



City of Hamilton

CITY COUNCIL REVISED

23-008

Wednesday, April 26, 2023, 9:30 A.M.

Council Chambers

Hamilton City Hall

71 Main Street West

Call to Order

1. APPROVAL OF AGENDA

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

2. DECLARATIONS OF INTEREST

3. CEREMONIAL ACTIVITIES

4. APPROVAL OF MINUTES OF PREVIOUS MEETING

4.1 April 12, 2023

5. COMMUNICATIONS

5.1 Correspondence from Roger Stermann respecting the Downbound closure of Claremont Access does impact other access routes significantly.

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

- 5.2 Correspondence from the City of Stratford requesting support for their resolution respecting the Use of Long-Term Care Funding to Support Community Care Services.
- Recommendation: Be received.
- 5.3 Correspondence from Ijaz Ahmad respecting a Request for Real & True Inclusion of Harmonized Tax (HST) in Existing Taxi Tariff (Appendix 1) of the Hamilton By-laws (07-170).
- Recommendation: Be received.
- 5.4 Correspondence from Kathleen Broer van Arragon respecting Barton Street.
- Recommendation: Be received and referred to the General Manager of Public Works.
- 5.5 Correspondence from Lauren Keating, Enterprise Canada respecting Doctors Day on May 1st.
- Recommendation: Be received.
- 5.6 Correspondence from Greg Dunnett, President & CEO, Hamilton Chamber of Commerce respecting Item 8.2 - Five-Year Review of ERASE, Community Improvement Plan and Associated Financial Assistance Programs.
- Recommendation: Be received and referred to the consideration of Item 2 of General Issues Committee Report 23-013.
- 5.7 Correspondence from Northumberland County requesting support for their resolution respecting the Association of Municipalities of Ontario's (AMO) Call to Action on Housing and Homelessness.
- Recommendation: Be received.
- *5.8 Correspondence from Joshua Weresch respecting Hamilton 350's delegation at the March 22nd General Issues Committee that the Hamilton Street Railway gas tax funding should be used for fare reduction.
- Recommendation: Be received.
- *5.9 Correspondence from Kim Zivanovich respecting Donating the Waterdown OLG \$260K to the Food Banks.
- Recommendation: Be received and referred to the consideration of Item 7.6, Supplementing Ward Councillors Office Budgets in 2023.
- *5.10 Correspondence from Robert (Bob) Graham respecting when the Eglinton LRT will start running vs Hamilton LRT Project.
- Recommendation: Be received and referred to the General Manager of Planning and Economic Development for appropriate action.

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

- *5.11 Correspondence from Greg Dunnett, President & CEO, Hamilton Chamber of Commerce respecting Item 7.4, Waiving of Street Festival Fees for Use of On-Street Parking Spaces.

Recommendation: Be received and referred to the consideration of Item 7.4, Waiving of Street Festival Fees for Use of On-Street Parking Spaces.

- *5.12 Correspondence from ACORN respecting ACORN Hamilton Communication regarding Renovictions Stakeholder Consultation (HSC23023) (City Wide) (Item 8.1)

Recommendation: Be received and referred to the consideration of Item 1 of Emergency and Community Services Committee Report 23-005.

6. COMMITTEE REPORTS

- 6.1 Public Works Committee Report 23-005 - April 17, 2023
- 6.2 Planning Committee Report 23-006 - April 18, 2023
- 6.3 General Issues Committee Report 23-013 - April 19, 2023
- 6.4 Sole Voting Member of the Hamilton Farmers Market Report 23-002 - April 19, 2023
- 6.5 Audit, Finance and Administration Committee Report 23-006 - April 20, 2023
- 6.6 Emergency and Community Services Committee Report 23-005 - April 20, 2023
- 6.7 General Issues Committee (Special) Report 23-014 - April 24, 2023

7. MOTIONS

- 7.1 Amendment to Audit, Finance and Administration Committee Report 23-003
- 7.2 Amendment to Item 10.2 of the November 16, 2022 Council minutes respecting Council Member Appointments to the Agencies, Boards and Tribunals for the 2022-2026 Term of Council
- 7.3 Amendment to Item 7.5 of the March 29, 2023 Council minutes respecting the Appointment to the Hamilton Enterprise Holding Corporation Board of Directors
- 7.4 Waiving of Street Festival Fees for Use of On-Street Parking Spaces
- 7.5 Appointment to the Public Works Committee
- 7.6 Supplementing Ward Councillors Office Budgets in 2023

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

- 7.7 Waiving Rental Fees for the Nikola Tesla Educational Corporation's 2023 Electric City Festival Event
- 7.8 Association of Municipalities Ontario (AMO) Ending Homelessness Symposium May 3-4, 2023

8. NOTICES OF MOTIONS

- *8.1 Fiber Optic Broadband 5G Service for the Rural Areas of the City of Hamilton
- *8.2 Chedoke Arena - Secondary Ward Office for Ward 14

9. STATEMENT BY MEMBERS (non-debatable)

10. COUNCIL COMMUNICATION UPDATES

- 10.1 April 7, 2023 to April 20, 2023

11. PRIVATE AND CONFIDENTIAL

12. BY-LAWS AND CONFIRMING BY-LAW

- 12.1 067

A By-law to Amend the Procedural By-law No. 21-021

Appendix F – Office of the Auditor General

Schedule F1 – Auditor General

Ward: City Wide

- 12.2 068

A By-law to Amend By-law No. 19-286, Being a By-law for the Prohibiting and Regulating the Alteration of Property Grades, the Placing or Dumping of Fill, and the Removal of Topsoil

Ward: City Wide

12.3 069

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)

Ward: 2, 3, 5, 14

12.4 070

To Confirm the Proceedings of City Council

13. ADJOURNMENT



CITY COUNCIL MINUTES 23-007

9:30 a.m.
April 12, 2023
Council Chamber
Hamilton City Hall
71 Main Street West

Present: Mayor A. Horwath, Deputy Mayor B. Clark
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 and M. Wilson

Mayor Horwath called the meeting to order and recognized that Council is meeting on the traditional territories of the Erie, Neutral, HuronWendat, Haudenosaunee and Mississaugas. This land is covered by the Dish with One Spoon Wampum Belt Covenant, which was an agreement between the Haudenosaunee and Anishinaabek to share and care for the resources around the Great Lakes. It was further acknowledged that this land is covered by the Between the Lakes Purchase, 1792, between the Crown and the Mississaugas of the Credit First Nation. The City of Hamilton is home to many Indigenous people from across Turtle Island (North America) and it was recognized that we must do more to learn about the rich history of this land so that we can better understand our roles as residents, neighbours, partners and caretakers.

APPROVAL OF THE AGENDA

The Clerk advised of the following changes to the agenda:

6. COMMITTEE REPORT

6.8 Selection Committee Report 23-001 – April 11, 2023

8. NOTICE OF MOTION

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

11. PRIVATE AND CONFIDENTIAL

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**

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

12. BY-LAWS AND CONFIRMING BY-LAW

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

(Hwang/McMeekin)

That the agenda for the April 12, 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 - Deputy Mayor - Ward 9 Councillor Brad Clark
- YES - Ward 8 Councillor John-Paul Danko
- YES - Ward 5 Councillor Matt Francis
- YES - Mayor Andrea Horwath
- YES - Ward 4 Councillor Tammy Hwang
- YES - Ward 6 Councillor Tom Jackson
- YES - Ward 2 Councillor Cameron Kroetsch
- YES - Ward 15 Councillor Ted McMeekin
- YES - 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 B. Clark declared a disqualifying interest to Item 2 of Planning Committee Report 23-005 respecting an 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), the former principle planner of Urban Solution has a retail business interest with my son.

CEREMONIAL ACTIVITIES

3.1 Firehouse Subs Public Safety Foundation Grant Presentation

Mayor Horwath recognized the support of the Firehouse Subs Public Safety Foundation and Local Franchise Owner Steve Panella through their grant of \$21,327.22 to the Fire Department.

The Firehouse Subs Public Safety Foundation provides grants for lifesaving equipment and needed resources to first responders and public safety organizations, to help them be better prepared to save lives in the communities they serve.

This money will be used to purchase additional equipment for our Remotely Piloted Aircraft Systems known as the RPAS drone program. This program is being recognized as one of the leading first responder programs in the country. And, it should be noted that previously, the Firehouse Subs Public Safety Foundation provided a grant to the Fire Department that helped to establish the program.

In addition to utilizing the technology and equipment as part of numerous Fire Department responses, members of our RPAS - Drone response team assisted Hamilton Police Services in locating and saving two lives of missing people. One in December 2022 and one in early January 2023.

Mayor Horwath on behalf of Council thanked Steve Panella and the Firehouse Subs Public Safety Foundation for their generous grant and the support they have shown the Fire Department.

APPROVAL OF MINUTES OF PREVIOUS MEETING

4. March 29, 2023 (Item 4.1)

(Spadafora/Hwang)

That the Minutes of the March 29, 2023 meeting of Council be approved, as presented.

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

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

COMMUNICATIONS

(Clark/Danko)

That Council Communications 5.1 to 5.4 be approved, as *amended*, as follows:

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

Recommendation: Be received **and referred to the Lesbian, Gay, Bisexual, Transgender and Queer Advisory Committee and Women and Gender Equity Advisory Committee.**

- 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.

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

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

(Clark/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 - Deputy Mayor - Ward 9 Councillor Brad Clark
- YES - Ward 8 Councillor John-Paul Danko
- YES - Ward 5 Councillor Matt Francis
- YES - Mayor Andrea Horwath
- YES - Ward 4 Councillor Tammy Hwang
- YES - Ward 6 Councillor Tom Jackson
- YES - Ward 2 Councillor Cameron Kroetsch
- YES - Ward 15 Councillor Ted McMeekin
- YES - 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

BOARD OF HEALTH REPORT 23-004

(M. Wilson/Beattie)

That Board of Health Report 23-004, being the meeting held on Monday, April 3, 2023, be received and the recommendations contained therein be approved.

Result: Motion on the Board of Health Report 23-004, CARRIED by a vote of 15 to 0, as follows:

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

PUBLIC WORKS COMMITTEE REPORT 23-004**(Nann/Pauls)**

That Public Works Committee Report 23-004, being the meeting held on Monday, April 3, 2023, be received and the recommendations contained therein be approved.

Result: Motion on the Public Works Committee Report 23-004, CARRIED by a vote of 16 to 0, as follows:

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

PLANNING COMMITTEE REPORT 23-005**(Danko/Hwang)**

That Planning Committee Report 23-005, being the meeting held on Tuesday, April 4, 2023, be received and the recommendations contained therein be approved.

Due to a declared conflict, Item 2 was voted on separately as follows:

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.

Result: Motion on Item 2 of Planning Committee Report 23-005, CARRIED by a vote of 15 to 0, as follows:

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

YES - Ward 8 Councillor John-Paul Danko
YES - Ward 5 Councillor Matt Francis
YES - Mayor Andrea Horwath
YES - Ward 4 Councillor Tammy Hwang
YES - Ward 6 Councillor Tom Jackson
YES - Ward 2 Councillor Cameron Kroetsch
YES - Ward 15 Councillor Ted McMeekin
YES - 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 Planning Committee Report 23-005, CARRIED by a vote of 16 to 0, as follows:

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

GENERAL ISSUES COMMITTEE REPORT 23-012

(Clark/Danko)

That General Issues Committee Report 23-012, being the meeting held on Wednesday, April 5, 2023, be received and the recommendations contained therein be approved.

At Council's request, Item 6 was voted on separately, as follows:

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.

Result: Motion on Item 6 of the General Issues Committee Report 23-012, CARRIED by a vote of 11 to 5 as follows:

- YES - Ward 10 Councillor Jeff Beattie
- NO- Ward 12 Councillor Craig Cassar
- YES - Deputy Mayor - 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
- YES - 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
- NO - Ward 13 Councillor Alex Wilson
- NO - Ward 1 Councillor Maureen Wilson

Result: Motion on the balance of the General Issues Committee Report 23-012, CARRIED by a vote of 16 to 0, as follows:

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

HAMILTON UTILITIES CORPORATION SHAREHOLDER REPORT 23-001

(Clark/Danko)

That Hamilton Utilities Corporation Shareholder Report 23-001, being the meeting held on Wednesday, April 5, 2023, be received and the recommendations contained therein be approved.

Result: Motion on the Hamilton Utilities Corporation Shareholder 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 - Deputy Mayor - Ward 9 Councillor Brad Clark
YES - Ward 8 Councillor John-Paul Danko
YES - Ward 5 Councillor Matt Francis
YES - Mayor Andrea Horwath
YES - Ward 4 Councillor Tammy Hwang
YES - Ward 6 Councillor Tom Jackson
YES - Ward 2 Councillor Cameron Kroetsch
YES - Ward 15 Councillor Ted McMeekin
YES - Ward 3 Councillor Nrinder Nann
YES - Ward 7 Councillor Esther Pauls
YES - Ward 14 Councillor Mike Spadafora
YES - Ward 11 Councillor Mark Tadeson
YES - Ward 13 Councillor Alex Wilson
YES - Ward 1 Councillor Maureen Wilson

AUDIT, FINANCE AND ADMINISTRATION COMMITTEE REPORT 23-005
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(Kroetsch/Hwang)

That Audit, Finance and Administration Committee Report 23-005, being the meeting held on Thursday, April 6, 2023, be received and the recommendations contained therein be approved.

(Kroetsch/Nann)

WHEREAS, Council will consider a change to the name of the Board of Health Standing Committee to the Public Health Committee at its April 12, 2023 meeting;

WHEREAS, Council approved a motion at its February 8, 2023 meeting entitled “Report on Recommendations for a Board of Health Advisory Committee” that sets out a broad consultation process for making changes to the Board of Health and any bodies that report to the Board of Health;

WHEREAS members of equity-seeking communities, including members of some Advisory Committees, have asked for more direct input into the process of restructuring the Public Health Committee;

WHEREAS using the Ottawa and Toronto Board of Health models for our Public Health Committee will allow us to assess how they may work for our own Board of Health if we decide on a semi-autonomous or autonomous model and must await Provincial approval;

WHEREAS City staff have nearly completed the recruitment and hiring process to begin the public consultation on changes to the Board of Health; and

WHEREAS, the Board of Health self-evaluation process of its governance practices and outcomes will be enriched through consultation with the community and was due to be conducted in 2022;

THEREFORE, BE IT RESOLVED:

That Item 6 (a)(ix) of Audit, Finance and Administration Committee Report 23-005, be **amended**, as follows:

- (a) That the **consideration** of **either a semi-autonomous or autonomous Board of Health and the following model** for the Public Health Committee be **put forward** as **a suggested model during the consultation**:
- (i) 6 members of Council;
 - (ii) 6 community **members who have a demonstrable interest in supporting public health**; and
 - (i) 1 education representative
- (b) That the following Selection Process for the appointment of the 6 community **members** and the 1 education representative to the Public Health Committee, be **put forward** as **a suggested model during the consultation**:
- (i) That **a** Public Health Committee Selection Committee for the recruitment of the 6 community **members** and the 1 education representative to the Public Health Committee, be **established and** comprised of the six (6) members of Council and six (6) community representatives;
 - (ii) That **representatives from Indigenous peoples**, the Greater Hamilton Health Network (GHHN), GHHN Health Equity Council, Hamilton Trans Health Coalition, Woman Abuse Working Group (WAWG), **Refuge** 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 **of 6 community members** and the 1 education representative to the Public Health Committee for the 2022-2026 term of Council for Council's consideration;
 - (iii) That the six (6) community representatives appointed to the Public Health Committee Selection Committee for the recruitment of 6 community **members** 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.
 - (iv) 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 **members** 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 **members**; 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
 - (f) Advisory Committee for Immigrants and Refugees**
- (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
- **have an understanding of principles including diversity, equity, and inclusion (DEI); anti-racism; anti-oppression, and health equity;**
- 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 desired qualification for at least one community member to be each of the following:***
 - ***a young person, defined as an individual in the 18-30 age range***
 - a frontline worker perspective
 - ***a person with a disability***

Result: Amendment to Item 6 (a)(ix) of the Audit, Finance and Administration Committee Report 23-005, CARRIED by a vote of 16 to 0, as follows:

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

(Clark/Danko)

That Item (h)(i) respecting the Fair Wage Policy Review (Item 11.1) be lifted from the Information Section and be added as Item 9 of the Audit, Finance and Administration Committee Report 23-005, as follows:

9. Fair Wage Policy Review (Item 11.1)

- (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.

Result: Motion on the lifting of Item (h)(i) of the Audit, Finance and Administration Committee Report 23-005, CARRIED by a vote of 16 to 0, as follows:

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

9. Fair Wage Policy Review (Item 11.1)

(Clark/Danko)

- (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 **on next steps**; 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 *the first meeting* as guests to hear stakeholder feedback directly, *in an observer role only*.

Result: Motion on Item 9 as *amended* of the Audit, Finance and Administration Committee Report 23-005, CARRIED by a vote of 16 to 0, as follows:

- YES - Ward 10 Councillor Jeff Beattie
- YES - Ward 12 Councillor Craig Cassar
- YES - Deputy Mayor - Ward 9 Councillor Brad Clark
- YES - Ward 8 Councillor John-Paul Danko
- YES - Ward 5 Councillor Matt Francis
- YES - Mayor Andrea Horwath
- YES - Ward 4 Councillor Tammy Hwang
- YES - Ward 6 Councillor Tom Jackson
- YES - Ward 2 Councillor Cameron Kroetsch
- YES - Ward 15 Councillor Ted McMeekin
- YES - 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 Audit, Finance and Administration Committee Report 23-005, CARRIED by a vote of 16 to 0, as follows:

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

EMERGENCY AND COMMUNITY SERVICES COMMITTEE REPORT 23-004**(Clark/Danko)**

That Emergency and Community Services Committee Report 23-004, being the meeting held on Thursday, April 6, 2023, be received and the recommendations contained therein be approved.

(Clark/Danko)

That Item 4 of Emergency and Community Services Committee Report 23-004, be **amended** by deleting sub-section (e) in its entirety, as follows:

4. Declarations of Emergency in the Areas of Homelessness, Mental Health and Opioid Addiction (Item 11.1)

~~(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~~

Result: Amendment to Item 4 of the Emergency and Community Services Committee Report 23-004, CARRIED by a vote of 15 to 0, as follows:

YES - Ward 10 Councillor Jeff Beattie
 YES - Ward 12 Councillor Craig Cassar
 YES - Deputy Mayor - Ward 9 Councillor Brad Clark
 YES - Ward 8 Councillor John-Paul Danko
 YES - Ward 5 Councillor Matt Francis
 YES - Mayor Andrea Horwath
 YES - Ward 4 Councillor Tammy Hwang
 YES - Ward 6 Councillor Tom Jackson
 YES - Ward 2 Councillor Cameron Kroetsch
 YES - Ward 15 Councillor Ted McMeekin
 YES - 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 Emergency and Community Services Committee Report 23-004, as amended, CARRIED by a vote of 15 to 0, as follows:

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

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

SELECTION COMMITTEE REPORT 23-001
--

(Cassar/Beattie)

That Selection Committee Report 23-001, being the meeting held on Tuesday, April 11, 2023, be received and the recommendations contained therein be approved.

Result: Motion on the Selection Committee 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 - Deputy Mayor - Ward 9 Councillor Brad Clark
YES - Ward 8 Councillor John-Paul Danko
YES - Ward 5 Councillor Matt Francis
YES - Mayor Andrea Horwath
YES - Ward 4 Councillor Tammy Hwang
YES - Ward 6 Councillor Tom Jackson
YES - Ward 2 Councillor Cameron Kroetsch
YES - Ward 15 Councillor Ted McMeekin
YES - 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/Danko)

That Council rise from Committee of the Whole.

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

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

YES - Ward 15 Councillor Ted McMeekin
 YES - 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

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

(Clark/Danko)

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*;

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

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

7.2 Federation of Canadian Municipalities - Election to the Board of Directors

(M. Wilson/Hwang)

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:

- (a) 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
- (b) That Council assumes all costs associated with Councillor Nrinder Nann attending FCM's Board of Directors meetings.

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

YES - Ward 10 Councillor Jeff Beattie
YES - Ward 12 Councillor Craig Cassar
YES - Deputy Mayor - Ward 9 Councillor Brad Clark
YES - Ward 8 Councillor John-Paul Danko
YES - Ward 5 Councillor Matt Francis
YES - Mayor Andrea Horwath
YES - Ward 4 Councillor Tammy Hwang
YES - Ward 6 Councillor Tom Jackson
YES - Ward 2 Councillor Cameron Kroetsch
YES - Ward 15 Councillor Ted McMeekin
YES - 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 Association of Municipalities Ontario (AMO) 2022 – 2024 Board of Directors

(Jackson/Francis)

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.

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

YES - Ward 10 Councillor Jeff Beattie
YES - Ward 12 Councillor Craig Cassar
YES - Deputy Mayor - Ward 9 Councillor Brad Clark
YES - Ward 8 Councillor John-Paul Danko
YES - Ward 5 Councillor Matt Francis
YES - Mayor Andrea Horwath
YES - Ward 4 Councillor Tammy Hwang
YES - Ward 6 Councillor Tom Jackson
YES - Ward 2 Councillor Cameron Kroetsch
YES - Ward 15 Councillor Ted McMeekin
YES - 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 Investing in Beautiful Alleys (Ward 3)

(Nann/Kroetsch)

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

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

NOT PRESENT - Ward 10 Councillor Jeff Beattie
YES - Ward 12 Councillor Craig Cassar
YES - Deputy Mayor - Ward 9 Councillor Brad Clark
YES - Ward 8 Councillor John-Paul Danko
YES - Ward 5 Councillor Matt Francis
YES - Mayor Andrea Horwath
YES - Ward 4 Councillor Tammy Hwang
YES - Ward 6 Councillor Tom Jackson
YES - Ward 2 Councillor Cameron Kroetsch
YES - Ward 15 Councillor Ted McMeekin
YES - 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 Park, Alleyway, and Rail Corridor Cleanups (Ward 2)

(Kroetsch/Nann)

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

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

YES - Ward 10 Councillor Jeff Beattie
YES - Ward 12 Councillor Craig Cassar
YES - Deputy Mayor - Ward 9 Councillor Brad Clark
YES - Ward 8 Councillor John-Paul Danko
YES - Ward 5 Councillor Matt Francis
YES - Mayor Andrea Horwath
YES - Ward 4 Councillor Tammy Hwang
YES - Ward 6 Councillor Tom Jackson
YES - Ward 2 Councillor Cameron Kroetsch
YES - Ward 15 Councillor Ted McMeekin
YES - 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 50th Anniversary of the R.A. Riddell Elementary School

(Spadafora/Francis)

WHEREAS, the previous Ward 14 Councillor had made arrangements to cover the cost of the rental of a bouncy castle for a 50th Anniversary of R.A. Riddell Elementary School event; and

WHEREAS, the 50th 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; and

- (b) That the Mayor and City Clerk be authorized and directed to execute any required agreement(s) and ancillary documents, with such terms and conditions in a form satisfactory to the City Solicitor.

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

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

(Tadeson/Cassar)

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, ***within the current budget and FTE's or otherwise*** required to implement and enforce the amended by-law be included in the report.

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

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

NOTICES OF MOTION

8.1 Amendment to 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

(Tadeson/Cassar)

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 an 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.

Result: Motion CARRIED by a 2/3rds vote of 13 to 1, as follows:

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

YES - Mayor Andrea Horwath
NOT PRESENT - Ward 4 Councillor Tammy Hwang
YES - 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

For further disposition of this matter, refer to Item 7.7.

STATEMENTS BY MEMBERS

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

COUNCIL COMMUNICATION UPDATES

(Clark/Danko)

That the listing of Council Communication Updates from March 24, 2023 to April 6, 2023, be received.

Result: Motion on the Council Communication Updates from March 24, 2023 to April 6, 2023 CARRIED by a vote of 15 to 0, as follows:

YES - Ward 10 Councillor Jeff Beattie
YES - Ward 12 Councillor Craig Cassar
YES - Deputy Mayor - Ward 9 Councillor Brad Clark
YES - Ward 8 Councillor John-Paul Danko
YES - Ward 5 Councillor Matt Francis
YES - Mayor Andrea Horwath
YES - Ward 4 Councillor Tammy Hwang
YES - Ward 6 Councillor Tom Jackson
YES - Ward 2 Councillor Cameron Kroetsch
YES - Ward 15 Councillor Ted McMeekin
YES - 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 was not required in Closed Session; therefore, the matter was addressed in Open Session, as follows:

11. Closed Session Minutes – March 29, 2023 (Item 11.1)

(Beattie/Hwang)

That the Closed Session Minutes dated March 29, 2023 be approved, as presented, and remain confidential.

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

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

Council determined that discussion of Item 11.3 was not required in Closed Session; therefore, the matter was addressed in Open Session, as follows:

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

(M. Wilson/A. Wilson)

That the Rules of Order be waived to allow for the introduction of a motion respecting an Amendment to Item 3.1 of the March 9, 2023 Council Minutes Respecting Privileged Solicitor-Client Regulatory Update (LS21012(c)) (City Wide).

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

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

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

(M. Wilson/A. Wilson)

That Item 3.1(d) of the March 9, 2023 Council minutes respecting Report HSC20056(d), Project Submission - Canada Mortgage and Housing Corporation (CMHC) Rapid Housing Initiative (RHI) Round 3, be **amended**, as follows:

- (d) That the direction in closed session, **as amended**, respecting Report LS21012(c), Privileged Solicitor-Client Regulatory Update, be approved and remain confidential; and

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

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

BY-LAWS AND CONFIRMING BY-LAW

(Clark/Danko)

That Bills No. 23-055 to No. 23-065, 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:

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

- 056 To Amend By-law No. 01-215 Being a By-law To Regulate Traffic
Schedule 2 (Speed Limits)
Ward: 13
- 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
- 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
- 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
- 060 Respecting: Removal of Part Lot Control Block 121, Registered Plan of Subdivision
No. 62M-1116, Ancaster.
PLC-22-007
Ward: 12
- 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
- 062 To Establish City of Hamilton Land Described as Block 61 on Plan 62M-1105 as Part
of Tanglewood Drive
City Wide
- 063 To Amend By-law No. 21-021, A By-law to Govern the Proceedings of Council and
Committees of Council
- 064 A By-law to amend the Procedural By-law 21-021, to Establish a Long-Term Care
Homes Committee of Management for the City of Hamilton
- 065 To Confirm the Proceedings of Council

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

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

(Spadafora/Francis)

That, there being no further business, City Council be adjourned at 12:39 p.m.

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

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

Respectfully submitted,

Mayor Andrea Horwath

City Clerk

Pilon, Janet

Subject: Downbound closure of Claremont Access does impact other access routes significantly

From: Roger Stermann

Sent: April 6, 2023 8:41 AM

To: Matthew Van Dongen <mvandongen@thespec.com>

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

Subject: Downbound closure of Claremont Access does impact other access routes significantly

Hi Mr. Vandongen, Mayor and Hamilton City Council,

I don't understand how there is belief that the closure of the Claremont downbound access does not have any real impacts on the other access' as reported in the Spectator yesterday (or the day before in the article authored by Mr. Vandongen. I was travelling up Becket Drive yesterday (Wednesday) at 5pm and I have lived in the West Mountain area pretty well all my 61 years and have never seen the entire length from Aberdeen up to Fennel full of cars. 20 minutes later as I was crossing east back over Garth on Fennel, the car that was turning left to go down Beckett Drive had to stop with his tail end at the crosswalk across Fennel because the downbound lane was backed up to there. Granted this was a one time snapshot but there were no accidents along the way. It wouldn't surprise me that this is now common at this hour. I am assuming the city is actively monitoring daily the accesses. It would be good to see that the city is and is making the data public. In the past, when Queen Street was backed up beyond the last house just at the beginning of Beckett Drive, that was considered a pretty big back up. This is 5x greater.

The other factor that wasn't discussed in the article, was the extra wear and tear impact the 15,000 extra vehicle daily trips have on these smaller access routes and that these 15,000 vehicles are being deposited at the very foot of the escarpment where the roads are single lane and also in mostly rough condition compared to the Claremont, where of course, the vehicles enter the downtown on much larger roads, Victoria, Main and King and down to Burlington Street. On a side note, if an East West LRT does go in and close off 2 more major east west lanes, what is the impact if the downbound Claremont is closed or open? 3D modelling of these realities should already be in place and if not, they surely now should be a priority to be made. They should also be available to the public for viewing.

I agree that the Claremont should be used for rapid transit and I have made this known to all past councils and Mayor many times over the years. I just think the city has sat on their hands for whatever reason for 11 years since the closure of the one downbound lane, instead of officially planning openly with its citizens, how to fix the Claremont. Now it is forced into an emergency closure of the entire downbound Claremont. We did spend 5 million on the terrific Keddy bike lane but it seems in retrospect, that project ought to have been part of a complete revitalization of the Claremont , especially in light of the postponed LRT plans that , imo, should always have been about connecting one of our most valuable assets (John Munro International airport) to the downtown as well as invigorate the entire commercial Upper James 8km corridor that lies between these two anchors rather than connecting McMaster to downtown and then go to Eastgate where that cannot be considered an anchor and driver of future growth as John C. Munro International airport is.

When the one downbound Claremont lane was closed, I originally believed the city would rally around that and come together to fix that glaring eyesore. I couldn't believe and still can't believe the lack of leadership over the past 11 years

on coming to grips with this major eyesore to the city as a whole. It's terrible for morale, terrible for marketing, terrible for selling the city as a place that is on the move, terrible for wasting money. Just a drain on everyone's psyche without anyone realizing it.

Sincerely,
Roger Stermann



City of Stratford
Corporate Services Department
Clerk's Office
City Hall, P. O. Box 818
Stratford, Ontario N5A 6W1
Tel: 519-271-0250, extension 5237
Email: clerks@stratford.ca
Website: www.stratford.ca

April 17, 2023

Via email: ltcminister@ontario.ca

Ministry of Long-Term Care
6th Floor, 400 University Avenue
Toronto, ON M5G 1S5

Dear Hon. Paul Calandra:

Re: Resolution – Use of Long-Term Care Funding to Support Community Care Services

At their April 11, 2023 Regular Council meeting, Stratford City Council adopted the following resolution requesting the provincial government to support community driven home care services through the redirect of ministry beds in abeyance funding:

THAT staff be requested to send a letter to the provincial government to endorse the redirect of current ministry beds in abeyance funding towards the support of community care services.

We kindly request your support and endorsement.

Sincerely,

Chris Bantock

Chris Bantock
Deputy Clerk

cc: Premier Doug Ford
Matthew Rae, MPP
Association of Municipalities of Ontario
All Ontario municipalities

Pilon, Janet

Subject: Written Submission to Hamilton City Council :- Request for Real & True Inclusion of Harmonized Tax (HST) in the Existing Taxi Tariff (Appendix 1) of the Hamilton By-laws (07-170).

From: ijaz ahmad

Sent: Monday, April 17, 2023 10:09 PM

To: Pilon, Janet <Janet.Pilon@hamilton.ca>

Subject: Written Submission to Hamilton City Council :- Request for Real & True Inclusion of Harmonized Tax (HST) in the Existing Taxi Tariff (Appendix 1) of the Hamilton By-laws (07-170).

The taxi driver of Hamilton City is paying Harmonized Tax (HST) from their own earnings due to the un-real and untrue inclusion of Harmonized Tax (HST) in the existing Taxi Tariff.

Although, it is written (in words) in the existing Taxi Tariff that "Harmonized Tax is included", but it is written without any calculation & justification. Nobody can see the calculations of the Harmonized Tax, in the existing Taxi Tariff (Appendix 1) as well as in the Taxi Cost Index (Appendix 5, which is the 100% base of the Taxi Tariff) of Hamilton By-laws 07-170 since 2010. (copies of link attached).

Reference # 1

Page #300

SCHEDULE 25

APPENDIX 1 (Taxicab Tariff/Fares) (18-041)(22-102) Meter and By Agreement Rates

<https://staging.hamilton.ca/sites/default/files/media/browser/2017-07-06/07-170-consolidated-oct11-22.pdf>

Reference # 2

page #306

APPENDIX 5 TAXI COST INDEX

<https://staging.hamilton.ca/sites/default/files/media/browser/2017-07-06/07-170-consolidated-oct11-22.pdf>

The existing Taxi Fare (\$1.80 per km) started in 2008 and is still the same in 2023. In the Taxi Tariff of 2008, it is mentioned that the Goods Sales Tax, (which is @5%) was included. But in the existing Taxi Tariff, it is mentioned that Harmonized Tax (which is @13%) is included. It means that the existing Taxi Tariff should be increased @8% (due to the inclusion of Harmonized Tax, which is increased @8% more than Goods Sales Tax). Our Government Tax on sales was increased in 2010, but the Taxi Tariff was not increased. It is undeniable fact that the Taxi Cost Index, appendix 5, (which has all expenses of a taxi driver) was not reduced. But, the Taxi Fare still remained the same as in 2008 (@ \$1.80 per Km).

Reference # 3.

<https://www.hamilton.ca/sites/default/files/2022-02/08-175.pdf>

As the Harmonized Tax was implemented in 2010, there are two options, either the taxi fare is reduced "hiddenly" or the Harmonized Tax is included "hiddenly" in the existing Taxi Tariff. Both options are untrue standards of justice as these types of hidden calculations are not allowed. Only one slight increase was made in 2022, in the "First Drop Fee" of the Taxi Tariff, (from \$3.90 to \$4.90) due to increased prices of fuel but the Taxi fare still remained the same (\$1.80 per km). Reference # 4.

<https://www.hamilton.ca/sites/default/files/2022-06/22-102.pdf>

Our Government says that the Harmonized Tax (HST) should be included in "Total Fare of the Taxi".

References # 5.

<https://www.canada.ca/en/revenue-agency/services/tax/businesses/topics/gst-hst-businesses/charge-collect-specific-situations/taxi-ride-sharing-drivers.html>

I believe that the "True standards of Justice" did not compel or force any Taxi Driver or individual to reduce the Harmonized Tax (HST) from his customers. But, unfortunately, it is happening in our existing Taxi Tariff (without any real & lawful calculations) the Harmonized Tax (HST) is written as "included" (Appendix 1 of the above by-laws). It is surprising fact that in the Taxi Cost Index (appendix 5), the expenses of the taxi driver are not reduced, the earnings of the taxi driver are unchanged, and the Taxi fare is unchanged than how the Harmonized Tax is included. Taxi Tariff is the bread and butter for a taxi driver.

It is requested that please add (actually & truly) the Harmonized Tax (HST) in the existing Taxi Tariff (which is still the same since 2008 @\$1.80 per Km) based on practical calculations, enabling Taxi drivers of Hamilton to collect Harmonized Tax (HST) from customers and deposit to our Government. Thank you very much for your kind consideration.

Ijaz Ahmad

Additional information.

No.1.

Here is an example of the real inclusion of the Harmonized Tax in Taxi Tariff by the City Hall of Toronto. (But we do not need sealing expenses by our City Hall as we are using our taxi fare meters in tablets.

Reference # 6.

<https://www.toronto.ca/legdocs/mmis/2010/ls/bgrd/backgroundfile-27157.pdf>

No.2.

