item 6.3)

**(e) DELEGATIONS (Item 7)**

The following delegations addressed the Committee respecting the following:

- (i) Hafeez Hussain respecting the controls and verification process in the Healthy and Safe Communities in administrating the Ontario Works and ODSP Programs (Item 7.1)
- (ii) Mary Vaccaro respecting the Safer Drug Use Space at YWCA Hamilton and the Declarations of Emergency (Added Item 7.2)

The following Delegations, were received:

- (a) Hafeez Hussain, addressed the Committee respecting the controls and verification process in the Healthy and Safe Communities in administrating the Ontario Works and ODSP Programs (Item 7.1)
- (b) Mary Vaccaro, addressed the Committee respecting the Safer Drug Use Space at YWCA Hamilton and the Declarations of Emergency (Added Item 7.2)

For further disposition on Item (b), refer to Item 4 and (i)(i)

**(f) STAFF PRESENTATIONS (Item 8)**

**(i) Community Safety and Well-Being Plan Annual Report (HSC23015)(City Wide) (Item 8.1)**

Rachelle Ihekwoaba, Manager, Community Strategies, and Koubra Haggar, Co-Chair of the Community Safety and Well-Being System Leadership Table addressed Committee respecting the Community Safety and Well-Being Plan Annual Report (HSC23015).

The Presentation respecting the Community Safety and Well-Being Plan Annual Report (HSC23015), be received.

For further disposition, refer to Item 1

**(g) CONSENT ITEMS (Item 9)**

That the following Items be received:

**(i) Advisory Committee Minutes (Added Item 9.2)**

- (a) LGBTQ Advisory Committee Minutes - February 21, 2023
- (b) Hamilton Veterans Committee Minutes - November 29, 2022
- (c) Hamilton Veterans Committee Minutes - February 28, 2023

**(h) MOTIONS (Item 11)**

**(i) Declarations of Emergency in the Areas Of Homelessness, Mental Health and Opioid Addiction (Item 11.1)**

- (a) That the Mayor formally issue three separate declarations of emergency, in the areas of homelessness, mental health and opioid addiction, as per the procedure outlined in the Emergency Management and Civil Protection Act;
- (b) That the Mayor send correspondence to the Provincial Government requesting that action be taken on the eight measures proposed by the Association of Local Public Health Agencies including:
  - (i) Creation of a multi-sectoral task force to guide the development of a robust provincial opioid response plan that will ensure necessary resourcing, policy change, and health and social system coordination;
  - (ii) Expanding access to evidence informed harm reduction programs and practices including lifting the provincial cap of 21 Consumption and Treatment Service (CTS) Sites, funding

- Urgent Public Health Needs Sites (UPHNS) and scaling up safer supply options;
- (iii) Revision of the current CTS model to address the growing trends of opioid poisoning amongst those who are using inhalation methods; Public Health and Social Services Committee
  - (iv) Expanding access to opioid agonist therapy for opioid use disorder through a range of settings (e.g. mobile outreach, primary care, emergency departments, Rapid Access to Addiction Medicine Clinics), and a variety of medication options;
  - (v) Providing a long-term financial commitment to create more affordable and supportive housing for people in need, including people with substance use disorders;
  - (vi) Addressing the structural stigma and harms that discriminate against people who use drugs, through provincial support and advocacy to the Federal government to decriminalize personal use and possession of substances and ensure increased investments in health and social services at all levels;
  - (vii) Increasing investments in evidence-informed substance use prevention and mental health promotion initiatives that provide foundational support for the health, safety and well-being of individuals, families, and neighbourhoods, beginning from early childhood; and
  - (viii) Funding additional and dedicated positions for public health to support the critical coordination and leadership of local opioid and substance abuse strategies;
- (c) That the Mayor send correspondence to the Minister of Municipal Affairs and Housing requesting action be taken to correct the funding allocation model for homelessness based on the results of Auditor General's 2021 report which found that provincial funding in this area is incorrect;
  - (d) That the Mayor send correspondence to the Ministry of Health and the CEO of Ontario Health requesting that the province immediately commit to fully funding gaps in mental health service as have been identified in the Needs Based Planning project by Niagara Ontario Health Team's Mental Health and Addictions Working Group, as well as funding ongoing annual increases as required by inflation and population need;

- (e) That the Mayor send correspondence to Federal Minister of Justice and Attorney General, David Lametti, and Federal Minister of Health, Jean-Yves Duclos, reaffirming Regional Council's October 22, 2020 motion urging the Federal government convene a task force to explore the legal regulation and decriminalization of all drugs in Canada; Public Health and Social Services Committee
- (f) That the Mayor send correspondence to the Association of Municipalities of Ontario (AMO) requesting that targeted advocacy be conducted in these areas, including the development of a singular motion that can be ratified by municipal councils across Ontario calling on the province to take immediate action.

The Motion respecting Declarations of Emergency in the Areas of Homelessness, Mental Health and Opioid Addiction, was **amended** as follows:

- (a) That the Mayor formally issue three separate declarations of emergency, in the areas of homelessness, mental health and opioid **overdoses/poisoning addiction, as per the procedure outlined in the Emergency Management and Civil Protection Act;**
- (b) (iii) Revision of the current CTS model to address the growing trends of opioid poisoning amongst those who are using inhalation methods; **Public Health and Social Services Committee**
- (d) That the Mayor send correspondence to the Ministry of Health and the CEO of Ontario Health requesting that the province immediately commit to fully funding gaps in mental health service **as have been identified in the Needs Based Planning project by Niagara Ontario Health Team's Mental Health and Addictions Working Group**, as well as funding ongoing annual increases as required by inflation and population need; and
- (e) That the Mayor send correspondence to Federal Minister of Justice and Attorney General, David Lametti, and Federal Minister of Health, Jean-Yves Duclos, **reaffirming Regional Council's October 22, 2020 motion** urging the Federal government convene a task force to explore the legal regulation and decriminalization of all drugs in Canada; **Public Health and Social Services Committee**

For further disposition, refer to Item 4

(i) **GENERAL ISSUES / OTHER BUSINESS (Item 13)**

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

The following items were deferred to the April 20, 2023 meeting, and that new due dates be included for each item:

- (i) 21-F: Advisory Committee for Persons with Disabilities Report 20-007, December 8, 2020 GIC 21-003 (Item 13.1(b)(a))
- (ii) 23-B: Hamilton Alliance for Tiny Shelters Site Options and Considerations (HSC22015(b)) (City Wide) ECS 23-001, January 19, 2023, As amended by Council on January 25, 2023 (Item 13.1(b)(b))
- (iii) 23-H: Enabling Recommendations in Citizen Committee Report from the LGBTQ Advisory Committee entitled, In Response to the passing of Redeemer University LGBTQIA+ student Bekett Noble ECS 23-002, February 16, 2023 (Item 13.1(b)(d))

The Amendments to the Outstanding Business List were approved, **as amended**:

- 1. Items to be Removed:
  - (a) 16-A Endorsement of Report “The Right to an Adequate Standard of Living: An Update to the 2006 Report” to the United Nations Committee on Economic, Social and Cultural Rights in Geneva.  
February 8, 2016, 16-002
  - (b) 18-A Funding Requests from Agencies  
HSC 18-007
  - (c) 20-G Crisis with Supportive Housing for those with Disabilities  
E&CS 20-010
  - (d) 20-K Establishing a Sub-Committee to Address Impacts of Social Issues – COVID-19  
Council 20-010
  - (e) 21-C Citizen Committee Report Seniors Advisory Committee re Long Term Care Homes  
21-005

2. Item with New Due Date or Status Update:

- (a) 23-G: Canada Mortgage and Housing Corporation (CMHC)  
Rapid Housing Initiative (RHI) Round 3 (HSC20056(c)) (ECS  
23-001 Added Item 14.4)  
Special Council Meeting, February 15, 2023  
***New Due Date: August 2023***

**(j) ADJOURNMENT (Item 16)**

There being no further business, the Emergency and Community Services Committee adjourned at 3:45 p.m.

Respectfully submitted,

Councillor B. Clark  
Chair, Emergency and Community Services  
Committee

Loren Kolar  
Legislative Coordinator  
Office of the City Clerk



Hamilton

**SELECTION COMMITTEE  
REPORT 23-001  
9:30 a.m.  
Tuesday, April 11, 2023  
Council Chambers, 2<sup>nd</sup> Floor  
City Hall**

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**Present:** Councillors C. Cassar (Chair); B. Clark, T. Jackson, C. Kroetsch, N. Nann, M. Tadeson, A. Wilson, and M. Wilson

**Absent with  
Regrets:** Councillor M. Francis

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**THE SELECTION COMMITTEE FOR AGENCIES, BOARDS AND SUB-COMMITTEES  
PRESENTS REPORT 23-001 AND RESPECTFULLY RECOMMENDS:**

- 1. APPOINTMENT OF VICE-CHAIR FOR 2022-2023 (Item 1)**
  - (a) That Councillor C. Cassar be appointed as Chair of the Selection Committee for Agencies, Boards and Sub-Committee for 2023-2024; and
  - (b) That Councillor M. Tadeson be appointed as Vice-Chair of the Selection Committee for Agencies, Boards and Sub-Committee for 2023-2024.