Please note that the words written "By Agreement" on the top of the Taxi Tariff are un-understandable. I believe nobody can do an agreement (for taxi tariff) on behalf of the taxi driver regarding the reduction in the Harmonized Tax from the taxi customers.

Pilon, Janet

Subject: barton street//

From: Kathleen Broer van Arragon

Sent: April 15, 2023 11:17 PM

To: clerk@hamilton.ca

Subject: barton street//

Hello,

The queen agreed to have her name associated with the projects undertaken by the city council proposal formulated in 2016 [I refer you to documentation that had been posted in relation to this trust], which include all sections along the stretch of shorewall between the Hamilton Royal Yacht Club and Pier 8.

--pier towers near catharine street are in poor condition//please amend or demolish as needed.

--demolishing the marine brewer's supply building is essential for further work proposed in this section [ASAP].

--fittings along the shorewall edge between pier 5 and 8 are deemed necessary since visiting public use this area frequently during good weather seasons--a simple cinder-block interpolated with attached meshware will aid a quick amendment here.

--taking out derelict concrete pads, breakbulk and asphalt parking lots along the pumpwall area need to happen ASAP.

--taking down snow fencing can then happen, as long as the grade is improved and grass seed mats aids the restoration of groomed landscaping effect.

Thank you for all the current project underway, as their immediate impact is to increase good use of this area.

Kathleen Broer van Arragon

Pilon, Janet

Subject: Request for Doctors Day announcement at upcoming council meeting

From: Lauren Keating

Sent: April 17, 2023 10:18 AM

To: clerk@hamilton.ca

Subject: Request for Doctors Day announcement at upcoming council meeting

Hi there,

I hope you had a lovely weekend. My name is Lauren Keating, and I am reaching out on behalf of the Ontario Medical Association.

Our agency, Enterprise Canada, is once again helping the Ontario Medical Association celebrate Doctors' Day, which happens every May 1. Doctor's Day is a day for Ontarians to show their appreciation for the extraordinary doctors who have been on the front lines since the start of the COVID-19 pandemic.

For the last three years, various landmarks, city halls and other municipal centres have lit up blue to celebrate our physicians and we hope this year will be the biggest yet. This year, we have coordinated with the Mayor's office to have the Hamilton sign lit up in blue.

We are also requesting your participating by reading an announcement at your upcoming council meeting to help spread awareness about Doctors Day among your councillors and the City of Hamilton. For ease of reference, please find some suggested language enclosed.

Please let me know if you need any further information.

Kind regards,
Lauren

Lauren Keating

Consultant, Corporate Communications

226.929.0084

enterprisecanada.com

**Enterprise¹
Canada** 595 Bay St. #1202
Toronto, Ontario
M5G 2C2



April 19, 2023

**Re: Item 8.2 – Five-Year Review of the ERASE
Community Improvement Plan and Associated Financial Assistance Programs**

As President & CEO of the Hamilton Chamber of Commerce, I have the privilege of speaking for our nearly 1,000 member organizations that employ over 75,000 people in our community, and have the privilege of welcoming so many new businesses to Hamilton each year looking to contribute to our growing and evolving economy. I would like to take this opportunity to express our support for the continuation of the Environmental Remediation and Site Enhancement (ERASE) Community Improvement Plan and the associated program updates contained within PED23076.

The ERASE Community Improvement Plan is a worthwhile municipal investment that generates not only additional municipal tax revenue, but also spurs economic activity and job creation in an environmentally sensitive manner. The program has successfully supported the remediation and redevelopment of vacant, derelict or under-utilized environmentally contaminated properties in the City by providing financial assistance through cost-sharing grants and/or low-interest loans to private sector players looking to grow or establish an economic footprint in Hamilton.

What makes this program so unique is how it levels the playing field such that contaminated properties can be considered for redevelopment on an equal footing, financial or otherwise, as non-contaminated properties. These incentives ensure that the City's brownfields are not overlooked for easier development prospects in undeveloped and agricultural greenfield lands and demonstrates that brownfields can support City goals and policies particularly with respect to the directing of population and employment growth to vacant and underutilized properties in our existing urban area.

The Chamber would like to echo the comments from staff about the significant positive impact that the ERASE Community Improvement Plan and associated programs have had on generating new assessment and municipal tax growth from under-utilized and vacant brownfields, specifically, noting that since 2001, the ERASE program have leveraged approximately \$18.00 in private sector investment for every \$1.00 provided in municipal financial assistance towards site remediation and resulted in the creation of over 3,300 new residential units and over 1.9 million square feet of industrial/commercial/institutional floor area on brownfield sites. This contributes to an estimated total of over \$11M in annual municipal property tax revenue, and the program is only expected to maintain its momentum.

The Chamber is supportive of the continuation of these financial incentives and support the amendments being proposed by staff to increase the eligibility of the program and improve overall program efficiency. It is also important to note that the ERASE Community Improvement Plan supports key City policy objectives including improving environmental conditions for residents, increasing new assessment and municipal property taxes to support broader tax reliant services and initiatives, directing population and employment growth to existing urban areas through intensification of vacant and under-utilized properties, all the while enabling new economic development opportunities.

In closing, the Hamilton Chamber of Commerce would like to express its support for the staff report as drafted and believe that this is a productive investment into Hamilton's economy that will generate significant environmental and economic returns.

Regards,

A handwritten signature in black ink, appearing to read 'G.D.', with a stylized flourish extending from the end.

Greg Dunnett
President & CEO



Northumberland County Council Resolution

5.7

SENT VIA EMAIL

April 19, 2023

All Ontario Municipalities

Re: Northumberland County Resolution – Association of Municipalities of Ontario’s (AMO) Call to Action on Housing and Homelessness

At a meeting held on April 12, 2023 Northumberland County Council approved the following Council Resolution # 2023-04-12-270.

Association of Municipalities of Ontario’s (AMO) Call to Action on Housing and Homelessness

Moved by: Councillor Hankivsky

Seconded by: Councillor Logel

“**Whereas** the homeless crisis is taking a devastating toll on families and communities, undermining a healthy and prosperous Ontario; and

Whereas homelessness requires a range of housing, social service, and health solutions from government; and

Whereas homelessness is felt most at the level of local government and the residents that they serve; and

Whereas municipalities and District Social Administration Boards are doing their part, but do not have the resources, capacity, or tools to address this complex challenge; and

Whereas leadership and urgent action is needed from the Provincial Government on an emergency basis to develop, resource, and implement a comprehensive plan to prevent, reduce and ultimately end homelessness in Ontario;

Now Therefore Be It Resolved That the Corporation of the County of Northumberland calls on the Provincial Government to urgently:

1. Acknowledge that homelessness in Ontario is a social, economic, and health crisis;
2. Commit to ending homelessness in Ontario;
3. Work with the Association of Municipalities of Ontario (AMO) and a broad range of community, health, Indigenous and economic partners to develop, resource, and implement an action plan to achieve this goal; and

Further Be It Resolved That County Council direct staff to send a copy of this resolution to the Honourable Doug Ford (Premier of Ontario), the Honourable Steve Clark (Minister of Municipal Affairs and Housing), the Honourable Michael Parsa (Minister of Children, Community and Social Services), the Honourable David Piccini (Minister of the Environment, Conservation and Parks and MPP for Northumberland-Peterborough South), the Association of Municipalities of Ontario (AMO), and to all Ontario Municipalities.”

Council Resolution # 2023-04-12-270

Carried

If you have any questions regarding this matter, please do not hesitate to contact the undersigned at matherm@northumberland.ca or by telephone at 905-372-3329 ext. 2238.

Sincerely,



Maddison Mather
Manager of Legislative Services / Clerk
Northumberland County

Dear members of the General Issues committee, Council of Hamilton, Ontario:

Hope this finds each of you well.

I write regarding the recent delegation request by Hamilton 350's members noted in 22 March 2023's meeting agenda. With the delegates, I wish to echo that the gas-tax funding should be used to reduce fares and, with the district labour council, that fares, beginning with the most vulnerable members of the city, should be reduced to zero as soon as possible, if not immediately. It is to be hoped that private transportation will indeed be re-evaluated in the light of a thriving, public transit system—and there is precedent for this hope.

I look forward to your actions in these regards. Thank you for your time and attention.

Kindly,

Joshua Weresch

Pilon, Janet

Subject: Donate The Waterdown OLG 260K To The Food Banks

From: Kim Zivanovich

Sent: Monday, April 24, 2023 10:31 AM

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

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

Subject: Donate The Waterdown OLG 260K To The Food Banks

Dear Mayor & Council:

I understand that Councillor McMeekin is willing to donate Waterdowns' share of OLG funds (\$260,000). Here is an opportunity for all of the Council to take that money and do something that serves the community with immediate results.

Donate it to the Food Banks, or some other worthy cause, and not to your ward administration. In the meantime you can direct your staff to investigate what the "true needs" of each ward are and even involve the citizens with a survey.

Please accept this as a sincere consideration and for public record at your next GIC. Thank you. <https://bayobserver.ca/if-at-first-you-dont-succeed-another-attempt-to-raise-hamilton-councillors-office-budgets/>

Kim Zivanovich, Ward 12

Pilon, Janet

Subject: When the Eglinton LRT will start running Vs Hamilton LRT Project

From: Robert (Bob) Graham

Sent: April 22, 2023 1:41 PM

To: Ward 1 Office <ward1@hamilton.ca>; Kroetsch, Cameron <Cameron.Kroetsch@hamilton.ca>; Office of Ward 3 City Councillor Nrinder Nann <ward3@hamilton.ca>; Ward 4 <ward4@hamilton.ca>; Francis, Matt <Matt.Francis@hamilton.ca>; to@aol.com; m.jackson@hamilton.ca; Pauls, Esther <Esther.Pauls@hamilton.ca>; Ward 8 Office <ward8@hamilton.ca>; Clark, Brad <Brad.Clark@hamilton.ca>; Beattie, Jeff <Jeff.Beattie@hamilton.ca>; Tadeson, Mark <Mark.Tadeson@hamilton.ca>; Ward 12 Office <ward12@hamilton.ca>; Ward 13 <ward13@hamilton.ca>; Spadafora, Mike <Mike.Spadafora@hamilton.ca>; McMeekin, Ted <Ted.McMeekin@hamilton.ca>

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

Subject: When the Eglinton LRT will start running Vs Hamilton LRT Project

Mayor & Councillors,

The following is the current status of the Eglinton LRT Project.

Is there any guarantee or hope that Hamilton's LRT project isn't going to suffer a similar fate?

If it does, many, many people & businesses are going to suffer immensely.

In my opinion, it's Councils responsibility to look at build history of these LRT projects & act accordingly!

Are you going to act responsibly?

What are you going to pro-actively do?

Seven months after Metrolinx announced the Eglinton Crosstown LRT would once again fail to meet its target date, the public knows virtually nothing about how the project is going or when the line will finally open.

Asked by the Star this week when the light rail transit line, which has been under construction since 2011 and was once expected to be complete in 2020, might be done, Metrolinx said it did not have new details to offer.

We are working through the most important phase right now, which includes testing, commissioning, certification and documentation to affirm that we can open a safe and reliable transit system," Metrolinx said.

What is Metrolinx testing and commissioning? The Star asked. No response. What is the outstanding work that still needs to be done? No response. Is the project still on budget? No response.

As the Eglinton Crosstown LRT has spiralled beyond its initial estimates, both in cost and in timeline, details made public have become few and far between, raising questions about transparency and accountability at the provincial transit agency responsible for overseeing the project, as well as other multibillion-dollar transit projects across the Greater Toronto and Hamilton Area. "This is an enormous project, and you've got no

effective oversight, and no effective transparency and no effective accountability,” said Mark Winfield, professor of environmental and urban change at York University, referring to the Eglinton Crosstown LRT as a “\$13-billion black hole.”

Robert (Bob) Graham



April 26, 2023

Re: Item 7.4 – Waiving of Street Festival Fees for Use of On-Street Parking Spaces

As President & CEO of the Hamilton Chamber of Commerce, I have the privilege of speaking for our nearly 1,000 member organizations that employ over 75,000 people in our community, from Stoney Creek to Dundas, from Mount Hope to Flamborough. I would like to take this opportunity to express our support for Councillor Kroetsch's Motion, "Waiving of Street Festival Fees for Use of On-Street Parking Spaces," and recommend its endorsement by the Planning Committee.

Recently, City Council has approved various implementations aimed at reducing the financial and regulatory burden on Hamilton businesses related to various permitting and safety requirements of the Temporary Outdoor Patio Program. These creative solutions have resulted in significant savings to affected hospitality businesses across our community, and the Chamber would like to express its support for the subject motion today proposing similarly creative solutions to improve local business conditions.

There is something special about events like Cactus Festival, Sew Hungry, Saturdays UnLocked, and Supercrawl that enable Hamiltonians to roam the streets freely and see their neighbourhood from a new perspective, try a new restaurant, browse local retail offerings and embrace the season thanks to these major festivals. Providing festival organizers the opportunity to execute a superb and memorable event through temporary road closures are a critical piece of the puzzle, however, is a significant financial and logistical undertaking that this motion aims to address.

It is no secret about the significant economic activity that can be generated through major street festival events for adjacent businesses of all types, and there is a strong likelihood that other neighbourhoods in Hamilton would likely explore street festival events were they to be less cost prohibitive. The motion presented today seeks to address this by removing the fees applied to offset revenue losses from on-street metered parking for festival organizers, enabling them to utilize those dollars towards other festival-supporting investments, ultimately resulting in a better experience for festival attendees and vendors.

In closing, the Hamilton Chamber of Commerce would like to express its support for the motion as drafted and believe that this is a productive investment into Hamilton's economy that will generate significant activity and excitement for organizations and neighbourhoods across our community.

Regards,

A handwritten signature in black ink, appearing to read 'G.D.', with a long horizontal stroke extending from the end of the second letter.

Greg Dunnett
President & CEO



April 25th 2023

ACORN Hamilton Communication regarding Renovictions Stakeholder Consultation (HSC23023) (City Wide) (Item 8.1)

On Thursday April 20th 23 ACORN members and 6 of our allies (Hamilton Community Benefits Network, Advocacy Centre for Tenants Ontario, Federation of Metro Tenants Associations', Hamilton Community Legal Clinic, Social Planning and Research Council of Hamilton, and Brian Doucet) delegated to the Emergency and Community Services Committee to urge the city to take bold action on the renoviction crisis.

As emphasised during delegations, renoviction is not about landlords repairing or upgrading units. The goal of renoviction is to displace the current tenant in order to raise the rent and maximize profit.

At the committee tenants delegated to share what is happening on the ground in communities around the city. Landlords are using a combination of tactics to force low income and vulnerable tenants from their homes.

As stressed during the recent General Issues Committee by Steve Pomeroy "Since 2011, according to his analysis, the Hamilton census metropolitan area ... has lost 15,854 units that rented for below \$750 a month, which is considered affordable for a household income of \$30,000 a year. That amounts to a loss of 29 units for every new unit created under various affordable housing initiatives".

Hamilton must do everything to protect tenants and preserve the city's stock of affordable housing in the private rental market.

See attached in our communication:

- ACORN's new report on the state of renoviction in Hamilton, testimonials from members facing renoviction and demands for the City of Hamilton
- Legal opinion memo by RavenLaw responding to the city's legal position that an Ontario municipality has no authority to pass an anti-renoviction bylaw similar to the policy from New Westminster, BC

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Hamilton, Ontario



RENOVICTION IN HAMILTON

**PROTECTING TENANTS AND
PRESERVING HAMILTON'S
AFFORDABLE HOUSING**

APRIL 2023



WHAT IS ACORN?

ACORN Canada is a multi-issue, mass-based union of low- to moderate-income people. The purpose of the union is to give people power so that they can have their voices heard at the highest levels of the country. With chapters across the region, province, and across the country, ACORN is able to be both a local-based union winning local campaigns, as well as a large organization combining forces to fight national corporations and governments that are at the root of most of our problems. Hamilton ACORN started in 2017 and has four neighbourhood chapters: Downtown, East End, Stoney Creek and Mountain.



REPORT SUMMARY

The housing crisis in Hamilton has gone from bad to worse. Low- and moderate-income tenants are facing the brunt of the crisis and Hamilton ACORN is demanding the City of Hamilton **develop bold local policies and programs to protect tenants from renovation.**

This report includes:

- How renovation is having a devastating impact on Hamilton tenants
 - Testimonials from ACORN members
 - ACORN's reaction to the report being presented at the April 20th Emergency and Community Services Committee
 - **Demands for the City of Hamilton: Anti-renoviction bylaw, improvements to the Tenant Defence Fund, proactive tenant education, tracking when buildings are sold and annual inspections of apartments to ensure healthy homes**
-

WHAT IS RENOVICTION



By renoviction we are referring to the tactics or legal efforts that lead up to a tenant being forced to move out of their home under the guise of major renovations.

The goal of renoviction is not to repair or upgrade the unit. The goal is to displace the existing tenant and increase the rent for the next tenant. Displaced tenants will never find their affordable rents again.

Current provincial rules

In Ontario, landlords have the ability to secure vacancy of a unit for renovations by issuing a N13 (reason 2) to the tenants. If filed at the Landlord and Tenant Board, the landlord must demonstrate that the eviction is in good faith. Tenants have the right of first refusal after renovations which means that they have the right to return to the same unit at the same rent. Tenants can also pursue fines if the landlord rents out the unit to another tenant once the renovations are complete.

Despite these provincial regulations, it is very difficult for low income tenants to exercise their right of first refusal and maintain their affordable housing because of the following reasons:

- Difficulty to find short term lease at the same rent while renovations take place (the reality is tenants will not be able to find similar rents when they re-enter the market).
- Landlords are under no obligation to finish the renovations in a certain amount of time.
- Challenge of staying on top of the landlord's renovations to ensure the Right of First Refusal.
- Financial costs of moving twice (moving out, moving back, potential storage costs).
- If the Right of First Refusal is revoked or lost, tenants have no legal ability to get their unit back (the landlord can be fined and tenant could be awarded compensation).

HAMILTON REGION

'People are panicking': Renoviction looms for east Hamilton tenants

HAMILTON REGION

These Hamilton tenants have been without running water for 29 days. And they don't know when it's coming back

MUNICIPAL ELECTION

Hamilton's housing crisis 'no longer something that we can ignore'

HAMILTON'S HOUSING CRISIS



Protecting Hamilton's affordable housing is more important now than ever. Hamilton has had the fastest growing housing prices since 2015 in Canada. More people of all income ranges are entering the rental market due to restricted access to homeownership, making the rental market more profitable for landlords and developers. This pressure on the rental market and the lack of purpose-built housing construction is making it more and more difficult for low- and moderate-income Hamiltonians to compete as market rent rates are way out of sync with average wages. The average market rent in Hamilton for a one-bedroom apartment is currently \$1,900, compared to \$875 just 7 years ago. Even non-market options are becoming more difficult to access as Hamiltonians have experienced wait times for social housing of up to 11 years, versus an average wait time of 2 years in 2013.

These variables make renoviction an increasingly profitable tactic for landlords. The number of N13 (renoviction) applications filed to the LTB in Hamilton has grown exponentially over the past few years. As a result, Hamilton has lost 15,000 units that rent for less than \$750 a month in the last decade. That is 29 affordable units lost for every new affordable unit added. Increasingly, low and moderate income earning Hamiltonians have nowhere to go when they lose their homes to renoviction. Predictably, homelessness in Hamilton is on the rise - more Hamiltonians enter the shelter system than exit it. It is becoming more and more dire that we preserve the affordable housing that we already have.

***NOTE - THESE #S ONLY INCLUDE CASES WHERE THE LANDLORD FILED AT THE BOARD. SITUATIONS WHERE THE TENANT DOESNT NOT CHALLENGE AT THE LTB OR FELT FORCED TO TAKE A BUYOUT ARE NOT TRACKED**

19% 

INCREASE IN RENT FOR A ONE BEDROOM IN THE PAST YEAR. \$1,900 CURRENT AVERAGE MARKET RENT FOR A ONE BEDROOM

 **29**

AFFORDABLE UNITS LOST FOR EVERY ONE GAINED

RISE IN N-13 (S) FILED

# of N13s filed at the LTB *	Year
103	2022
60	2021
33	2020
21	2019
6	2012

ACORN'S RENOVICTION CAMPAIGN



ACORN's anti-renoviction campaign started when now co-chair of Hamilton's East End chapter Elizabeth Ellis called ACORN about concerns that her new landlord wanted to displace all current tenants. Her suspicions were unfortunately well-warranted when the company began going door to door intimidating tenants into accepting low cash offers to move out.

Tenants say Barton Street 'revitalizers' are neglecting them



Malleum Partners purchased the building at 160 Sherman Ave. N. back in July

Adam Carter · CBC News · Posted: Sep 21, 2018 5:01 PM EDT | Last Updated: September 21, 2018



HAMILTON REGION

Fight renovictions with policy, Hamilton tenant advocates urge city

Renter says she buckled under pressure to take landlord's buyout and regrets it

By **Teviah Moro** Spectator Reporter
▲ Mon., May 13, 2019 | ⌚ 3 min. read



Elizabeth Ellis participates at a housing protest in Hamilton, Ont. in 2018. (Adam Carter/CBC)



In 2020, ACORN members organized a campaign drive to launch our demands for the City of Hamilton to take action on renoviction. The main demand focused on Hamilton adopting a similar bylaw as New Westminster, BC which required landlords to accommodate tenants during renovations. Members held a press conference and rally at City Hall.

Hamilton Spectator

Housing activists call on city to create bylaw to stop evictions through renovation

Aug 21, 2020

CBC

West-coast bylaw would protect Hamilton tenants against 'renovictions', says advocacy...

Aug 20, 2020



ACORN'S RENOVICTION CAMPAIGN CON'T



After the campaign launch, members began meeting with City Councillors to discuss the renoviction crisis and the urgent need for Hamilton to take action.

First motion passed at Council - December 2020

Councillor Brad Clark - "That staff be directed to review reno-victions in Hamilton and report back to the Emergency and Community Services Committee by the end of March 2021 with information about what other jurisdictions have done to reduce the problem and what the City of Hamilton can do to mitigate the number of people who are affected by this practice".

80 person ACORN town hall on renoviction

How Hamilton can use it's municipal powers to save the city's affordable housing

**WHEN: THURSDAY
FEBRUARY 18TH AT 6PM**

**Featuring - Councillor
Jaimie McEvoy on New
Westminister's anti -
renoviction bylaw**

**And panelists: Ali Naraghi, lawyer at HCLC &
Merima Menzildzic, Project Coordinator at
SPRC**

Contact: hamilton@acorncanada.org / 905-393-5734

Ahead of the staff report coming back to committee, ACORN hosted a virtual town hall with Councillor Jaimie McEvoy from New Westminister, BC and allies from the Hamilton Community Legal Clinic and Social Planning and Research Council.

April 2021 - Staff report back to committee

ACORN members were deeply disappointed with the staff recommendations. The only recommendation was to expand the Tenant Defence Fund (TDF) to cover legal support for renoviction cases (ACORN's demand). Despite this initial staff proposal, ACORN was able to push for improvements to the TDF (lifting of the cap on the amount of financial support available to tenant groups) and another motion to develop local policy - **"That staff be directed to report back to the Emergency and Community Services Committee with a framework, including timeline and resources to develop a comprehensive renovictions strategy for City Hamilton as part of our recovery plan, to include: the evaluation of the tenant defense fund, proactive tenant education options, and options for a licensing and by-law regime"**.

ACORN members continued to organize and build pressure for local action, including a 120 person joint virtual town hall with Toronto ACORN which saw Hamilton City Councillors and senior city staff attend.

RENOVICTION CAMPAIGN CONTINUED + ACORN'S REACTION TO APRIL 20 STAFF REPORT



In **December 2021**, staff reported back to the Emergency and Community Services Committee with the resources needed to move forward local policy:

"That the General Manager of the Healthy and Safe Communities Department or their designate be authorized to enter into contracts necessary to hire and retain a consultant to find the ways and means of implementing a New Westminster style by-law in Hamilton to deal with the issue of 'renovictions' in the approximate amount of \$100 K.."

Throughout 2022 - 2023, ACORN members facing renoviction continued to organize in their buildings to keep their homes. **Since the TDF was expanded, ACORN has organized at ten apartment buildings (56 households) to receive funding to retain a paralegal for renoviction.**

In November of 2022, ACORN members had their first of two meeting with the consultant retained by the city.

Staff report - April 20th Emergency and Community Services Committee



CITY OF HAMILTON
HEALTHY AND SAFE COMMUNITIES DEPARTMENT
Housing Services Division

TO:	Chair and Members Emergency and Community Services Committee
COMMITTEE DATE:	April 20, 2023
SUBJECT/REPORT NO:	Renovictions Stakeholder Consultation (HSC23023) (City Wide) (Outstanding Business List Item)
WARD(S) AFFECTED:	City Wide
PREPARED BY:	James O'Brien (905) 546-2424 Ext. 3728
SUBMITTED BY:	Michelle Baird, Director Housing Services Division Healthy and Safe Communities Department
SIGNATURE:	<i>Michelle Baird</i>

RECOMMENDATION(S)

- That Council approve increasing the balance of the Tenant Defence Fund Project ID 6731841801 by \$50 K in 2023 through a transfer from Project ID 6731941901 Hamilton Portable Hsg Benefit to the Tenant Defence Fund Project ID 6731841801; and,
- That staff report back on the outcomes of the Tenant Defence Fund in 2025; and,
- That the item respecting the Tenant Defence Fund be removed from the Outstanding Business List.

After being directed to develop a comprehensive renovictions strategy (the evaluation of the tenant defence fund, proactive tenant education options, and options for a licensing and by-law regime) and \$100,000 approved to increase capacity to do the work, the report is only proposing to add another \$50,000 to the TDF.

Missing from the recommendations:

- Meaningful increase in funding to the TDF - another \$50,000 will not cover an expansion or improvements to the program
- Implementation plan for an anti-renoviction bylaw.
- Annual inspections to apartments to ensure compliance of property standards and inform tenants of their rights

ACORN MEMBER TESTIMONIALS



CHANTELLE

I have lived in my Hamilton Mountain townhouse for 20 years. On September 1, 2021, I received word that this property went up for sale. On September 9, I received a letter (with the wrong address on it) that the property had been sold with plans to demolish all units on the property. I asked my landlord for proof that it had been sold, but they continually refused. I later found out that it had not actually been sold, and that the anonymous number on my landlord's letter representing the buyer of the property actually represented himself. Despite this, I continued to be relentlessly pressured to take a \$18,000 buyout to move out despite my continuous refusals, have parts of my neighbouring units demolished without permits, be denied access



to the newly installed central air system because I pay less rent, and was even sued for defamation of the landlord's character for talking to my fellow tenants about their rights in this situation. This landlord's renovation tactics negatively affected me and my family's health and well-being. It has caused my and my family significant mental health distress and we are made to live under constant fear of the loss of our long-time home.

A large, for-profit real estate company called Executive is now the new owner. This landlord was looking to renovate all 13 households in my complex, and 9 were renovated (which is around 30 tenants), and just 3 households (including mine) remain, fighting against renovation tactics. It is clear that the landlord's goal is to increase their profits, as I pay \$902 in rent, and the newly renovated units are on the market for around \$2799.

Me and my family believe that our situation could have been prevented with more regulation from the city. We believe that renovation tactics such as their landlord's should come with greater consequences and be more closely monitored by the city, and that real estate companies as well as municipal governments place too much priority on economic growth and profits at the expense of the people's well-being and at the cost of taxpayers, who are being left with no choice but to move around from cubicle to cubicle. My family and I call on the city to take bold action against renovation so that other Hamiltonians don't have to experience what we have experienced.

ACORN MEMBER TESTIMONIALS



DAVID

I've lived in my apartment on 1083 Main Street East for 18 and a half years at an affordable rent. Just 4 years ago, Malleum properties bought my building with intentions to evict us for renovation and rent increases.



Since then, it's been sold to executives of another large real estate company, Elevation Realty Network, one of which - Dylan Suitor - has talked about plans to turn it into a luxury 'lifestyle' building in order to double its value. I pay \$879 in rent, and the renovated units are being marketed for around \$1800. But overall, they've been quite secretive about who owns it, and they've chosen to remain anonymous for the most part. They've never presented themselves to us tenants.

This building has over 60 units, and only 7 households, including myself, are left to fight our landlords' cruel renoviction tactics. We had no water for over 80 days. 80 days in which there were multiple LTB hearings, city council meetings, news stories, and tenant actions. We had to use very limited containerized water to do most things. It took 8 litres of that water just to flush the toilet. They dropped us off occasional water, but the water didn't seem healthy - it left a strange residue when we used it. Since I'm the only tenant who drives, I was offered a motel room, but I was scared to live there for fear that they wouldn't let me back in my apartment. So I had to drive 15 minutes just to shower and carry out other basic tasks. Other tenants had to shower at rec centres. The city stopped collecting our garbage which gave us rats. We have unfinished renovations that left our building in disrepair. We were even called squatters by associates of the owners. Our landlord's paralegal claimed they gave us N13s with 120 days notice to vacate, but none of us actually received it, and we received contradictory information about how they were sent. We were offered 3 month's rent to leave, but none of us cashed them; we can't afford to leave. Market rent is too high.

These past few months have been physically and emotionally very stressful, even traumatic. A lot of us are more short-tempered and in lower moods. It's caused mental health declines for a lot of us. It's a disgrace that the city has permitted this. We went from one slumlord to another who squeezed whatever they could out of the building, didn't do repairs, and got away with it. Everyone in our building is either sick, disabled, elderly, on ODSP, or a combination. We are marginalized enough as is.

ACORN MEMBER TESTIMONIALS



DAVID CONTINUED

This situation was grotesque from start to finish. It's clear that we need a stronger tenant protections bylaw regime, and to actually enforce the tenant protections we already have. I believe the vital services bylaw should have been invoked - that could have solved this overnight. It is my understanding that initially bylaw officers were going to use the vital services bylaw but for some reason changed their mind.. Those are questions, like so many others, that we just don't have answers to right now. I want the city to investigate this whole situation and how it went so wrong. And more importantly, make some serious changes to make sure tenants have access to basic human rights. Our landlord has walked out of this situation without so much as a slap on the wrist and not a penny of fines. Of course I am angry with my landlord, but I am most angry with the city's departments that are meant to protect us, and failed to do so with any effectiveness, urgency, or enthusiasm. I want the City Council to take some steps and speed up some of the tenant protections they've been talking about and make sure landlords don't get away with so much. I want to make sure nothing like this ever happens again.



ACORN MEMBER TESTIMONIALS



MARIE

I was renovicted from my east end home of 15 years in the winter of 2020. My building was owned and run by Collard Properties who renovicted 12 households in total over the course of about a year. During that time, my landlord was demolishing and renovating vacant units, changing our heating systems without a permit, handed out N13s, offered buyouts of up to \$6,000 for us to move out, and entered the property and our units to do invasive repairs without proper notice. We received letters upon letters trying to convince us to move out.

Fed up, myself and two other households in the building decided to take it to the Landlord Tenant Board; we did not want to move out of our homes. However, things did not go in our favour and we were left with the option to accept an offer from our landlord to move into a different unit in the building for \$850 a month, nearly \$200 more than what I was currently paying. Further, they were renting out newly renovated units, including my previous unit, for \$1700 not including utilities. So, I was given 120 days notice to vacate.

Even after I moved out, the stress did not end. My landlord kept trying to get more money out of me, such as dismissing that I had paid last month's rent when I first moved in, my move-out date was delayed for 5 months, and my new unit was not even fully finished when I moved in.

This process took a bad toll on my mental health. I became ill because of the amount of stress I was being put under.

I believe experiences like mine can be prevented. The law needs to change to protect tenants, we need more intervention from the city. Landlords get away with too much. And it's not just here in Hamilton, it's happened all over the world. Homelessness is on the rise. I think one thing the city can do is collect better data and keep track of the number of affordable housing units and homelessness rates in the city so they know what they're dealing with.



ACORN MEMBER TESTIMONIALS



TONY

Last summer, I received a note on my door offering me \$3000 to move out of my apartment. I pay \$658 in rent in a building that has 12 units. I have lived here since 2008, but everything has changed here in just the past year when our building got new owners. Just a few months after I was offered money to move, I got an N13 notice to vacate that also offered me 3 months' rent to leave. I got a second buyout offer just a few months after that, and just a few weeks ago, another N13. Needless to say, these owners and their paralegal have been pretty pushy in trying to get us out of our homes. They even came to us in person one by one, door to door, to ask us how much money it would take for us to move out. But this just isn't an option for many of us. After all, those buyouts won't last. It's not about the money - this is my home. If I had to move, it'd be really tight for me. I'd probably have to move out of this neighbourhood and live with my mom while I try to find another place within my budget, which would be very difficult if at all possible in this market.



Ever since these renoviction tactics have been taking place, I've constantly had the worry of losing my home in the back of my mind, and I find myself scared. It's been cripplingly stressful, to say the least, for me and all my co-tenants. The mood is so much lower, it's like there's a grey cloud over the building. I've lived in Hamilton all my life, and it was never this bad growing up. I see stories on the news about homelessness in this city, or landlords shutting off tenants' water so that they'll move out, and I worry that that could be me, which I've never had to do before - I'm working all the time. Overall, I feel very threatened.

It's clear that the intention of these new owners is to buy us out in order to up the rent and make a profit; that's what's going on. There's people who have homes here, and we pay our rent. They don't care about our livelihoods; they just want to make money.

The city needs to be more involved, stop these renovictions and prioritize the wellbeing of its people over profit. They should promote organisations that advocate for tenant rights and affordable housing. We can't have more people losing their homes in a time where they're so unaffordable and unavailable.

ACORN'S DEMANDS



ACORN members are extremely disappointed by the recommendations in the April 20th report.

It's been almost 2.5 years since the initial Council direction to investigate and pass a local policy to protect tenants from renoviction. Despite this generous timeline, the April 20th report received lacks an accurate reflection of the lived experience of Hamiltonian renters, and fails to put forth any recommendations that provide tangible support to communities at risk of homelessness in the mounting face of the renoviction crisis.

Since 2019, ACORN has been calling on the city to adapt a set of common-sense bylaws and programs already championed by other cities to protect vulnerable low-income tenants and the city's existing affordable housing stock. **Bold action is needed.**

1) A city-wide landlord licensing program to ensure healthy housing conditions and restrict renoviction (Based on the RentSafe program from Toronto, Ontario and the anti-renoviction bylaw based from New Westminster, BC).

- The burden of tenant placement is put on the landlord. If landlords want vacancy for renovations, they must accommodate tenants in alternative housing (comparable size and location) for the duration of the work at the **SAME** rent **OR** with the tenant's agreement enter into a new lease at a different but similar unit at the **SAME** rent.
 - Moving assistance (tenant's choice of an insured moving company arranged by the landlord OR compensation), and additional support provided for vulnerable tenants (including but not limited to: transportation to temporary housing unit and packing assistance for individuals with mobility impairments).
 - **ANY** tenant engagement and required tenant meetings are mandated to permit the attendance of a representative from the City of Hamilton and community groups that support tenant rights if requested by the tenants (ie; Hamilton Community Legal Clinic, ACORN).
 - Any written communications must be provided in tenant's native language, and the presence of translation services at tenant meetings are mandatory at **no cost** to the tenant.
 - Building maintenance cannot be permitted to deteriorate after delivering notice of renovations to tenants.
 - Frequent communication in trackable mediums must be made available to tenants with regard to renovation progress and return timelines in order to protect tenants' right of first refusal.
-

ACORN'S DEMANDS CONTINUED



- Annual inspections to apartment buildings should include proactive tenant education (information communicated / left at doors informing tenants of their rights and available city programs and contact information for community groups i.e. ACORN and the Hamilton Community Legal Clinic). This must be provided in tenants' native language.

2) Tracking when apartment buildings are sold

- Track when apartment buildings are sold (transfer of license)
- Tenant outreach must be proactive and comprehensive, informing tenants of their rights and all applicable laws protecting them from renoviction through the City of Hamilton. This information must be made available in tenants' native language.

3) Improvements to the Tenant Defense Fund

- Allocate appropriate funding to TDF proportional to the felt needs of vulnerable communities. The TDF was originally \$50, 000 when it was implemented in 2019. Without a significant increase in funding, the improvements and expansion the program desperately needs will not be possible.
- Expand the TDF to cover N12s, tenant maintenance applications (T6) and allow tenants to pursue other legal processes at the Landlord and Tenant Board, Local Planning Appeal Tribunal, Divisional Court, or other administrative tribunal or court with the intent of preserving affordable rental housing in Hamilton.
- Provide funding to tenant groups facing renoviction to hire a professional to dispute need for vacancy
- Add staff capacity to the TDF for tenant groups that need help with outreach and organising in their buildings.
- Create a vetted list of paralegals that have expertise and experience in representing tenants in Above Guideline Rent Increases (AGIs), N13s, N12s and T6s to be shared with tenant groups.

Long term improvement:

- Transition the TDF to be similar to the City of Toronto Tenant Defense Program (now called Tenant Support Program) where under the new program, tenant groups can directly access legal services from a designated legal organization (Canadian Centre for Housing Rights). For example, in Hamilton, the designated service could be the Hamilton Community Legal Clinic. This transition would reduce barriers for tenant groups accessing legal representation.
-

CONCLUSION



The rise in renovations has and will continue to have a devastating impact on Hamilton, at both the individual and systemic level. Renovation shatters the lives of families, breaks long-held community bonds, undermines all efforts at stemming the ongoing housing crisis, and irreversibly slashes Hamilton's affordable housing stock with no plan or intention to replenish it.

Thanks to the tireless mobilization of ACORN's membership of low and moderate-income tenants, important steps have been taken by the Council to protect Hamiltonians. This crisis, however, requires more significant action, and the data and lived realities of ACORN members reflect this.

ACORN has been fighting for bold municipal tenant protection policies - **an anti-renoviction bylaw and a strong Tenant Defence Fund** - for 3 years.

ACORN members and allies will be delegating to the April 20th Emergency and Community Services Committee to urge the City of Hamilton to be a leader in Ontario in protecting tenants.



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April 18, 2023

BY EMAIL [hamilton@acorncanada.org]Olivia O'Connor
Head Organizer
Hamilton ACORN
56 Mulberry St, Suite 8

Dear Ms. O'Connor:

Re: Municipal Powers to Regulate Against Renovictions

We write further to your request for our opinion regarding the scope of the City of Hamilton's powers to regulate against "renovictions", following a recent Report to the City's Emergency and Community Services Committee on this matter.

A renoviction is a type of eviction in which a tenant is displaced due to extensive renovations in the rental unit. While the *Residential Tenancies Act* (RTA) provides that a landlord may evict tenants in order to perform certain major renovations,¹ the RTA also invites municipalities to regulate in areas of local concern, for example, by appropriately limiting when permits for renovations can be issued. To this end, ACORN has emphasized the need for further regulation at the municipal level.

In this opinion, we were asked to assess whether the City of Hamilton's (the "City's") recent report accurately reflects its by-law making powers under the *Municipal Act*, and particularly, whether a by-law similar to the one in New Westminster would exceed the City's authority.

For the reasons which follow, it is our view that the City could enact a by-law similar to the one in New Westminster which regulates against renovictions by proactively disincentivizing them, and removing the costs of displacement from tenants. New Westminster's by-law was challenged twice in British Columbia, and upheld. In our view,

¹ *Residential Tenancies Act*, SO 2006 c 17 [RTA], s 50.

the differences between British Columbia's legislation and Ontario's *Municipal Act* are unlikely to yield a different result if a similar by-law in Ontario was created and challenged. If properly drafted, such a by-law would be unlikely to run afoul of the City's authority within the *Municipal Act* and would be very unlikely to frustrate the purpose of the RTA. The case law has consistently confirmed that the scope of municipal authority is broad, and challenges to cities' by-law making powers are rarely successful.

FACTS

In preparing this opinion, we have spoken with ACORN to understand the circumstances of recent tenant renovictions in Hamilton. We have also reviewed Enterprise Canada's April 3, 2023 document entitled "Renovictions: Stakeholder Consultation", which is Appendix A to the City's Housing Services Division Report (the "Report") to the Emergency and Community Services Committee. That Committee has a meeting scheduled on April 20, 2023.

We understand from ACORN that the issue of renovictions has become an increasing problem for tenants, who report that landlords are evicting them for cosmetic reasons rather than health and safety concerns.

Enterprise Canada's document notes that "Issuance of N13 notices began to climb sharply in 2016, and increased an astounding 775 per cent between 2010 and 2021."² Enterprise Canada further notes that some of Hamilton's buildings are old. The document also includes a section entitled "Legislative Situation" which states that the *Municipal Act* in Ontario and BC's comparable *Community Charter* are not the same.³

The City Report's "Analysis and Rationale for Recommendation" section indicates that the main reasons why the City will not pursue an anti-renovictions by-law are (1) unlike BC's *Community Charter*, the *Municipal Act* does not explicitly provide the City with authority to protect people and property in relation to rental units, and (2) the City cannot interfere with RTA requirements.

ANALYSIS

Municipalities are empowered to regulate matters like housing which raise local concerns.

The Supreme Court has clarified that express authority is not required for municipalities to enact valid by-laws. Rather, to be valid, those by-laws must address areas of local concern. To the extent that the City is concerned about its express authority, section 10 of the *Municipal Act* confers both broad and specific authority to enact local by-laws.

² Enterprise Canada, Appendix "A" to Report HSC23023, "Renovictions: Stakeholder Consultation" at 12.

³ *Ibid* at 14.

The City's Report provides no basis for its conclusion that the *Municipal Act* is insufficient to allow it to enact a valid anti-renovictions by-law. Further, the *Residential Tenancies Act* in Ontario does not in any way oust the City's by-law making power. Rather, the RTA's express provisions invite municipal regulation.

The *Municipal Act* confers broad powers of municipal regulation

The Supreme Court and courts of appeal have repeatedly emphasized that municipalities have a broad scope of power to regulate local concerns, as authorized by the legislation under which they operate.⁴ The City's authority to enact by-laws is derived from Ontario's *Municipal Act*.⁵

In Canada's leading case on municipal authority, *Spraytech*, the Supreme Court ruled that a town in Quebec had jurisdiction to prohibit pesticide use through a by-law.

The Court in *Spraytech* decided that express authority was not required. The municipality's by-law was within its authority even without an express legislative provision that it could regulate pesticide use.⁶

The Court further analyzed whether any provincial legislation conflicted with that by-law and found that it did not. The Court ruled that "[a]s a general principle, the mere existence of provincial (or federal) legislation in a given field does not oust municipal prerogatives to regulate the subject matter".⁷ The Court emphasized that a by-law would have to "directly" contravene the purpose of a provincial statute in order to be inoperable. By-laws that aim to "enhance" the purpose of the statutory scheme or provide "stricter" regulations that "coexist" with other legislation are appropriate exercises of municipal authority.⁸ The Court found that the pesticide by-law did not contravene any statute and its enhancement of existing legislation was entirely within the scope of the municipality's regulatory power.

A by-law limiting renovictions would not conflict with the RTA

A by-law limiting renovictions would not frustrate the purpose of the RTA because the RTA does not require or even encourage renoviction, it merely provides conditions for permissible renoviction. Meanwhile, municipalities may enact valid by-laws in addition to provincial legislation where "dual compliance" is possible. The "dual compliance" test requires that courts first attempt to read the statutory instruments together before deciding to quash a by-law.⁹

⁴ 114957 *Canada Ltée (Spraytech, Société d'arrosage) v Hudson (Town)*, 2001 SCC 40 ["*Spraytech*"] at para 42; *United Taxi Drivers' Fellowship of Southern Alberta v Calgary (City)*, 2004 SCC 19 at paras 6-7; *Toronto Livery Association v Toronto (City)*, 2009 ONCA 535 at paras 44-49; *Croplife Canada v Toronto (City)*, 2005 CanLII 15709 (ON CA) at paras 36-37; 1193652 *BC Ltd v New Westminster (City)*, 2021 BCCA 176 (CanLII) ["*New Westminster BCCA*"] at para 79; *Toronto & City of Hamilton v Goldlist*, 2003 CanLII 50084 (ON CA) ["*Goldlist*"] at paras 55-56 and 67.

⁵ *Municipal Act*, SO 2001 c 25 ["*Municipal Act*"], ss 7 and 8-10.

⁶ *Spraytech*, *supra* at paras 22-23.

⁷ *Ibid* at para 39.

⁸ *Ibid* at paras 36-37 and 42.

⁹ *Ibid* at 20.

The “dual compliance” test, as articulated by the Ontario Court of Appeal and reiterated in cases involving landlord licensing by-laws, is as follows:¹⁰

- 1) Is it impossible to comply simultaneously with the by-law in question and provincial legislation (in this case the RTA)? and;
- 2) Does the by-law frustrate the purpose of the Ontario Legislature in enacting the provincial legislation in issue?

In general, by-laws are rarely struck down on the basis that they were enacted outside of the scope of municipal authority. Even when a city’s by-law does frustrate provincial legislation, it will only be invalidated to the extent of its breach. For example, in *Cash Converters*, Oshawa’s by-law requiring second hand stores to collect personal information from customers was invalid only to the extent that its provisions conflicted with the *Municipal Freedom of Information and Protection of Privacy Act*, and only the offending sections were quashed.¹¹

The RTA expressly contemplates concurrent municipal regulation

The City’s Report is premised on the idea that the RTA limits the City’s authority to enact a by-law. This is incorrect. The RTA itself contemplates that municipal by-laws could be enacted regarding maintenance issues¹² and vital services.¹³ Further, the City has engaged in a pilot project to license landlords, which contradicts its implicit assertion that it cannot regulate in housing matters while the RTA exists.¹⁴ Many other municipalities have engaged in landlord licensing, and efforts to strike down these by-laws consistently fail.¹⁵

The section of the RTA governing evictions for the purposes of renovations explicitly invites municipal regulation. Section 50 provides that eviction for the purpose of renovation is only allowed if the landlord requires possession of the unit to “(c) do repairs or renovations to it that are so extensive that they require a building permit and vacant possession of the rental unit”.

The Notice that a landlord must provide when evicting a tenant due to renovations under section 50 of the RTA is clear that building permits—issued by a municipality—may be required before a renovation is possible.

¹⁰ *Cash Converters Canada Inc et al v The Corporation of The City of Oshawa*, 2007 ONCA 502; *London Property Management Association v City of London*, 2011 ONSC 4710 at paras 35-37.

¹¹ *Cash Converters Canada Inc et al v The Corporation of The City of Oshawa*, 2007 ONCA 502.

¹² RTA, *supra*, s 224.

¹³ RTA, *supra*, ss 215-216.

¹⁴ City of Hamilton, “Rental Housing Licensing Pilot Program”, online:

<https://www.hamilton.ca/build-invest-grow/starting-small-business/business-licences/rental-housing-licensing-pilot-program>.

¹⁵ *Toronto & City of Hamilton v Goldlist*, 2003 CanLII 50084 (ON CA); *London Property Management Association v City of London*, 2011 ONSC 4710; *Fodor v North Bay (City)*, 2018 ONSC 3722; *1736095 Ontario Ltd v Waterloo (City)*, 2015 ONSC 6541.

The eviction Notice form, N13, includes the following section [emphasis added]:¹⁶

Necessary permits

I have shaded the circle to indicate whether

- I have obtained any necessary building permits.
- I have obtained the necessary building permits or other authorization to convert, demolish **or repair** the rental unit.
- I will obtain the necessary building permits or other authorization to convert demolish **or repair** the rental unit.
- No permits or other authorization are necessary in this case to convert the rental unit or demolish it.

The RTA, both as a whole and within section 50, contemplates that municipalities can play a role in regulating renovictions.¹⁷

The Anti-Renoviction By-Law in New Westminster and the *Municipal Act*

New Westminster's anti-renovictions by-law required landlords to maintain their buildings and obtain all necessary permits before the municipality would authorize a landlord to renovate or repair the building.¹⁸ The by-law further required that the landlord enter into a new tenancy agreement with the tenant "on the same terms as the tenancy agreement pertaining to the dwelling unit being renovated or repaired, or, terms that are more favourable to the tenant, in respect of a comparable dwelling unit in the same building...", or, make "other arrangements in writing for the tenant's temporary accommodation during the course of the renovation or repair, and for their return to the original dwelling unit following completion of the renovation or repair..."¹⁹ The New Westminster by-law also prohibited a rent increase after the renovation was complete.

This by-law was challenged twice in BC, and courts found that the municipality did not exceed its authority.²⁰ Particularly, the British Columbia Court of Appeal found that the by-law did not frustrate BC's *Residential Tenancy Act*, which limits bad faith evictions for renovations in a similar manner as Ontario's RTA.²¹ Rather, the Court found that the city was within its authority when it enacted its by-law which legislated additional requirements alongside BC's *Residential Tenancy Act*. We have quoted at length from this case because

¹⁶ Landlord and Tenant Board, "Notice to End your Tenancy because the Landlord Wants to Demolish the Unit, Repair it or Convert it to Another Use N13", online: <https://tribunalsontario.ca/documents/lrb/Notices%20of%20Termination%20&%20Instructions/N13.pdf>.

¹⁷ See multiple case law examples in which landlords have tried and failed to quash licensing by-laws at footnote 15, above.

¹⁸ Corporation of the City of New Westminster, Bylaw No 8085, 2019, "A Bylaw to Amend Business Regulations and Licensing (Rental Units) Bylaw No 6926, 2004".

¹⁹ *Ibid.*

²⁰ *New Westminster BCCA, supra; VIT Estates Ltd v New Westminster (City)*, 2021 BCSC 573.

²¹ *New Westminster BCCA, supra; Residential Tenancy Act*, SBC 2002 c 78, s 49; *RTA, supra*, s 50. Note: In the condominium context, a similar by-law was upheld in Ontario in *Toronto & City of Hamilton v Goldlist*, 2003 CanLII 50084 (ON CA).

it represents a sound assessment of how a similar by-law would likely be analyzed by a court in Ontario:²²

[79] To repeat, under the subsidiarity principle the level of government closest to a subject matter may choose to respond to local needs by introducing complementary legislation in an area of jurisdictional overlap. The City has a long-standing concern with the need to preserve local affordable rental housing and has recently become particularly concerned with a perceived increase in the risk of renovations in New Westminster. In my view, the City's conclusion that it was authorized by the *Community Charter* to address those local concerns by enacting the Impugned Bylaw aligns with Justice L'Heureux-Dubé's statement in *Spraytech* that "the mere existence of provincial ... legislation in a given field does not oust municipal prerogatives to regulate the subject matter": at para. 39. It also aligns with Chief Justice McLachlin's statement in *Reference re Assisted Human Reproduction Act* that, so long as complementary local laws do not frustrate other legislation, "in an area of jurisdictional overlap, the level of government that is closest to the matter will often introduce complementary legislation to accommodate local circumstances": at para. 70.

[80] In addition, as the Chief Justice [of the BC court below] recognized, s. 10 of the *Community Charter* contemplates overlapping municipal and provincial jurisdiction by providing that a municipal bylaw is inconsistent with a provincial enactment only if it requires contravention of that enactment: at paras. 70, 75–77. Accordingly, it was reasonable for the City to conclude that the Impugned Bylaw would not frustrate the *Residential Tenancy Act* scheme unless it required contravention of the provisions of that Act, which it did not.

[81] Further, as the Chief Justice [of the BC court below] stated, regardless of whether the *Residential Tenancy Act* scheme is all-inclusive regarding the circumstances in which a landlord may terminate a residential lease, that Act contemplates the applicability of other legislative and regulatory schemes in the residential tenancy context. In other words, like the *Community Charter*, the *Residential Tenancy Act* contemplates the prospect of overlapping and complementary jurisdiction. In addition, regardless of what the common practice may be among landlords, the *Residential Tenancy Act* does not expressly grant them a statutory right to charge market rent when a tenant exercises the right of first refusal following a renovation. Had the Legislature intended to grant such a significant right, in my view it is reasonable to conclude that it would have said so. In the absence of an express provision to this effect, there is no "statutory disharmony" or operational conflict of potential concern.

We note that the court's analysis above did not turn on the specific provision of the *Community Charter* which allowed New Westminster to pass its by-law. New Westminster had not exceeded its authority for the same reasons that the City likely would not: municipalities have broad authority to regulate in areas of local concern. Ontario's *Municipal Act* conveys a similarly broad scope of by-law making power.²³

Hamilton's Authority as a Single Tier Municipality

Section 10 of Ontario's *Municipal Act* provides explicit authority to pass by-laws in a broad range of circumstances. British Columbia's *Community Charter's* provisions are not the same, but the relevant subsection is similar. Further in section 8, the *Community Charter* grants licensing powers. Relevant subsections are emphasized below:

²² *New Westminster BCCA*, *supra*.

²³ *Municipal Act*, *supra*, ss 8-10, and in particular ss 8(1) and 151.

Ontario's <i>Municipal Act</i> section 10(1) ²⁴	British Columbia's <i>Community Charter</i> section 8(3) ²⁵
<p>1. Governance structure of the municipality and its local boards.</p> <p>2. Accountability and transparency of the municipality and its operations and of its local boards and their operations.</p> <p>3. Financial management of the municipality and its local boards.</p> <p>4. Public assets of the municipality acquired for the purpose of exercising its authority under this or any other Act.</p> <p>5. Economic, social and environmental well-being of the municipality, including respecting climate change.</p> <p>6. Health, safety and well-being of persons.</p> <p>7. Services and things that the municipality is authorized to provide under subsection (1).</p> <p>8. Protection of persons and property, including consumer protection.</p> <p>9. Animals.</p> <p>10. Structures, including fences and signs.</p> <p>11. Business licensing.</p>	<p>(a) municipal services;</p> <p>(b) public places;</p> <p>(c) trees;</p> <p>(d) firecrackers, fireworks and explosives;</p> <p>(e) bows and arrows, knives and other weapons not referred to in subsection (5);</p> <p>(f) cemeteries, crematoriums, columbariums and mausoleums and the interment or other disposition of the dead;</p> <p>(g) the health, safety or protection of persons or property in relation to matters referred to in section 63 [protection of persons and property];</p> <p>(h) the protection and enhancement of the well-being of its community in relation to the matters referred to in section 64 [nuisances, disturbances and other objectionable situations];</p> <p>(i) public health;</p> <p>(j) protection of the natural environment;</p> <p>(k) animals;</p> <p>(l) buildings and other structures;</p> <p>(m) the removal of soil and the deposit of soil or other material.</p>

²⁴ *Municipal Act, supra*, s 10(1).

²⁵ *Community Charter*, SBC 2003 c 2, s 8(3).

Section 10 of Ontario's *Municipal Act* includes a marginal note: "Broad authority, single-tier municipalities". A leading annotated guide to the *Municipal Act* clarifies just how broad municipalities' authority is:²⁶

Section 10 (together with subs. 11(1) and (2)) represents a significant expansion of municipal powers. The authority for single-tier municipalities to provide any service or thing that they consider necessary or desirable for the public under subs. 10(1) not only encompasses the various traditional areas of municipal jurisdiction as enumerated under the spheres of jurisdiction in subs. 11(3) of the Act but potentially extends to other areas and subject matters. There is therefore no need to retain the spheres of jurisdiction for single-tier municipalities.

A single-tier municipality is one which does not have a two-tiered structure, rather, all jurisdiction is contained within just one tier.²⁷ In other words, while the term "single-tier" refers to the municipality's jurisdiction, it is broad, not limited.

The City's Report argues that the tier system in the *Municipal Act* differs from the framework in BC's *Community Charter*. While there are differences, these differences are not determinative of the City's authority to enact a valid by-law regulating renovations. A close review of both province's provisions, in the table above, shows the City has multiple bases for authority to enact a by-law to limit renovations.

CONCLUSION

The City has taken the position that its authority is limited under section 10 of the *Municipal Act* and that the RTA further limits its authority. However, our review of the extensive case law on these issues shows that the City's authority is broad, and that, with a properly drafted by-law, the City *can* take action to prevent renovations.

We trust this is responsive to your request. Please do not hesitate to contact the undersigned in the event that you have any questions regarding any aspect of this opinion.

Yours truly,

RAVENLAW LLP/s.r.l.



Claire Michela

²⁶ John Mascarin & Stephen Auerback, *The Annotated Municipal Act*, 2nd Ed (online: Thomson Reuters) at § 99.1.

²⁷ See Ontario, "List of Ontario Municipalities", online: <https://www.ontario.ca/page/list-ontario-municipalities>.



**PUBLIC WORKS COMMITTEE
REPORT 23-005**

1:30 p.m.

Monday, April 17, 2023

Council Chambers

Hamilton City Hall

71 Main Street West

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

Absent

with Regrets: Councillor E. Pauls (Vice-Chair) – personal

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

1. Clean and Green Hamilton Strategy 2022 Year End Update (PW23026) (City Wide) (Item 9.1)

That Report PW23026, respecting Clean and Green Hamilton Strategy 2022 Year End Update, be received.

2. Intersection Control List (PW23001(a)) (Ward 3) (Item 9.2)

That the appropriate By-law be presented to Council to provide traffic control as follows:

Intersection		Stop Control Direction		Class	Comments	Ward
Street 1	Street 2	Existing	Requested			
Section "E" Hamilton						
(a)	Central Avenue	Rothsay Avenue	NC	WB	A	Currently an uncontrolled intersection
						3

Intersection		Stop Control Direction		Class	Comments	Ward
Street 1	Street 2	Existing	Requested			
(a) Central Avenue	Kensington Avenue South	NC	EB	A	Currently an uncontrolled intersection	3

Legend

No Control Existing (New Subdivision) - **NC**

Intersection Class:

A - Local/Local **B** - Local/Collector **C** - Collector/Collector **D** – Local/Arterial

3. Ice Cream Vendor Operation at Confederation Beach Park (PW23027) (Ward 5) (Outstanding Business List Item) (Item 9.3)

That Report PW23027, respecting Ice Cream Vendor Operation at Confederation Beach Park, be received.

4. Litter Collection Update (PW23028) (City Wide) (Outstanding Business List Item) (Item 9.4)

That Report PW23028, respecting Litter Collection Update, be received.

5. Standardization of Vehicle Dash Camera Equipment (PW16019(A)) (City Wide) (Item 11.1)

(a) That Council approve the continued standardization of the Vehicle Dash Camera System Related Equipment, Software and Support for use with the City’s waste collection packers, manufactured by Lytx Inc. pursuant to Procurement Policy #14 – Standardization, until April 30, 2028; and

(b) That the General Manager, Public Works Department, or their designate, be authorized to negotiate, enter into and execute any required contract and any ancillary documents required to give effect thereto with Lytx Inc., in a form satisfactory to the City Solicitor.

6. Regulation of Cargo E-bikes (PED23080/PW23020) (City Wide) (Item 11.2)

- (a) That the amending By-law to City of Hamilton By-law 01-215, being a by-law to Regulate Traffic (“City of Hamilton Traffic By-law”), to add the definition and regulations for the operation and use of power-assisted e-cargo bicycles (“cargo e-bikes”), attached as Appendix “A” to Report PED23080/PW23020, and which has been prepared in a form satisfactory to the City Solicitor be enacted and effective immediately;
- (b) That the amending By-law 01-218 to Manage On-Street Parking attached as Appendix “B” to Report PED23080/PW23020 prepared in a form satisfactory to the City Solicitor, be enacted and effective immediately.

7. Clean & Green Neighbourhood Grant 2023 Funding Recommendations (Item 11.3)

That the Keep Hamilton Clean and Green (KHCG) Committee’s recommendations for the 2023 Clean & Green Neighbourhood Grant, be approved:

Applicant	Description of Initiative	Funding Rec.
Hamilton-Wentworth Green Venture	To rebuild and expand gardening spaces for new gardening programming and reduce litter at Riverdale Community Garden and EcoHouse Community Garden.	\$0
Friends of the Parkette	To plant several different native perennials and pollinator friendly long lasting annuals in the Parkette (home to Sunset Cultural Garden).	\$710
Niwasa Kendaaswin Teg / McQuesten Urban Farm	To host an Earth Day clean up event, inviting neighbours to help clean up the litter around the farm and Biindigen Hub.	\$710
Ottawa Street BIA	To host a street clean up for Ottawa Street North.	\$710
Applicant	Description of Initiative	Funding Rec.
Action 13	Green Block Growing – to teach and share ways to plant native plants and edibles.	\$710
Deborah Boyd	Soil, Seeds and Sustainability Project – to build and re-store both pollinator and people food sources, eradicate invasive	\$710

	non-native flora, and re- generate soil to increase its rainwater absorption capacity.	
Community Permaculture Lab (Cynthia Meyer)	To hold a spring, summer and winter tree pruning workshop with hands on experience and theoretical training.	\$710
Crown Point Garden Club	To host two community clean up events in the Crown Point neighbourhood, focusing on the pollinator gardens (and replanting where needed).	\$500
Hamilton Community Connection	To host a clean up within the Crown Point Community neighbourhood on Kenilworth Avenue North.	\$500
Action 13	Spare a Square Park Pilot – to test out 1 square metre native garden plots in select parks	\$0
Liz Enriquez	To organize a spring clean up and seed giveaway in the John St N and Barton St area.	\$200
Strathcona Community Council	To host an educational native seed bomb workshop.	\$540
Roots Above Ground	To work with 4 classrooms from Lake Avenue Elementary School in Hamilton to conduct 2-hour environmental stewardship workshops between March 20th - April 30th.	\$0
Barbara Williams	My Two Blocks – to encourage children 7+ to commit to keeping two blocks in any direction from where they live, as litter free as possible.	\$0
Christine Seketa	To rent a truck and haul the illegal dumping (small furniture and garbage) from the bus loop for #33 Sanatorium to the CRC.	\$0
Shamrock Park Spiral Garden	To create/update a memorial garden for a friend who passed away in July of 2022 (rain barrel, flowers, gravel).	\$0
Applicant	Description of Initiative	Funding Rec.
The Pearl Street Bridge Neighbours	To clean the Pearl St bridge, including garbage, dog excrement, the planters, graffiti.	\$0
Cleanable World	To create a brand to inspire people to take action in cleaning up litter in their	\$0

	communities.	
Corktown Neighbourhood Association	No project information included in application.	\$0
Adelaide Hoodless School Council	No project information included in application.	\$0
Rosedale Elementary School	No project information included in application.	\$0
Stipley Community Association	To clean up the Stipley neighborhood and install additional garbage cans in the area.	\$0
Valley Velo Cycling Team	To host a spring clean up event on local paths and trails in Dundas that run along the Spencer Creek corridor.	\$0

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 Joshua Weresch respecting making HSR Frequent, Electric and Free

6. DELEGATION REQUESTS

- 6.2 Delegation Requests respecting Item 11.2, Regulation of Cargo E-bikes (PED23080/PW23020) (City Wide) (for today's meeting)

- (a) James Kemp
- (b) Mark A. McNeil, Accessibility Hamilton Alliance

13. NOTICES OF MOTION

- 13.1 Improvements to Gilkson Park, 50 Gemini Drive, Mountview Park, 115 San Antonio Drive, Scenic Woods Park, 220 Lavender Drive, and Scenic Parkette, 56 West 31st Street (Ward 14)

The Agenda for the April 17, 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) April 3, 2023 (Item 4.1)

The Minutes of the April 3, 2023 meeting of the Public Works Committee were approved, as presented.

(d) COMMUNICATIONS (Item 5)

(i) Correspondence from Joshua Weresch respecting making HSR Frequent, Electric and Free (Item 5.1)

Correspondence from Joshua Weresch respecting making HSR Frequent, Electric and Free, was received.

(e) DELEGATION REQUESTS (Item 6)

The following Delegation Requests were approved for today's meeting:

- (i) Theresa Cardey, Hamilton 350/Council of Canadians, respecting how the City of Hamilton can Make the Hamilton Street Railway (HSR) Frequent, Electric and Free (Item 6.1)
- (ii) Delegation Requests respecting Item 11.2, Regulation of Cargo E-bikes (PED23080/PW23020) (City Wide) (Item 6.2)
 - (a) James Kemp
 - (b) Mark A. McNeil, Accessibility Hamilton Alliance

(f) DELEGATIONS (Item 7)

(i) Rosemary Lukosius, Ainslie Wood Community Association, respecting the Waste Calendar (Item 7.1)

Rosemary Lukosius, Ainslie Wood Community Association addressed Committee respecting the Waste Calendar with the aid of a PowerPoint Presentation.

(ii) Delegation Requests respecting how the City of Hamilton can Make the Hamilton Street Railway (HSR) Frequent, Electric and Free (Item 7.2)

The following delegations addressed Committee respecting how the City of Hamilton can Make the Hamilton Street Railway (HSR) Frequent, Electric and Free:

- (a) Edward Reece, Council of Canadians, Hamilton Chapter (Item 7.2(a))
- (b) Jason Hindle, Hamilton 350 (Item 7.2(b))
- (c) Christine McNabb, Council of Canadians, Hamilton Chapter (Item 7.2(c))
- (d) Theresa Cardey, Hamilton 350/Council of Canadians (Item 7.2(d))

Theresa Cardey was not present when called upon.

(iii) Delegation Requests respecting Item 11.2, Regulation of Cargo E-bikes (PED23080/PW23020) (City Wide) (Item 7.3)

The following delegations addressed Committee respecting Item 11.2, Regulation of Cargo E-bikes (PED23080/PW23020) (City Wide):

- (a) James Kemp (Item 7.3(a))
- (b) Mark A. McNeil, Accessibility Hamilton Alliance (Item 7.3(b))

The following delegations, were received:

- (i) Rosemary Lukosius, Ainslie Wood Community Association, respecting the Waste Calendar.
- (ii) Delegations respecting how the City of Hamilton can Make the Hamilton Street Railway (HSR) Frequent, Electric and Free
 - (a) Edward Reece, Council of Canadians, Hamilton Chapter
 - (b) Jason Hindle, Hamilton 350
 - (c) Christine McNabb, Council of Canadians, Hamilton Chapter

(iii) Delegations respecting Item 11.2, Regulation of Cargo E-bikes (PED23080/PW23020) (City Wide):

(a) James Kemp (Item 7.3(a))

(b) Mark A. McNeil, Accessibility Hamilton Alliance (Item 7.3(b))

(g) CONSENT ITEMS (Item 9)

(i) Intersection Control List (PW23001(a)) (Wards 3, 13) (Item 9.2)

In order to align consideration of the Ward 13 intersections with the ongoing Greensville Area Roadway Safety Review, the Intersection Control List was **amended** by removing Ward 13 from the list, to read as follows:

That the appropriate By-law be presented to Council to provide traffic control, as follows:

Intersection		Stop Control Direction		Class	Comments	Ward
Street 1	Street 2	Existing	Requested			
Section "E" Hamilton						
(a)	Central Avenue	Rothsay Avenue	NC	WB	A	Currently an uncontrolled intersection 3
(a)	Central Avenue	Kensington Avenue South	NC	EB	A	Currently an uncontrolled intersection 3
(a)	Harvest Road	Forest Avenue	All	SB	B	Removal of Temporary All-way stop 13
(a)	Harvest Road	Tews Lane	All	SB	B	Removal of Temporary All-way stop 13

Legend

No Control Existing (New Subdivision) - **NC**

Intersection Class:

A - Local/Local **B** - Local/Collector **C** - Collector/Collector

D – Local/Arterial

For further disposition, refer to Item 2.

(ii) Keep Hamilton Clean and Green Minutes (Item 9.5)

The following Keep Hamilton Clean and Green Committee Minutes, were received:

(a) March 21, 2023 (Item 9.5(a))

(b) April 5, 2023 (Item 9.5(b))

(h) NOTICES OF MOTION (Item 13)

Councillor Spadafora introduced the following Notice of Motion:

(i) Improvements to Gilkson Park, 50 Gemini Drive, Mountview Park, 115 San Antonio Drive, Scenic Woods Park, 220 Lavender Drive, and Scenic Parkette, 56 West 31st Street (Ward 14) (Item 13.1)

WHEREAS, the park pathway and baseball backstop at Gilkson Park, 50 Gemini Drive, have deteriorated and would benefit from replacement;

WHEREAS, the park pathway and sport court at Mountview Park, 115 San Antonio Drive, have deteriorated and would benefit from replacement;

WHEREAS, these recreational pathways connect residents through their community and support healthy activity;

WHEREAS, the play structures at Scenic Woods Park, 220 Lavender Drive, and Scenic Parkette, 56 West 31st Street, have deteriorated and would benefit from replacement; and

WHEREAS, recreational park amenities support valuable opportunities for children, youth and families to be active and play within the Ward 14 neighbourhoods.

THEREFORE, BE IT RESOLVED:

- (a) That the replacement of the park pathway and baseball backstop at Gilkson Park, 50 Gemini Drive, at a cost of \$140,000, including contingency, to be funded from the Ward 14 Special Capital Re-Investment Reserve (#108064), be approved;
- (b) That the replacement of the park pathway and sport court (to a multi-use court), at Mountview Park, 115 San Antonio Drive, at a cost of \$200,000, including contingency, to be funded from the Ward 14 Special Capital Re-Investment Reserve (#108064) be approved;
- (c) That replacement of the existing play structures at Scenic Woods Park, 220 Lavender Drive, and Scenic Parkette, 56 West 31st Street, at a cost of \$500,000 including contingency, to be funded from the Ward 14 Special Capital Re-Investment Reserve (#108064) be approved, and,
- (d) That the General Manager of Public Works be authorized and directed to approve and execute any and all required agreements and ancillary documents, in a form satisfactory to the City Solicitor, related to the replacement of the park pathway and baseball backstop at Gilkson Park, 50 Gemini Drive, replacement of the park pathway and sport court at Mountview Park, 115 San Antonio Drive, and the replacement of the existing play structures at Scenic Woods Park, 220 Lavender Drive, and Scenic Parkette, 56 West 31st Street.

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

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

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

- (1) Items Considered Complete and Needing to be Removed (Item 14.1(a))
 - (i) Antonio Gallo, Gallo Ice Cream Retail, respecting Ice Cream Vendor Operation at Confederation Park (Item 14.1(a)(a)) Addressed as Item 9.3 (PW23027) (on today's agenda) Item on OBL: CAN
 - (ii) Annual Expenses for Litter Collection Outside of Regularly Scheduled Waste Management Efforts (Item 14.1(a)(b)) Addressed as Item 9.4 (PW23028) (on today's agenda) Item on OBL: ADH

- (2) Items Requiring a New Due Date (Item 14.1(b))
 - (i) Results of Parks Security Patrol Pilot Program (Item 14.1(b)(a))
Item on OBL: ABG
Current Due Date: Q1 2023
Proposed New Due Date: May 29, 2023
 - (ii) Security Report on Theft and Vandalism Prevention in City-Owned Spaces - Results of 2-Year Pilot Program (Item 14.1(b)(b))
Item on OBL: ADC
Current Due Date: May 1, 2023
Proposed New Due Date: May 29, 2023

(j) ADJOURNMENT (Item 16)

There being no further business, the meeting adjourned at 4:08 p.m.