**FOR INFORMATION:**

**(a) CHANGES TO THE AGENDA (Item 1)**

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

The agenda for the April 11, 2023 meeting of the Selection Committee be approved, as presented.

**(b) DECLARATIONS OF INTEREST (Item 2)**

There were no declarations of interest.

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

**(i) June 2, 2022 (Item 4.1)**

The Minutes of June 2, 2022 were approved, as presented.

**CARRIED**

**(d) PRIVATE & CONFIDENTIAL (Item 4)**

The Committee deemed that a Closed Session discussion of Item 5.1 was not required, and approved the following in Open Session:

**(i) Closed Session Minutes – June 2, 2023 (Item 5.1)**

The Closed Session Minutes dated June 2, 2023 were approved, as presented, and remain confidential.

The Committee deemed that a Closed Session Discussion of Item 5.2(a), Selection Process Guide, and 5.2(b), Screening Template Guideline be held in open session.

**(ii) Inclusion, Diversity, Equity, Accessibility Training for Members of the Selection Committee (Item 5.2)**

The Presentation respecting the Inclusion, Diversity, Equity, Accessibility Training for Members of the Selection Committee, was received.

The Committee moved into Closed Session for Items 5.2(c) the Interview Guide and 5.2(d), IDEA Interview Scoring Rubric included in the Inclusion, Diversity, Equity, Accessibility Training for Members of the Selection Committee, Pursuant to Section 9.3 sub-section (i) of the City's Procedural By-law 21-021, as amended, and Section 239(3.1) of the *Ontario Municipal Act*, 2001, as amended, as the subject matter pertains to 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;

**(ii) Inclusion, Diversity, Equity, Accessibility Training for Members of the Selection Committee (Item 5.2)**

Staff were provided with direction in Closed Session.

**(e) ADJOURNMENT (Item 5)**

There being no further business, the Selection Committee adjourned at 11:54 a.m.

**CARRIED**

Respectfully submitted,

Councillor C. Cassar, Chair  
Selection Committee

Loren Kolar  
Legislative Coordinator  
Office of the City Clerk

# CITY OF HAMILTON

## MOTION

Council Date: April 12, 2023

**MOVED BY COUNCILLOR B. CLARK.....**

**SECONDED BY COUNCILLOR .....**

**Amendment to Item 18 of General Issues Committee Report 23-004 respecting the Audit of the 2022 Municipal Elections in the City of Hamilton**

WHEREAS, on January 25, 2023 Council directed staff to report back to Audit, Finance and Administration Committee on the findings of the audit; and

WHEREAS, it is now necessary to have the City Auditor to report back to the General Issues Committee;

THEREFORE, BE IT RESOLVED:

That Item 18(a)(i) of General Issues Committee Report 23-004 respecting the Audit of the 2022 Municipal Elections in the City of Hamilton, be amended as follows:

- (a) That the City Auditor be directed to:
  - (i) undertake and oversee, an audit of the administration of the 2022 municipal election in the city of Hamilton and report back in May of 2023 to **General Issues** Committee on the findings of the audit to ensure that sufficient systems, resources, vendors and vendor agreements, and policies and procedures are in place to comply with the provisions of the *Municipal Elections Act*,

Main Motion, As **Amended**, to read as follows:

**18. Audit of the 2022 Municipal Elections in the City of Hamilton (Item 11.2)**

WHEREAS, the City Clerk has responsibility under the *Municipal Elections Act* for conducting elections within the city of Hamilton;

WHEREAS, Council is responsible for providing funding for the conduct of municipal elections, the use of City resources during an election, the methods used for voting and the passing of by-laws related to election signs; and,

WHEREAS, there have been concerns raised including, but not limited to, the use of vote by mail ballots, elector privacy, timely distribution of information to electors and candidates, as well as voting delays during the 2022 municipal elections in the city of Hamilton;

THEREFORE, BE IT RESOLVED:

- (a) That the City Auditor be directed to:
  - (i) undertake and oversee, an audit of the administration of the 2022 municipal election in the city of Hamilton and report back in May of 2023 to **General Issues** Committee on the findings of the audit to ensure that sufficient systems, resources, vendors and vendor agreements, and policies and procedures are in place to comply with the provisions of the *Municipal Elections Act*;
  - (ii) produce an actionable set of recommendations focused on improving the administration of the City of Hamilton's elections for the 2026 municipal election; and,
  - (iii) and make recommendations to Council with regards to suggested legislative reforms to the *Municipal Elections Act*; and,
- (b) That the audit process, of the 2022 municipal election in the city of Hamilton, include the retention of an election expert, and the solicitation of feedback from electors and candidates.

# CITY OF HAMILTON MOTION

Council: April 12, 2023

**MOVED BY COUNCILLOR M. WILSON.....**

**SECONDED BY COUNCILLOR .....**

**Federation of Canadian Municipalities - Election to the Board of Directors**

WHEREAS the Federation of Canadian Municipalities (FCM) represents the interests of municipalities on policy and program matters that fall within federal jurisdiction;

WHEREAS FCM’s Board of Directors is comprised of elected municipal officials from all regions and sizes of communities to form a broad base of support and provide FCM with the prestige required to carry the municipal message to the federal government; and

WHEREAS FCM’s Annual Conference and Trade Show will take place from May 25 - 28, 2023, during which time the Annual General Meeting will be held and followed by the election of FCM’s Board of Directors;

**BE IT THEREFORE RESOLVED:**

That Council of the City of Hamilton endorse Councillor Nrinder Nann to stand for election on FCM’s Board of Directors for the period starting in May 2023 to the end of the 2022 – 2026 Council term; and

That Council assumes all costs associated with Councillor Nrinder Nann attending FCM’s Board of Directors meetings.

# CITY OF HAMILTON

## MOTION

Council: April 12, 2023

**MOVED BY COUNCILLOR T. JACKSON.....**

**SECONDED BY COUNCILLOR .....**

**Association of Municipalities Ontario (AMO) 2022 – 2024 Board of Directors**

WHEREAS, Councillor Tammy Hwang has been appointed as a member of the Association of Municipalities Ontario (AMO) 2022 - 2024 AMO Board of Directors, Regional & Single Tier Caucus;

THEREFORE, BE IT RESOLVED:

That Council assumes all costs associated with Councillor Tammy Hwang attending AMO's Board of Directors meetings.

# CITY OF HAMILTON

## MOTION

Council: April 12, 2023

**MOVED BY COUNCILLOR N. NANN.....**

**SECONDED BY COUNCILLOR.....**

### **Investing in Beautiful Alleys (Ward 3)**

WHEREAS, Ward 3 sees a significant amount of blown and dumped waste strewn throughout our public realm in alleys, laneways, right of ways, trails, staircases and greenspaces making these spaces less enjoyable, less safe and less usable for local residents and the community in general;

WHEREAS, every spring neighbours across Ward 3 roll up their sleeves and care for our communities by participating in clean ups that improve and beautify the Ward;

WHEREAS, the annual clean up events demonstrate resilience, foster a sense of community, and make our neighbourhoods more vibrant;

WHEREAS, the resident volunteers coordinate through Beautiful Alleys and other neighbourhood groups diligently in a variety of weather;

WHEREAS, this invaluable contribution from resident volunteers deserves recognition, appreciation and support; and

WHEREAS, Beautiful Alleys coordinators pay out of pocket to provide volunteers with refreshments and supplies to support their efforts.

THEREFORE, BE IT RESOLVED:

- (a) That \$250 be allocated annually in 2023, 2024, 2025, and 2026 from the Ward 3 Bell Tower Funds Non-Property Tax Revenue Account (3301609603) to Beautiful Alleys to ensure these provisions for volunteers; 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

# CITY OF HAMILTON

## MOTION

Council: April 12, 2023

**MOVED BY COUNCILLOR C. KROETSCH.....**

**SECONDED BY COUNCILLOR.....**

**Park, Alleyway, and Rail Corridor Cleanups (Ward 2)**

WHEREAS, Ward 2 sees a significant amount of blown and dumped waste strewn throughout our public realm in alleys, laneways, right of ways, trails, staircases, rail corridors and greenspaces making these spaces less enjoyable, less safe and less usable for local residents and the community in general;

WHEREAS, every spring neighbours across Ward 2 roll up their sleeves and care for our communities by participating in clean ups that improve and beautify the Ward;

WHEREAS, the annual clean up events demonstrate resilience, foster a sense of community, and make our neighbourhoods more vibrant;

WHEREAS, the resident volunteers coordinate through Stinson Community Association and Corktown Neighbourhood Association Cleanups diligently in a variety of weather;

WHEREAS, this invaluable contribution from resident volunteers deserves recognition, appreciation and support; and

WHEREAS, Stinson Community Association and Corktown Neighbourhood Association Cleanups coordinators pay out of pocket to provide volunteers with refreshments and supplies to support their efforts.