Respectfully submitted,

Councillor Nann, Chair,
Public Works Committee

Carrie McIntosh
Legislative Coordinator
Office of the City Clerk



**PLANNING COMMITTEE
REPORT
23-006**

April 18, 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, M. Francis, C. Kroetsch, T. McMeekin,
N. Nann, M. Tadeson, A. Wilson, M. Wilson

Absent with Regrets: Councillor E. Pauls – Personal

THE PLANNING COMMITTEE PRESENTS REPORT 23-006 AND RESPECTFULLY RECOMMENDS:

1. Amendments to Site Alteration By-law 19-286 (PED23067) (City Wide) (Item 11.1)

That the amending By-law permitting Employment Lands to obtain a Site Alteration permit in advance of Draft Plan Approval and minor technical amendments and improvements attached as Appendix “A” to Report PED23067 and prepared in a form satisfactory to the City Solicitor, be passed.

2. Demolition Permit - 295 Hamilton Drive, Ancaster (PED23085) (Ward 12) (Item 11.2)

(a) That the Chief Building Official be authorized to issue a demolition permit for 295 Hamilton Drive, Ancaster, in accordance with By-law 22-101, pursuant to Section 33 of The Planning Act, subject to the following conditions:

- (i) That the applicant has applied for and received a building permit for a replacement building on this property;
- (ii) That the said building permit specifies that if the replacement building is not erected within four (4) years of the demolition of the

existing building on the property, the City be paid the sum of \$20,000 which sum:

- (1) the City Clerk is authorized to enter on the collector's roll and collect in like manner as municipal taxes; and
- (2) is a lien or charge on the property until paid; and
- (iii) That the applicant be required to register on title to the subject property (prior to issuance of the said demolition permit), notice of these conditions in a form satisfactory to the Chief Building Official and the City Solicitor.

3. Demolition Permit - 196 Stanley Avenue (PED23086) (Ward 1) (Item 11.3)

- (a) That the Chief Building Official be authorized to issue a demolition permit for 196 Stanley Avenue, Hamilton, in accordance with By-law 22-101, pursuant to Section 33 of The Planning Act, subject to the following conditions:
 - (i) That the applicant has applied for and received a building permit for a replacement building on this property;
 - (i) That the said building permit specifies that if the replacement building is not erected within two years of the demolition of the existing building on the property, the City be paid the sum of \$20,000 which sum:
 - (1) the City Clerk is authorized to enter on the collector's roll and collect in like manner as municipal taxes; and
 - (2) is a lien or charge on the property until paid; and
 - (iii) That the applicant be required to register on title to the subject property (prior to issuance of the said demolition permit), notice of these conditions in a form satisfactory to the Chief Building Official and the City Solicitor.

4. Appeal to the Ontario Land Tribunal (OLT) for Lack of Decision on Urban Hamilton Official Plan Amendment Application (UHOPA-22-018) and Zoning By-law Amendment Application (ZAC-22-032) for lands located at 909 North Waterdown Drive, Waterdown (LS23006/PED23062(a)) (Ward 15) (Added Item 15.2)

- (a) That the directions to staff in closed session respecting Report LS23006/PED23062(a) be approved;

- (b) That the directions to staff in closed session respecting Report LS23006/PED23062(a) be released to the public, following approval by Council;
 - (c) That the balance of Report LS23006/PED23062(a) remain confidential.
- 5. Appeal to the Ontario Land Tribunal (OLT) for Lack of Decision on Urban Hamilton Official Plan Amendment Application (UHOPA-22-022) and Zoning By-law Amendment Application (ZAC-22-048) for lands located at 2900 King Street East, Hamilton (LS23007/PED23073(a)) (Ward 5) (Added Item 15.3)**
- (a) That the direction to staff in closed session respect Report LS23007/PED23073(a) be approved;
 - (b) That the direction to staff in closed session respect Report LS23007/PED23073(a) be released to the public, following approval by Council; and
 - (c) That the balance of Report LS23007/PED23073(a) remain confidential.
- 6. Appeal to the Ontario Land Tribunal (OLT) for Lack of Decision on Urban Hamilton Official Plan Amendment UHOPA-22-024 and Zoning By-law Amendment Application ZAC-22-051 for Lands Located at 3160, 3168, 3180 & 3190 Regional Road 56, Binbrook (LS23009/PED23058(a)) (Ward 11) (Added Item 15.4)**
- (a) That the directions to staff in closed session respecting Report LS23009/PED23058(a) be approved;
 - (b) That the directions to staff in closed session respecting Report LS23009/PED23058(a) be released to the public, following approval by Council;
 - (c) That the balance of Report LS23009/PED23058(a) remain confidential.
- 7. Appeal to the Ontario Land Tribunal (OLT) for Lack of Decision on Urban Hamilton Official Plan Amendment UHOPA-22-023 and Zoning By-law Amendment Application ZAC-22-050 for Lands Located at 3064, 3070, 3078 and 3084 Regional Road 56, Binbrook (LS23010/PED23057(a)) (Ward 11) (Added Item 15.5)**
- (a) That the directions to staff in closed session respecting Report LS23010/PED23057(a) be approved;
 - (b) That the directions to staff in closed session respecting Report LS23010/PED23057(a) be released to the public, following approval by Council;

- (c) That the balance of Report LS23010/PED23057(a) remain confidential.

FOR INFORMATION:

(a) APPROVAL OF AGENDA (Item 2)

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

6. DELGATION REQUESTS

- 6.1 Mike Crough, Arcadis IBI Group, respecting Demolition Permit for 196 Stanley Ave (Item 11.3) (For today's meeting)

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-22-018) and Zoning By-law Amendment Application (ZAC-22-032) for lands located at 909 North Waterdown Drive, Waterdown (LS23006/PED23062(a)) (Ward 15)
- 15.3 Appeal to the Ontario Land Tribunal (OLT) for Lack of Decision on Urban Hamilton Official Plan Amendment Application (UHOPA-22-022) and Zoning By-law Amendment Application (ZAC-22-048) for lands located at 2900 King Street East, Hamilton (LS23007/PED23073(a)) (Ward 5)
- 15.4 Appeal to the Ontario Land Tribunal (OLT) for Lack of Decision on Urban Hamilton Official Plan Amendment UHOPA-22-024 and Zoning By-law Amendment Application ZAC-22-051 for Lands Located at 3160, 3168, 3180 & 3190 Regional Road 56, Binbrook (LS23009/PED23058(a)) (Ward 11)
- 15.5 Appeal to the Ontario Land Tribunal (OLT) for Lack of Decision on Urban Hamilton Official Plan Amendment UHOPA-22-023 and Zoning By-law Amendment Application ZAC-22-050 for Lands Located at 3064, 3070, 3078 and 3084 Regional Road 56, Binbrook (LS23010/PED23057(a)) (Ward 11)

The agenda for the April 18, 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) April 4, 2023 (Item 4.1)

The Minutes of the April 4, 2023 meeting were approved, as presented.

(d) DELEGATION REQUESTS (Item 6)

(i) Mike Crough, Arcadis IBI Group, respecting Demolition Permit for 196 Stanley Ave (Item 11.3) (For today's meeting) (Added Item 6.1)

The Delegation Request from Mike Crough, Arcadis IBI Group, respecting Demolition Permit for 196 Stanley Ave (Item 11.3), was approved for today's meeting.

(e) DELEGATIONS (Item 7)

(i) Mike Crough, Arcadis IBI Group, respecting Demolition Permit for 196 Stanley Ave (Item 11.3) (For today's meeting) (Added Item 7.1)

Mike Crough, Arcadis IBI Group, addressed the Committee respecting a Demolition Permit for 196 Stanley Avenue and requested a modification.

The Delegation from Mike Crough, Arcadis IBI Group, respecting Demolition Permit for 196 Stanley Ave (Item 11.3), was received.

(f) DISCUSSION ITEMS (Item 11)

(i) Demolition Permit - 295 Hamilton Drive, Ancaster (PED23085) (Ward 12) (Item 11.2)

(a) That the Chief Building Official be authorized to issue a demolition permit for 295 Hamilton Drive, Ancaster, in accordance with By-law 22-101, pursuant to Section 33 of The Planning Act, subject to the following conditions:

(i) That the applicant has applied for and received a building permit for a replacement building on this property;

(ii) That the said building permit specifies that if the replacement building is not erected within two (2) years of the demolition of the existing building on the property, the City be paid the sum of \$20,000 which sum:

(1) the City Clerk is authorized to enter on the collector's roll and collect in like manner as municipal taxes; and

- (2) is a lien or charge on the property until paid; and
- (iii) That the applicant be required to register on title to the subject property (prior to issuance of the said demolition permit), notice of these conditions in a form satisfactory to the Chief Building Official and the City Solicitor.

Sub-section (a)(ii) in the recommendations of Report PED23085, was **amended**, as follows:

- (ii) That the said building permit specifies that if the replacement building is not erected within ~~two (2)~~ **four (4)** years of the demolition of the existing building on the property, the City be paid the sum of \$20,000 which sum:

For disposition of this matter, refer to Item 2.

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

(i) General Manager's Update (Added Item 14.1)

The General Manager's Update, was received.

(g) PRIVATE AND CONFIDENTIAL (Item 15)

(i) Closed Session Minutes – April 4, 2023 (Item 15.1)

The Closed Session Minutes dated April 4, 2023 were approved, as presented, and are to remain confidential.

The Committee moved into Closed Session for Items 15.2, 15.3, 15.4, and 15.5 pursuant to Section 9.3, Sub-sections (e), (f) and (k) of the City's Procedural By-law 21-021, as amended; and, Section 239(2), Sub-sections (e), (f) and (k) of the *Ontario Municipal Act, 2001*, as amended, as the subject matter pertains to litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board; advice that is subject to solicitor-client privilege, including communications necessary for that purpose; and, a position, plan, procedure, criteria or instruction to be applied to any negotiations carried on or to be carried on by or on behalf of the municipality or local board.

- (ii) **Appeal to the Ontario Land Tribunal (OLT) for Lack of Decision on Urban Hamilton Official Plan Amendment Application (UHOPA-22-018) and Zoning By-law Amendment Application (ZAC-22-032) for lands located at 909 North Waterdown Drive, Waterdown (LS23006/PED23062(a)) (Ward 15) (Added Item 15.2)**

For disposition of this matter, refer to Item 4.

- (iii) **Appeal to the Ontario Land Tribunal (OLT) for Lack of Decision on Urban Hamilton Official Plan Amendment Application (UHOPA-22-022) and Zoning By-law Amendment Application (ZAC-22-048) for lands located at 2900 King Street East, Hamilton (LS23007/PED23073(a)) (Ward 5) (Added Item 15.3)**

For disposition of this matter, refer to Item 5.

- (iv) **Appeal to the Ontario Land Tribunal (OLT) for Lack of Decision on Urban Hamilton Official Plan Amendment UHOPA-22-024 and Zoning By-law Amendment Application ZAC-22-051 for Lands Located at 3160, 3168, 3180 & 3190 Regional Road 56, Binbrook (LS23009/PED23058(a)) (Ward 11) (Added Item 15.4)**

For disposition of this matter, refer to Item 6.

- (v) **Appeal to the Ontario Land Tribunal (OLT) for Lack of Decision on Urban Hamilton Official Plan Amendment UHOPA-22-023 and Zoning By-law Amendment Application ZAC-22-050 for Lands Located at 3064, 3070, 3078 and 3084 Regional Road 56, Binbrook (LS23010/PED23057(a)) (Ward 11) (Added Item 15.5)**

For disposition of this matter, refer to Item 7.

(h) ADJOURNMENT (Item 16)

There being no further business, the Planning Committee adjourned at 10:28 a.m.

Councillor J.P. Danko
Chair, Planning Committee

Lisa Kelsey
Legislative Coordinator



GENERAL ISSUES COMMITTEE REPORT 23-013

9:30 a.m.

April 19, 2023

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

Present: Mayor A. Horwath
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, M. Spadafora, M.
Tadeson, A. Wilson, M. Wilson

Absent: Councillor E. Pauls - Personal

THE GENERAL ISSUES COMMITTEE PRESENTS REPORT 23-013 AND RESPECTFULLY RECOMMENDS:

1. **Housing Sustainability and Investment Roadmap (HSIR) (HSC23028 / FCS23055 / PED23099) (City Wide) (Item 8.1)**
 - (a) That the Housing Sustainability and Investment Roadmap attached as Appendix "A" to General Issues Committee Report 23-013 be approved in principle and that it be used to guide cross-departmental work related to affordable housing issues and the City's housing crisis;
 - (b) That the City Manager be authorized and directed to establish an Affordable Housing Secretariat Division within the Healthy and Safe Communities Department to lead the implementation of the Housing Sustainability and Investment Roadmap and to work across departments and divisions to develop and recommend an annual program of work to be approved by Council each year and to report annually on progress;
 - (c) That the Senior Leadership Team be directed to review resource requirements of the Roadmap in light of Term of Council Priorities and existing work underway across the corporation, and report back to Council in Q4 of 2023 with any recommended changes that would best resource, align and integrate the work of the Housing Sustainability and Investment Roadmap across the corporation;

- (d) That staff be directed to implement the Year 1 priority actions and workplan contained in Appendix “A” to General Issues Committee Report 23-013 and/or any other actions that progress the work that do not require a change to policy or additional financial or other staffing resources;
- (e) That the Canadian Housing Evidence Collaborative report attached as Appendix “B” to Report HSC23028 / FCS23055 / PED23099 be received and that the General Manager of the Healthy and Safe Communities Department be authorized to extend the length of original contract with the Canadian Housing Evidence Collaborative to 2025, not to exceed the original \$150 K committed through report HSC22042, funded from external sources first and any unfunded balance remaining be funded from the Human Service Integration Project ID 6502141100;
- (f) That the Affordable Housing Secretariat be directed to report back to Council in Q4 of 2023 on the proposed program of work for 2024, including required resources that would be included in the 2024 Budget, and to report back on the progress of work in the 2023 workplan;
- (g) That the Affordable Housing Secretariat report back in Q4 of 2023 on any required delegated authorities recommended to improve the effectiveness and efficiency with respect to executing on the annual program of work and Roadmap initiatives;
- (h) That Council approve the allocation of up to \$1M from Homelessness Prevention Program to establish of a new Housing Benefit, aligned with Rent Geared to Income program, to be provided as a subsidy for up to 166 households per year at \$500/month/household and that this amount to be increased annually by the allowable rent increase guideline set by the Ministry of Municipal Affairs and Housing;
- (i) That staff be directed to communicate to Council on how the remaining balance of the Homelessness Prevention Program (HPP) funding will be applied in support of the Housing Sustainability Investment Roadmap (HSIR) and Housing and Homelessness Action Plan (HHAP) once final amounts are known and able to be publicly communicated;
- (j) That Council approve retaining a consultant to conduct an asset rationalization of the City’s social housing stock, up to an amount not to exceed the funding available through the Social Housing Transition Reserve, #112244; and,
- (k) That the General Manager of the Healthy and Safe Communities Department or their designate be directed and authorized, on behalf of the City of Hamilton, to enter into, execute and administer all agreements and documents necessary to implement the purchases and grants outlined

above on terms and conditions satisfactory to the General Manager of the Healthy and Safe Communities Department or their designate and in a form satisfactory to the City Solicitor.

2. Five-Year Review of the Environmental Remediation and Site Enhancement (ERASE) Community Improvement Plan and Associated Financial Assistance Programs (PED23076) (City Wide) (Item 8.2)

- (a) That staff be directed to bring forward to the Planning Committee for a statutory public meeting, in accordance with Section 17(15)(d) of the *Planning Act*, the following:
 - (i) Appendix “A” to Report PED23076, respecting a proposed updated Environmental Remediation and Site Enhancement (ERASE) Community Improvement Plan;
 - (ii) Appendix “B” to Report PED23076, respecting a proposed updated ERASE Community Improvement Project Area;
- (b) That staff be directed to bring forward to the Planning Committee the following proposed new/updated implementing Environmental Remediation and Site Enhancement (ERASE) Program descriptions for consideration in conjunction with the proposed ERASE Community Improvement Plan and ERASE Community Improvement Project Area By-laws:
 - (i) Appendix “C” to Report PED23076, respecting the ERASE Study Grant Program;
 - (ii) Appendix “D” to Report PED23076, respecting the ERASE Redevelopment Grant Program;
 - (iii) Appendix “E” to Report PED23076, respecting the ERASE Tax Assistance Program;
 - (iv) Appendix “F” to Report PED23076, respecting the ERASE Commercial Districts Remediation Loan Program (currently the Downtown / West Harbour Remediation Loan Program);
 - (v) Appendix “G” to Report PED23076, respecting a new ERASE Affordable Housing Grant Program;
- (c) That staff be directed to implement necessary administrative processes required to enable the existing Brownfield Pilot Project ID 3621755102 to be utilized for the provision of grants under the proposed new

Environmental Remediation and Site Enhancement (ERASE) Affordable Housing Grant Program;

- (d) That funds, in an amount not to exceed \$1,000,000 be transferred, as required, to the Brownfield Pilot Project ID 3621755102 to fund future grants under the proposed Environmental Remediation and Site Enhancement (ERASE) Affordable Housing Grant Program, from available funds currently allocated to the Annual Commercial Property Improvement Grant Program, Project ID 8201703704, to an upset limit of \$500,000 and the Annual Commercial District Revitalization Program, Project ID 8201703703, to an upset limit of \$500,000; and,
- (e) That the City of Hamilton request the Province of Ontario invest provincial staff resources as required to avoid unnecessary provincial delays to the construction of new housing by ensuring timely approval of remediated sites in alignment with municipal approval timelines.

3. Potential Parking Layout Design Improvements and Greenway for the Pier 8 Development (PED23039) (Ward 2) (Item 8.3)

- (a) That staff of the Municipal Land Development Office be authorized and directed to submit a City-initiated Zoning By-law Amendment application to permit underground parking within the below-grade strata land within the Pier 8 “Greenway” defined by Blocks 12, 13, and 14 as shown on Appendix “A” to Report PED23039;
- (b) That, subject to Council’s future approval of the Zoning By-law Amendment outlined in Recommendation (a) to Report PED23039, the below-grade strata land within the Pier 8 “Greenway” defined by Blocks 12, 13 and 14 as shown on Appendix “A” to Report PED23039 be deemed surplus for the purposes of disposition, and staff of the Corporate Real Estate Office be authorized and directed to negotiate agreements with Waterfront Shores Corporation (WSC) for the disposition of the subject below-grade strata land, while retaining full public ownership of the above-grade Greenway, on terms and conditions that align and are consistent with the Pier 8 Development Agreement between the City of Hamilton and WSC, and such other terms and conditions deemed appropriate by the General Manager of the Planning and Economic Development Department, and report back to General Issues Committee for approval;
- (c) That staff be directed to explore the opportunity to accommodate public parking spaces within the Pier 8 development blocks, including consideration of how it could fit within a transaction structure of the proposed disposition of below-grade strata land within the Pier 8 “Greenway” defined by Blocks 12, 13 and 14 as shown on Appendix “A” to Report PED23039, and report back to General Issues Committee; and,

- (d) That funding of all costs associated with the rezoning and potential disposition of below-grade strata land within the Pier 8 “Greenway” defined by Blocks 12, 13 and 14 as shown on Appendix “A” to Report PED23039, up to \$200K, through the West Harbour Capital Project Account No. 4411806107, be approved.

4. DISCUSSION ITEMS

- (a) **Light Rail Transit Sub-Committee Report 23-001 - March 31, 2023
(Added Item 10.1)**

- (i) **APPOINTMENT OF COMMITTEE CHAIR AND VICE-CHAIR (Item 1)**

- (a) That Councillor M. Wilson be appointed as Chair of the Light Rail Transit Sub-Committee for 2023.
 - (b) That Councillor Nann be appointed as Vice-Chair of the Light Rail Transit Sub-Committee for 2023.

- (ii) **Schedule of Discussion Topics and Presentations for Future Light Rail Transit (LRT) Sub-Committee Meetings (PED23091) (City Wide) (Item 9.1)**

That Report PED23091 respecting Schedule of Discussion Topics and Presentations for Future Light Rail Transit (LRT) Sub-Committee Meetings, be received.

- (b) **Advisory Committee for Persons with Disabilities (ACPD) Report 23-004 - April 11, 2023 (Added Item 10.2)**

- (l) **Review of the Code of Conduct for Local Boards (Item 11.1)**

- (a) WHEREAS, the Advisory Committee for Persons with Disabilities feels that the Code of Conduct for Local Boards holds Advisory Committee members to the standard of elected official, which is asking a lot of City volunteers.

THEREFORE, BE IT RESOLVED:

That the Code of Conduct for Local Boards be revised to hold Advisory Committee members to a volunteer standard rather than the standard of an elected official.

- (i) That the language within the Code of Conduct for Local Boards be simplified.

- (ii) **Invitation to a Representative of Canadian Housing Evidence Collaborative, McMaster University to Attend a Meeting of the Housing Issues Working Group to Discuss their Report “Toward a Sustainable Housing System in Hamilton: Framing the Issues” (Item 12.1)**

WHEREAS, the Advisory Committee for Persons with Disabilities’ (ACPD) Housing Issues Working Group (HWG) is mandated to advise Council on removing and preventing new barriers in housing for persons with disabilities, highlight deficiencies, seek solutions and anticipate accessible housing needs for the future;

WHEREAS, the HWG is currently working on recommendations regarding affordable/attainable housing and more accurately highlighting the barriers that not having enough affordable housing creates for persons with disabilities;

WHEREAS, on March 9th, 2023, Steve Pomeroy from the Canadian Housing Evidence Collaborative (CHEC), McMaster University, presented a report to the General Issues Committee entitled, “Toward a Sustainable Housing System in Hamilton: Framing the Issues” that contains important information that is directly related to the HWG’s current work; and

WHEREAS, inviting Steve Pomeroy or a representative from the CHEC to attend an upcoming HWG meeting would greatly improve members’ understanding of the complexities around these issues enabling the HWG to provide more comprehensive recommendations and advise Council more thoroughly.

THEREFORE, BE IT RESOLVED:

That a representative from the Canadian Housing Evidence Collaborative (CHEC) be invited to attend a future meeting of the Advisory Committee for Persons with Disabilities’ Housing Issues Working Group to discuss their report “Toward a Sustainable Housing System in Hamilton: Framing the Issues”.

- (iii) **Invitation to Planning and Economic Development Staff to Attend a Meeting of the Advisory Committee for Persons with Disabilities’, Strategic Planning Working Group, for an Update Respecting the E-Scooter Pilot Program (Item 12.2)**

That Planning and Development staff be invited to attend a future meeting of the Advisory Committee for Persons with Disabilities', Strategic Planning Working Group, to provide an update respecting the E-Scooter Pilot Program.

(iv) Participation of the Advisory Committee for Persons with Disabilities in the 2023 Seniors Kickoff Event (Added Item 14.7)

That the Advisory Committee for Persons with Disabilities participation in the 2023 Seniors Kickoff Event, at a cost of \$50, to be funded from the ACPD approved budget for Conferences and Related Travel Expenses (ID 300303), be approved.

(c) West Harbour Development Sub-Committee Report 23-001 - April 14, 2023 (Added Item 10.3)

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

(a) That Mayor Andrea Horwath be appointed Chair of the West Harbour Development Sub-Committee for 2022-2026.

(b) That Councillor Mike Spadafora be appointed Vice-Chair of the West Harbour Development Sub-Committee for 2022-2026.

(ii) West Harbour Re-Development Plan - Status Update (PED17181(e)) (Ward 2) (Item 8.1)

That Report PED17181(e), respecting West Harbour Re-Development Plan - Status Update (Ward 2), be received

(iii) West Harbour Redevelopment: Interim Conditions and Transition Plan (PED23078) (Ward 2) (Item 8.2)

That Report PED23078, respecting West Harbour Redevelopment: Interim Conditions and Transition Plan (Ward 2), be received.

(iv) Pier 8 Redevelopment Work Plan Overview and Upcoming Initiatives (PED23079) (Ward 2) (Item 8.3)

That Report PED23079, respecting Pier 8 Redevelopment Work Plan Overview and Upcoming Initiatives (Ward 2), be received.

**5. 2023 Reporting of the Housing Sustainability and Investment Roadmap
(Added Item 11.1)**

- (a) That staff be directed to report back to the General Issues Committee respecting the progress of work in 2023 and the proposed program of work for 2024 for the Housing Sustainability and Investment Roadmap; and,
- (b) That in the Q4 2023 report, staff include a recommendation on the most appropriate Committee for future reports on the Housing Sustainability and Investment Roadmap to report to.

6. Conditional Grant to CityHousing Hamilton for the Repair and Renovation of 476 Units (Added Item 11.2)

WHEREAS, the housing affordability crisis continues to deepen and widen in every neighbourhood across Hamilton;

WHEREAS, the Access to Housing waitlist as of December 31, 2022 was at 6,110.

WHEREAS, CityHousing Hamilton has identified 476 units in need of repair at an estimated cost of \$5.7M;

WHEREAS, Council on August 16, 2019, through Report HSC19048, directed staff to use any future year-end Alectra / Hamilton Utilities Corporation dividend surpluses to reduce the reliance on debt financing for Council approved Housing projects;

WHEREAS, 2022 dividends from Hamilton Utilities Corporation and Alectra dividends net of administration costs were higher than budgeted resulting in a surplus of \$2.792M and subject to Council approval of Report FCS22042(b), this surplus will be transferred to Housing Project ID #6732341301 and used to partially fund the estimated cost of \$5.7M;

WHEREAS, CityHousing Hamilton identified \$900,000 in CityHousing Hamilton Reserve funding that is available for units in need of repair;

WHEREAS, CityHousing Hamilton identified approximately \$1,000,000 in Canada Mortgage and Housing Corporation (CMHC) funding that can be applied toward units in need of repair;

WHEREAS, the Hamilton Future Fund has an expressed purpose to “create and protect a permanent legacy for current and future generations of Hamiltonians to enjoy economic prosperity and improved quality of life”;

WHEREAS, the Hamilton Future Fund A Reserve (112246) has a 2022 balance of approximately \$63.4M for allocation at the discretion of Council;

WHEREAS, the success of the Hamilton Future Fund rests in its ability to be regenerative for ongoing and future use;

WHEREAS investing in the repair of CityHousing Hamilton units helps maintain the existing affordable housing stock and provides a return in investment by enabling the collection of rent;

THEREFORE, BE IT RESOLVED:

That the \$1M in backing to CityHousing Hamilton to repair and renovation of 476 units with the requirement that the units be available for tenancy by December 2024, be funded as follows:

- (a) That a \$1 million conditional grant to CityHousing Hamilton be funded via an internal loan from the Hamilton Future Fund A Reserve (#112246) to be repaid from the annual Housing Services tax supported operating budget over a term of 10 years at an annual interest rate of 3.86%, resulting in a net tax levy impact of \$122,433 annually beginning in 2025.

**7. Animal Services Facility Report (PED20074(a) / LS23021) (City Wide)
(Added Item 14.2)**

- (a) That Hamilton Animal Control Services facility (Project 4502350001) created for all revenues and costs flowing from recommendations in Confidential Report PED20074(a) / LS23021 be approved;
- (b) That the directions to staff in closed session respecting this Report PED20074(a) / LS23021, Animal Services Facility Report be approved; and,
- (c) That the complete Report PED20074(a) / LS23021 and its Appendices respecting the Animal Control Services Facility Report remain confidential and not be released as a public document.

FOR INFORMATION:

(a) CERMONIAL ACTIVITIES (Item 1)

- (i) **Jacki Levin, Past President of the Hamilton Jewish Federation - Yom Hashoah (Holocaust Remembrance Day) Commemoration Remarks (Item 1)**

Jacki Levin, Past President of the Hamilton Jewish Federation addressed the Committee to provide Yom Hashoah (Holocaust Remembrance Day) Commemoration Remarks.

(b) APPROVAL OF AGENDA (Item 2)

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

6. DELEGATION REQUESTS

- 6.2 John Gerrard, Hamilton Burlington SPCA, respecting Item 14.2, Animal Services Facility Report (PED20074(a) / LS23021) and the property at 245 Dartnall Road and its relationship with the HBSPCA (In-Person) (For today's meeting)

10. DISCUSSION ITEMS

- 10.1 Light Rail Transit Sub-Committee Report 23-001 - March 31, 2023
- 10.2 Advisory Committee for Persons with Disabilities (ACPD) Report 23-004 – April 11, 2023
- 10.3 West Harbour Development Sub-Committee Report 23-001 - April 14, 2023

12. NOTICES OF MOTION

- 12.1 Conditional Grant to CityHousing Hamilton for the Repair and Renovation of 476 Units

14. PRIVATE AND CONFIDENTIAL

- 14.4 Animal Services Facility Report (PED20074(a) / LS23021) (City Wide)

The agenda for the April 19, 2023 General Issues Committee meeting, was approved, as amended.

(c) DECLARATIONS OF INTEREST (Item 3)

Councillor M. Wilson declared a non-disqualifying interest to Item 8.1, Housing Sustainability and Investment Roadmap (HSIR) (HSC23038 / PED23099) as her husband is the President and CEO of the Hamilton Community Foundation.

(d) APPROVAL OF MINUTES OF PREVIOUS MEETINGS (Item 4)

(i) April 5, 2023 (Item 4.1)

The Minutes of the April 5, 2023 meeting of the General Issues Committee were approved, as presented.

(e) DELEGATION REQUESTS (Item 6)

The following Delegation Requests, were approved, as follows:

- (i) Michelle Diplock, and Mike Collins-Williams, West End Home Builders Association, respecting support for the City's ERASE Grant program, Item 8.2 (In-Person) (For today's meeting) (Item 6.1)
- (ii) John Gerrard, Hamilton Burlington SPCA, respecting Item 14.2, Animal Services Facility Report (PED20074(a) / LS23021) and the property at 245 Dartnall Road and its relationship with the HBSPCA (In-Person) (For today's meeting) (Added Item 6.2)

(f) DELEGATIONS (Item 7)

The Delegates addressed the Committee, as follows:

- (i) Vic Djurdjevic, NikolaTesla Educational Corp, respecting permission to hold Tesla Electric City Festival and the Hamilton Museum of Steam and technology (In-Person) (Approved April 5, 2023) (Item 7.1)
- (ii) Michelle Diplock, and Mike Collins-Williams, West End Home Builders Association, respecting support for the City's ERASE Grant program, Item 8.2 (In-Person) (Added Item 7.2)
- (iii) John Gerrard, Hamilton Burlington SPCA, respecting Item 14.2, Animal Services Facility Report (PED20074(a) / LS23021) and the property at 245 Dartnall Road and its relationship with the HBSPCA (In-Person) (Added Item 7.3)

The following Delegations, were received:

- (i) Vic Djurdjevic, NikolaTesla Educational Corp, respecting permission to hold Tesla Electric City Festival and the Hamilton Museum of Steam and technology (In-Person) (Item 7.1)
- (ii) Michelle Diplock, and Mike Collins-Williams, West End Home Builders Association, respecting support for the City's ERASE Grant program, Item 8.2 (In-Person) (Added Item 7.2)
- (iii) John Gerrard, Hamilton Burlington SPCA, respecting Item 14.2, Animal Services Facility Report (PED20074(a) / LS23021) and the property at 245 Dartnall Road and its relationship with the HBSPCA (In-Person) (Added Item 7.3)

The General Issues Committee recessed for 15 minutes until 11:20 am.

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

(i) **Housing Sustainability and Investment Roadmap (HSIR) (HSC23028 / FCS23055 / PED23099) (City Wide) (Item 8.1)**

Janette Smith, City Manager, provided an introduction to Report HSC23028 / FCS23055 / PED23099, Housing Sustainability and Investment Roadmap (HSIR). Angela Burden, General Manager of Healthy and Safe Communities; and Dr. Jim Dunn, Canadian Housing Evidence Collaborative, addressed the Committee with the presentation.

The presentation respecting Report HSC23028 / FCS23055 / PED23099, Housing Sustainability and Investment Roadmap (HSIR), was received.

For disposition of this matter, refer to Item 1.

The General Issues Committee recessed for 30 minutes until 3:00 pm.

(ii) **Five-Year Review of the Environmental Remediation and Site Enhancement (ERASE) Community Improvement Plan and Associated Financial Assistance Programs (PED23076) (City Wide) (Item 8.2)**

Phil Caldwell, Senior Project Manager, Planning and Economic Development provided the presentation respecting Report PED23076, Five-Year Review of the Environmental Remediation and Site Enhancement (ERASE) Community Improvement Plan and Associated Financial Assistance Programs.

The staff presentation respecting Report PED23076, Five-Year Review of the Environmental Remediation and Site Enhancement (ERASE) Community Improvement Plan and Associated Financial Assistance Programs, was received.

The report recommendations were put on the floor as follows:

- (a) That staff be directed to bring forward to the Planning Committee for a statutory public meeting, in accordance with Section 17(15)(d) of the *Planning Act*, the following:
- (i) Appendix "A" to Report PED23076, respecting a proposed updated Environmental Remediation and Site Enhancement (ERASE) Community Improvement Plan;
 - (ii) Appendix "B" to Report PED23076, respecting a proposed updated ERASE Community Improvement Project Area;

- (b) That staff be directed to bring forward to the Planning Committee the following proposed new/updated implementing Environmental Remediation and Site Enhancement (ERASE) Program descriptions for consideration in conjunction with the proposed ERASE Community Improvement Plan and ERASE Community Improvement Project Area By-laws:
 - (i) Appendix “C” to Report PED23076, respecting the ERASE Study Grant Program;
 - (ii) Appendix “D” to Report PED23076, respecting the ERASE Redevelopment Grant Program;
 - (iii) Appendix “E” to Report PED23076, respecting the ERASE Tax Assistance Program;
 - (iv) Appendix “F” to Report PED23076, respecting the ERASE Commercial Districts Remediation Loan Program (currently the Downtown / West Harbour Remediation Loan Program);
 - (v) Appendix “G” to Report PED23076, respecting a new ERASE Affordable Housing Grant Program;
- (c) That staff be directed to implement necessary administrative processes required to enable the existing Brownfield Pilot Project ID 3621755102 to be utilized for the provision of grants under the proposed new Environmental Remediation and Site Enhancement (ERASE) Affordable Housing Grant Program;
- (d) That funds, in an amount not to exceed \$1,000,000 be transferred, as required, to the Brownfield Pilot Project ID 3621755102 to fund future grants under the proposed Environmental Remediation and Site Enhancement (ERASE) Affordable Housing Grant Program, from available funds currently allocated to the Annual Commercial Property Improvement Grant Program, Project ID 8201703703, to an upset limit of \$500,000 and the Annual Commercial District Revitalization Program, Project ID 8201703703, to an upset limit of \$500,000.

That Report PED23076, respecting the Five-Year Review of the Environmental Remediation and Site Enhancement (ERASE) Community Improvement Plan and Associated Financial Assistance Programs, **be amended** by adding an additional sub-section (e), as follows:

- (e) ***That the City of Hamilton request the Province of Ontario invest provincial staff resources as required to avoid***

unnecessary provincial delays to the construction of new housing by ensuring timely approval of remediated sites in alignment with municipal approval timelines.

For disposition of this matter, refer to Item 2.

(iii) Potential Parking Layout Design Improvements and Greenway for the Pier 8 Development (PED23039) (Ward 2) (Item 8.3)

Chris Phillips; Manager, Planning and Economic Development, provided the presentation respecting Report PED23039, Potential Parking Layout Design Improvements and Greenway for the Pier 8 Development.

The staff presentation respecting Report PED23039, Potential Parking Layout Design Improvements and Greenway for the Pier 8 Development, was received.

For disposition of this matter, refer to Item 3.

(h) NOTICES OF MOTION (Item 12)

(i) Conditional Grant to CityHousing Hamilton for the Repair and Renovation of 476 Units (Added Item 12.1)

The Rules of Order were waived to allow for the introduction of a motion respecting Conditional Grant to CityHousing Hamilton for the Repair and Renovation of 476 Units.

For disposition of this matter, refer to Item 6.

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

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

The Amendments to the Outstanding Business List, was approved, as follows:

(a) Items Requiring a New Due Date: (Item 13.1(a))

Strategic Land Acquisition Plan Along the Hamilton Light Rail
Transit (LRT) Corridor
OBL Item: W
Current Due Date: May 17, 2023
Proposed New Due Date: June 14, 2023

Proposal to the Red Hill Valley Joint Stewardship Board for the
Expansion of the Red Hill Valley Parkway
OBL Item: Y
Current Due Date: June 14, 2023
Proposed New Due Date: September 20, 2023

(j) PRIVATE & CONFIDENTIAL (Item 14)

(i) Closed Session Minutes – April 5, 2023 (Item 14.1)

The General Issues Committee Closed Session Minutes of April 5, 2023, were approved and remain confidential.

Committee moved into Closed Session to discuss Item 14.2, pursuant to Section 9.3, Sub-sections (a), (c), (e), and (k) of the City's Procedural By-law 21-021, as amended, and Section 239(2), Sub-sections (a), (c), (e), and (k) of the Ontario Municipal Act, 2001, as amended, as the subject matter pertains to the security of the property of the City or a local board; a proposed or pending acquisition or disposition of land for City or a local board purposes; litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board; 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) Animal Services Facility Report (PED20074(a) / LS23021) (City Wide)
(Added Item 14.2)**

For disposition of this matter, please refer to Item 7.

(k) ADJOURNMENT (Item 15)

There being no further business, the General Issues Committee adjourned at 5:40 p.m.

Respectfully submitted,

Deputy Mayor Brad Clark
Chair, General Issues Committee

Angela McRae
Legislative Coordinator
Office of the City Clerk



Hamilton

HOUSING SUSTAINABILITY AND INVESTMENT ROADMAP



The Housing Sustainability and Investment Roadmap you are about to read is a “Whole of Hamilton” response to our current housing crisis. At the outset, we identify a sense of urgency.



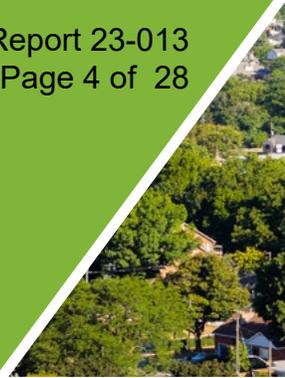


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BACKGROUND AND CONTEXT



Overview: Housing Challenges in Hamilton

The Housing Sustainability and Investment Roadmap you are about to read is a “Whole of Hamilton” response to our current housing crisis. At the outset, we identify a sense of urgency. The motivation for this work is the unprecedented and sobering reality that residents of our neighbourhoods face as they work to find and keep affordable housing for themselves and their families, whether rental or ownership. In light of scarce human and financial resources, the Roadmap provides a path forward to address affordable housing issues in a comprehensive, holistic way. It recognizes our collective need for prioritized action, integrated efforts and a change in how City government and community partners work together to identify and deliver on shared affordable housing goals.

The scope of the Roadmap includes affordable market, below-market, community, non-market, public and subsidized housing and it focuses on the urgent actions needed to accelerate and coordinate activities related to four pillars: construction, acquisition, and retention of affordable housing units, as well as the increased provision of housing-based supports to ensure successful tenancies. Actions will focus both on opportunities for the City and for community sector organizations whose contributions and commitments are required for successful housing outcomes. The Roadmap will help the City of Hamilton identify and maximize the use of the municipal levers at the disposal of City Council, staff and the corporation as a whole. Equally important is the invitation to leaders in other sectors of the community to take synergistic and mutually beneficial actions to create more affordable housing and maintain the current supply in the Hamilton community.

The Roadmap presumes the need for integrated, nimble and aligned efforts across City departments and divisions, connects current efforts and sequences new and innovative ideas into an agreed-upon path of collective action and timelines. Implemented through the efforts of a newly-created Affordable Housing Secretariat, the Roadmap creates a primary, strategic focus and point of collective accountability for affordable housing across City government. With a renewed focus on setting and monitoring targets and defined tactics, the Roadmap also invites participation from community sectors whose actions influence the availability of affordable housing in our city.

The Roadmap builds on the City of Hamilton’s [Housing and Homelessness Action Plan \(HHAP\)](#) first created in 2013 and renewed in 2019, as well as the Official Plan and relevant Secondary Plans and is designed to fulfill the City’s vision to be the best place to raise a family and age successfully. The Roadmap is also supported and informed by other strategies currently being implemented by the City of Hamilton, including the Urban Indigenous Strategy, which calls for an increase in accessible and affordable housing for Indigenous people, as well the Hamilton Climate Action



Strategy, and the Hamilton Community Safety and Well-being Plan, which identified housing and homelessness as one of its seven main priorities, and finally the 2023 City of Hamilton Housing Pledge which outlines multiple initiatives to increase the supply of housing in Hamilton. Further, the Roadmap also benefits from the considerable work undertaken by community organizations, such as the Just Recovery Coalition, a cross-sector effort of community agencies has proposed 152 recommendations in 2021 to Hamilton City Council on ways to improve the lives of Hamiltonians in the wake of the COVID-19 pandemic.

**THE ROADMAP
PROPOSES
SIX MAIN
PRINCIPLES**
to guide its
implementation,
led by municipal
government
in cooperation
with community
partners:

▲
6

- 1.** We acknowledge and respect that each sector has a different role and unique opportunities to contribute to improved outcomes related to affordable housing.
- 2.** We will be action-oriented and prioritize immediate and near-term actions while at the same time building a future-focused roadmap to guide our long-term efforts.
- 3.** We will use this initiative to better leverage our collective efforts in order to optimize resources, investments and outcomes.
- 4.** We will be courageous about change that is needed, have honest conversations and hold each other accountable to working in new ways.
- 5.** We recognize that each sector is approaching this work voluntarily and may need to make decisions that others do not agree with. While we will strive for shared vision, appropriate contributions and commitments, this is not work by consensus. Leaders and governing bodies hold ultimate decision-making for their own organizations.
- 6.** We will use this process to build capacity in individuals and teams so we have increased expertise in the various components and functions required to create and maintain affordable housing.

“...CITY STAFF
WORKED
WITH VARIOUS
STAKEHOLDERS,
INCLUDING
MORE THAN 44
COMMUNITY
GROUPS...”

▲

44

Community Partnership

In the development of the Roadmap and its principles, City staff worked with various stakeholders, including more than 44 community groups that engaged in dialogue with CityLAB students in the fall of 2022. Follow up discussions between City staff, consultants and community participants were further supported by a cross-departmental team of City staff whose work connects with housing related issues. This Core Team collaborated on the development of a cross-departmental work plan, informed by academic thought leaders through the Canadian Housing Evidence Collaborative.

Community partners and stakeholders strongly supported an actionable and tactical approach to addressing Hamilton’s affordable housing issues. Establishing an affordable housing secretariat within city government to work across divisions and with the community was seen as a critical step to coordinating and resourcing the work, implementing solutions and accelerating progress towards shared goals. The City was urged to embrace an action-oriented implementation focus for the Roadmap, involve the community as true partners in the work and to expedite City processes wherever possible. Non-profit affordable housing developers indicated a willingness to partner with the City on solutions to eliminate the delays that often lead to increased costs in order to maximize available resources.

During the early stages of the Roadmap development, dialogue with the Indigenous community focused on the disproportionate number of Indigenous people experiencing chronic homelessness in Hamilton, as well as the continued shortage of Indigenous-specific affordable and supportive housing. The City’s creation of a specific Indigenous allocation of homelessness funding was identified as a strong enabler of progress. Suggestions for the Roadmap included engaging the Coalition of Hamilton Indigenous Leadership as a component of the Roadmap’s external



community governance and prioritizing the completion of Indigenous-led housing projects currently underway. Continued dialogue with the Indigenous community is needed to validate these inputs and create a process to move forward through this work in the spirit of reconciliation.

The Canadian Housing Evidence Collaborative (CHEC) served as an advisory for the development of the roadmap, and working closely with the Core Team and City leadership and engaging with community partners to share best practice, trends and research, and advise on what could work in our local context. A gap analysis conducted by the Canadian Housing Evidence Collaborative for the Hamilton Community Foundation summarized the best available information, housing trends, issues and the most current data and was used to inform the development of the Roadmap and the proposed implementation plan.



INFRASTRUCTURE FOR THE ROADMAP



FIVE
REQUIREMENTS
WERE IDENTIFIED
AS CRITICAL
INFRASTRUCTURE
FOR SUCCESSFUL
IMPLEMENTATION

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5

Implementing the Roadmap

One of the strongest messages from community partners, thought leaders and City staff was that successful implementation of the Roadmap requires dedicated and sustained resources. Five requirements were identified as critical infrastructure for successful implementation:

1. URGENCY, COMMITMENT AND A COLLECTIVE WILL.

Elected Officials, City staff and leaders in community sectors are called upon to embrace an urgent shared vision and commit to identifying and using all available levers to achieve results, ensure alignment between initiatives and embark on a new way of working together. Our whole community will need to recruit and incent potential providers and builders, use creativity and flexibility to achieve objectives, and work together to maximize the take-up of available funding programs from senior levels of government to ensure Hamilton receives critical and needed resources.





2. AN AFFORDABLE HOUSING SECRETARIAT.

This new team will work in a holistic and integrated way with community leaders and the City to identify policy solutions, innovate, drive results and lead implementation of the Roadmap. They will work to maximize investment, leverage funding from multiple sources and pursue improvements that may not require funding, but which will lead to better integration and outcomes. With a dual focus on policy and immediate action, the Secretariat will work across City departments and with community stakeholders to ensure alignment, drive a nimble approach, improve processes and reduce barriers.

3. EXPANDED AFFORDABLE HOUSING DEVELOPMENT AND ACQUISITION CAPACITY.

Adequate resources are required to work in the new ways set forth in this Roadmap. New investments must be made in order to deliver on the strategic mandate to leverage all affordable housing opportunities and maximize the City's existing land portfolio as well as future facility investments for the short and long-term.

4. AN AFFORDABLE HOUSING RESOURCE FUND.

A known and predictable funding source and financing strategy for prioritized activities and actions is critical for planning and to maximize investment and enable a nimble response to opportunities. An Affordable Housing Fund could be created through a dedicated stream of funding (e.g. earmarked property tax increase, vacant unit tax, leveraging of reserves, fees and charges). The ability to act nimbly, maximize funding opportunities and provide predictable resources are key benefits to this fund.

5. ROBUST AND PRIORITIZED GOVERNMENT RELATIONS STRATEGY.

Partnerships and resources from upper levels of governments are critical to the success of the Roadmap. Working with the Mayor's Office, City Council and community stakeholders, a whole-of-community set of priorities and aligned advocacy strategy for Hamilton will be foundational to the Roadmap's activities.



Governance

Taking the lead from community partners and City staff who reinforced the importance of nimble action and rapid implementation, governance for the Roadmap will leverage existing internal structures and external relationships. The Canadian Housing Executive Collaborative will continue to serve as an advisor and thought leader, engaging its roster of national housing experts where needed to guide implementation, and where necessary, challenge status quo.

- **City Council:** Strategic oversight and governance. Will guide the Roadmap at the strategic level through established Term of Council priorities. Council will inform and approve the annual program of work, approve the levels of investment and the municipal tools and policies, and champion progress.
- **Executive Committee:** Program decision makers and problem solvers for the City – Executive committee made up of the City Manager, the General Managers of Healthy & Safe Communities, Planning & Economic Development and Corporate Services Departments.
- **Steering Committee:** Operational oversight, chaired by the Director. Community lead of the Secretariat membership made up of the Chief Building Official, Chief Planner, Chief Corporate Real Estate Officer, CEO of CityHousing Hamilton and Directors from Housing Services, Corporate Finance and Urban Indigenous Relations, and other City divisions as required.
- **The Secretariat** will leverage external governance structures for the Roadmap by working with Indigenous leadership and existing community tables. Existing community tables will be used as **Partnership Action Tables** organized around the four pillars and convened as required in order to implement agreed-upon prioritized actions and realize solutions for obstacles. Comprised of non-profit housing providers, housing experts, Indigenous organizations, City staff, and funders, shared leadership between the City and community where possible will be key.

Designing and Delivering an Annual Program of Work

The Secretariat will design and deliver each year on an annual Program of Work based on the Implementation Actions identified in the Roadmap, partner engagement, Council priorities and feedback as approved by Council. The Secretariat will ensure integration of efforts across City divisions and encourage alignment across community stakeholders with respect to initiatives underway, and new opportunities identified for implementation. The annual Program of Work will be created based on an evidence-based assessment of best options, available opportunities and the ideal mix of actions to support the creation of affordable market housing, new affordable housing, acquire and retain existing affordable housing, and deliver appropriate supports (see menu of options in appendix). Every October during National Housing Month, the Secretariat will report on progress from the previous year, recommend a program of work for the subsequent year and identify resources required. Recommendations for new municipal investments will be brought forward as part of the annual budget cycle for Council consideration and approval, and will leverage investment from upper levels of government.

With the necessary resources in place, and with Secretariat leadership, the Roadmap will focus on actions designed for impact on the health of Hamilton's affordable housing system across four pillars: new construction, acquisition, preserve and retain, and provision of housing-based supports.



THE FOUR PILLARS of Hamilton's Housing Sustainability and Investment Roadmap

“...the Roadmap will focus on actions designed for impact on the health of Hamilton's affordable housing system across four pillars:

NEW CONSTRUCTION, ACQUISITION, MAINTAIN/PRESERVE, AND PROVISION OF HOUSING-BASED SUPPORTS”.

▲
4

PILLAR 1

New Construction of Affordable Housing

Federal programs that began in 2017 have placed a significant emphasis on new, affordable housing construction in partnership with municipalities. Although City staff and academic thought leaders have identified new construction as one of the most challenging pillars to address due to issues such as rising construction costs, labour shortages and increasing interest rates, it is still a key component to addressing the housing challenge.

New construction of deeply affordable units has generally only been achieved through building at 80% of Average Market Rents and then layering on housing allowances or rent supplements. The Housing Sustainability and Investment Roadmap will have a community commitment to build more moderately priced housing to reduce pressure on the existing private rental market by making more space available in the system as a whole. While new construction remains desirable, deep affordability of units is contingent on substantial funding from other levels of government. Over time, housing that is under non-profit operation will gradually grow in market share and rents will increase at a lower rate than the market as a whole, effectively increasing the pool of modest-rent housing—this is a slow investment approach.

Average Market Rents are calculated by the Canadian Mortgage and Housing Corporation (CMHC) and the rent refers to the actual amount tenants pay for their unit. No adjustments are made for the inclusion or exclusion of amenities and services such as heat, hydro, parking or hot water.



There are several broad actions that will be undertaken to address Pillar 1, including:

- Reduce pressure on the housing system by building moderately affordable market rental units (up to 125% Average Market Rent) with a target of 350 new units, including accessory units, per year for the next 10 years.
- Develop a package of incentives and programs to support the construction of affordable housing, including, but not limited to, the provision of advisory expertise to aid housing providers at the pre-construction and feasibility stages, prioritization of development approvals, reducing or eliminating parking requirements, and reducing or eliminating fees and charges such as parkland dedication fees, development application fees, and Development Charges for affordable housing projects.
- Identify and implement innovative financing tools, including targeted partnership with social enterprise capital and opportunities at the local, provincial and national level.
- Make publicly-owned lands available for the building or funding of affordable housing, including the continued development of parcels already identified by the City's affordable housing site selection subcommittee, an updated review of City-owned properties and/or provincial or federal lands for potential affordable housing development, and the selling of City surplus lands that are not suitable for housing with the proceeds allocated to funding affordable housing.
- Find opportunities for integrated developments where affordable housing can be paired with other public or private assets, such as libraries, fire stations and places of worship.
- Work closely with affordable housing providers to develop strong, quality submissions for development approvals that can be expedited through the approval process.
- Engage and support Indigenous affordable housing projects. Ensure sufficient capacity for Indigenous housing providers and accelerate progress on Indigenous-led projects currently underway.



THE FOUR PILLARS

“...ONLY 5% OF HOUSEHOLDS GET THEIR HOUSING FROM THE PUBLIC OR NON-MARKET SECTOR...”

▲
5%



PILLAR 2

Acquisition of Affordable Housing

Only 5% of households get their housing from the public or non-market sector, while in some other countries, like the United Kingdom at 22%, the non-market and public sectors are more important in the delivery of housing. The implication is that in Canada, we depend on the private market to deliver most of the modestly-priced housing we need. But the last several years have seen an acceleration of the loss of modest-rent market rental housing due to the activity of investors and landlords.

It is therefore crucial that the public and non-market sector make strategic investments in existing moderately-priced rental units under these conditions, as part of a gradual transformation of the rental housing sector. Acquisition matches up favourably against new construction, as the purchase price of an existing rental unit could be less than the \$500,000 or more per unit currently seen in new construction costs. Moreover, it is much quicker and faces fewer procedural barriers like zoning, permits, etc. Add to this that much of the investment could come from social purpose capital and operations could be managed by the non-market housing sector. Social purpose capital is an important resource here, as there are many investors in this space who are willing to take a lower rate of return if their money is being used to achieve a meaningful social purpose, like providing affordable rents to modest-income households.

Social Purpose Capital: Social purpose investors lend money at below-market rates to organizations that seek to achieve a social purpose with the loans.

THE FOUR PILLARS

While acquiring existing rental investment properties does not create new supply, it does slow the erosion of modest-rent units, which is happening at a substantial pace. Due diligence is required to examine buildings and land to avoid major capital renovations and/or contamination that can interfere with continuing to offer affordable rents.

There are several broad actions that will be undertaken to address Pillar 2, including:

- Engage with community partners, undertaking strategic acquisitions of “at-risk” existing affordable housing units or existing affordable rental units that come up for sale.
- Work with community stakeholders and housing providers to conduct business cases analyses and risk assessments to identify and purchase land and/or vacant or under-utilized properties suitable for affordable housing development and/or intensification.
- Consult with social purpose capital investors to create access to financing and processes to rapidly identify, screen and process acquisition of modestly-priced housing units.
- Create an Acquisition Assistance Fund with social enterprise investors that would enable the City and non-profit housing providers to purchase existing affordable private rental housing.



THE FOUR PILLARS

THE CITY AND
ITS PARTNERS
SHOULD DO
EVERYTHING
IN THEIR
POWER TO
PROTECT AND
PRESERVE THE
(...) AFFORDABLE
RENTAL
HOUSING.



PILLAR 3

Preserve and Retain Existing Affordable Housing

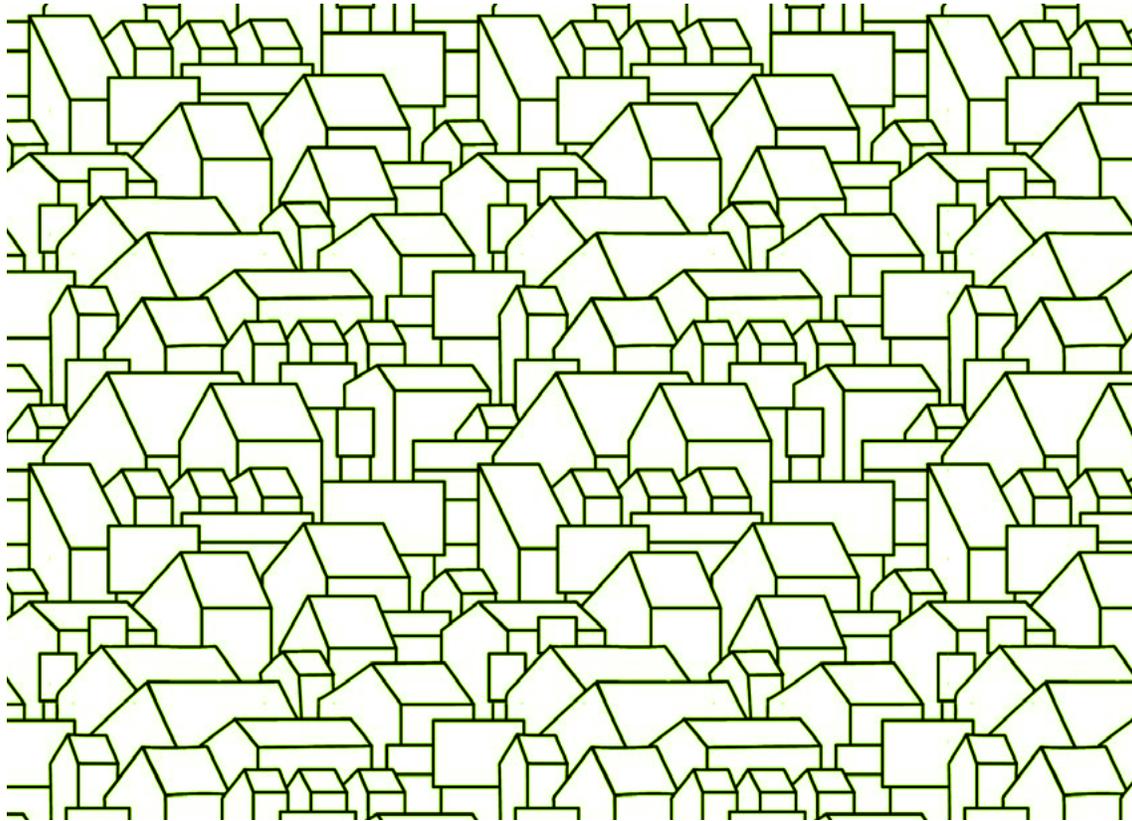
The City and its partners will do everything in their power to protect and preserve the two general categories of affordable rental housing, which include legacy community housing units (non-profit) and units in the private rental market. While many community housing units are vulnerable due to end-of-mortgage agreements and quality challenges coupled with the erosion of private rental market units, preservation must be a priority. Moreover, the City will review, rationalize and potentially expand rent supplement programs for tenants to ensure that private market tenants facing unaffordable rent increases are not forced from their homes due to affordability challenges.

As outlined in the Housing and Homelessness Action Plan, there are numerous actions that can be taken to protect community housing stock, including repair and renewal, working with operators at end of mortgage agreements, improving safety, and ensuring property standards strategies are in place. One of the best ways to maintain affordable rental units is to encourage and enable tenants to stay in place.

End-of-Mortgage Agreements:

Financial agreements with the Province related to specific social housing projects that were designed to incentivize affordable housing. Once the mortgages are paid the units must continue as rent-geared-to-income housing indefinitely. Once their mortgage ends, the operator's finances change significantly and as service manager the City must work with each provider using various incentives to ensure their operations are financially viable.

THE FOUR PILLARS



There are several broad actions that will be undertaken to address Pillar 3, including:

- Conduct a comprehensive asset rationalization for strategic development for all non-profit housing to identify opportunities for intensification and further development.
- Make the best use of existing rent-geared-to-income social programs. Identify funding to repair and bring units back online and stay online.
- Review and implement financial strategies that strengthen the ability of non-profits to access equity and develop additional units.
- Preserve and protect existing affordable rental housing in the private rental market, which could be achieved through the implementation of a rental replacement by-law, policies to protect tenants from large rent increases and legislative frameworks for regulating condominium conversions.
- Develop and resource a comprehensive city-wide response to resolve landlord-tenant issues pro-actively and stabilize tenancies.
- Reduce pressure on affordable rental housing by ensuring a healthy supply of market rental housing, with a particular focus on rental housing for students.
- Expand availability of Portable Housing Benefits to address affordability problems for households who otherwise have adequate and suitable housing.

THE FOUR PILLARS

“...RESOURCING THIS ACTION IS OF SUCH IMPORTANCE THAT AS A SINGULAR ACT COULD BY ITSELF ALMOST END CHRONIC HOMELESSNESS IN HAMILTON”.



PILLAR 4

Provision of housing-based supports

All housing is effectively a pairing of accommodation and support. Even an owner-occupied, single, detached, home comes with supports such as snow removal, sewage, water, etc. But many people who need affordable housing also need personalized human service supports to ensure successful tenancies and well-being. The need for supports is also evident in a number of community housing buildings, where tenants are aging into the need for supports (e.g., home care, daily living supports). Some individuals need specialized supports, including people with mental illness and addictions, victims of intimate partner violence, people with disabilities, etc. In addition, culturally safe supports are needed for Indigenous people, racialized populations, people who are part of LGBTQ+ communities, and others. The current lack of supportive housing in Ontario also has significant implications for other sectors, notably hospitals, shelters, emergency services and policing and criminal justice, as well as other services. Encampments are a symptom of the lack of supportive housing.

The Housing and Homelessness Action Plan identifies the availability and adequacy of income-based and personal supports as one of the most important tools to end chronic homelessness as the needs of those requiring affordable housing often extend beyond physical space. Supportive housing is a critical missing piece in Hamilton’s system of care. While working with upper levels of government to help fund this need has been and remains a key strategy, resourcing this action is of such importance that as a singular act could by itself almost end chronic homelessness in Hamilton.

Municipalities cannot assume this burden alone - it is not possible for local taxpayers to fund this critical gap in the current system. Ongoing advocacy to upper levels of government and partnership must be part of the solution, for Hamilton and other areas of the province.

THE FOUR PILLARS

There are several broad actions that will be undertaken to address Pillar 4, including:

- Working with upper levels of government, and health and human service partners, commit to the creation of 200 new, permanent supportive housing units with purpose-built units for 10-15 people per site with highly complex needs who are experiencing chronic homelessness.
- Support Indigenous organizations, housing providers, Indigenous-led programs and funding decisions and the Indigenous Continuum of Supports program. Stabilize operational funding for Coalition of Hamilton Indigenous Leadership to advance Indigenous shared leadership of Coordinated Access.
- Transform the Residential Care Facilities system to ensure people living in Residential Care Facilities receive adequate supports that are well matched to individual needs.
- Work with Housing Services, the Greater Hamilton Health Network, Ontario Health, local stakeholders and senior levels of government to increase the number of people with high acuity, complex needs who receive residentially-based health supports.
- Intentionally design a local system of homelessness services supports to serve individuals and families who are unsheltered and/or accessing shelters through sustained, annualized funding of initiatives matched to community need and at a level that is sufficient for providers.



IMPLEMENTATION FOR YEAR 1

First Year Priority Actions

1	Establish the Affordable Housing Secretariat and Implement the 2023 Program of Work (attached). Partner with Canadian Housing Evidence Collaborative to develop logic model and evaluation framework for Roadmap activities.
2	Develop a five year financing strategy for the Housing Sustainability and Investment Roadmap, inclusive of identifying funding sources and innovative financing models and leveraging risk to deliver on program goals.
3	Develop a government relations strategy, with prioritized focus on key issues, including supportive housing, appropriate levels of investments in housing and homeless serving sector emerging from COVID-19, and approaching upper levels of government to fund Hamilton’s new affordable housing development in aggregate, rather than on a per project basis.
4	Bring forward recommendations for delegated authorities required by City Staff to maximize and expedite progress on Roadmap deliverables and Council-endorsed goals.
5	Partner with Social Innovation Canada, Canada Mortgage and Housing Corporation, the Federation of Canadian Municipalities and the Hamilton Community Foundation on a Transit-Oriented Affordable Housing Lab in Hamilton to design and implement new financing models and maximize funding pathways to Canada Mortgage and Housing Corporation.
6	Review planning policies, incentives and proposed regulatory changes that will enable progress towards the goal of 350 moderately affordable market rental units per year.



7	Led by the City’s Real Estate section initiate a full assessment of City-owned properties to identify potential sites suitability for affordable housing development, either through using available land or intensification of existing buildings. Explore similar opportunities with Federal and Provincially owned lands.
8	Support the social housing providers to complete the asset rationalization work that will be used to create a multi-year capital plan related to intensification and asset renewal for the current social housing stock.
9	Develop a City-led Tenant Response Team that would work with community organizations in a city-wide response to addressing tenant concerns and issues (including responses around “renovictions”), and design a city-wide campaign to ensure tenants know their rights to remain in their homes.
10	Start dialogue with community partners to create an Acquisition Assistance Fund, potentially in partnership with social enterprise capital that would enable the purchase and preservation of existing affordable private rental housing in Hamilton.
11	Invest in enhancements to homelessness serving sector considering new municipal housing benefits to ensure impact further upstream, and bringing out-of-service rent-geared-to-income units back on line. Develop financing strategy for any additional in-year investments and in advance for the 2024 budget process.

APPENDIX

Year 1 Program of Work						
DESCRIPTION		LEAD	STATUS			
			Existing	Enhanced	New	Progress
INFRASTRUCTURE FOR THE ROADMAP						
1	<p>Create and begin staffing the Affordable Housing Secretariat with a Director, Community Special Advisor, Program Coordinator.</p> <p>Use the first few years to better understand the need for permanent resourcing of the Secretariat, and the need for additional expertise and resources required across City government to fully implement the work.</p> <p>Bring forward the proposed permanent structure for the 2024 budget process, a five-year financing strategy, and recommendations for delegated authorities a Secretariat may require to expedite progress (e.g. purchasing limits, rostering process, re-zoning).</p>	Executive Steering Committee	XX			Underway
2	<p>Establish governance and convene governors to ensure alignment across community and City departments. Invite community sector to sign onto partnership commitments.</p>	Secretariat Executive Steering Committee	XX			Underway
3	<p>Establish an Affordable Housing Resource Fund to address immediate and Year 1 actions.</p>	Executive Steering Committee		XX	XX	Proposed to Council
4	<p>Develop a Government Relations Strategy, with prioritized focus on key issues, including supportive housing, appropriate levels of investments in housing and the homeless serving sector emerging from COVID-19, and approaching upper levels of government to fund Hamilton's new affordable housing development in aggregate, rather than on a per project basis.</p>	Roadmap Partnership Table, Mayor's Office	XX			Upon Roadmap approval
PILLAR 1: NEW CONSTRUCTION						
5	<p>Ensure the affordable units currently under construction by community stakeholders are completed.</p>	Housing Division	XX	XX		Underway

Year 1 Program of Work						
	DESCRIPTION	LEAD	STATUS			
			Existing	Enhanced	New	Progress
6	Partner with Social Innovation Canada's Transit Oriented Affordable Housing Lab, Canada Mortgage and Housing Corporation, the Federation of Canadian Municipalities and the Hamilton Community Foundation to design and implement new financing models and maximize funding pathways to Canada Mortgage Housing Corporation. (Launch date: May 2023)	Housing Division, Community Partners, Hamilton Community Foundation, Canadian Housing Evidence Collaborative	XX			Underway
7	Develop and implement a promotion strategy to accelerate construction and expansion of Accessory Dwelling Units and Four-plex conversions across the city.	Planning and Economic Development	XX	XX		Expand existing programs that are underway
8	Develop a package of incentives and programs to support the construction of affordable housing, including, but not limited to, the provision of advisory expertise to aid housing providers at the pre-construction and feasibility stages, prioritization of development approvals, reducing or eliminating parking requirements, and reducing or eliminating fees and charges such as parkland dedication fees, development application fees, and Development Charges for affordable housing projects.	Planning and Economic Development, Community Stakeholders, Housing Division	XX			Upon Roadmap approval
9	Identify opportunities for integrated development by assessing capital asset renewal projects by anchor institutions, community stakeholder, and the City for possible inclusion of affordable housing.	Secretariat			XX	Upon Roadmap approval
10	Work with Indigenous housing providers and organizations to expedite and complete housing projects that are planned or underway.	Secretariat, Housing Division	XX	XX		Upon Roadmap approval
PILLAR 2: ACQUISITION						
11	Start dialogue with community partners to create an Acquisition Assistance Fund, potentially in partnership with social enterprise capital that would enable the purchase and preservation of existing affordable private rental housing in Hamilton.	Secretariat, Executive Steering Committee			XX	Upon Roadmap approval

APPENDIX

Year 1 Program of Work						
	DESCRIPTION	LEAD	STATUS			
			Existing	Enhanced	New	Progress
12	Led by the City's Real Estate Section, initiate a full assessment of City-owned properties to identify the suitability of potential sites for affordable housing development, either through using available land or intensification of existing buildings. Led by staff in the Housing Services Division, work with affordable housing providers to optimize housing portfolios.	Secretariat, Real Estate Division, Facilities Division	XX	XX		Upon Roadmap approval
13	In Year 1, be prepared to identify and purchase parcels of land and/or vacant or under-utilized properties that are suitable for the development of affordable housing (this could include existing properties with future intensification potential).	Secretariat, Real Estate Division, Roadmap Partnership Table			XX	Upon Roadmap approval
PILLAR 3: PRESERVE AND MAINTAIN AFFORDABLE HOUSING						
14	Complete an asset rationalization study of community housing portfolio to identify development and intensification opportunities	Secretariat, Housing Services	XX			Upon Roadmap approval
15	Acquire a consultant to support the social housing providers other than CityHousing Hamilton to complete the asset rationalization work that will be used to create a multi year capital plan related to intensification and asset renewal for the current social housing stock.	Housing Division, Real Estate Division			XX	Underway for CityHousing Hamilton, upon Roadmap approval for other providers
16	Identify funding to assess, prioritize and repair (where possible) approximately 500 rent-geared-to-income units that are off-line and require renewal.	CityHousing Hamilton			XX	Before Council for decision
17	To protect existing rental housing, establish a policy package including a rental replacement by-law. Encourage additional policy initiatives that protect purpose-built rental housing supply as required.	Planning and Economic Development	XX			Upon Roadmap approval

Year 1 Program of Work						
	DESCRIPTION	LEAD	STATUS			
			Existing	Enhanced	New	Progress
18	Develop and resource a City Coordinated Tenant Response Team that would work with community organizations in a City-wide response to addressing tenant concerns and issues (including responses around "renovictions") and design a City-wide campaign to ensure tenants know their rights to remain in their homes.	Housing Division	XX		XX	Upon Roadmap approval
PILLAR 4: PROVISION OF HOUSING-BASED SUPPORTS						
19	Work with upper levels of government and health and human service partners to create 200 new, permanent supportive housing units with purpose-built units for 10-15 people per site with highly complex needs who are experiencing chronic homelessness.	Housing Division, Community Stakeholders			XX	Upon Roadmap approval
20	Continue to advance Indigenous shared leadership of Hamilton's Coordinated Access System in collaboration with the Indigenous Community Entity (Coalition of Hamilton's Indigenous Leadership) to ensure Indigenous-led funding decisions to support Indigenous-led housing support programs and Indigenous housing providers as part of a comprehensive continuum of supports.	Housing Division		XX		Upon Roadmap approval
21	Work with Housing Services, Greater Hamilton Health Network, Ontario Health, local stakeholders and senior levels of government to increase the number of people with high acuity, complex needs who receive residentially-based health supports.	Housing Division, Executive Committee	XX			Underway
22	Improve the system of homelessness services and supports to individuals and families who are unsheltered and/or accessing shelters through the creation of new Portable Housing Allowances to bolster prevention and diversion programs, renew shelter standards and training and expand emergency shelter capacity for women and families, as well as a drop-in and winter response strategy.	Housing Division			XX	Underway

LAND ACKNOWLEDGMENT

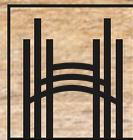
The City of Hamilton is situated upon the traditional territories of the Erie, Neutral, Huron-Wendat, Haudenosaunee and Mississaugas. This land is covered by the Dish With One Spoon Wampum Belt Covenant, which was an agreement between the Haudenosaunee and Anishinaabek to share and care for the resources around the Great Lakes. We further acknowledge that this land is covered by the Between the Lakes Purchase, 1792, between the Crown and the Mississaugas of the Credit First Nation.