THEREFORE, BE IT RESOLVED:

- (a) That a total amount of \$250 be allocated to be shared annually in 2023, 2024, 2025, and 2026 from the Ward 2 Non-Property Tax Revenue Account (3301609602) to the Stinson Community Association and the Corktown Neighbourhood Association to ensure these provisions for volunteers; 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

# CITY OF HAMILTON

## MOTION

Council: April 12, 2023

**MOVED BY COUNCILLOR M. SPADAFORA.....**

**SECONDED BY COUNCILLOR.....**

### **50th Anniversary of the R.A. Riddell Elementary School**

WHEREAS, the previous Ward 14 Councillor had made arrangements to cover the cost of the rental of a bouncy castle for a 50<sup>th</sup> Anniversary of R.A. Riddell Elementary School event; and

WHEREAS, the 50<sup>th</sup> Anniversary of R.A. Riddell Elementary School event is scheduled for May 18, 2023

THEREFORE, BE IT RESOLVED:

- (a) That rental of a bouncy castle for the 50th Anniversary celebration of R.A. Riddell Elementary School, be funded from the Ward 14 Capital Discretionary Account 3302109014 at an upset limit, including contingency, not to exceed \$1,000.00, be approved.
- (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

# CITY OF HAMILTON

## NOTICE OF MOTION

City Council: April 12, 2023

**MOVED BY COUNCILLOR M. TADESON.....**

**Amendment to City of Hamilton By-law 14-212, To Promote the Conservation and Sustainable Use of Woodlands on Private Property within the Urban Boundary of the City of Hamilton**

WHEREAS the City of Hamilton has declared a Climate Change Emergency and trees play an important role in the adaptation and mitigation of Climate Change;

WHEREAS the City of Hamilton Urban Official Plan recognizes the importance of trees and woodlands to the health and quality of life in our communities and encourages the protection and restoration of trees and forests;

WHEREAS through the public consultation on the draft Urban Forest Strategy, the residents of Hamilton indicated that better protection for private trees, especially during development, was considered very important and that the City of Hamilton should do more to protect individual trees or groupings of trees that are not regulated by the current Woodlands By-laws; and

WHEREAS it is important to protect trees within future development areas until such time as Secondary Plans, including the identification of Natural Heritage Systems, have been prepared and adopted by Council;

THEREFORE BE IT RESOLVED:

- (a) That staff report back to Planning Committee with recommendations on how existing by-laws could be amended to provide protection to trees in the newly expanded urban boundary areas, and within the lands removed by the Province from the Greenbelt; and
- (b) That additional staffing or resourcing needs required to implement and enforce the amended by-law be included in the report.

# COUNCIL COMMUNICATION UPDATES

**March 24, 2023 to April 6, 2023**

Council received the following Communication Updates during the time period listed above, the updates are also available to the public on City's website, 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	March 27, 2023	Planning and Economic Development	Launch of the Commercial E-Scooter Pilot Program (Wards 1, 2, 3 and 13)
2	March 27, 2023	Healthy and Safe Communities	Saltfleet Community Centre Structural Concerns and Closure (CFEM2301)
3	March 29, 2023	Public Works	Claremont Access (City Wide) (ENG23002)
4	March 30, 2023	Public Works	Invasive Spread of Urban Forest Pests: Hemlock Woolly Adelgid Identified on City Property (City Wide) (ES23005)



## COMMUNICATION UPDATE

<b>TO:</b>	Mayor and Members City Council
<b>DATE:</b>	March 27, 2023
<b>SUBJECT:</b>	Launch of the Commercial E-Scooter Pilot Program (Wards 1, 2, 3 and 13)
<b>WARD(S) AFFECTED:</b>	Wards 1, 2, 3 and 13
<b>SUBMITTED BY:</b>	Brian Hollingworth Director, Transportation Planning and Parking Planning and Economic Development Department
<b>SIGNATURE:</b>	

The Commercial E-Scooter Pilot Program Framework was approved by City Council on August 13, 2021 (Report PED20134(b)). The Program Framework allows an operator to deploy e-scooters for an initial one-year term, with up to three, one-year extensions at the City's discretion. Bird Canada was selected as the commercial e-scooter operator through a competitive Request for Proposal (RFP) process.

Staff have been working with Bird Canada to prepare for the pilot program launch since the last Communication Update in December 2022. This has included a local demonstration that has confirmed that the devices and mobile application meet the requirements contained in the Program Framework, as well as the receipt of the initial funds from the operator, including the security deposit. Bird Canada has also secured a local warehouse and hired the necessary staff to operate and maintain the system. Staff are of the opinion that all the conditions have been met to launch the system.

### Commercial E-Scooter Launch Event

Bird Canada, and the City, will host a launch event on **April 3, 2023, at 12:30 p.m., in the City Hall Forecourt**. The event will include, remarks from the City and Bird Canada, information on the system, and a demonstration of the devices.

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## **Launch Plan**

E-Scooters will begin to be deployed on April 3, 2023 in accordance with the Program Framework. A representative photo of the device is shown in Appendix “A” attached to this Communication.

The initial launch will cover the Hamilton Bike Share service area within Wards 1, 2, 3 and 13 (“the core service area”). Bird Canada will initially deploy 150 e-scooters and, in the following weeks, will begin to ramp up to the maximum permitted 350 devices in the core service area. The additional devices will be added when high compliance with the rules and regulations exist. For comparison, the Hamilton Bike Share system operates 825 pedal bikes within the same service area.

Staff will work with the operator during the launch phase to make sure that the Program Framework is complied with. The Vendor can apply to expand the service area in the future, which will be subject to City approval.

## **Complaints About Misparked Devices**

Bird Canada has committed to addressing any misparked device or other complaints within 30 minutes, shorter than the 60 minutes in the Framework. Anyone can submit a complaint through three channels that will be monitored 24-hours a day, seven days a week:

- Directly through the app;
- Email at [hello@bird.co](mailto:hello@bird.co); and,
- Phone at 1-800-205-2442.

The City has received a \$15 K security bond that will be used to recoup any costs the City may incur removing or relocating devices should Bird Canada not respond within the required timeframe. The bond will be replenished should it reach \$5 K.

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](mailto:Peter.Topalovic@hamilton.ca).

## **APPENDICES AND SCHEDULES ATTACHED**

Appendix “A” - Photo of Bird Canada Version 3 E-Scooter, including “lock-to” mechanism

Photo of Bird Canada Version 3 E-Scooter, including "lock-to" mechanism





## COMMUNICATION UPDATE

<b>TO:</b>	Mayor and Members City Council
<b>DATE:</b>	March 27, 2023
<b>SUBJECT:</b>	Saltfleet Community Centre Structural Concerns and Closure (CFEM2301)
<b>WARD(S) AFFECTED:</b>	Ward 10
<b>SUBMITTED BY:</b>	Robyn Ellis Acting Director, Corporate Facilities and Energy Management Public Works Department
<b>SIGNATURE:</b>	

This Communication Update is to provide members of Council an update regarding structural concerns at the Saltfleet Community Centre, located at 605 Highway 8, which have resulted in the closure of the facility as well as the relocation of groups offering services and programs in the Centre.

Through this Communication Update, as well as prior updates, Staff continue to fulfil their obligation to report up the chain, up to and including an update to Council, the City Solicitor, the City Manager, and the General Manager of Public Works, regarding risks to safety, as well as mitigation plans, identified in consulting reports, per Public Works Level II Procedure: PW-P-008-001, issued January 2022.

Update:

- The Food Bank will be accommodated for the near future at Stoney Creek Municipal Centre. A meeting is scheduled onsite Monday morning to help plan the Food Bank's move to the new location;
- The Stoney Creek Municipal Centre had previously been identified as a location for a future 911 call centre, however as the project has evolved, updates regarding technology assets mean that Stoney Creek facility is no longer needed, making it available. Reports to both Council Committee, as well as the Police Services Board are forthcoming with a fulsome update regarding the 911 call centre project;

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**SUBJECT: Saltfleet Community Centre Structural Concerns and Closure  
(CFEM2301) (Ward 10) – Page 2 of 5**

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- City staff will be arranging for and supporting a move of the Food Bank's operations ASAP to minimize disruption to their operations and reduce community impact;
- All tenants of the building will be provided with an accommodation plan. Site tours and conversations about proposed locations are currently underway and there is a draft accommodation plan for each group;
- Staff expect to have an accommodation plan for all other community groups located at Saltfleet Community Centre finalized shortly;
- Between Stoney Creek Municipal Centre, Winona Community Centre, Saltfleet Arena, among other City sites, all user groups can be accommodated;
- Building Department has issued an Order to Comply, related to Saltfleet Community Centre;
- Staff are working closely with the Building Department to complete any recommended shoring and repairs to ensure the safety of the public;
- Limited access to part of the building continues to be coordinated, with supervision by qualified third-party Structural Engineers.

Looking back at March 22, 2023 and Communications to Council:

- Saltfleet Community Centre was closed due to safety concerns (late March 21, 2023) and is expected to remain closed for the foreseeable future;
- Staff have proactively closed the facility while structural investigations and work is underway to determine if the Community Centre can be reopened safely;
- Facility closure is the safest approach for the building occupants;
- All occupants have been contacted and will be provided with alternative locations for their operations in coming days and to continue to provide their services.