Today, the City of Hamilton is home to many Indigenous people from across Turtle Island (North America) and we recognize 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.

FOR MORE INFORMATION

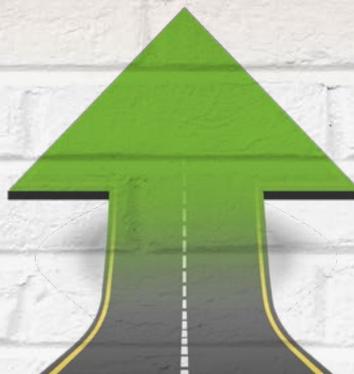
Please contact the City of Hamilton Housing Services Division
by email at housing@hamilton.ca
or visit www.hamilton.ca/housing.

HOUSING SUSTAINABILITY AND INVESTMENT ROADMAP



Hamilton

April 2023





City of Hamilton
**SOLE VOTING MEMBER
 OF THE HAMILTON FARMERS' MARKET
 REPORT 23-002**

5:42 pm

**Wednesday, April 19, 2023
 Council Chambers, Hamilton City Hall, 2nd Floor
 71 Main Street West, Hamilton, ON**

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

Absent: Councillor A. Wilson – City Business
 Councillor E. Pauls, M. Tadeson - Personal

**THE SOLE VOTING MEMBER OF THE HAMILTON FARMERS' MARKET PRESENTS
 REPORT 23-002 AND RESPECTFULLY RECOMMENDS:**

- 1. Appointment of the Vendor Directors to the Hamilton Farmers' Market Corporation (Item 8.1)**

RESOLUTION OF THE SOLE VOTING MEMBER OF THE CORPORATION

WHEREAS the Corporation is a corporation without share capital to which the *Corporations Act*, R.S.O. 1990, c.38 (the "Act") applies;

AND WHEREAS by the Corporation's Letters Patent, the City of Hamilton is the sole voting member of the Corporation ("Sole Voting Member");

AND WHEREAS by section 5.03 of the Corporation's By-Law No.1, the City of Hamilton, as the sole voting member, is authorized to elect and appoint Directors;

AND WHEREAS, John Alexander and Shane Coleman were elected from among the stallholders of the Hamilton Farmers' Market to serve as Directors on March 23, 2023.

NOW BE IT RESOLVED that the Sole Voting Member approves the appointments of John Alexander and Shane Coleman to the Hamilton Farmers' Market Corporation Board of Directors, effective from March 23, 2023, for a term of two (2) years with an option, at such Director's discretion, to extend their term for two (2) additional two-year terms.

AND that the Sole Voting Member receives the resignation of Brandon Linares from the Treasurer and Vendor Board Position effective from March 10, 2023.

FOR INFORMATION:

(a) APPROVAL OF AGENDA (Item 2)

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

The agenda for the April 19, 2023 meeting of the Sole Voting Member of the Hamilton Farmers' Market, was approved, as presented.

(b) DECLARATIONS OF INTEREST (Item 3)

There were no declarations of interest.

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

(i) February 23, 2023 (Item 4.1)

The Minutes of the February 23, 2023 meeting of the Sole Voting Member of the Hamilton Farmers' Market, were approved, as presented.

(d) ADJOURNMENT (Item 13)

There being no further business, the Sole Voting Member of the Hamilton Farmers' Market adjourned at 5:48 p.m.

Respectfully submitted,

Deputy Mayor Brad Clark
Chair, General Issues Committee

Angela McRae
Legislative Coordinator
Office of the City Clerk



AUDIT, FINANCE AND ADMINISTRATION COMMITTEE REPORT 23-006

**9:30 a.m.
April 20, 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 23-006 AND RESPECTFULLY RECOMMENDS:

- 1. Tax and Rate Operating Budget Variance Report as at December 31, 2022 – Budget Control Policy Transfers (FCS22042(b)) (City Wide) (Item 8.1)**
 - (a) That the Tax and Rate Operating Budget Variance Report as at December 31, 2022 attached as Appendices “A” and “B”, respectively, to Report FCS22042(b) be received;
 - (b) That, in accordance with the “Budgeted Complement Control Policy”, the 2022 complement transfers from one department / division to another with no impact on the levy, as outlined in Appendix “C” to Report FCS22042(b), be approved;
 - (c) That, in accordance with the “Budget Complement Control Policy”, the 2022 extensions of temporary positions with 24-month terms or greater, with no impact on the levy, as outlined in Appendix “D” to Report FCS22042(b), be approved;
 - (d) That, subject to finalization of the 2022 audited financial statements, the disposition of the 2022 year-end operating budget surplus be approved as detailed in Table 1:

Table 1

DISPOSITION / RECONCILIATION OF YEAR-END SURPLUS/ (DEFICIT)	\$	\$
Corporate Surplus from Tax Supported Operations		\$ 22,938,340
Disposition to/from Self-Supporting Programs & Agencies		\$ (3,159,224)
Less: Police (Transfer to Police Reserve)	\$ (1,020,546)	
Less: Library (Transfer to Library Reserve)	\$ (2,139,741)	
Add: Farmers Market (Transfer from COVID-19 Emergency Reserve)	\$ 1,063	
Balance of Corporate Surplus		\$ 19,779,116
Less: Transfer to Flamborough Capital Reserve		\$ (262,944)
Less: Transfer to fund Mission Services one-time capital (Council Aug 2022; HSC20020(f))		\$ (3,040,000)
Less: Transfer to Hamilton Entertainment Facilities (HEF) Capital Project Reserve		\$ (544,658)
Less: Transfer to fund shortfall in Development Charge Exemptions		\$ (7,708,933)
Less: Transfer to fund Cold Alert Response		\$ (109,000)
Less: Transfer of Hamilton Utilities Corporation (HUC) dividends surplus to the Housing Project ID #6732341301 (Council Aug 2019; HSC19048)		\$ (2,792,304)
Less: Transfer remaining balance to Tax Stabilization Reserve		\$ (5,321,277)
Balance of Tax Supported Operations		\$ (0)
Corporate Surplus from Rate Supported Operations		\$ 1,173,485
Less: Transfer Rate Supported Waster Surplus to fund Development Charge Exemptions		\$ (770,107)
Less: Transfer Rate Supported Wastewater/Stormwater Surplus to fund Development Charge Exemptions		\$ (403,378)
Balance of Rate Supported Operations		\$ 0

2. Development Charges Stakeholders Sub-Committee Report 23-001, April 13, 2023 (Added Item 10.1)

(a) Appointment of Chair and Vice-Chair for 2023 (Item 1.1)

(i) Appointment of Chair

That Councillor C. Cassar be appointed as Chair of the Development Charges Stakeholders Sub-committee for 2023.

(ii) Appointment of Vice-Chair

That P. Szachlewicz be appointed as Vice-Chair of the Development Charges Stakeholders Sub-committee for 2023.

(b) Corporate Strategic Growth Initiatives (CSGI) – Master Plan Updates and Development Charge By-law Approach (PED23084) (City Wide) (Item 11.1)

(i) That the City's new 2024 Development Charges (DC) By-law be prepared based on the 2031 growth forecast; and,

(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 and, if necessary, 2051 based on timing of completed Master Plan updates.

- (c) **2024 Development Charges Background Study and By-law Update (FCS23040) (City Wide) (Item 11.2)**
 - (i) That Report FCS23040 respecting 2024 Development Charges Background Study and By-law Update, be received.

FOR INFORMATION:

(a) CHANGES TO THE AGENDA (Item 2)

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

4. APPROVAL OF MINUTES OF PREVIOUS MEETING

4.2 February 16, 2023 – REVISED

5. CONSENT ITEMS

9.1 Business Improvement Area Sub-Committee Minutes - March 21, 2023

9.2 Various Advisory Committee Minutes

(a) Advisory Committee for Immigrants and Refugees

- (i) December 8, 2022
- (ii) No-Quorum Report - January 12, 2023
- (iii) February 9, 2023
- (iv) March 9, 2023

(b) Committee Against Racism

- (i) February 28, 2023

(c) Mundialization Committee

- (i) June 15, 2022
- (ii) December 21, 2022

10. DISCUSSION ITEMS

10.1 Development Charges Stakeholders Sub-Committee Report 23-001, April 13, 2023

12. NOTICES OF MOTION

12.1 Area Specific Development Charges

The agenda for the April 20, 2023 Audit, Finance and Administration Committee meeting, was approved, as amended.

(b) DECLARATIONS OF INTEREST (Item 3)

There were no declarations of interest.

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

(i) April 6, 2023 (Item 4.1)

The Minutes of the April 6, 2023 meeting of the Audit, Finance and Administration Committee, were approved, as presented.

(ii) February 16, 2023 (Item 4.2)

WHEREAS, the Communications Items considered at the February 16, 2023 meeting of the Audit, Finance and Administration Committee were inadvertently omitted from the February 16, 2023 Audit, Finance and Administration Committee minutes;

THEREFORE, BE IT RESOLVED:

- (a) That the Minutes of the February 16, 2023 meeting of the Audit, Finance and Administration Committee, be **amended** by including the following:

(d) COMMUNICATIONS (Item 5)

The following Communications Items, were approved, as presented:

- (i) Julie Turner, respecting her resignation from the Hamilton Women and Gender Equity Committee**

Recommendation: Be received.

- (ii) Gabriel Nicholson, respecting motion 11.2 Council Access to and Copies of Confidential Records**

Recommendation: Be received and referred to consideration of Item 11.2, Council Access to and Copies of Confidential Records.

(d) STAFF PRESENTATIONS / PRESENTATIONS (Item 8)

- (i) Tax and Rate Operating Budget Variance Report as at December 31, 2022 – Budget Control Policy Transfers (FCS22042(b)) (City Wide) (Item 8.1)**

Mike Zegarac, General Manager, Corporate Services, addressed Committee respecting the Tax and Rate Operating Budget Variance Report as at December 31, 2022 – Budget Control Policy Transfers (Report FCS22042(b)), with the aid of a presentation.

The presentation from Mike Zegarac, General Manager, Corporate Services, respecting the Tax and Rate Operating Budget Variance Report as at December 31, 2022 – Budget Control Policy Transfers (Report FCS22042(b)), was received.

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

(e) CONSENT ITEMS (Item 9)

The following Consent Items, were received:

(i) Business Improvement Area Sub-Committee Minutes - March 21, 2023 (Added Item 9.1)

(ii) Various Advisory Committee Minutes (Added Item 9.2)

1. Advisory Committee for Immigrants and Refugees
 - (aa) December 8, 2022
 - (ab) No-Quorum Report - January 12, 2023
 - (ac) February 9, 2023
 - (ad) March 9, 2023
2. Committee Against Racism
 - (aa) February 28, 2023
3. Mundialization Committee
 - (aa) June 15, 2022
 - (ab) December 21, 2022

(f) NOTICES OF MOTION

Councillor M. Wilson introduced the following Notice of Motion:

(i) Area Specific Development Charges (Added Item 12.1)

WHEREAS, the City is in the process of undertaking a Development Charges Background Study;

WHEREAS, Section 10 (2) (c.1) of the Development Charges Act, 1997, requires consideration of the use of more than one Development Charge by-law to reflect different needs for services in different areas;

WHEREAS, the Masterplan teams have been directed to consider area specific (variable) Development Charges in the completion of their Masterplans;

WHEREAS, the City currently uses average persons per unit as the basis for determining the Development Charge applicable for low, medium, and high density residential development which results in low density being charged a higher per-unit rate than medium or high density developments; and

WHEREAS, the City of Hamilton is committed to building a range and mix of housing types and tenures, including affordable housing, to meet the needs of the current and growing population;

THEREFORE, BE IT RESOLVED:

- (a) That staff be directed to consider alternative Development Charges which may include variation of the Development Charges based upon factors such as location, type of development, density and unit size/lot size; and
- (b) That consideration also be given to defensible charges which are higher for larger residential units than smaller residential units

(g) PRIVATE AND CONFIDENTIAL (Item 14)

(i) Closed Minutes – April 6, 2023 (Item 14.1)

- (a) The Closed Session Minutes of the April 6, 2023 Audit, Finance and Administration Committee meeting, were approved as presented; and
- (b) The Closed Session Minutes of the April 6, 2023 Audit, Finance and Administration Committee meeting, shall remain confidential.

(h) ADJOURNMENT (Item 15)

There being no further business, the Audit, Finance and Administration Committee, was adjourned at 11:03 a.m.

Respectfully submitted,

Councillor Cameron Kroetsch, Chair
Audit, Finance and Administration
Committee

Tamara Bates
Legislative Coordinator
Office of the City Clerk

CITY OF HAMILTON
TAX OPERATING BUDGET VARIANCE REPORT AS AT DECEMBER 31, 2022
 (\$ 000's)

	2022 Approved Budget	2022 Actuals December	2022 Actuals vs Approved Budget		Comments/Explanations
			\$	%	
PLANNING & ECONOMIC DEVELOPMENT					
General Manager	1,055	833	222	21.0%	Favourable variances of: \$152 K Net gapping due to Senior Advisor Strategic Growth being funded from capital \$38 K savings in Meeting Expenses \$23 K savings in Conferences, Training, Employee recognition
Transportation, Planning and Parking	2,874	759	2,114	73.6%	Favourable variances of: \$1.1 M additional revenues; \$330 K gapping; \$325 K unspent grants; \$100 K settlement with previous bike share operator; \$133 K contractual savings (mostly due to reduced Imperial Parking staffing); \$78 K other employee related; \$74 K building & ground (mostly from hydro at Ellen Fairclough Building); \$48 K internal recoveries (mostly due to unspent traffic services recoveries); \$65 K materials & supplies (mostly due to unspent ticket stock budget); Partially offset by: (\$171 K) increased financial costs (credit card charges, processing fees, etc.)
Building	607	1,012	(404)	(66.6)%	\$(275) K Zoning revenues budgeted in Building but transferred and received in Planning, the budget was restated to Planning \$(139) K Property work maintenance unrecovered by fees \$873K surplus in Building Enterprise was transferred to Building fees reserve.
Economic Development	5,667	5,506	161	2.8%	\$161 K divisional surplus mainly attributed to gapping savings in Municipal Land Development Office \$92 K and Commercial District and Small Business of \$66 K \$430 K of the surplus in Urban Renewal transferred to Downtown Hamilton Residential Loan Program Reserve 108036, per report PED12220/FCS12090, approved by council on Nov 28, 2012. \$115 K surplus in Economic Development Investment Fund program transferred to Economic Development Investment Fund reserve per PED07306, approved at COW Dec 10, 2007, item 7.5.
Growth Management	461	(213)	675	146.3%	Favourable variances of: \$462 K additional Airport revenues; \$126 K additional Grading and Peer Review revenues; \$100 K savings in Cost allocations; \$54 K savings in Material and Supply; Partially offset by: \$(46) K pressure in Contractual \$1.3 M was transferred to Development fees stabilization reserve, \$1.1 M representing gapping savings and \$185 K excess revenues and other savings
Licensing & By-Law Services	6,942	6,250	692	10.0%	Favourable variances of: \$867 K gapping; \$325 K savings in office rent due to move from leased to owned building in 2022; \$49 K other employee related costs; \$45 K reduced transfer to capital; Partially offset by: (\$509 K) pressures from unrealized net revenues totalling (Rental Housing portion totalling \$334 K); (\$99 K) increased vehicle expenses; (\$71 K) contractual
Planning	4,298	3,648	650	15.1%	Favourable variances of: \$1.5 M net gapping savings \$100 K savings in Conferences, Training, Travel and Professional membership Partially offset by: \$(832) K transferred to Development Fees stabilization reserve \$(70) K Facilities allocations \$(30) K additional Affordable housing grants
Tourism & Culture	9,717	8,758	959	9.9%	Favourable variances of: \$368 K Gapping; \$275 K Contractual budget not spent; \$153 K Materials & supplies; \$70 K Other employee related (mostly training); \$99 K Increased revenues (mainly in film); \$66 K Reserve funding for Canada Day; \$36 K lower building repairs & maintenance costs Partially offset by: (\$125 K) unrealized capital recoveries
TOTAL PLANNING & ECONOMIC DEVELOPMENT	31,621	26,553	5,068	16.0%	

- () Denotes unfavourable variance.
 - Variances include eligible COVID related funding (Safe Restart or Other Streams identified in Appendix "D" to Report FCS22042)

CITY OF HAMILTON
TAX OPERATING BUDGET VARIANCE REPORT AS AT DECEMBER 31, 2022
(\$ 000's)

	2022 Approved Budget	2022 Actuals December	2022 Actuals vs Approved Budget		Comments/Explanations
			\$	%	
HEALTHY AND SAFE COMMUNITIES					
HSC Administration	3,067	3,036	31	1.0%	Favourable variance due to gapping vacancies, step differentials, ancillary cost and savings due to work from home.
Children's and Community Services	10,946	8,072	2,874	26.3%	Favourable variance due to maximizing \$2.3 M in funding flexibility allowed by Ministry of Education, Net Gapping of \$477 K and in-year budget adjustments (Snow Angels & Building Safer Communities) \$244 K, offset by pressures in Indigenous Strategy, (\$200 K).
Ontario Works	12,840	10,851	1,989	15.5%	Favourable variance mainly due to gapping resulting from availability of staff to fill vacancies \$1.4 M, Operational savings of \$477 K due to programs being slow to return to pre COVID levels.
Housing Services	53,937	65,771	(11,834)	(21.9)%	Unfavourable variance is due to unfunded COVID costs of (\$14.5 M) offset by favourable variance due to Social Housing Provider reconciliation recoveries \$1.3 M, underspending in levy rent supplements and portable housing benefits \$578 K, unspent Roxborough operating subsidy due to delay in completing the project, \$400 K, operating savings for bus pass and transportation costs, \$269 K and maximizing available provincial subsidies of \$157 K.
Long Term Care	11,771	11,396	375	3.2%	Favourable variance mostly due to staffing industry shortages and step differentials \$447 K, increased level of care funding net of supply inflationary increases \$46 K, and cost savings in various operating costs \$113 K. Offset partially by (\$231 K) made up of a combination of other revenue adjustments, lost revenue for Adult Day Program due to COVID and Bad Debt write off.
Recreation	36,271	33,154	3,117	8.6%	Favourable variance due to savings from Covid Closures of \$2.1 M, (which is a net of lost Revenue (\$2.9 M) offset by savings from program closures of \$5.0 M. The remaining balance of \$1.1 M is made up of a combination of higher than expected revenues in Golf, Sports Facilities and operational cost savings such as Vehicle costs, publications and brochures to name a few.
Hamilton Fire Department	96,124	97,122	(997)	(1.0)%	Unfavourable variance due to overtime (\$1.1 M) and vehicle fuel costs (\$196 K). Offset by a favourable variance of \$336 K made up of a combination of operating costs savings and general revenues from MTO Billings & false alarms.
Hamilton Paramedic Service	29,113	29,524	(411)	(1.4)%	Unfavourable variance due to ancillary employee related costs (\$413 K) (i.e. Encampment response, other short notice issues, OT, vacation, stat pay) and significantly higher fuel costs (\$239 K). Offset with a favourable variance in revenues from special events and preceptors of \$190 K and \$51 K and various operating cost savings.
Public Health Services	14,068	13,820	248	1.8%	Favourable variance due to staff being redeployed and funded from COVID.
TOTAL HEALTHY AND SAFE COMMUNITIES	268,137	272,746	(4,609)	(1.7)%	
PUBLIC WORKS					
PW-General Administration	655	2,176	(1,521)	(232.0)%	The General Administration division finished 2022 with an unfavourable variance of (\$1.5 M) mainly due to: Favourable variances of: • \$781 K in recoveries from capital for EAM project employee related costs Unfavourable variances of: • (\$1.73 M) in unfunded positions in Corporate Asset Management to be covered by overall gapping dollars. • (\$237 K) in audits performed by Internal Audit • (\$225 K) in unrealized gapping target • (\$79 K) in computer maintenance contracts
Energy Fleet and Facilities	14,274	15,379	(1,106)	(7.7)%	The Energy, Fleet & Facilities Management division finished 2022 with an unfavourable variance of (\$1.1 M) mainly due to: Favourable variances of: • \$192 K in unbudgeted interest on HCE loan • \$113 K net in miscellaneous accounts across numerous DeptIDs • \$106 K in reallocation of wages to COVID warehouse Offset by unfavourable variances of: • (\$388 K) in Snow Removal & other non-recovered expenses for Winter major events at Stadium (identified in PED18234(g) & PED22141 Council Reports). • (\$386 K) in unrealized Recovery from Capital due to Maternity leaves, retirements, & non-recoverable expenses • (\$360 K) in winterizing costs at Tim Horton's Field • (\$282 K) in unbudgeted security expense for leased building • (\$102 K) in inventory write-off of Fleet Tires
Engineering Services	0	(399)	399	100%	The Engineering Services division finished 2022 with a favourable variance of \$399 K mainly due to: Favorable variances of: • \$399 K in Road Cut Administrative Program fees and Permit Revenues and other user fee revenues collected for various Corridor Management activities administered by this section.

- () Denotes unfavourable variance.

- Variances include eligible COVID related funding (Safe Restart or Other Streams identified in Appendix "D" to Report FCS22042)

CITY OF HAMILTON
TAX OPERATING BUDGET VARIANCE REPORT AS AT DECEMBER 31, 2022
(\$ 000's)

	2022 Approved Budget	2022 Actuals December	2022 Actuals vs Approved Budget		Comments/Explanations
			\$	%	
Environmental Services	46,183	46,020	163	0.4%	<p>The Environmental Services division finished 2022 with a favourable variance of \$163 K mainly due to:</p> <p>Favourable variances of:</p> <ul style="list-style-type: none"> • \$1.4 M in net gapping savings from difficulty hiring students and seasonal employees (\$77 K COVID-19 savings due to staff redeployment), periodic vacancies throughout the year and step differential also contribute to the overall gapping savings. • \$445 K in net Cemetery sales • \$226 K in utilities (lower than anticipated consumption offset by increased utility costs) <p>Offset by unfavourable variances of:</p> <ul style="list-style-type: none"> • (\$796 K) overall Environmental Services net increased cost for contractual services in part due to increase in Park's maintenance & inspection as a result of pause in infrastructure maintenance during COVID which led to increase in repairs. • (\$349 K) operating to capital financial support. • (\$197 K) increased costs for diesel and unleaded fuel largely due to rising fuel costs. • (\$196 K) (COVID-19) incremental costs for cleaning, PPE and other COVID related expenses to maintain normal operations. • (\$119 K) increased consulting services as a result of additional consulting cost for soil management legislative requirements. • (\$116 K) in additional costs relating to the use of several extended use vehicles & equipment rentals for Environmental Services. • (\$112 K) increase in financial fees incurred primarily due to increased credit card charges, legal, survey, licensing and real estate fees.
Waste Management	46,369	46,558	(189)	(0.4)%	<p>The Waste Management division finished 2022 with an unfavourable variance of (\$189 K) mainly due to:</p> <p>Favourable variances of:</p> <ul style="list-style-type: none"> • \$1.47 M in recycling commodity revenues from increased market rates for commodities like Fibers, Aluminum and Plastic. • \$928 K in Transfer Stn/Community Recycling Ctr revenue from increased tonnage and visits at the 3 locations. • \$501 K in the Materials Recycling Facility (MRF) contract from lower tonnage volumes compared to budget, offset by increased escalation cost compared to budget (2% budget versus 4.65% actual). • \$282 K in recovery from Waste Recycling Reserve to fund Director and Administration per report #PW21017. • \$265 K in the Household Special Waste program from contracts with Producers of hazardous waste products which contributes to lower fixed costs to run the current program. • \$126 K in capital recoveries. • \$113 K in revenues received from sale of compost (\$76 K), utility recovery from CCF operator (\$26 K) and other miscellaneous revenues that are greater than budgeted. <p>Offset by unfavourable variances of:</p> <ul style="list-style-type: none"> • (\$960 K) in waste collection program from higher than budgeted escalation factor as it relates to higher than expected natural gas prices (2% budget versus 6.48%). • (\$701 K) in net negative gapping from temporary unbudgeted positions partially offset by savings from staff seconded to MLE (\$28 K) relating to COVID-19. • (\$490 K) in Waste Collections fleet and fleet maintenance costs from extended use of vehicles not included in the budget. Of this, one vehicle is due to COVID-19 with an annual cost of (\$3 K). • (\$364 K) in building repairs from insurance risk claim denial for security and electrical at the MRF facilities. • (\$342 K) in unrealized third party recycling revenues. • (\$329 K) in Fuel due to increased fuel commodity rates. • (\$261 K) in reduced recovery from Hamilton Renewal Power Inc. due reduced flow of methane gas at the Glanbrook landfill resulting in reduced revenues. • (\$260 K) in the Transfer Stn/Community Recycling Ctr operations from higher than forecasted volumes coupled with increased escalation factor from higher diesel fuel prices (2% budget versus 4.5% actual). • (\$228 K) in security costs from break-ins & vandalism at 2 transfer stations.
Transit	86,785	88,485	(1,701)	(2.0)%	<p>The Transit division finished 2022 with an unfavourable variance of (\$1.7 M) mainly due to:</p> <p>Favourable variances of:</p> <ul style="list-style-type: none"> • \$8.1 M in Safe Restart funding (COVID-19). • \$7.4 M comprised of \$6.8M DARTS contract from fewer trips versus budget (COVID-19); and \$540K in the PRESTO commissions due to lower ridership (COVID-19). • \$1.1M in Taxi Contract (COVID-19). • \$637 K in Financial (Other Fees and Services, BRINKS pick-ups) • \$459 K in Rebuilt Components, Fluids & Lubricants and Tires and Tubes in Fleet Maintenance. • \$385 K in Contractual (Advertising & Promotion, Lease and Service Contracts) • \$355 K in Materials and Supplies (Printing and Reproduction, NGV Station Maintenance, Tickets & Transfer Expense, Repairs Equipment) • \$174 K in heat, hydro, water and sewer and telephone) <p>Offset by unfavourable variances of:</p> <ul style="list-style-type: none"> • (\$13.5 M) in Fare Revenue from decreased ridership & revenue (COVID-19). Ridership achieved 67.2% of 2022 budget. • (2.8 M) in Vehicle Parts comprised of (\$1.7 M) due to continued delays experienced in replacing fleet; therefore the need to continue employing older fleet increasing impact on maintenance costs (COVID-19) and (\$1.1 M) due to higher costs and supply chain issues. • (\$2.7 M) in fuel costs, comprised of \$230K favourable consumption variance to the end of March (COVID-19) and (\$2.9 M) unfavourable due primarily to higher than budgeted fuel prices. • (\$1.1 M) in employee related costs comprised of (\$817K) from COVID related absences needing backfill via OT replacement (COVID-19) and (\$250 K) driven by other Sick and OT costs. • (\$433 K) in Taxi Scrip and Charter revenue from lower utilization of programs (COVID-19). • (278 K) in PPE, Passenger Protection, MicroTransit, Return to Ridership promotions

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CITY OF HAMILTON
TAX OPERATING BUDGET VARIANCE REPORT AS AT DECEMBER 31, 2022
(\$ 000's)

	2022 Approved Budget	2022 Actuals December	2022 Actuals vs Approved Budget		Comments/Explanations
			\$	%	
Transportation Operations & Maintenance	84,233	85,092	(858)	(1.0)%	Overall TOM division finished 2022 with an unfavourable variance of (\$858 K) mainly due to: Favourable variances of: • \$2.3 M in net gapping due staff vacancies attributed to normal staff turnover (retirements, job transfers, seasonal hiring, difficulties recruiting etc.) • \$398 K in the Summer Season Roads Programs attributed to savings in contractual, materials and vehicle expenses Offset by unfavourable variances of: • (\$3.3 M) in the Winter Season Roads Program due to heavier than typical winter season requiring additional in house and contracted equipment, material usage, and overtime to meet the level of service.
TOTAL PUBLIC WORKS	278,499	283,312	(4,813)	(1.7)%	
LEGISLATIVE					
Legislative General	(363)	(288)	(76)	20.8%	Savings in IC contract costs, contingency, emp costs, and conferences, offset by gapping target, membership fees and communication costs
Mayors Office	1,211	1,138	73	6.0%	Savings in consulting & contractual budgets offset by employee related contractual costs.
Volunteer Committee	121	85	36	29.6%	
Ward Budgets	4,314	3,955	359	8.3%	Savings in Ward operating budgets, contractual and consulting budgets, contingency, and conferences, offset by gapping target, membership fees, communication and employee contractual costs.
TOTAL LEGISLATIVE	5,283	4,891	393	7.4%	
CITY MANAGER					
Office of the City Auditor	1,201	1,180	21	1.8%	Gapping due to temporary vacancies offset by external investigation costs.
CMO - Admin	233	304	(70)	(30.2)%	Temporary staffing costs to support Council transition and City Manager's Office.
Communications and Strategic Initiatives	2,516	2,546	(30)	(1.2)%	Media Room upgrade costs, employee contractual obligations, offset by gapping due to temporary vacancies.
Digital and Innovation Office	243	480	(237)	(97.4)%	Corporate partnership revenue recorded in other City departments. Target exceeded with revenues recorded in other City Departments.
Government & Community Relations	868	755	113	13.0%	Gapping; savings in contractual costs; offset by membership fees for Ontario Big City Mayors and Chief Administrative Officers Strategy Corp Contributions.
Human Resources	8,587	7,627	960	11.2%	Gapping; savings in corporate training, mediation/arbitration expenses, and contractual costs; offset by deficit in legal fees due to COVID related policies.
TOTAL CITY MANAGER	13,649	12,892	757	5.5%	
CORPORATE SERVICES					
City Clerk's Office	3,213	3,336	(123)	(3.8)%	Unfavourable variances of: (\$164 K) Employee related costs net of gapping target; (\$78 K) Facilities costs; (\$73 K) Printing and Postage cost net of recoveries Partially offset by: \$176 K increased revenue in Death registrations and Marriage Licenses; \$10 K Hamilton Renewable Power Recovery; \$6 K Miscellaneous operating savings
Customer Service, POA and Fin'l Integration	6,003	5,129	875	14.6%	Favourable variances of: \$944 K Employee related costs net of gapping target; \$46 K Computer Software savings; \$12 K Leases and Services; \$3 K Facilities savings Partially offset by: (\$132 K) Internal Debt repayment
Financial Serv, Taxation and Corp Controller	4,283	3,223	1,060	24.7%	Favourable variances of: \$754 K Employee related costs net of gapping target; \$195 K Tax fees; \$59 K HST and CPP refund; \$29 K Facilities; \$28 K Rebates on Purchases; \$17 K Printing and Postage Partially offset by: (\$29 K) Auction Services for used equipment

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CITY OF HAMILTON
TAX OPERATING BUDGET VARIANCE REPORT AS AT DECEMBER 31, 2022
(\$ 000's)

	2022 Approved Budget	2022 Actuals December	2022 Actuals vs Approved Budget		Comments/Explanations
			\$	%	
Legal Services and Risk Management	4,010	3,780	230	5.7%	Favourable variances of: \$338 K Employee related costs net of gapping target; \$16 K Computer costs; Partially offset : (\$94 K) Administration Fees; (\$26 K) Outside Council fees and Witness Fees
Corporate Services - Administration	332	288	44	13.3%	\$30 K Consulting and Contractual Service savings; \$20 K Training savings; partially offset by negative gapping
Financial Planning, Admin & Policy	5,370	5,116	254	4.7%	Favourable variances of: \$397 K Employee related costs net of gapping target; \$35 K Operational savings; \$17 K Professional Services Partially offset by : (\$90 K) 0.25% Administration cost collected on DC Deferral agreements; (\$17 K) Subdivision Agreement Finance Processing User Fees; (\$64 K) Net Investment costs; (\$22 K) Facilities costs
Information Technology	16,457	14,783	1,674	10.2%	Favourable variances of: \$1.1 M Employee related costs net of gapping target \$824 K Computer Software; \$228 K License and Service Fee savings; \$104 K Computer Hardware; \$42 K Radio Service and Equipment; \$23 K Miscellaneous operating savings Partially offset by: (\$511 K) Motorola Reserve Recovery savings; (\$104 K) Consulting Services
TOTAL CORPORATE SERVICES	39,667	35,655	4,012	10.1%	
CORPORATE FINANCIALS					
Corporate Pensions, Benefits & Contingency	4,205	7,751	(3,547)	(84.3)%	Higher Costs related to Insurance (\$3.0 M), Severance (\$378 K), Utilities (\$292 K), offset by higher interest earned (\$299 K) and GST Rebates (\$193 K).
Corporate Initiatives	15,745	17,152	(1,406)	(8.9)%	Higher WSIB Costs (\$1.2 M) offset by lower payouts for Retiree Benefits (\$535 K) and Sick Pay (\$436 K).
TOTAL CORPORATE FINANCIALS	19,950	24,903	(4,953)	(24.8)%	
HAMILTON ENTERTAINMENT FACILITIES					
Operating	2,338	960	1,377	58.9%	HEF had a favourable variance of \$1.4 M for 2022 mainly due to net revenues received from HUPEG for April to December 2022 after deducting facilities recovery costs and net loss guarantee.
TOTAL HAMILTON ENTERTAINMENT FACILITIES	2,338	960	1,377	58.9%	
TOTAL CITY EXPENDITURES	659,145	661,912	(2,767)	(0.4)%	
CAPITAL FINANCING					
Debt-Healthy and Safe Communities	2,309	2,216	93	4.0%	
Debt-Planning & Economic Development	1,169	26	1,143	97.8%	
Debt-Public Works	35,897	21,925	13,971	38.9%	
Debt-Corporate Financials	92,885	97,344	(4,459)	(4.8)%	
Infrastructure Renewal Levy	13,429	13,429	0	0.0%	
TOTAL CAPITAL FINANCING	145,688	134,939	10,749	7.4%	Capital financing had an overall positive variance of \$10.7 M as a result of timing differences in cash flow assumptions in the Capital Budget.
BOARDS & AGENCIES					
Police Services					
Operating	182,369	181,348	1,021	0.6%	The Hamilton Police Board will be presenting its year-end 2022 operating budget variance report in May or June 2023.
Capital Financing	1,174	1,174	0	0.0%	
Total Police Services	183,543	182,522	1,021	0.6%	

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CITY OF HAMILTON
TAX OPERATING BUDGET VARIANCE REPORT AS AT DECEMBER 31, 2022
(\$ 000's)

	2022 Approved Budget	2022 Actuals December	2022 Actuals vs Approved Budget		Comments/Explanations
			\$	%	
Other Boards & Agencies					
Library	32,710	30,570	2,140	6.5%	Gapping savings as a result of vacancies early in 2022 due to transition from reduced COVID-19 hours to standard operational hours. Also staff secondments to assist with vaccine rollouts at the beginning of the year contributed to additional gapping savings.
Conservation Authorities	8,651	8,684	(33)	(0.4)%	As a result of an excess payment made in 2022. The \$33K overpayment will be collected via a reduction in 2023 levy payments.
Hamilton Beach Rescue Unit	133	133	0	0.0%	
Royal Botanical Gardens	647	647	0	0.0%	
MPAC	6,980	6,845	135	1.9%	Based on actual levy confirmed by MPAC.
Farmers Market	242	243	(1)	(0.4)%	Gapping savings offset by increased security and building and grounds costs.
Total Other Boards & Agencies	49,363	47,123	2,241	4.5%	
Capital Financing - Other Boards & Agencies	166	165	1	0.6%	
City Enrichment Fund	6,088	6,088	0	0.0%	
TOTAL BOARDS & AGENCIES	239,160	235,897	3,262	1.4%	
TOTAL EXPENDITURES	1,043,994	1,032,750	11,244	1.1%	
NON PROGRAM REVENUES					
Slot Revenues	(5,200)	(5,463)	263	(5.1)%	The opening of the casinos and racetrack slots later in 2022 (previously closed due to COVID-19) attributed to the rebounding of revenues over previous estimates
Investment Income	(4,800)	(4,800)	0	0.0%	
Hydro Dividend and Other Interest	(6,566)	(9,359)	2,792	(42.5)%	Higher than budgeted Dividend received
Tax Remissions and Write Offs	9,750	4,482	5,268	54.0%	Based on appeals processed
Payment In Lieu	(17,108)	(17,585)	476	0.0%	
Penalties and Interest	(11,400)	(11,872)	472	(4.1)%	Higher Interest and Penalties Received
Right of Way	(3,229)	(3,230)	0	0.0%	
Senior Tax Credit	530	524	6	1.2%	
Supplementary Taxes	(10,130)	(13,999)	3,869	(38.2)%	Based on Assessment Roll Update by MPAC
POA Revenues	(2,302)	(849)	(1,454)	0.0%	Lower than anticipated revenue due to trial rescheduling caused by COVID-19. Rescheduling forfeited or delayed fine revenue from judgements.
TOTAL NON PROGRAM REVENUES	(50,456)	(62,151)	11,694	0.0%	
TOTAL LEVY REQUIREMENT	993,538	970,599	22,938	2.3%	

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CITY OF HAMILTON
2022 COMBINED WATER, WASTEWATER AND STORM OPERATING BUDGET MACRO
as at December 31st, 2022

2022 Council Approved Budget	2022 Actuals as of Dec.31st	2022 Variance \$	2022 Variance %
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OPERATING EXPENDITURES:

Divisional Administration & Support	10,837,691	11,223,073	(385,382)	(3.6%)
Woodward Upgrades	1,764,829	1,918,968	(154,139)	(8.7%)
Customer Service & Community Outreach	6,175,547	5,827,880	347,667	5.6%
Compliance & Regulations	7,242,170	7,255,684	(13,514)	(0.2%)
Water Distribution & Wastewater Collection	24,011,409	23,324,913	686,496	2.9%
Plant Operations	29,909,180	34,486,870	(4,577,690)	(15.3%)
Plant Maintenance	11,708,771	11,571,808	136,963	1.2%
Capital Planning & Delivery	4,927,514	5,160,644	(233,130)	(4.7%)
Watershed Management	1,282,313	1,153,414	128,899	10.1%
Wastewater Abatement Program	1,142,450	1,407,699	(265,249)	(23.2%)
Alectra Utilities Service Contract	5,826,240	5,925,035	(98,795)	(1.7%)
Utilities Arrears Program	500,320	278,427	221,893	44.4%
Sewer Lateral Management Program	300,000	271,895	28,105	9.4%
Hamilton Harbour Remedial Action Plan	578,964	410,056	168,908	29.2%
Protective Plumbing Program (3P)	752,870	667,655	85,215	11.3%
Financial Charges	86,020	288,821	(202,801)	(235.8%)
Sub-total	107,046,288	111,172,841	(4,126,553)	(3.9%)
Capital and Reserve Recoveries	(8,635,161)	(8,768,379)	133,218	(1.5%)
Operating Expenditures Sub-Total	98,411,127	102,404,462	(3,993,334)	(4.1%)

Capital and Reserve Impacts on Operating**Contributions to Capital**

Water Quality Initiatives	39,539,500	38,859,500	680,000	1.7%
Wastewater	73,784,138	74,124,138	(340,000)	(0.5%)
Stormwater	11,765,000	12,615,000	(850,000)	(7.2%)
Sub-Total Contributions to Capital	125,088,638	125,598,638	(510,000)	(0.4%)

Contributions for DC Exemptions

Water Quality Initiatives	2,520,000	3,325,756	(805,756)	(32.0%)
Wastewater	4,590,000	3,643,881	946,119	20.6%
Stormwater	1,890,000	2,030,363	(140,363)	(7.4%)
Sub-Total Contributions for DC Exemptions	9,000,000	9,000,000	(0)	(0.0%)

Capital Debt Charges

Water Quality Initiatives	11,068,076	8,105,562	2,962,514	26.8%
Wastewater	12,881,726	7,905,706	4,976,020	38.6%
Stormwater	3,584,490	2,958,214	626,276	17.5%
DC Debt Charges Recoveries	(5,185,120)	(523,692)	(4,661,428)	89.9%
Sub-Total Debt Charges	22,349,172	18,445,790	3,903,382	17.5%

Sub-Total Capital Financing	156,437,810	153,044,428	3,393,382	2.2%
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Reserve Transfers	3,001,973	3,276,668	(274,695)	(9.2%)
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Sub-Total Capital and Reserve Impacts on Operating	159,439,783	156,321,096	3,118,687	2.0%
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TOTAL OPERATING EXPENDITURES	257,850,910	258,725,558	(874,648)	(0.3%)
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CITY OF HAMILTON
2022 COMBINED WATER, WASTEWATER AND STORM OPERATING BUDGET MACRO
as at December 31st, 2022

2022 Council Approved Budget	2022 Actuals as of Dec.31st	2022 Variance \$	2022 Variance %
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REVENUES:**Rate Revenue**

Residential	113,919,774	116,972,362	3,052,588	2.7%
Industrial/Commercial/Institutional/Multi-res	123,323,962	121,038,444	(2,285,518)	(1.9%)
Haldimand	2,834,077	3,685,503	851,426	30.0%
Halton	282,410	394,542	112,132	39.7%
Raw Water	105,000	181,758	76,758	73.1%
Non-Metered	825,000	958,505	133,505	16.2%
Private Fire Lines	1,980,000	1,899,036	(80,964)	(4.1%)
Hauler / 3rd Party Sales	1,820,000	2,258,482	438,482	24.1%
Overstrength Agreements	3,306,825	2,895,131	(411,694)	(12.4%)
Sewer Surcharge Agreements	6,511,190	6,960,781	449,591	6.9%
Sub-Total Utility Rates	254,908,238	257,244,545	2,336,307	0.9%

Non-Rate Revenue

Local Improvement Recoveries	275,850	143,176	(132,674)	(48.1%)
Permits / Leases / Agreements	1,107,652	715,069	(392,583)	(35.4%)
Investment Income	450,000	450,000	-	0.0%
General Fees and Recoveries	1,109,170	1,346,252	237,082	21.4%
Sub-Total Non-Rate Revenue	2,942,672	2,654,498	(288,174)	(9.8%)

TOTAL REVENUES	257,850,910	259,899,042	2,048,132	0.8%
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NET SURPLUS / (DEFICIT)

	0	1,173,485	1,173,485	
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**CITY OF HAMILTON
 BUDGET AMENDMENT SCHEDULE**

STAFF COMPLEMENT CHANGE

Complement Transfer to another division or department ^(1,2)

ITEM #	TRANSFER FROM				TRANSFER TO			
	Department	Division	Position Title (2)	FTE	Department	Division	Position Title (2)	FTE
1	Corporate Services	Customer Service and POA	Knowledge Mgmt Administrator	1.00	Corporate Services	Customer Service and POA	CRM Solutions Analyst	1.00
	Explanation: The duties of Knowledge Mgmt Administrator are no longer required or have been incorporated into the new tasks within the CRM Solutions Analyst role or the Knowledge Management Liaison role. Position is moving from union grade I to non-union grade 5, difference in compensation will be funded through gapping							
2	Public Works	Transportation, Operations & Maintenance	Traffic Ops Coord	0.45	City Manager	Communications	Communications Officer	1.00
		Transportation, Operations & Maintenance	Applications Analyst	0.55				
Explanation: To transfer 1 FTE from Public Works, Transportation, Operations & Maintenance Division in Deptid 466005 (0.45 FTE, CUPE 5167 Grade P and 0.55 FTE, Non Union Grade 5) to support a full time Communications Officer in Deptid 310031 to support the Public Works Department.								
3	Public Works	Transportation, Operations & Maintenance	Roadway Safety Techl Coop	1.00	Public Works	Transportation, Operations & Maintenance	Lighting & Electcl Infra Coord	1.00
	Explanation: To approve the conversion of a Roadway Safety Techl Coop (Job Grade L) to a Lighting & Electcl Infra Coord (Job Grade I). Budget variance will be absorbed within the current operating budget to result in no net levy increase.							
4	Public Works	Waste Management	Waste Investigator	1.00	Public Works	Waste Management	Manager, Waste Policy & Planning	1.00
	Explanation: To convert Waste Investigator (CUPE 5167, Grade I) in the Waste Collections Section to a Manager, Waste Policy & Planning (Non Union, Grade 8), to make the manager permanent.							
5	Public Works	Transit	Project Manager	0.88	Public Works	Transit	Transit Technologist III	1.00
		Transit	Ticket Deliverer	0.12				
Explanation: To create a needed full-time position. No levy impact as the funds are allocated through the .88 Project Manager.								
6	Public Works	Hamilton Water	Water Info. Systems Support Technr	1.00	Public Works	Hamilton Water	Application Analyst - Water Info. Systems	1.00
	Explanation: To approve the conversion of a Water Info. Systems Support Technologist (CUPE 5167 Job Grade K) to a Application Analyst - Water Info. Systems (CUPE 5167 Job Grade P). Budget variance will be absorbed within the current operating budget to result in no net levy increase.							
7	Planning & Economic Development	Planning	Planning Tech II-Zoning By-Law	1.00	Healthy & Safe Communities	Housing Sustainability Investment Roadmap Division	Director Secretariat	1.00
	Explanation: To approve the conversion and transfer of a Planning Tech II (Union Grade 1) to a Director Housing Secretariat (non-union grade 10) with pay differential to be absorbed within previously approved Human Services Integration project id #6502141100 and no impact to the 2023 tax levy. As per Council report HSC22042, August 11th, 2022, re: Housing Sustainability and Investment Plan and the forthcoming Committee report HSC23028, April 19th, 2023 re: Housing Sustainability and Investment Roadmap, several positions are required to coordinate and deliver the Housing Sustainability Investment Roadmap. This position is a key position to leading and coordinating this effort. In order to be able to attract and retain the appropriate level of experience and knowledge a full time position is required. Planning and Economic Development have supported and agreed to the transfer of a vacant full-time staff complement to HSC in order to meet this objective.							

Note - Complement transfers include the transfer of corresponding budget.

(1) - All other budgeted complement changes that require Council approval per Budgeted Complement Control Policy must be done through either separate report or the budget process (i.e. Increasing/decreasing budgeted complement).

(2) - If a position is changing, the impact of the change is within 1 pay band unless specified.

**CITY OF HAMILTON
BUDGETED COMPLEMENT TEMPORARY EXTENSION SCHEDULE**

TEMPORARY POSITION EXTENSIONS

Extensions to temporary positions with terms of 24 months or greater as per the Budgeted Complement Control Policy

ITEM #	TRANSFER FROM				TRANSFER TO			
	<u>Department</u>	<u>Division</u>	<u>Position Title</u>	<u>FTE</u>	<u>Department</u>	<u>Division</u>	<u>Position Title</u>	<u>FTE</u>
1	City Manager	Human Resources	Return to Work Specialist	1.0	City Manager	Human Resources	Return to Work Specialist	1.0
Explanation: The temporary Return to Work Specialist position requires and extension for 18 months - period July 2023 to December 2024 to assist with the large volume of requests for support being received.								
2	Planning & Economic Development	PED General Manager Office	Director and Senior Advisor Strategic Growth (P 12973)	1.0	Planning & Economic Developm	PED General Manager Office	Director and Senior Advisor Strategic Growth (P 12973)	1.0
Explanation: Contract extension for temporary staff requested for additional 24 months - period December 1st, 2023 to December 31st, 2025. To complete work related to the City's corporate strategic growth initiatives, including work related to the 2024 DC By-law update								



EMERGENCY & COMMUNITY SERVICES COMMITTEE REPORT 23-005

1:30 p.m.
Thursday, April 20, 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

Also Present: Councillor J.P. Danko

THE EMERGENCY AND COMMUNITY SERVICES COMMUNITY COMMITTEE PRESENTS REPORT 23-005 AND RESPECTFULLY RECOMMENDS:

1. Renovictions Stakeholder Consultation (HSC23023) (City Wide) (Item 8.1)

- (a) That Council approve increasing the balance of the Tenant Defence Fund Project ID 6731841801 by \$50 K in 2023 through a transfer from Project ID 6731941901 Hamilton Portable Housing Benefit to the Tenant Defence Fund Project ID 6731841801; and,
- (b) That the Tenant Defence Fund eligibility be expanded to include N12 notices;
- (c) That staff be directed to report back on the expansion of the Tenant Defence Fund program scope and flexibility to allow the City to support eligible tenants to preserve affordable rental housing in the private market, through the following components:
 - (i) Increase the annual overall fund amount;
 - (ii) Streamline access to professional services
 - (iii) Tenant information services;
 - (iv) Tenant organizing and capacity building; and
 - (v) Research and policy development
- (d) Staff to report back to E&CS in August 2023, with recommendations on the full suite of options to halt renovictions in the COH including Rent SafeTO, the City of Toronto Tenant Support Program and amendments to

various City by-laws, rental replacement policies, the use of building permits, and a city-wide Licensing by-law and Renovictions by-law;

- (e) That staff report back on the ability for the municipality to track sale notices for multi unit buildings, to monitor trends in this area and create process to inform tenants of their right in case of ownership change; and
- (f) That staff be requested to assess the feasibility of coordinating with health care partners to track tenants who are receiving homecare are also being subject to eviction notices.

2. Loan to CityHousing Hamilton for its Affordable Housing Project at 8 Roxanne Drive (HSC19034(a) / FCS23037) (Ward 4) (Item 10.1)

- (a) That a loan to CityHousing Hamilton in the amount of \$19,396,979, representing the balance of financing for its project at 8 Roxanne Drive, be authorized and approved on the terms and conditions contained in the Conditional Loan Term document attached as Appendix "A" to the Emergency and Community Services Report 23-005, or such additional terms, conditions or amendments satisfactory to the General Manager, Healthy and Safe Communities Department, in consultation with the General Manager, Finance and Corporate Services Department; and,
- (b) That the requirements of the External Loan Guidelines that loans may not be used to reduce debt, that organizations may hold only one outstanding loan with the City, that the interest rate must be based on the current serial debenture rate and that an administrative fee of 0.25% be charged are specifically waived with regard to the loan to CityHousing Hamilton in the amount of \$19,396,979 to finance its project at 8 Roxanne Drive; and
- (c) That staff be directed to establish a loan receivable on the City's balance sheet, not exceeding \$19,396,979, to record the corresponding CityHousing Hamilton liabilities regarding the long-term financing for the affordable housing development at 8 Roxanne Drive; and,
- (d) That the General Manager, Healthy and Safe Communities Department, or their designate be authorized and directed to execute and administer a loan agreement along with any ancillary documentation and amendments in a form satisfactory to the City Solicitor; and,
- (e) That the additional annual operating impact, estimated at \$571,959, related to CityHousing Hamilton's Roxborough housing units be included in the Housing Services Division 2024 tax operating budget.

3. EarlyON Child and Family Centre Service Agreement with Hamilton-Wentworth Catholic District School Board (HSC23027) (Ward 15) (Item 10.2)

- (a) That the City of Hamilton enters into an Agreement with Hamilton-Wentworth Catholic District School Board to operate an EarlyON Child and Family Centre in the St. Thomas the Apostle Catholic Elementary School in accordance with the terms and conditions described in this report; and,
- (b) That staff be authorized to contribute \$150 K from the Early Years System Reserve (ID 112218) to Hamilton-Wentworth Catholic School Board to purchase a portable to accommodate school pressures and maintain the EarlyON Child and Family Centre at St. Thomas the Apostle Catholic Elementary School; and,
- (c) That the General Manager of the Healthy and Safe Communities Department or designate be authorized and directed to execute the Agreement in recommendation (a), together with any renewals or ancillary documents necessary, all in a form satisfactory to the City Solicitor

4. Seeking Advocacy Support from the Federation of Canadian Municipalities on Establishing an urgent Intergovernmental Platform on Mental Health (Item 12.1)

WHEREAS, mental health and addictions is a critical public health concern across Canada;

WHEREAS, Municipalities, often in partnership with civil society organizations, play a critical role in supporting mental health in communities by providing essential services such as social and community programming, supportive housing, community outreach and engagement, and substance and addictions support services;

WHEREAS, Municipalities are experiencing significant challenges in supporting mental health in their communities, due to insufficient resources and funding, limited access to mental health services and supports, and dramatically increasing demands for mental health services in the aftermath of the COVID-19 pandemic and ongoing housing and affordability crisis in this country;

WHEREAS, Rural and remote communities suffer from a critical lack of access to mental health services, which can lead to significant negative impacts on individuals, families, and communities due to higher rates of mental health challenges and limited availability of specialized care;

WHEREAS, Lack of access to mental health resources has been shown to have a disproportionate effect on racialized and indigenous communities, leading to increased marginalization and exacerbating existing disparities in health outcomes;

WHEREAS, the City of Hamilton and other municipalities in Canada have declared an emergency with respect to mental health and addictions based on the level of need in communities and lack of ability to address these issues on their own;

WHEREAS, Mental health is an area where intergovernmental cooperation among all orders of government in Canada is necessary to address crisis level need, and ensure comprehensive, coordinated and effective service delivery to Canadians;

THEREFORE, BE IT RESOLVED:

- (a) That the City of Hamilton sponsors a resolution at the Federation of Canadian Municipalities Annual Conference seeking support from the Federation of Canadian Municipalities partners on the mental health emergency in Canada; and
- (b) That the resolution includes:
 - (i) That the Federation of Canadian Municipalities calls on the federal government to take urgent action to address mental health;
 - (i) To acknowledge that mental health is a national emergency that demands urgent attention and action from all levels of government in Canada;
 - (ii) To commit to tripartite policy discussions aimed at making mental health care an integral part of Canada's universal health care system, with a view to establishing a constitutionally valid intergovernmental platform for mental health that recognizes and addresses the unique mental health needs of marginalized communities; and
 - (iii) To develop a comprehensive national mental health strategy that addresses the interconnected issues of housing, homelessness, and substance abuse, while increasing mental health investments in communities to ensure that all stakeholders, especially municipalities, community groups, and other local organizations, are properly resourced and organized for the delivery of essential mental health services and supports with sustainable, long-term funding

5. Legal Opinion on the development and application of a City of New Westminster by-law for the City of Hamilton to address the issue of renovictions (LS23020) (City Wide) (Item 14.1)

That Report LS23020, respecting the Legal Opinion on the Development and Application of a City Of New Westminster By-Law for the City of Hamilton to Address the Issue of Renovictions, be received.

FOR INFORMATION:

(a) APPROVAL OF AGENDA (Item 2)

The Committee Clerk advised the following changes to the agenda:

5. COMMUNICATIONS

5.1 Correspondence respecting the Renovictions Stakeholder Consultation (HSC23023) (City Wide)

(a) Hamilton Apartment Association

(b) Dr. Laura Pin

(c) ACORN Hamilton

6. DELEGATION REQUESTS

6.1 Damien Ash, ACORN Hamilton, respecting Renovictions and the Tenant Defence Fund (for today's meeting)

6.2 Delegation Requests respecting Renovictions Stakeholder Consultation (HSC23023) (City Wide) (for today's meeting)

(a) Karl Andrus, Hamilton Community Benefits Network

(b) Karen Andrews, Advocacy Centre for Tenants Ontario (in-person)

(c) Veronica Gonzalez and Marnie Schurter, ACORN (in-person)

(d) Erin Fabello and David Haines, ACORN (in-person)

(e) Tina Dort (in-person)

(f) Liz Scott, ACORN (in-person)

- (g) Chantelle Pruner, ACORN (in-person)
- (h) Kevin Carnrite, ACORN (in-person)
- (i) Darlene Wesley, ACORN (in-person)
- (j) David Galvin (in-person)
- (k) Kathy Johnson (in-person)
- (l) Brian Doucet, University of Waterloo (in-person)
- (m) Pauline Roberts (in-person)
- (n) Mike Burnet, ACORN (in-person)
- (o) Christine Neale, ACORN (in-person)
- (p) Chris Erie, ACORN (in-person)
- (q) Will Corneau, ACORN (in-person)
- (r) Evan Pettitt & Trevor Sloman, ACORN (in-person)
- (s) Elizabeth Ellis, ACORN (in-person)
- (t) Tom Cooper, Hamilton Roundtable for Poverty Reduction (in-person)
- (u) Melissa Gudgeon (in-person)
- (v) Koubra Haggar, Hamilton Centre for Civic Inclusion (Virtual)
- (w) Sara Mayo, Social Planning and Research Council of Hamilton (in-person)
- (x) Merima Menzildzic and Maria Antelo, Hamilton Community Legal Clinic (in- person)
- (y) Rees Nam, Federation of Metro Tenants' Associations (Virtual)
- (z) Mark Baker, ACORN (pre-recorded video)
- (aa) Maria Bedek, ACORN (pre-recorded video)
- (ab) Brigitte Huard, ACORN (pre-recorded video)

- (ac) Kathy Johnson, ACORN (pre-recorded video)
- (ad) Pauleen Ksonzena, ACORN (pre-recorded video)
- (ae) Tracey Romanoski, ACORN (pre-recorded video)
- (af) Dianna Wilson, ACORN (pre-recorded video)
- (ag) Jonathan Lopez, ACORN (pre-recorded video)

- 6.3 Sally Palmer, respecting a Request to Increase Current Ontario Works Rates (for a future meeting)
- 6.4 Elizabeth McGuire, respecting a Request to Increase Current Ontario Works Rates (for a future meeting)

12. NOTICES OF MOTION

- 12.1 Seeking Advocacy Support from the Federation of Canadian Municipalities on Establishing an urgent Intergovernmental Platform on Mental Health

The agenda for the April 20, 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) April 6, 2023 (Item 4.1)

The Minutes of the April 6, 2023 meeting of the Emergency and Community Services Committee, was approved, as presented.

(d) COMMUNICATIONS (Item 5)

- (i) The following Correspondence items respecting the Renovictions Stakeholder Consultation (HSC23023) (City Wide), were received and referred to Item 8.1 for consideration:
 - (a) Hamilton Apartment Association (Item 5.1(a))
 - (b) Dr. Laura Pin (Item 5.1(b))
 - (d) ACORN Hamilton (Item 5.1(c))

(e) DELEGATION REQUESTS (Item 6)

The following Delegation Requests were approved, as presented:

- (i) Damien Ash, ACORN Hamilton, respecting Renovictions and the Tenant Defence Fund (Item 6.1)
- (ii) Delegation Requests respecting Renovictions Stakeholder Consultation (HSC23023) (City Wide) (for today's meeting) (Added Item 6.2)
 - (a) Karl Andrus, Hamilton Community Benefits Network (Added Item 6.2(a))
 - (b) Karen Andrews, Advocacy Centre for Tenants Ontario (Added Item 6.2(b))
 - (c) Veronica Gonzalez and Marnie Schurter, ACORN (Added Item 6.2(c))
 - (d) Erin Fabello and David Haines, ACORN (Added Item 6.2(d))
 - (e) Tina Dort (Added Item 6.2(e))
 - (f) Liz Scott, ACORN (Added Item 6.2(f))
 - (g) Chantelle Pruner, ACORN (Added Item 6.2(g))
 - (h) Kevin Carnrite, ACORN (Added Item 6.2(h))
 - (i) Darlene Wesley, ACORN (Added Item 6.2(i))
 - (j) David Galvin (Added Item 6.2(j))
 - (k) Kathy Johnson (Added Item 6.2(k))
 - (l) Brian Doucet, University of Waterloo (Added Item 6.2(l))
 - (m) Pauline Roberts (Added Item 6.2(m))
 - (n) Mike Burnet, ACORN (Added Item 6.2(n))
 - (o) Christine Neale, ACORN (Added Item 6.2(o))
 - (p) Chris Erie, ACORN (Added Item 6.2(p))
 - (q) Will Corneau, ACORN (Added Item 6.2(q))
 - (r) Evan Pettitt & Trevor Sloman, ACORN (Added Item 6.2(r))

- (s) Elizabeth Ellis, ACORN (Added Item 6.2(s))
- (t) Tom Cooper, Hamilton Roundtable for Poverty Reduction (Added Item 6.2(t))
- (u) Melissa Gudgeon (Added Item 6.2(u))
- (v) Koubra Hagggar, Hamilton Centre for Civic Inclusion (Added Item 6.2(u))
- (w) Sara Mayo, Social Planning and Research Council of Hamilton (Added Item 6.2(w))
- (x) Merima Menzildzic and Maria Antelo, Hamilton Community Legal Clinic (Added Item 6.2(x))
- (y) Rees Nam, Federation of Metro Tenants' Associations (Added Item 6.2(y))
- (z) Mark Baker, ACORN (Added Item 6.2(z))
- (aa) Maria Bedek, ACORN (Added Item 6.2(aa))
- (ab) Brigitte Huard, ACORN (Added Item 6.2(bb))
- (ac) Kathy Johnson, ACORN (Added Item 6.2(ac))
- (ad) Pauleen Ksonzena, ACORN (Added Item 6.2(ad))
- (ae) Tracey Romanoski, ACORN (Added Item 6.2(ae))
- (af) Dianna Wilson, ACORN (Added Item 6.2(af))
- (ag) Jonathan Lopez, ACORN (Added Item 6.2(ag))
- 6.3 Sally Palmer, respecting a Request to Increase Current Ontario Works Rates (for a future meeting)
- 6.4 Elizabeth McGuire, respecting a Request to Increase Current Ontario Works Rates (for a future meeting)

(f) DELEGATIONS (Item 7)

(i) Elizabeth Watson-Morlog respecting the Dundas Community Pool (Item 7.1)

Elizabeth Watson-Morlog addressed Committee respecting the Dundas Community Pool, with the aid of photographic slides.

(ii) Calvin Cain, Ontario Homes for Special Needs Association Hamilton, respecting Hamilton Residential Care Facilities (Item 7.2)

Calvin Cain, Ontario Homes for Special Needs Association Hamilton, addressed Committee respecting Hamilton Residential Care Facilities.

(iii) Delegations respecting Renovictions Stakeholder Consultation (HSC23023) (City Wide) (Added Item 7.3)

The following delegations addressed the Committee respecting Renovictions Stakeholder Consultation (HSC23023):

1. Damien Ash, ACORN Hamilton, respecting Renovictions and the Tenant Defence Fund (Added Item 7.3(a))
2. Karen Andrews, Advocacy Centre for Tenants Ontario (Added Item 7.3 (c))
3. Veronica Gonzalez and Marnie Schurter, ACORN (Added Item 7.3 (d))
4. Erin Fabello and David Haines, ACORN (Added Item 7.3(e))
5. Tina Dort (Added Item 7.3 (f))
6. Liz Scott, ACORN (Added Item 7.3(g))
7. Chantelle Pruner, ACORN (Added 7.3(h))
8. Kevin Carrite, ACORN (Added Item 7.3(i))
9. Darlene Wesley, ACORN (Added Item 7.3 (j))
10. David Galvin (Added Item 7.3(k))
11. Kathy Johnson (Added Item 7.3(l)) (The delegate was not present when called upon)
12. Brian Doucet, University of Waterloo (Added Item 7.3(m))

13. Pauline Roberts (Added Item 7.3(n))
14. Mike Burnet, ACORN (Added Item 7.3(o))
15. Christine Neale, ACORN (Added Item 7.3(p))
16. Chris Erie, ACORN (Added Item 7.3(q))
17. Will Corneau, ACORN (Added Item 7.3(r)) (The delegate was not present when called upon)
18. Evan Pettitt & Trevor Sloman, ACORN (Added Item 7.3(s))
19. Elizabeth Ellis, ACORN (Added Item 7.3(t))
20. Tom Cooper, Hamilton Roundtable for Poverty Reduction (Added Item 7.3(u)) (The delegate was not present when called upon)
21. Melissa Gudgeon (Added Item 7.3(v)) (The delegate was not present when called upon)
22. Koubra Hagggar, Hamilton Centre for Civic Inclusion (Added Item 7.3(w)) (The delegate was not present when called upon)
23. Sara Mayo, Social Planning and Research Council of Hamilton (Added Item 7.3(x))
24. Merima Menzildzic and Maria Antelo, Hamilton Community Legal Clinic (Added Item 7.3(y))
25. Rees Nam, Federation of Metro Tenants' Associations (Added Item 7.3(z))
26. Mark Baker, ACORN (Added Item 7.3(aa))
27. Maria Bedek, ACORN (Added Item 7.3(ab))
28. Brigitte Huard, ACORN (Added Item 7.3(ac))
29. Kathy Johnson, ACORN (Added Item 7.3(ad))
30. Pauleen Ksonzena, ACORN (Added Item 7.3(ae))
31. Tracey Romanoski, ACORN (Added Item 7.3(af))
32. Dianna Wilson, ACORN (Added Item 7.3(ag))
33. Jonathan Lopez, ACORN (Added Item 7.3(ah))

34. Karl Andrus, Hamilton Community Benefits Network (Added Item 7.3(a))
- (a) The speaking time for the delegation from Karl Andrus, Hamilton Community Benefits Network, was extended to allow them to conclude their presentation.
- (b) The following Delegations, were received:
- (i) Elizabeth Watson-Morlog respecting the Dundas Community Pool (Item 7.1)
 - (ii) Calvin Cain, Ontario Homes for Special Needs Association Hamilton, respecting Hamilton Residential Care Facilities (Item 7.2)
 - (iii) Damien Ash, ACORN Hamilton, respecting Renovictions and the Tenant Defence Fund (Added Item 7.3(a))
 - (iv) Karl Andrus, Hamilton Community Benefits Network (Added Item 7.3(b))
 - (v) Karen Andrews, Advocacy Centre for Tenants Ontario (Added Item 7.3 (c))
 - (vi) Veronica Gonzalez and Marnie Schurter, ACORN (Added Item 7.3 (d))
 - (vii) Erin Fabello and David Haines, ACORN (Added Item 7.3(e))
 - (viii) Tina Dort (Added Item 7.3 (f))
 - (ix) Liz Scott, ACORN (Added Item 7.3(g))
 - (x) Chantelle Pruner, ACORN (Added 7.3(h))
 - (xi) Kevin Carnrite, ACORN (Added Item 7.3(i))
 - (xii) Darlene Wesley, ACORN (Added Item 7.3 (j))
 - (xiii) David Galvin (Added Item 7.3(k))
 - (xiv) Kathy Johnson (Added Item 7.3(l))
 - (xv) Brian Doucet, University of Waterloo (Added Item 7.3(m))
 - (xvi) Pauline Roberts (Added Item 7.3(n))

- (xvii) Mike Burnet, ACORN (Added Item 7.3(o))
- (xviii) Christine Neale, ACORN (Added Item 7.3(p))
- (xix) Chris Erie, ACORN (Added Item 7.3(q))
- (xx) Will Corneau, ACORN (Added Item 7.3(r))
- (xxi) Evan Pettitt & Trevor Sloman, ACORN (Added Item 7.3(s))
- (xxii) Elizabeth Ellis, ACORN (Added Item 7.3(t))
- (xxiii) Tom Cooper, Hamilton Roundtable for Poverty Reduction (Added Item 7.3(u))
- (xxiv) Melissa Gudgeon (Added Item 7.3(v))
- (xxv) Koubra Hagggar, Hamilton Centre for Civic Inclusion (Added Item 7.3(w))
- (xxvi) Sara Mayo, Social Planning and Research Council of Hamilton (Added Item 7.3(x))
- (xxvii) Merima Menzildzic and Maria Antelo, Hamilton Community Legal Clinic (Added Item 7.3(y))
- (xxviii) Rees Nam, Federation Of Metro Tenants' Associations (Added Item 7.3(z))
- (xxix) Mark Baker, ACORN (Added Item 7.3(aa))
- (xxx) Maria Bedek, ACORN (Added Item 7.3(ab))
- (xxxi) Brigitte Huard, ACORN (Added Item 7.3(ac))
- (xxxii) Kathy Johnson, ACORN (Added Item 7.3(ad))
- (xxxiii) Pauleen Ksonzena, ACORN (Added Item 7.3(ae))
- (xxxiv) Tracey Romanoski, ACORN (Added Item 7.3(af))
- (xxxv) Dianna Wilson, ACORN (Added Item 7.3(ag))
- (xxxvi) Jonathan Lopez, ACORN (Added Item 7.3(ah))

For further disposition of Item (f)(iii)(b)(i), refer to Item (f)(iii)(c) and for further disposition on Items (f)(iii)(b)(iii) to (xxxvi), refer to Items 1 and (g)(i) and

- (c) Staff were directed to report back on the accessibility level of City operated recreation centres, outdoor pools and arenas, and include which facilities are fully Accessibility for Ontarians with Disabilities Act (AODA) compliant, the number of gender neutral and barrier free washrooms available, and any additional relevant information, by September 30, 2023.

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

(i) **Renovictions Stakeholder Consultation (HSC23023) (City Wide) (Item 8.1)**

James O'Brien, Manager, Housing Sustainability and Investment, and Calvin Reid, Enterprise Canada addressed Committee respecting Renovictions Stakeholder Consultation (HSC23023).

The Presentation respecting the Renovictions Stakeholder Consultation (HSC23023), was received.

For further disposition, refer to Item 1

- (ii) The Emergency and Community Services Committee recessed for 15 minutes.