Building History:

- 2010: The City of Hamilton purchased Alliance Church with the intent to demolish and build a new Recreation Centre, however, the building was repurposed to house community groups to run local programs supporting Ward 10 and the outlying areas;

**SUBJECT: Saltfleet Community Centre Structural Concerns and Closure  
(CFEM2301) (Ward 10) – Page 3 of 5**

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- 2011: Repairs were completed, following the purchase of the property;
- 2015: The facility was renamed Saltfleet Community Centre;
- 2017: Roof replacement work was completed;
- Late 2022: As part of Corporate Facilities and Energy Management's Building Audit program, a high level, routine lifecycle Building Condition Assessment (BCA) was conducted by a consultant with a general building science background. It was through that routine assessment that concerns related to the deterioration and safety of the building were brought to the City's attention, however the observations were initially limited to the East Wing. The extent and risk level of the concerns was unknown in 2022. Nevertheless, temporary measures were undertaken to limit access and provide signage within the East Wing and management was advised that a structural engineer would review the area of concern in early 2023. The new Ward Councillor was also briefed;
- March 2023: A Structural Engineer reviewed the area of concern. The Structural Engineer found several serious concerns when touring the East Wing, including worsening issues with the building's foundation. Immediate action was taken with exterior shoring to help support the building's East Wing;
- March 9, 2023: Pending a letter and draft report outlining recommendations and observations from the Structural Engineer, staff made the building safe on March 9 by locking out and blocking off the entire East Wing of the building. Shoring was also installed at the areas of concern. Impacted building occupants were notified of the change of access to the building. The food bank in the west wing as well as services in the central part of the building, such as Air Cadets, Football Association, and Community Gardens, were not impacted at the time. Both Senior Management and the Ward Councillor were kept apprised of the new development and safety concerns.

Rationale for Building Closure March 21, 2023:

Saltfleet Community Centre was closed late on March 21, 2023 for the following reasons, with notice given to the occupants:

- A report was received from the city's consultant, indicating that the building is unsafe in the areas examined in the East Wing, stamped by a qualified Structural Engineer. In conversations with the Engineer, it was identified that there are structural, safety and building code concerns throughout the facility, but that these areas had not yet been studied in detail;

**SUBJECT: Saltfleet Community Centre Structural Concerns and Closure  
(CFEM2301) (Ward 10) – Page 4 of 5**

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- Future and ongoing destructive testing of the building's structure was recommended by the Structural Engineer to fully determine all areas of concern within the building. Destructive testing should not be undertaken in an occupied public building and the building will be treated like a construction site during the investigation;
- While staff continue to take all reasonable measures to ensure public safety, the Occupier's Liability Act sets forth responsibilities of a property owner. There is a duty to take care to see that persons entering on the premises are reasonably safe while on the premises. This duty applies to the condition of the property as well as activities carried out on the property;
- Staff are required to report any known workplace hazard to the employer under the Occupational Health & Safety Act. Employers are obligated to take all reasonable precautions to protect the health and safety of workers and Owners must ensure that workplace facilities are provided and maintained;
- By taking appropriate steps to protect the public safety and work to remedy known safety hazards, the City avoids risk of liability and further property damage. Public Works Staff continue to consult with Risk Management Staff to ensure the City's obligations are met with respect to insurance;
- Additional interior shoring was recommended by the Structural Engineer, which is currently being scheduled;
- Determination of the root cause, including destructive testing and geotechnical analysis, is anticipated to require a minimum of two months. The root cause of the structural concerns will inform the scope of possible future repairs that are required to make the building safe;
- The Professional Engineers of Ontario (PEO), governed by the Professional Engineer's Act, has published the Structural Condition Assessments of Existing Buildings and Designated Structures Guideline, which outlines professional obligations, best practices, definitions, and references for structural condition assessments. A detailed condition assessment, which has not yet been completed at Saltfleet Community Centre, is typically based on the findings of a preliminary assessment, includes invasive investigation and extensive engineering work, and is intended to conclusively determine the structural adequacy of a building, or certain structural components. A Structural Engineer has been retained for this detailed assessment, which will commence once additional shoring is in place;

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**SUBJECT: Saltfleet Community Centre Structural Concerns and Closure  
(CFEM2301) (Ward 10) – Page 5 of 5**

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- Beyond structural concerns, the building has lifecycle renewal concerns, including potential building code considerations, which need to be carefully reviewed and addressed in parallel with structural investigations. An example is the failing building envelope and fire safety issues such as egress;
- The probable extent of repairs required for this building will be disruptive to all occupants, therefore a new location is needed for occupants while shoring and destructive tests, as well as any subsequent repairs are underway.

Once the building is made safe for further investigations and tests, staff will undertake a feasibility of the building structure in its entirety with recommendations and options for the future of the facility and will continue to provide updates.

We appreciate the efforts of City Staff as they responded to protect public safety and continue to work with tenants to accommodate them in other facilities.

The City appreciates that the safety concerns with the facility represent significant challenges and inconveniences to the tenants and the services they provide to the community. The City is committed to working with all groups who were using the Saltfleet Community Centre to help them continue to operate and provide service to their members and clients.

Staff have been working on the accommodation plan for the groups located in Saltfleet Community Centre with Councillors Jeff Beattie, Matt Francis, and Brad Clark, as well as the Hamilton East-Stoney Creek MPP Neil Lumsden.

If you have any questions, please contact Robyn Ellis, Acting Director, Corporate Facilities and Energy Management at ext. 2616

**APPENDICES AND SCHEDULES ATTACHED**

Appendix “A” to Communication Update CFEM2301 - Order to Comply



PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT  
Building Division  
71 Main Street West  
Hamilton, Ontario, Canada, L8P 4Y5  
Phone: 905.546.2720 Fax: 905.546.2764  
www.hamilton.ca

## Order to Comply

Pursuant to Subsection 15.9(4) of the *Building Code Act, 1992*

**Order Number: 23-112502-00 EN**

**Date Order Issued:**

March 24, 2023

**Application/Permit Number:**

**Address to which Order applies:**

605 HWY 8 . STONEY CREEK

Order issued to:

City Of Hamilton C/O Treasury Dept  
71 MAIN ST. W  
HAMILTON ON L8P 4Y5

The inspection on or about March 22, 2023 at the above-referenced address found the following contravention(s) of the Building Code or the *Building Code Act, 1992*.

You are hereby ordered to correct the contraventions itemized below IMMEDIATELY.

Item	Reference	Description and location	Required action and compliance date
1.	Subsection 15.9-(2) of the Building Code Act, 1992	<p>The BUILDING is</p> <p>a) structurally inadequate or faulty for the purpose for which it is used; and</p> <p>b) in a condition that could be hazardous to the health or safety of persons outside the building or persons whose access to the building has not been reasonably prevented</p> <p>causing the building to be unsafe.</p>	<p>1. Secure building and make safe;</p> <p>2. Provide Professional Engineer's Letter for the structural stability of the building;</p> <p>3. Obtain building permit for remedial works.</p>

Order issued by: POSTED ON SITE AND REGISTERED MAIL.

Name: Joseph Pizzoferrato

BCIN: 15083

Signature: \_\_\_\_\_

Telephone No.: 905.546.2424 ext. 1368

**Note:**

- It is illegal to obstruct the visibility of a posted Order. It is also illegal to remove a posted Order unless authorized by an inspector or Registered Code Agency. [*Building Code Act, 1992 s. 20*]
- An Order may be appealed to the Superior Court of Justice. [*Building Code Act, 1992 s. 25*]. It may also be appealed to the Building Code Commission concerning the sufficiency of compliance with the technical requirements of the Building Code. [*Building Code Act, 1992 s. 24*]
- Failure to comply with this Order may result in an Order to prohibit the use or occupancy of the building and the Chief Building Official may cause the building to be renovated, repaired or demolished to remove the unsafe condition.
- Failure to comply with this Order is an offence which could result in a fine. [*Building Code Act, 1992 s.36*]
- No construction affected by this Order is to be covered until inspected and approved. [*Building Code Act, 1992 s.13*]

<b>TO:</b>	Mayor and Members City Council
<b>DATE:</b>	March 29, 2023
<b>SUBJECT:</b>	Claremont Access (City Wide) (ENG23002)
<b>WARD(S) AFFECTED:</b>	City Wide
<b>SUBMITTED BY:</b>	Jackie Kennedy Director, Engineering Services Public Works Department
<b>SIGNATURE:</b>	
<b>SUBMITTED BY:</b>	Mike Field Director (Acting), Transportation Operations & Maintenance Public Works Department
<b>SIGNATURE:</b>	

Further to the Communication Update shared on March 1, 2023 ([ENG23001](#)) regarding the temporary closure of the Claremont Access downbound lanes, this is an update related to the City's ongoing efforts to address erosion and slope stability concerns along the Claremont Access.

As you're aware, the City has retained Stantec Consulting Limited (Stantec) to prepare plans to remove the steel walls from the escarpment along the Claremont Access this summer. Stantec conducts regular inspections as part of this work and on February 27, 2023, the consultant noticed a change in the steel wall, indicative of a potential failure of certain sections of the steel facing wall along the escarpment.

On March 2, 2023, out of an abundance of caution, and to ensure continued public safety along this escarpment roadway, the Transportation Operations and Maintenance Division closed both downbound lanes of the Claremont Access so that Engineering Services could increase monitoring and frequency of wall inspections.

While Engineering Services still plans to remove 600m of the steel wall facing in the summer of 2023, including the location of the potential failure, it has been exploring short-term approaches in the interim that would allow for the re-opening of the road sooner. Options considered included relieving pressure from the escarpment by removing some steel walls before the larger works began in the summer.

However, after a site visit on March 14, 2023, Stantec restated their recommendation to maintain the closure of both downbound lanes on the Claremont Access as there is no guarantee that a localized pressure relief, or the removal of two wall panels impacted, will provide safe conditions for road users. On this basis, Engineering Services is not pursuing a short-term approach to address only a portion of the walls and is focusing on expediting the longer term planned work scheduled to take place this summer.

In consultation with Procurement and pursuant to the emergency nature of the situation, Procurement Policy 5.3, subsection 6, will be utilised. A Request for Quotations (RFQ) has been issued for procuring services from contractors to undertake the planned works. The RFQ will be issued through bids and tenders and follow all procurement process protocols.

Following this approach, it is expected that work can be expedited, and the contractor can begin work to remove all the steel facing walls as early as May 2023. As part of the established escarpment stabilization program, removing these steel walls will allow the City and engineering consultants to better complete routine inspection practices to identify areas of potential concern and mitigate risks before failures occur. This work is expected to take approximately three months to complete, wrapping up this August or September. The downbound Claremont Access lanes are expected to open once work has completed. Further details regarding construction impacts and timing will be available in April 2023.

Once the steel facing walls are removed, the consultant will assess the condition of the rock escarpment face and determine remedial measures to reduce the erosion.

The Transportation, Operations and Maintenance division has reviewed the feasibility of changing the two upbound Claremont Access lanes to have one up and one down, however the width of the lanes does not allow for this to safely be implemented. Staff continues to look for opportunities to improve traffic flow while the downbound lanes are closed, including rescheduling non-urgent work on alternate escarpment access to reduce the amount of coinciding closures, and scheduling work to take place outside of rush hour (9 a.m. – 2 p.m.).

In 2020, the City completed resurfacing work on the upbound Claremont Access between Main Street and Inverness Avenue, including the construction of the Keddy Access Trail. Phase Two of the project, which includes the resurfacing of the downbound lanes of the Claremont Access is scheduled to be completed in 2025.

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The City understands this closure is challenging and results in longer commutes into the downtown core; however, public safety is our top priority and the temporary closure of the downbound lanes is a precautionary measure until the City can begin the steel wall removals in May.

The Claremont Access detour route remains in place. Vehicles using Upper James Street are being asked to follow Fennell Avenue East to Upper Wellington Street and use the Jolly Cut /Arkledun Avenue escarpment access. Detour signage has been posted as such and can be found on [www.hamilton.ca/roadclosures](http://www.hamilton.ca/roadclosures).

**APPENDICES AND SCHEDULES ATTACHED**

N/A



## COMMUNICATION UPDATE

<b>TO:</b>	Mayor and Members City Council
<b>DATE:</b>	March 23, 2023
<b>SUBJECT:</b>	Invasive Spread of Urban Forest Pests: Hemlock Woolly Adelgid Identified on City Property (City Wide) (ES23005)
<b>WARD(S) AFFECTED:</b>	City Wide
<b>SUBMITTED BY:</b>	Cynthia Graham Acting Director, Environmental Services Public Works Department
<b>SIGNATURE:</b>	

On March 15, 2023, the Canadian Food Inspection Agency (CFIA) confirmed the presence of hemlock woolly adelgid (HWA) in hemlock trees within the City of Hamilton and Royal Botanical Gardens (RBG) lands in the forested areas adjacent to and within Churchill Park (see map below). The pest was discovered by RBG staff performing regular trail inspections, who reported it to the CFIA. This update is intended to provide Council with information on the situation.

A thorough review of the history and movement of HWA and subsequent consequences for the City of Hamilton was provided in the previous Communication Update, Invasive Spread of Urban Forest Pests: Hemlock Woolly Adelgid and Spotted Lanternfly (City Wide) (ES23001) shared on February 27, 2023.

Due to the confirmation of this invasive pest, the CFIA has issued a Notice of Prohibition of Movement to both the Royal Botanical Gardens and the City of Hamilton to restrict the movement of hemlock material (firewood, branches, mulch etc.) for this area. Staff anticipate additional details regarding limits and restrictions in the coming days. In addition to the Notice of Prohibition of Movement, the CFIA is discussing internally their next steps and developing an external working group including staff from the City of Hamilton, RBG, McMaster University, and Hamilton Conservation Authority.

Residents and trail users are advised that HWA poses no human threat. It can attack and kill hemlock trees, with no other trees affected. To help slow the spread, residents and trail users should remove debris from boots before visiting a new trail, remove

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**SUBJECT: Invasive Spread of Urban Forest Pests: Hemlock Woolly Adelgid Identified on City Property (City Wide) (ES23005) - Page 2 of 4**

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debris from clothing with a lint roller or wash contaminated clothing, and remove plant materials or insects from dogs.

The insect feeds on the fluid in the hemlock's needles, causing dieback and mortality in as few as four years. HWA can be identified by its egg sacs, which can be found at the base of needles and look like cotton or snow clumps. Movement of HWA is easily transportable by wildlife, particularly birds as well as humans.

Late fall through early spring is the best time to check hemlock trees for evidence of HWA. The city is encouraging the public to participate by surveying hemlock trees on their property. For information on the pest, how to look for it, and what to do if it is found, please visit <https://www.hamilton.ca/home-neighbourhood/house-home/gardens-trees/invasive-species>. The City will be posting this information on social media and website in the coming days.

The City's records indicate that hemlocks comprise a small portion of the forest inventory, with only 321 trees on streets, parks and cemeteries. This makes the threat of HWA low for these areas. The impact of HWA to hemlocks in Hamilton's publicly owned woodlots is harder to quantify because the woodlot inventory is incomplete, and the impact to privately owned woodlots is not known as the city does not have that data. The City of Hamilton website has the updated protocol for residents if they suspect HWA presence on their property, which is to contact CFIA (905-572-2201).

### **Summary and Next Steps**

Staff will cooperate with the CFIA to mitigate the spread and aid in eliminating the pest. Though preliminary surveys have indicated that the infestation is isolated, the CFIA will be conducting more thorough surveys of hemlock stands to identify the extend of HWA spread across Hamilton. During this time, the City asks that residents help by checking privately owned hemlock trees for HWA, not moving hemlock materials from Public or Private land within or outside of the city (wood, woodchips, branches, cuttings etc.) or firewood and following the steps provided for trail users.

A management strategy is currently being developed and more information will be shared with the public as staff coordinates with the relevant stakeholders and landowners. It is the goal of the CFIA and the City to prevent the spread to other areas with hemlock trees. The work to follow the CFIA direction is not anticipated to require additional resources at this time. In future updates, staff will notify council if additional resources are required as plans develop.

For further information please contact Robyn Pollard, Manager of Forestry and Horticulture by phone at (905) 546-2424 Ext. 3919, or by email at [Robyn.Pollard@hamilton.ca](mailto:Robyn.Pollard@hamilton.ca)

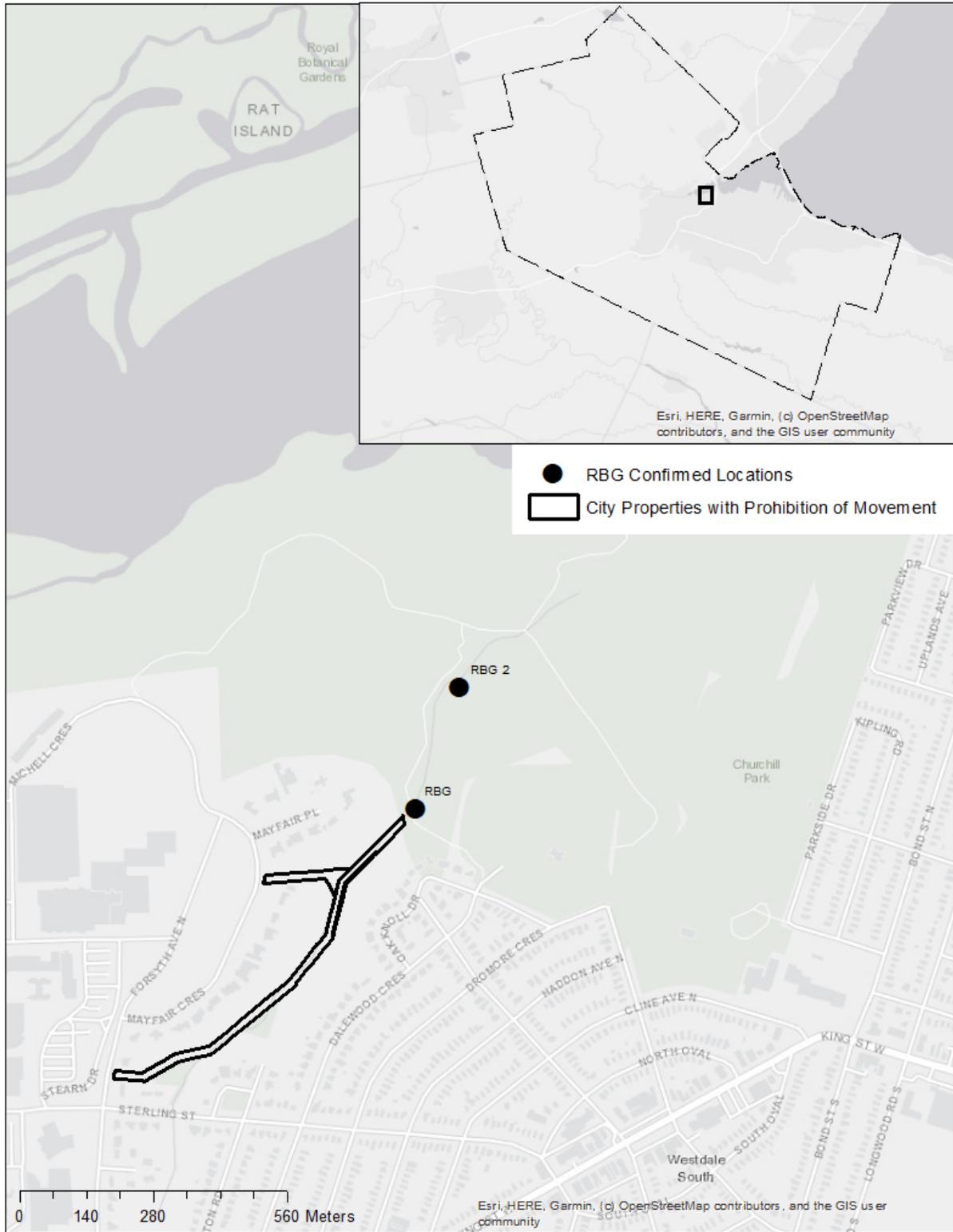
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**SUBJECT: Invasive Spread of Urban Forest Pests: Hemlock Woolly Adelgid Identified on City Property (City Wide) (ES23005) - Page 3 of 4**



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**SUBJECT: Invasive Spread of Urban Forest Pests: Hemlock Woolly Adelgid Identified on City Property (City Wide) (ES23005) - Page 4 of 4**

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City of Hamilton Prohibition of Movement locations (PIN#: 17470-0442, 17470-0432, 17470-0431) identified in solid black. Confirmed hemlock woolly adelgid on Royal Botanical Garden (RBG) also shown. The inlay map identifies the City of Hamilton boundary (dotted line) and extent of map (solid black) shown for this Communication Update.

**APPENDICES AND SCHEDULES ATTACHED**

N/A

**Authority:** Item 7, Public Works Committee  
Report 23-003 (PW23001)  
CM: March 29, 2023  
Wards: 1, 3, 4

**Bill No. 055**

**CITY OF HAMILTON**

**BY-LAW NO. 23-**

**To Amend By-law No. 01-215  
Being a By-law To Regulate Traffic**

**WHEREAS** sections 8, 9 and 10 of the *Municipal Act, 2001, S.O. 2001, c. 25*, authorize the City of Hamilton to pass by-laws as necessary or desirable for the public and municipal purposes, and in particular paragraphs 4 through 8 of subsection 10(2) authorize by-laws respecting: assets of the municipality, the economic, social and environmental well-being of the municipality; health, safety and well-being of persons; the provision of any service or thing that it considers necessary or desirable for the public; and the protection of persons and property;

**AND WHEREAS** on the 18th day of September 2001, the Council of the City of Hamilton enacted By-law No. 01-215 to regulate traffic;

**AND WHEREAS** it is necessary to amend By-law No. 01-215.

**NOW THEREFORE** the Council of the City of Hamilton enacts as follows:

1. Schedule 5 (Stop Control) of By-law No. 01-215, as amended, is hereby further amended by adding to Section "E" (Hamilton) thereof the following item, namely;

Dunsmure Road	Northbound/Southbound	Belview Avenue
Forsyth Place	Westbound	Forsyth Avenue North
Troy Avenue	Eastbound	Dunn Avenue
Troy Avenue	Westbound	Tate Avenue

2. Subject to the amendments made in this By-law, in all other respects, By-law No. 01-215, 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.

**PASSED** this 12<sup>th</sup> day of April, 2023.

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A. Horwath  
Mayor

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A. Holland  
City Clerk

**Authority:** Item 9, Public Works Committee  
Report 07-016 (PW07153)  
CM: December 12, 2007  
Ward: 13

**Bill No. 056**

**CITY OF HAMILTON**

**BY-LAW NO. 23-**

**To Amend By-law No. 01-215  
Being a By-law To Regulate Traffic**

**WHEREAS** sections 8, 9 and 10 of the *Municipal Act, 2001, S.O. 2001, c. 25*, authorize the City of Hamilton to pass by-laws as necessary or desirable for the public and municipal purposes, and in particular paragraphs 4 through 8 of subsection 10(2) authorize by-laws respecting: assets of the municipality, the economic, social and environmental well-being of the municipality; health, safety and well-being of persons; the provision of any service or thing that it considers necessary or desirable for the public; and the protection of persons and property;

**AND WHEREAS** on the 18th day of September 2001, the Council of the City of Hamilton enacted By-law No. 01-215 to regulate traffic;

**AND WHEREAS** it is necessary to amend By-law No. 01-215.

**NOW THEREFORE** the Council of the City of Hamilton enacts as follows:

1. Schedule 2 (Speed Limits) of By-law No. 01-215, as amended, is hereby further amended by removing from Section "C" (Flamborough) thereof the following items, namely:

Freelton Road	Highway 6 (north end)	200 m north of Brock Road	60
Brock Road	Freelton Road	Highway 97	60

And by adding to section Section "C" (Flamborough) thereof the following items, namely;

Freelton Road	Highway 6	Concession 11 East	50
Brock Road	Freelton Road	Regional 97 Road	50

To Amend By-law No. 01-215  
Being a By-law to Regulate Traffic

Page 2 of 2

2. Subject to the amendments made in this By-law, in all other respects, By-law No. 01-215, 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.

**PASSED** this 12<sup>th</sup> day of April 2023.

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A. Horwath  
Mayor

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A. Holland  
City Clerk

**Authority:** Item 14, Committee of the Whole  
 Report 01-003 (FCS01007)  
 CM: February 6, 2001  
 Wards: 1,2,3,4,8,12,13

**Bill No. 057**

**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	E	Auburn Avenue	Both	Normandy Road to southerly end	2 hr	8 am - 6 pm	Mon - Fri	Adding
Schedule	Section	Highway	Side	Location		Times		Adding/ Deleting
8 - No Parking	E	Concession Street	South	113 metres west of Highcliffe Avenue to 56 metres west thereof		Anytime		Adding
8 - No Parking	E	Ferrie Street East	South	98 metres east of Ferguson Avenue North to 8 metres east thereof		Anytime		Adding
8 - No Parking	A	Filman Road	Both	Wilson Street East to 420 metres south-west thereof		Anytime		Adding
8 - No Parking	E	Hillcrest Avenue	South	46 metres east of Beulah Avenue to 6 metres east thereof		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>B</i>	<b>Newcombe Road</b>	West	23 metres north of Cowper Court to 6 metres north thereof	Anytime	Adding
<b>Schedule</b>	<b>Section</b>	<b>Highway</b>	<b>Side</b>	<b>Location</b>	<b>Times</b>	<b>Adding/Deleting</b>
<i>12 - Permit</i>	<i>E</i>	<b>Alanson</b>	South	from 29.1m east of the extended east curb line of Blythe to 5.8m easterly	Anytime	Deleting
<i>12 - Permit</i>	<i>E</i>	<b>Clinton Street</b>	North	61 metres east of Barnesdale Avenue North to 6 metres east thereof	Anytime	Adding
<b>Schedule</b>	<b>Section</b>	<b>Highway</b>	<b>Side</b>	<b>Location</b>	<b>Times</b>	<b>Adding/Deleting</b>
<i>13 - No Stopping</i>	<i>B</i>	<b>Newcombe Rd.</b>	North & West	77m west of Davidson Bl. to 25m west-south	Anytime	Deleting
<i>13 - No Stopping</i>	<i>B</i>	<b>Newombe Road</b>	North & West	24 metres west of Davidson Boulevard to 81 metres west thereof	Anytime	Adding

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.

**PASSED** this 12<sup>th</sup> day of April 2023.

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A. Horwath  
Mayor

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A. Holland  
City Clerk

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A. Holland  
City Clerk

**Authority:** Item 8.2 Public Works Committee  
Report 21-004  
(PW21012)  
CM: March 31, 2021  
Ward: 3

**Bill No. 058**

**CITY OF HAMILTON**

**BY-LAW NO. 23-**

**To Permanently Close and Sell a Portion of the Public Unassumed Alley Adjacent to 1044 Cannon Street East, Hamilton, being Firstly: Part of the Alleyway on Registered Plan 386 in the City of Hamilton, designated as Part 1 on Plan 62R-22005, being part of PIN 17226-0048 (LT), and Secondly: Part of the Alleyway on Registered Plan 442 in the City of Hamilton, designated as Part 2 on Plan 62R-22005, being part of PIN 17226-0048 (LT).**

**WHEREAS** sections 8, 9 and 10 of the *Municipal Act, 2001* authorize the City of Hamilton to pass by-laws necessary or desirable for municipal purposes, and in particular by-laws with respect to highways; and

**WHEREAS** section 34(1) of the *Municipal Act, 2001* provides that a by-law permanently closing a highway does not take effect until a certified copy of the by-law is registered in the proper land registry office; and

**WHEREAS** highways to be closed by by-law are declared to be surplus to the needs of the City of Hamilton under the Sale of Land Policy By-law; and

**WHEREAS** at its meeting of March 31, 2021, Council approved of Item 8.2 of Public Works Committee Report 21-004, and authorized the City of Hamilton to permanently close and sell a portion of the public unassumed alley adjacent to 1044 Cannon Street East, Hamilton, being Firstly: Part of the Alleyway on Registered Plan 386 in the City of Hamilton, designated as Part 1 on Plan 62R-22005, being part of PIN 17226-0048 (LT), and Secondly: Part of the Alleyway on Registered Plan 442 in the City of Hamilton, designated as Part 2 on Plan 62R-22005, being part of PIN 17226-0048 (LT); and

**WHEREAS** notice to the public of the proposed sale of the part of the road allowance has been given in accordance with the requirements of the Sale of Land Policy By-law.

To Permanently Close and Sell a Portion of the Public Unassumed Alley Adjacent to 1044 Cannon Street East, Hamilton, being Firstly: Part of the Alleyway on Registered Plan 386 in the City of Hamilton, designated as Part 1 on Plan 62R-22005, being part of PIN 17226-0048 (LT), and Secondly: Part of the Alleyway on Registered Plan 442 in the City of Hamilton, designated as Part 2 on Plan 62R-22005, being part of PIN 17226-0048 (LT)

Page 2 of 2

**NOW THEREFORE** the Council of the City of Hamilton enacts as follows:

1. The part of the public unassumed alley set out as follows:

Firstly: Part of the Alleyway on Registered Plan 386 in the City of Hamilton, designated as Part 1 on Plan 62R-22005, being part of PIN 17226-0048 (LT), and Secondly: Part of the Alleyway on Registered Plan 442 in the City of Hamilton, designated as Part 2 on Plan 62R-22005, being part of PIN 17226-0048 (LT) is permanently closed.

2. The soil and freehold of the Parts 1 and 2 on Plan 62R-22005, hereby permanently closed, be sold to 1932356 Ontario Inc.
3. That this by-law shall come into force and effect on the date of its registration in the Land Registry Office for the Land Titles Division of Wentworth (No. 62).

**PASSED** this 12 day of April, 2023.

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A. Horwath  
Mayor

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A. Holland  
City Clerk

**Authority:** Item 9.1 Public Works Committee  
Report 22-009  
(PW22045)  
CM: June 8, 2022  
Ward: 7

**Bill No. 059**

**CITY OF HAMILTON**

**BY-LAW NO. 23-**

**To Permanently Close and Sell a Portion of the Public Unassumed Alley Abutting 192 East 22<sup>nd</sup> Street, Hamilton, namely Part of the Alleyway, lying to the North of Lot 62 on Registered Plan 590, in the City of Hamilton, designated as Part 1 on Plan 62R-21992, being part of PIN 17055-0096 (LT).**

**WHEREAS** sections 8, 9 and 10 of the *Municipal Act, 2001* authorize the City of Hamilton to pass by-laws necessary or desirable for municipal purposes, and in particular by-laws with respect to highways; and

**WHEREAS** section 34(1) of the *Municipal Act, 2001* provides that a by-law permanently closing a highway does not take effect until a certified copy of the by-law is registered in the proper land registry office; and

**WHEREAS** highways to be closed by by-law are declared to be surplus to the needs of the City of Hamilton under the Sale of Land Policy By-law; and

**WHEREAS** at its meeting of June 8, 2022, Council approved of Item 9.1 of Public Works Committee Report 22-009, and authorized the City of Hamilton to permanently close and sell a portion of the public unassumed alley abutting 192 East 22<sup>nd</sup> Street, Hamilton, namely Part of the Alleyway, lying to the North of Lot 62 on Registered Plan 590 in the City of Hamilton, designated as Part 1 on Plan 62R-21992, being part of PIN 17055-0096 (LT); and

**WHEREAS** notice to the public of the proposed sale of the part of the road allowance has been given in accordance with the requirements of the Sale of Land Policy By-law.

**NOW THEREFORE** the Council of the City of Hamilton enacts as follows:

1. The part of the public unassumed alley set out as follows:

Part of the Alleyway, lying to the North of Lot 62 on Registered Plan 590 in the City of Hamilton, designated as Part 1 on Plan 62R-21992, being part of PIN 17055-0096 (LT)

**To Permanently Close and Sell a Portion of the Public Unassumed Alley Abutting 192 East 22<sup>nd</sup> Street, Hamilton, namely Part of the Alleyway, lying to the North of Lot 62 on Registered Plan 590, in the City of Hamilton, designated as Part 1 on Plan 62R-21992, being part of PIN 17055-0096 (LT)**

**Page 2 of 2**

- is permanently closed.
2. The soil and freehold of the Part 1 on Plan 62R-21992, hereby permanently closed, be sold to Sue Yurkewich.
  3. That this by-law shall come into force and effect on the date of its registration in the Land Registry Office for the Land Titles Division of Wentworth (No. 62).

**PASSED** this 12 day of April, 2023.

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A. Horwath  
Mayor

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A. Holland  
City Clerk

**Authority:** Item 12, Committee of the Whole  
Report 01-033 (PD01184)  
CM: October 16, 2001  
Ward: 12

**Bill No. 060**

## **CITY OF HAMILTON**

### **BY-LAW NO. 23-**

Respecting: Removal of Part Lot Control  
Block 121, Registered Plan of Subdivision No. 62M-1116, Ancaster.

**WHEREAS** the sub-section 50(5) of the *Planning Act*, (R.S.O. 1990, Chapter P.13, as amended, establishes part-lot control on land within registered plans of subdivision;

**AND WHEREAS** sub-section 50(7) of the *Planning Act*, provides as follows:

“(7) **Designation of lands not subject to part lot control.** -- Despite subsection (5), the council of a local municipality may by by-law provide that subsection (5) does not apply to land that is within such registered plan or plans of subdivision or parts of them as are designated in the by-law.”

**AND WHEREAS** the Council of the City of Hamilton is desirous of enacting such a by-law with respect to the lands hereinafter described;

**NOW THEREFORE** the Council of the City of Hamilton enacts as follows:

1. Sub-section 5 of Section 50 of the *Planning Act*, for the purpose of creating two parts (Parts 1 and 2 on Deposited Reference Plan 62R-21905) to facilitate the development of two residential lots, shall not apply to the portion of the registered plan of subdivision that is designated as follows, namely:  
  
Block 121, Registered Plan No. 62M-1116, in the City of Hamilton.
2. This by-law shall be registered on title to the said designated land and shall come into force and effect on the date of such registration.
3. This by-law shall expire and cease to be of any force or effect on the 12<sup>th</sup> day of April, 2025.
4. **PASSED** this 12<sup>th</sup> day of April, 2023.

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A. Horwath  
Mayor

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A. Holland  
City Clerk

**Authority:** Item 12, Committee of the Whole  
Report 01-033 (PD01184)  
CM: October 16, 2001  
Ward: 12

**Bill No. 061**

## **CITY OF HAMILTON**

BY-LAW NO. 23-

Respecting:

Removal of Part Lot Control

**Blocks 207 to 210, Registered Plan of Subdivision No. 62M-1237, "Ancaster Meadows Phase 2b" Municipally Known As, 1049, 1051, 1053, 1055, 1057, 1059, 1061, 1063, 1065, 1067, 1069, 1071, 1073, 1075, 1077, 1079, 1081, 1083, 1085, 1087, 1089, 1091, 1093, 1095, 1097, 1099, 1101, 1103, 1105, 1107 and 1109 Garner Road East, Ancaster**

**WHEREAS** the sub-section 50(5) of the *Planning Act*, R.S.O. 1990, Chapter P.13, as amended, establishes part-lot control on land within registered plans of subdivision;

**AND WHEREAS** sub-section 50(7) of the *Planning Act*, provides as follows:

**"Designation of lands not subject to part lot control.** -- Despite subsection (5), the council of a local municipality may by by-law provide that subsection (5) does not apply to land that is within such registered plan or plans of subdivision or parts of them as are designated in the by-law."

**AND WHEREAS** the Council of the City of Hamilton is desirous of enacting such a by-law with respect to the lands hereinafter described;

**NOW THEREFORE** the Council of the City of Hamilton enacts as follows:

1. Subsection 5 of Section 50 of the *Planning Act*, for the purpose of creating 31 lots for townhouse dwellings (Parts 1 to 38, 40 to 49, 51 to 58, and 60 to 69 inclusive), encroachments and maintenance easements (Parts 32 to 38, 40 to 49, 51 to 58, and 60 to 69 inclusive) and Parts 39, 50, 59 and 70 comprised of the Common Elements Condominium Corporation for a private roadway and landscaped area as shown on Deposited Reference Plan 62R-22050, shall not apply to the portion of the Registered Plan of Subdivision that is designated as follows, namely:

Blocks 207 to 210 (inclusive), Registered Plan of Subdivision No. 62M-1237, in the City of Hamilton.

2. This By-law shall be registered on title to the said designated land and shall come into force and effect on the date of such registration.
3. This By-law shall expire and cease to be of any force or effect on the 12<sup>th</sup> day of April 2025.

PASSED this 12<sup>th</sup> day of April, 2023.

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A. Horwath  
Mayor

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A. Holland  
City Clerk

PLC-23-003

**Authority:** Item 3, Public Works Committee  
Report 22-004 (PW22013)  
CM: March 30, 2022  
City Wide

**Bill No. 062**

**CITY OF HAMILTON**

**BY-LAW NO. 23-**

**To Establish City of Hamilton Land  
Described as Block 61 on Plan 62M-1105  
as Part of Tanglewood Drive**

**WHEREAS** sections 8, 9 and 10 of the *Municipal Act, 2001* authorize the City of Hamilton to pass by-laws necessary or desirable for municipal purposes, and in particular by-laws with respect to highways; and

**WHEREAS** section 31(2) of the *Municipal Act, 2001* provides that land may only become a highway by virtue of a by-law establishing the highway.

**NOW THEREFORE** the Council of the City of Hamilton enacts as follows:

1. The land, owned by and located in the City of Hamilton, described as Block 61 on Plan 62M-1105, subject to an easement as in Instrument HL247933, is established as a public highway, forming part of Tanglewood Drive.
2. The General Manager of Public Works or their authorized agent is authorized to establish the said land as a public highway.
3. This By-law comes into force on the date of its registration in the Land Registry Office (No. 62).

**PASSED** this 12<sup>th</sup> day of April, 2023.

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A. Horwath  
Mayor

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A. Holland  
City Clerk

**Authority:** Item 6(a)(v)(3), Audit, Finance and Administration Committee Report 23-005 (Governance Review Sub-Committee Report 23-001)  
CM: April 12, 2022  
Ward: City Wide

**Bill No. 063**

## **CITY OF HAMILTON**

### **BY-LAW NO. 23-**

#### **To Amend By-law No. 21-021, A By-law to Govern the Proceedings of Council and Committees of Council**

**WHEREAS** Council enacted a Council Procedural By-law being City of Hamilton By-law No. 21-021;

**AND WHEREAS** it is necessary to amend By-law 21-021.

**NOW THEREFORE** the Council of the City of Hamilton enacts as follows:

1. That By-law 21-021, A By-Law To Govern The Proceedings of Council and Committees of Council, as Amended, be **amended** to reflect the Board of Health Standing Committee's name change to the Public Health Committee, as follows:
  - (i) the Board of Health Terms of Reference (Appendix 'B' to By-law 21-021, as amended), be **amended**, as follows:
    - (a) Title: Public Health Committee
    - (b) Composition: The Public Health Committee shall be comprised of all 16 members of Council
    - (c) Specific duties shall include:
      - To consider recommendations of any Sub-Committees and/or Task Forces which report directly to the Public Health Committee
      - To consider Citizen Committee Report recommendations of any Advisory Committee which reports directly to the Public Health Committee
  - (ii) Section 5.1 "Standing Committees" be **amended**, as follows:

#### **5.1 Standing Committees**

The Standing Committees that report directly to Council shall be as follows:

- (b) Public Health Committee

- (iii) Section 5.2 “Appointment of Committee Chairs and Vice Chairs” be **amended**, as follows:

### **5.2 Appointment of Committee Chairs and Vice Chairs**

- (2) Despite subsections 5.2(1)(a) and (b):
- (a) the Mayor shall stand as Chair for the term of Council for the Public Health Committee; and
- (3) The Public Health Committee shall recommend to Council the appointment of a Vice Chair in accordance with 5.2(1). Despite subsection 5.2(1)(a) and (b), the Vice Chair shall stand as Vice Chair for the term of Council for the Public Health Committee.

- (iv) Section 5.3 “Standing Committee Membership” be **amended**, as follows:

### **5.3 Standing Committee Membership**

- (1) General Issues Committee and Public Health Committee shall be comprised of all Members of Council.
- (6) Each Member of Council shall sit on a minimum of 2 Standing Committees, in addition to the Public Health Committee and General Issues Committee.

- (v) Section 5.6 “Standing Committee Meeting Times” be **amended**, as follows:

### **5.6 Standing Committee Meeting Times**

- (1) Unless otherwise decided by Council, scheduled meetings of the Standing Committees will be as follows:
- (a) (ii) Public Health Committee shall meet at least once per month commencing at 9:30 a.m.;

2. That By-law 21-021, A By-Law To Govern The Proceedings of Council and Committees of Council, as Amended, be **amended** to confirm applicability of the Procedure By-law when Council operates and functions as the Board of Health for the City of Hamilton, as follows:

- (i) Section 3 “Council Meetings” be **amended** by adding the following new sub-section 3.15 “Board of Health Meetings” and renumbering the remaining sub-sections accordingly:

### **3.15 Board of Health Meetings**

Where Council is exercising the jurisdiction of a Board of Health under the *Health Protection and Promotion Act, 1990*:

- (a) Council shall meet as necessary to complete such business as would normally be completed by a Board of Health and as required pursuant to the *Health Protection and Promotion Act, 1990* and its Regulations, any Public Health Standards published by the Minister, and any other applicable law including municipal by-laws and policies governing a Board or Health; and
  - (b) the Mayor and Clerk are authorized, upon approval by Council operating as a Board of Health, to sign any necessary resolutions.
- 3. The amendments in this By-law include any necessary indexing, grammatical, numbering and lettering changes.
  - 4. This By-law come into force on the day it is passed.

**PASSED** this 12th day of April, 2023.

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A. Horwath  
Mayor

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A. Holland  
City Clerk

**Authority:** Item 6 (v), Audit, Finance and  
Administration Committee  
Report 23-005  
CM: April 12, 2023  
Ward: City Wide  
**Bill No. 064**

**CITY OF HAMILTON**  
**BY-LAW NO.**

**To Amend By-law No. 21-021, A By-law to Govern the Proceedings of City Council and Committees of Council, To Establish a Long-Term Care Homes Committee of Management for the City of Hamilton**

**WHEREAS** the City of Hamilton currently operates two long-term care homes and Provincial legislation requires that a municipality operating one of more long-term care homes must have a Committee of Management comprised of elected members of City Council;

**AND WHEREAS** the *Fixing Long-Term Care Act, 2021* and its associated regulation, O. Reg. 246/22 introduced new mandatory screening measures that members of a Long-Term Care Committee of Management must successfully complete to become a member;

**NOW THEREFORE** the Council of the City of Hamilton enacts as follows:

1. That By-law 21-021 be amended by amending Appendix “E” by repealing and replacing the paragraph under “Composition” with the following:

The Emergency & Community Service Committee shall also be the Committee of Management for Long-Term Care Homes and shall be comprised of a minimum of 7 members of Council, plus the Mayor as ex-officio, who have met the eligibility criteria under the *Fixing Long-Term Care Act, 2021*, S.O. 2021, c. 39, Sched. 1, as amended or replaced.

2. That By-law 21-021 be amended by adding the following at the bottom of Appendix “E” under “*Specific duties shall include*”:
  - the governance and the management of the City’s Long-Term Care Homes as the Committee of Management for Long Term Care Homes
3. That By-law 21-021 be amended by repealing and replacing the fifth bullet under *General*, to read as follows:
  - Long-Term Care Homes: Macassa Lodge and Wentworth Lodge

4. That in all other respects, By-law 21-021 is confirmed; and
5. The provisions of this By-law shall become effective on the date approved by City Council.

**PASSED** this 12th day of April, 2023.

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A. Horwath  
Mayor

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A. Holland  
City Clerk

**CITY OF HAMILTON**

**BY-LAW NO. 23-**

To Confirm the Proceedings of City Council at its meeting held on April 12, 2023.

**THE COUNCIL OF THE  
CITY OF HAMILTON  
ENACTS AS FOLLOWS:**

1. The Action of City Council at its meeting held on the 12<sup>th</sup> day of April 2023, in respect of each recommendation contained in

Board of Health Report 23-004 – April 3, 2023,  
Public Works Committee Report 23-004 – April 3, 2023,  
Planning Committee Report 23-005 – April 4, 2023,  
General Issues Committee Report 23-012 – April 5, 2023,  
Hamilton Utilities Corporation Shareholder Report 23-001 – April 5, 2023,  
Audit, Finance and Administration Committee Report 23-005 – April 6, 2023,  
and  
Emergency and Community Services Committee Report 23-004 – April 6, 2023

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 12<sup>th</sup> day of April, 2023.

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A. Horwath  
Mayor

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A. Holland  
City Clerk