(iii) **Renovictions Stakeholder Consultation (HSC23023) (City Wide) (Item 8.1)**

- (a) That Council approve increasing the balance of the Tenant Defence Fund Project ID 6731841801 by \$50 K in 2023 through a transfer from Project ID 6731941901 Hamilton Portable Housing Benefit to the Tenant Defence Fund Project ID 6731841801; and,
- (b) That staff report back on the outcomes of the Tenant Defence Fund in 2025; and,
- (c) That the item respecting the Tenant Defence Fund be removed from the Outstanding Business List.

The above recommendations in Report HSC23023 respecting the Renovictions Stakeholder Consultation were **amended** as follows:

- (a) That Council approve increasing the balance of the Tenant Defence Fund Project ID 6731841801 by \$50 K in 2023 through a transfer from Project ID 6731941901 Hamilton Portable Housing Benefit to the Tenant Defence Fund Project ID 6731841801; and,
- ~~(b) That staff report back on the outcomes of the Tenant Defence Fund in 2025; and,~~

- ~~(c) That the item respecting the Tenant Defence Fund be removed from the Outstanding Business List.~~
- (b) That the Tenant Defence Fund eligibility be expanded to include N12 notices;
- (c) That staff be directed to report back on the expansion of the Tenant Defence Fund program scope and flexibility to allow the City to support eligible tenants to preserve affordable rental housing in the private market, through the following components:
 - (vi) Increase the annual overall fund amount;
 - (vii) Streamline access to professional services
 - (viii) Tenant information services;
 - (ix) Tenant organizing and capacity building; and
 - (x) Research and policy development
- (d) Staff to report back to E&CS in August 2023, with recommendations on the full suite of options to halt renovations in the COH including Rent SafeTO, the City of Toronto Tenant Support Program and amendments to various City by-laws, rental replacement policies, the use of building permits, and a city-wide Licensing by-law and Renovictions by-law;
- (e) That staff report back on the ability for the municipality to track sale notices for multi unit buildings, to monitor trends in this area and create process to inform tenants of their right in case of ownership change; and
- (f) That staff be requested to assess the feasibility of coordinating with health care partners to track tenants who are receiving homecare are also being subject to eviction notices.

For further disposition, refer to Item 1

(i) NOTICE OF MOTION (Item 12)

- (i) Seeking Advocacy Support from the Federation of Canadian Municipalities on Establishing an urgent Intergovernmental Platform on Mental Health**

The rules of order were waived to allow the introduction of a Motion respecting Seeking Advocacy Support from the Federation of Canadian Municipalities on Establishing an urgent Intergovernmental Platform on Mental Health.

For further disposition, refer to Item 4

(j) GENERAL ISSUES / OTHER BUSINESS (Item 13)

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

The Amendments to the Outstanding Business List be approved:

(a) Item to be Removed:

- (i) 21-A: Tenant Defence Fund
ESC 21-004

(b) Items Requiring Due Dates (deferred from last meeting)

- (i) 21-F: Advisory Committee for Persons with Disabilities
Report 20-007, December 8, 2020 GIC 21-003 (Item
13.1(b)(a))

New Due Date: October 2023

- (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))

New Due Date: August 2023

- (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))

New Due Date: August 2023

The following item will remain on the Outstanding Business List, and be given a new due date:

- (a) 21-A: Tenant Defence Fund ESC 21-004

The Amendments to the Outstanding Business List were approved, **as amended:**

- (b) Items Requiring Due Dates (deferred from last meeting)

- (i) 21-F: Advisory Committee for Persons with Disabilities Report
20-007, December 8, 2020 GIC 21-003 (Item 13.1(b)(a))

New Due Date: October 2023

- (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))

New Due Date: August 2023

- (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))

New Due Date: August 2023

(k) ADJOURNMENT (Item 16)

There being no further business, the Emergency and Community Services Committee adjourned at 8:11 p.m.

Respectfully submitted,

Councillor B. Clark
Chair, Emergency and Community Services
Committee

Loren Kolar
Legislative Coordinator
Office of the City Clerk

LOAN AGREEMENT TERM SHEET

8 Roxanne Drive, Hamilton (Redevelopment of 103 units)

Borrower: CityHousing Hamilton (CHH)

Lender: City of Hamilton ("City")

Type of Loan: \$19,396,979 Interest bearing Loan with a 20-year Amortization as set out in this Term Sheet, Appendix "A" to Report HSC19034(a) / FCS23037

Loan Conditions

1. The Loan will be subject to the recipient entering into a loan agreement with the City containing such terms and conditions as set out in this term sheet, Appendix "A" to Report HSC19034(a) / FCS23037.
2. The amount of the Loan shall be up to a maximum principal amount of \$19,396,979. The Loan shall only be used for the payment of the financing costs of \$19,396,979 relating to the development of a multi-residential building containing approximately 101 affordable seniors' unit located at 8 Roxanne Drive, Hamilton (the "Project").
3. The Loan will be interest-bearing at a rate of 2.14% compounded semi-annually on the total Loan amount and paid annually commencing on the Effective Date. A greater interest rate will be imposed on default.
4. The "Effective Date" shall be the date of the execution of the Loan Agreement.
5. The Loan will have a term of 20 years commencing on the Effective Date.
6. No assignment of the Loan, other than to the City will be permitted unless consented to by the General Manager of the Healthy and Safe Communities Department (GM) in their sole discretion and only in the following circumstance:
 - (a) the property is sold to another provider of "non-profit housing" as agreed to by the GM;
 - (b) any other circumstance as agreed upon by the GM in their sole unfettered discretion.
7. Requirement to provide the City with insurance certificates for "Property All Risks" insurance and other insurance as requested by the GM, to the satisfaction of the GM in consultation with Risk Management.
8. As continuing collateral security for the principal amount of the Loan and any amount that may become payable pursuant to the Loan agreement for any reason whatsoever hereunder, CHH shall execute and / or deliver to the City in a form and content satisfactory to the City, the following (collectively referred to as the "Security"):

- (a) A collateral charge / mortgage of land which can be lesser in priority only to a FCM registered mortgage or at the sole, absolute and unfettered discretion of the GM a long-term (greater than 20 years) third party financing with terms no more prejudicial than the FCM mortgage, payable on demand, with a Principal Amount of nineteen million, three hundred ninety-six thousand, nine hundred seventy-nine dollars (\$19,396,979) CHH which shall be registered against title to 8 Roxanne Drive, Hamilton ("Secured Property");
- (b) An assignment of rents registered against title to the Secured Property and registered pursuant to the PPSA and in priority to any other assignment of rents provided by the CHH;
- (c) Assignment of any proceeds of insurance required pursuant to Article 7 and in priority to any other assignment of insurance provided by the CHH that relates to the Secured Property;
- (d) A general security agreement registered pursuant to the PPSA in priority any other general security agreement entered into by the CHH and registered pursuant to the PPSA which may be site specific to the Property at the sole discretion of the GM; and,
- (e) Any and all such other and further documents, agreements and other instruments, and do such other and further things as the City may require to give effect to the Loan Agreement and cause the City to hold valid and enforceable security for the Principal Amount together with any amount that may become payable for any reason thereunder.

No additional financing will be permitted to be secured on the Secured Property that would cause the aggregate value of mortgages registered against the Secured Property to exceed 100% of the value of the Security Property.

Rental Requirements and Maximum Allowable Rent

9. At all times during the term of the loan, the rents of all units within the Project will at no time be above 80% Average Market Rent (AMR) for the City of Hamilton.
10. Rents for the affordable units may only be increased annually by the Provincial Rent Increase Guideline during a tenancy. Rents may be increased to the maximum allowable percentage of 80% AMR at turnover. Service Manager shall be notified 90 days prior to the effective date of a rent increase of more than the current Provincial Rent Increase Guideline.

Events of Default

11. Events of default shall include but not be limited to:
 - (a) Within the term of the Agreement, the housing is no longer "non-profit housing" as determined by the GM's sole discretion;

- (b) Failure to observe any of the conditions for advance of the Loan;
 - (c) Breach of any provisions of the Loan Agreement;
 - (d) Any disposition of the property not consented to by the GM in their sole discretion which consent may include such conditions as the GM determines in their sole discretion;
 - (e) Failure to acquire Service Manager Consent as it relates to encumbrances to 8 Roxanne Drive, Hamilton;
 - (f) Failure to notify the City about any default of the agreement within 30 days;
 - (g) Where a mortgage, charge, lien, execution or other Encumbrance affecting the Property becomes enforceable against the Property; or
 - (h) Where CHH becomes bankrupt, whether voluntary or involuntary, or becomes insolvent or a receiver / manager is appointed with respect to the Property; or
 - (i) Where CHH certificate of incorporation is cancelled, or CHH is otherwise wound up or dissolved as a corporation or there is any other change in the ownership or corporate status of CHH not approved by the City in advance;
 - (j) Where CHH ceases to be a Non-profit housing provider;
 - (k) Such further events as the City Solicitor deems appropriate in their sole discretion.
12. Consequences of an event of default, unless permitted to be remedied in such time and manner as the GM determines in their sole discretion, will include, but not limited to immediate repayment of all amounts advanced pursuant to the Loan and no further Loan payments.

Advance Provisions

13. The Loan shall be advanced, with any holdbacks as determined necessary by the City solicitor, in one lump sum.
14. Prior to the issuance of any advance of the Loan CHH must;
- (a) Execute the Loan Agreement;
 - (b) Secure the loan with a Collateral mortgage registered on Title of the Property (8 Roxanne Drive, Hamilton, ON) in favour of the City;
 - (c) Ensure the Property is clear of unpermitted encumbrances;
 - (d) Submit an invoice equivalent to the advance request;
 - (e) Provide certificate of insurance to the satisfactory of the City's Risk Management Department; and
 - (f) Such other conditions as the GM determines appropriate.

15. Loan Repayment

- (a) The Loan shall be repaid to the City within 20-years from the Effective Date;
- (b) CHH shall repay the principal amount advanced together with interest as provided for in this term sheet in twenty (20) consecutive yearly payments commencing on the annual anniversary date of the Effective Date and continuing on each subsequent annual anniversary date thereof;
- (c) CHH may prepay the outstanding principal of the loan in whole or in part at any time or times without penalty.

Accountability Provisions

16. The Loan Agreement shall remain in force and in effect until the Loan has been paid in full and CHH has performed all of its obligations under the Loan Agreement and no Security shall be discharged until the Loan is repaid in full and CHH has performed all of its obligations under the Loan Agreement.
17. During the term of the Loan Agreement and the loan period, CHH will monitor the respective Project annually to ensure the obligations under the Loan Agreement have been met for the previous year. During the term of the payment period, CHH will submit the following documents for the previous year to the Housing Services Division annually on or before June 1:
 - with the annual audited financial statements of the Borrower including the statement of profit and loss of the Borrower for that year, and a balance sheet of the Borrower as of the end of that year, setting forth in each case in comparative form, corresponding figures from the preceding annual audit;
 - with copies of any formal detailed reports submitted to the Borrower by independent accountants in connection with each annual or interim audit of the books of the Borrower;
 - provide the City with other financial data as the City may reasonably request.
18. The loan recipient must, without any prejudice to any rights of inspection the City has pursuant to any Applicable Law, CHH shall, during normal business hours and from time to time upon 24 hours' notice to permit representatives of the City to inspect any real property owned or occupied by CHH including the Property and the Project and to examine and take extracts from CHH's financial books, accounts and records including but not limited to accounts and records stored electronically for the purpose of verifying compliance with this Loan Agreement and use of the Funds.
19. At any time during the term of the Loan, the City may conduct an operational review of the Project on terms and conditions set by the GM in their sole, absolute and unfettered discretion. CHH shall at all times cooperate with the operational review and provide documentation, access to staff and such other information as may be requested by the GM or other City staff.

20. CHH shall ensure that there are adequate financial controls in place to ensure the accuracy, completeness and auditability of CHH's financial reporting.
21. CHH shall, on forty-eight (48) hours prior written notice, give the City free and unrestricted access to the Project and to such staff, documents, books, records and accounts as may be required by the City, for the purpose of verifying compliance with this Agreement and use of the Funds.
22. At any time, the City or any representative of the City may conduct an audit, investigation or inquiry in relation to the Project, the Funds or any larger development or project of which the Project is a part and CHH shall co-operate with the City and provide free and unrestricted access to the Project and to such staff, documents, books, records and accounts as may be requested by the City .
23. Within sixty (60) days of the written request of the City, CHH shall provide an audited financial statement respecting the expenditure of all Funds provided pursuant to this Agreement.
24. The audited financial statements required to be produced by CHH pursuant to Section 27 shall:
 - (a) Be completed in a form and content to the satisfaction of the GM;
 - (b) Be signed by an authorized signing officer of CHH; and;
 - (c) Be submitted to the City at the following address:

71 Main Street, W, Hamilton ON L8P 4Y5
To the attention of: The General Manager,
Healthy and Safe Communities Department
25. CHH shall keep and maintain:
 - (a) All financial records (including invoices) relating to the Funds advanced to it in a manner consistent with generally accepted accounting principles; and
 - (b) All non-financial documents and records relating to the Funds advanced to it.
26. For the purpose of ensuring compliance with the terms of this Agreement, the City, or their authorized agents or representatives or an independent auditor identified by the City (collectively the "Inspectors") may, at their own expense, upon on 24 hours' notice and during regular business hours, enter upon CHH's premises and/or the Project, and CHH shall provide free and unrestricted access to its premises, the Project and to such staff, documents, books, records and accounts as may be requested by the Inspectors and cooperate fully with the Inspector in order to permit them:

- (a) Inspect and take extracts from the accounts, records including financial records and invoices, and books and data, whether such aforesaid accounts and records are stored in any format whatsoever including but not limited to paper or electronic format; and
 - (b) Conduct and audit, investigation or inquiry of CHH in relation to the Project, the Funds or any larger development or project of which the Project is a part and CHH. The City shall provide the results of their audit to CHH within a reasonable time of its completion. Any audit performed by the City under this Section shall be at the sole expense of the City.
27. To assist in respect of the rights set out in this loan term sheet, CHH shall promptly disclose and provide, without limitation, any information requested by the Inspectors and shall do so in a form requested by the City, its authorized representatives or an independent auditor identified by the City, as the case may be.
28. During the Term of the Loan Agreement, CHH shall:
- (a) Operate and maintain the Project in a good state of repair and fit for occupancy in the same manner as a prudent owner would;
 - (b) Do or cause to be done all acts and things necessary to cause the Project to be properly maintained and to be kept in a good state of repair; and,
 - (c) Manage the Project in a fiscally responsible manner and ensure that a deficit is not incurred in any year without the approval of the City, which shall not be unreasonably withheld, and that no expenditure is made which is of a material and excessive nature having regard to the normal practice for a similar housing project.

Other Provisions

29. The City of Hamilton must be recognized on project marketing and promotional material (i.e. City of Hamilton logo), at CHH's expense.
30. Any out of pocket expenses (i.e. Appraisal costs) incurred in the provision of the Loan, the preparation of the Loan Agreement or in respect of the Security for the Loan, over and above staff costs, are the responsibility of CHH.
31. The Loan recipient must provide full disclosure, at all times, with respect to issues that will or may affect the completion of the project or the organization's ability to repay the Loan.
32. Any other terms deemed appropriate by the City Solicitor and GM, at their sole discretion.



SPECIAL GENERAL ISSUES COMMITTEE REPORT 23-014

9:00 a.m.

Monday, April 24, 2023

Tim Hortons Field, Caretaker's Lounge, Main Floor
64 Melrose Ave. N., Hamilton, Ontario

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

Absent: Councillors M. Francis, E. Pauls, and M. Spadafora – Personal

THE GENERAL ISSUES COMMITTEE PRESENTS REPORT 23-014 AND RESPECTFULLY RECOMMENDS:

1. Indigenous Awareness Training (Item 5.1)

- (a) That the Indigenous Awareness Training presentation be received; and,
- (b) That the Indigenous Awareness Training presentation be released publicly following approval by Council.

FOR INFORMATION:

(a) LAND ACKNOWLEDGEMENT AND WELCOME (Item 1)

(i) Welcome (Item 1.2)

Travis Hill, Curator Indigenous Culture and Heritage, addressed the Committee to provide the Traditional Greeting and Welcome.

(ii) Land Acknowledgement (Item 1.1)

Jennifer DiDomenico, Senior Project Manager, Indigenous Relations addressed the Committee to provide the Land Acknowledgement.

(b) APPROVAL OF AGENDA (Item 2)

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

The agenda for the April 24, 2023 Special General Issues Committee meeting, was approved, as presented.

(c) DECLARATIONS OF INTEREST (Item 3)

There were no declarations of interest.

(d) STAFF PRESENTATIONS (Item 4)

(i) Indigenous Relations Team Introduction and Initiatives (Item 4.1)

Jessica Chase, Director, Healthy and Safe Communities, introduced the following members of the Indigenous Relations Team and shared the Initiatives of the Team with the Committee:

Shelly Hill, Manager, Indigenous Relations
Travis Hill, Indigenous Curator, Culture and Heritage
Lucas Gambacort, Indigenous Community Outreach and Research
Coordinator, Indigenous Relations
Brandy Pasalic, Indigenous Subsidy Eligibility Worker, Indigenous
Relations
Beth Dockstator, Project Manager, Indigenous Initiatives
Jennifer DiDomenico, Senior Project Manager, Indigenous Relations

(ii) Introduction of First Peoples Group and Presenters (Item 4.2)

Shelly Hill, Manager, Indigenous Relations introduced the following members of the First Peoples Group who will be providing the Training for Committee:

Bob Watts
Paul Robitaille
Charlotte Qamaniq
Melissa Hammell

That the following Staff Presentations, were received:

- (i) Indigenous Relations Team Introduction and Initiatives (Item 4.1)
- (ii) Introduction of First Peoples Group and Presenters (Item 4.2)

(e) PRIVATE & CONFIDENTIAL (Item 5)

(i) Indigenous Awareness Training (Item 5.1)

The following individuals from the First Peoples Group were permitted to attend the Closed Session portion of the meeting, in order to provide the Indigenous Awareness Training:

Bob Watts
Paul Robitaille
Charlotte Qamaniq
Melissa Hammell
Rick Powless

Committee moved into Closed Session respecting Item 5.1, pursuant to Section 9.5 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 meeting is being held for the purposes of educating or training members; and, at the meeting, no member discusses or otherwise deals with any matter in a way that materially advances the business or decision-making of Council or the Committee.

For disposition of this matter, refer to Item 1.

(f) ADJOURNMENT (Item 15)

There being no further business, the General Issues Committee adjourned at 4:09 p.m.

Respectfully submitted,

Deputy Mayor Brad Clark
Chair, General Issues Committee

Angela McRae
Legislative Coordinator
Office of the City Clerk

CITY OF HAMILTON MOTION

Council: April 26, 2023

MOVED BY COUNCILLOR C. KROETSCH

SECONDED BY COUNCILLOR

Amendment to Audit, Finance and Administration Committee Report 23-003

WHEREAS, the Communications Items considered at the February 16, 2023 meeting of the Audit, Finance and Administration Committee were inadvertently omitted from the Audit, Finance and Administration Committee Report 23-003;

THEREFORE, BE IT RESOLVED:

- (a) That the Audit, Finance and Administration Committee Report 23-003, February 16, 2023, be **amended** to add sub-section (d), as follows:

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

- The following Communications Items, were approved, as presented:*

- (i) **Julie Turner, respecting her resignation from the Hamilton Women and Gender Equity Committee**

- Recommendation: Be received.*

- (ii) **Gabriel Nicholson, respecting motion 11.2 Council Access to and Copies of Confidential Records**

- Recommendation: Be received and referred to consideration of Item 11.2, Council Access to and Copies of Confidential Records.*

CITY OF HAMILTON

MOTION

Council Date: April 26, 2023

MOVED BY COUNCILLOR T. JACKSON.....

SECONDED BY COUNCILLOR

Amendment to Item 10.2 of the November 16, 2022 Council minutes respecting Council Member Appointments to the Agencies, Boards and Tribunals for the 2022-2026 Term of Council

WHEREAS, as per the Unanimous Shareholders Declaration, the composition of the Hamilton Utilities Corporation Board of Directors specifies that in the event the Mayor declines to serve as a director on the Hamilton Utilities Corporation Board of Directors or is a director of Alectra Inc. the member of Council selected to serve on the Hamilton Utilities Corporation Board of Directors be identified as the 'Mayor's Surrogate';

THEREFORE, BE IT RESOLVED:

That Item 10.2 (c)(xxi)(1) of the minutes of November 16, 2022 Council meeting be **amended** as follows:

10.2 Council Membership on Shareholder and Sole Voting Member Groups, Agencies, Boards and Tribunals for the 2022-2026 Term of Council

(c) That the Council Member appointments to the following Agencies, Boards and Tribunals, for the 2022-2026 Term of Council, be approved:

(xxi) Hamilton Utilities Corporation Board of Directors

(1) Councillor T. Hwang, **as the Mayor's Surrogate**

CITY OF HAMILTON

MOTION

Council Date: April 26, 2023

MOVED BY COUNCILLOR T. JACKSON

SECONDED BY COUNCILLOR

Amendment to Item 7.5 of the March 29, 2023 Council minutes respecting the Appointment to the Hamilton Enterprise Holding Corporation Board of Directors

WHEREAS, as per the Unanimous Shareholders Declaration, the composition of the Hamilton Enterprise Holding Corporation Board of Directors specifies that in the event the Mayor declines to serve as a director on the Hamilton Enterprise Holding Corporation Board of Directors or is a director of Alectra Inc. the member of Council selected to serve on the Hamilton Enterprise Holding Corporation Board of Directors be identified as the 'Mayor's Surrogate';

THEREFORE, BE IT RESOLVED:

That Item 7.5 (b) of the minutes of March 29, 2023 Council meeting be **amended** as follows:

7.5 Resignation and Appointment to the Hamilton Enterprise Holding Corporation Board of Directors

- (b) That Councillor Tammy Hwang be appointed **as the Mayor's Surrogate** to the Hamilton Enterprise Holding Corporation Board of Directors, for the remainder of the 2022-2026 Term of Council, effective immediately.

CITY OF HAMILTON

MOTION

Council Date: April 26, 2023

MOVED BY COUNCILLOR C. KROETSCH.....

SECONDED BY COUNCILLOR

Waiving of Street Festival Fees for Use of On-Street Parking Spaces

WHEREAS, increasing pedestrian access to our downtown streets is an important way to build community and increase safety;

WHEREAS, street festivals are an important tool to support broader economic activity;

WHEREAS, Hamilton Municipal Parking System typically charges a fee to help offset the loss in revenue where street festivals remove metered on-street parking from service; and

WHEREAS, reducing the costs associated with street festivals in 2023 could increase their number.

THEREFORE, BE IT RESOLVED:

- (a) That the fees typically applied to offset revenue losses from on-street metered parking being removed from service be waived for street festivals qualifying under the Special Event Advisory Team (SEAT) process for the 2023 season; and,
- (b) That the estimated revenue losses for the Hamilton Municipal Parking System be funded from the Economic Development Investment Reserve (112221).

CITY OF HAMILTON
MOTION

Council Date: April 26, 2023

MOVED BY COUNCILLOR C. KROETSCH.....

SECONDED BY COUNCILLOR N. NANN.....

Appointment to the Public Works Committee

That Councillor Mark Tadeson be appointed to the Public Works Committee, for the remainder of the 2022-2026 Term of Council, effective immediately.

CITY OF HAMILTON

MOTION

Council Date: April 26, 2023

MOVED BY COUNCILLOR T. MCMEEKIN.....

SECONDED BY COUNCILLOR C. KROETSCH.....

Supplementing Ward Councillors Office Budgets in 2023

WHEREAS, each and every member of Hamilton City Council strives to provide the best possible constituency service for those they are privileged to represent;

WHEREAS, it is critical to communicate with citizens in a variety of forms, in order to inform decision-making based on evidence, supported by principle and designed to achieve the greatest good;

WHEREAS, the funding of Ward Councillor offices budgets is projected to be in a deficit position as of December 31, 2022 and has been inadequate to meet the growing demands for ongoing discussion, communication, research, consultation, engagement, citizen empowerment and community building;

WHEREAS, the workload of Councillors and their staff has expanded in ways that can limit their ability to serve Hamiltonians effectively;

WHEREAS, it is important to foster a stronger sense of civic engagement as part of building stronger, healthier, more democratic, caring and sustainable community;

WHEREAS, each Ward has unique challenges that need immediate attention;

WHEREAS, the Ontario Lottery and Gaming Corporation and the City of Hamilton have an agreement whereby the City is the recipient of a percentage of annual gaming revenues;

WHEREAS, the city applies the annual gaming revenues to reduce the City's general levy;

WHEREAS, in 2012 Council approved that year end gaming surpluses be transferred to the Flamborough Capital Reserve Fund; and

WHEREAS the 2022 gaming surplus is approximately \$263,000 and is recommended to be transferred to the Flamborough Capital Reserve Fund as per FCS22042(b).

THEREFORE, BE IT RESOLVED:

- (a) That \$260,000 from the Flamborough Capital Reserve (108032) be used to supplement Ward Councillors Office budgets in 2023;
- (b) That each participating office be allocated an equal share of the \$260,000 available on a one-time basis;
- (c) That each Councillor wishing to share part of this supplemental funding inform the City Clerk of their desire to do so, in writing, by Wednesday May 3, 2023; and
- (d) That Hamilton's City Manager and Executive Director of Human Resources and their staff as needed, undertake a comprehensive review of the appropriate ongoing financing and staffing levels related to Ward Office Budgets and report back to General Issues Committee prior to its consideration of the 2024 operating budget.

CITY OF HAMILTON MOTION

Council Date: April 26, 2023

MOVED BY COUNCILLOR T. HWANG.....

SECONDED BY COUNCILLOR.....

Waiving Rental Fees for the Nikola Tesla Educational Corporation’s 2023 Electric City Festival Event

WHEREAS, the City of Hamilton is the owner and steward of the Hamilton Museum of Steam & Technology National Historic Site (hereinafter referred to as the Museum of Steam & Technology);

WHEREAS, The Nikola Tesla Educational Corporation delivers an annual Electric City Festival on the grounds of the Museum of Steam & Technology;

WHEREAS, The Electric City Festival is an established event, highly popular with Hamiltonians while also being closely aligned with the mandate of the museum;

WHEREAS, it is the longstanding practice of the Nikola Tesla Educational Corporation to seek an annual waiver of the venue rental fee associated with the Electric City Festival and additional hosting support from the Museum of Steam & Technology; and

WHEREAS, the hosting of this community event incurs added operational costs for the Museum of Steam & Technology.

THEREFORE, BE IT RESOLVED:

- (a) That staff be directed to waive the \$1,125.00 rental fee for the Nikola Tesla Educational Corporation’s 2023 Electric City Festival event to be held at the Hamilton Museum of Steam & Technology;
- (b) That staff be directed to inform the Nikola Tesla Educational Corporation, in writing, that rental fees for use of the Hamilton Museum of Steam & Technology for the Electric City Festival event in 2024 and beyond will not be waived by the City and refer them to the City Enrichment Fund for a potential application in 2023 for the 2024 event;
- (c) That lost rental revenue and operational expenses in the amount of \$14,105, incurred by the Hamilton Museum of Steam & Technology as a result of hosting the 2023 Electric City Festival, be funded from the Economic Development Investment Fund (Reserve # 112221); and

- (d) That \$15 K be added to the Tourism & Culture Division's Heritage Resource Management 2024 base Operating Budget to provide operational funding for the Hamilton Museum of Steam & Technology to host the Electric City Festival event in 2024 and beyond.

CITY OF HAMILTON MOTION

Council: April 26, 2023

MOVED BY COUNCILLOR T. JACKSON.....

SECONDED BY COUNCILLOR N. NANN.....

Association of Municipalities Ontario (AMO) Ending Homelessness Symposium May 3-4, 2023

WHEREAS, Councillor Tammy Hwang represents the City of Hamilton as a member of Association of Municipalities Ontario (AMO) 2022 - 2024 AMO Board of Directors, Regional & Single Tier Caucus; and

WHEREAS, AMO has scheduled an Ending Homelessness Symposium on May 3-4, 2023;

THEREFORE, BE IT RESOLVED:

That Council assumes all costs associated with Councillor Tammy Hwang’s attendance at AMO’s Ending Homelessness Symposium on May 3-4, 2023 from the General Legislative Budget (300100).

CITY OF HAMILTON

NOTICE OF MOTION

City Council: April 26, 2023

MOVED BY COUNCILLOR B. CLARK.....

Fiber Optic Broadband 5G Service for the Rural Areas of the City of Hamilton

That staff be directed to establish a Working Group to explore the means of providing fiber optic broadband 5G service to the rural areas of the City of Hamilton.

CITY OF HAMILTON

NOTICE OF MOTION

City Council: April 26, 2023

MOVED BY COUNCILLOR M. SPADAFORA.....

Chedoke Arena - Secondary Ward Office for Ward 14

WHEREAS, the Ward 14 Councillor is looking to provide residents with an alternative, satellite Constituency office location for members of the public to meet with the Councillor and Ward 14 staff;

WHEREAS, the Ward 14 Councillor and staff would like to be in closer proximity to their elderly residents and those with mobility challenges; and,

WHEREAS, the Chedoke Arena location is situated on a bus route, is more accommodating for those without vehicles, as well as providing free parking for those who do have vehicles;

THEREFORE, BE IT RESOLVED:

- (a) That staff be authorized and directed to repurpose a vacant office at Chedoke Arena for use as a Satellite constituency office for Ward 14, for use during regular business hours; and,
- (b) That staff be directed to report back to the General Issues Committee with a policy and/or guideline for Secondary Ward Offices.

COUNCIL COMMUNICATION UPDATES

April 7, 2023 to April 20, 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	April 13, 2023	Planning and Economic Development	Hamilton Agriculture Profile - 2021 Census of Agriculture Update (City Wide)
2	April 14, 2023	Board of Health	Health Check Update Bulletin #1 Progress Update (City Wide)
3	April 14, 2023	Public Works	Saltfleet Community Centre Structural Concerns and Closure – Update #2 (CFEM2302) (Ward 10)
4	April 18, 2023	Public Works	Hamilton Municipal Cemeteries - Spring Maintenance Program 2023 (ES23006) (City Wide)
5	April 18, 2023	Public Works	Parks Summer Program - Service Level and Operations Schedule (ES23007) (City Wide)
6	April 19, 2023	Planning and Economic Development	Quarterly Update (January - March 2023) Loans/Grants Approved by the General Manager of Planning and Economic Development (Wards 1, 2, 3 and 8)
7	April 20, 2023	Public Works	Spills from Hamilton Water Infrastructure Webpage - HW.23.03
8	April 20, 2023	Board of Health	Update to the Hamilton Opioid Information System (City Wide)



COMMUNICATION UPDATE

TO:	Mayor and Members City Council
DATE:	April 13, 2023
SUBJECT:	Hamilton Agriculture Profile - 2021 Census of Agriculture Update (City Wide)
WARD(S) AFFECTED:	City Wide
SUBMITTED BY:	Jason Thorne General Manager Planning and Economic Development Department
SIGNATURE:	

On April 18, 2023, the City of Hamilton's Economic Development Division will be bringing to the Agriculture and Rural Affairs Sub-Committee a report on Hamilton's Agriculture Profile. This profile is based on the 2021 Census of Agriculture and provides a statistical overview of the agriculture sector in the City of Hamilton. Every five years, the Census of Agriculture provides a comprehensive and integrated profile of the physical, economic, social, and environmental aspects of Canada's agriculture industry; it is the only data source that consistently provides high-quality detailed statistical information on the agriculture sector.

The overview includes data relating to the Hamilton's farmland, the types of farms, financial performance, characteristics of farm operators, and the economic impact agriculture in the City. All data in this document are derived from the 2021, 2016 and 2011 Census of Agriculture unless otherwise stated. Any comparative data is made between Ontario and the Golden Horseshoe (i.e. the regions of Niagara, Peel, Halton, Durham, York, and Hamilton).

Some of the highlights from Hamilton's Agriculture Profile are noted below:

- 679 farms operate within the City of Hamilton with a total combined farm area of 118,070 acres.
- The average size farm being 174 acres.

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

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

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

SUBJECT: Hamilton Agriculture Profile - 2021 Census of Agriculture Update (City Wide) - Page 2 of 2

- 32% of farms in Hamilton are Oilseed and grain farming (the most in the City), followed by Other Animal production (16%), and Greenhouse, nursery and floriculture production (15%).
- 2,207 individuals are employed in Hamilton's agricultural sector. This includes full-time, part-time, and seasonal workers.
- Total operating revenues for farms in Hamilton was \$366 million in 2021, while total operating expenses for farms in Hamilton was \$299 million in 2021.
- Hamilton's farms are the most profitable in the Golden Horseshoe (average of \$104,764 per farm).
- The gross output impact of Hamilton's agricultural sector is roughly \$1.3 billion.

This document will not only serve as a statistical overview of the agriculture sector in the City of Hamilton but will be used to assist in the promotion of the industry as well as the attraction of new investment within the sector. Moving forward, Staff will provide an updated Agriculture Profile to the Agriculture and Rural Affairs Sub-Committee, following each release of the census of agriculture.

If you would like to review a copy of the report, it is available at the following link:
<https://pub-hamilton.escribemeetings.com/Meeting.aspx?Id=dcfdd077-aeef-478a-bf3e-8ebd82ba2ba6&Agenda=Agenda&lang=English>

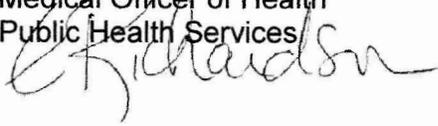
If you have any questions respecting this communication, please contact Norm Schleeahn, Director, Economic Development by email at Norm.Schleeahn@hamilton.ca or by phone at (905) 546-2424 Ext. 2669.

APPENDICES AND SCHEDULES ATTACHED

N/A



COMMUNICATION UPDATE

TO:	Mayor and Members Board of Health
DATE:	April 14, 2023
SUBJECT:	Health Check Update Bulletin #1 Progress Update (City Wide)
WARD(S) AFFECTED:	City Wide
SUBMITTED BY:	Dr. Elizabeth Richardson, MD, MHSc, FRCPC Medical Officer of Health Public Health Services
SIGNATURE:	

This communication provides the Board of Health with an update on the renewal of the population health assessment report, "Health Check" and informs members of our intent to share status updates with community stakeholders through bulletins.

Background on Health Check- A Population Health Assessment

Boards of health in Ontario are mandated to provide population health information including social determinants of health, health inequities, and other relevant sources to the public, community partners, and other health care providers.¹ To support this effort, Hamilton Public Health Services is updating a key population health assessment report, "Health Check." This report was last updated in 2018. It is anticipated that the updated report will be publicly released in early 2024, as identified at the January 16, 2023, Board of Health Meeting.²

Approach for Stakeholder Communication

Over fifty stakeholders have been identified that may be interested in the results of this report. Hamilton Public Health Services will keep stakeholders informed of the process

¹ Ministry of Health (2021). Ontario Public Health Standards: Requirements for Programs, Services and Accountability.

https://www.health.gov.on.ca/en/pro/programs/publichealth/oph_standards/

² Richardson, E., & Sanderson, R. (2023, January 16). Remarks made during presentation of Board of Health Item 8.1 BOH23002. <https://pub-hamilton.escribemeetings.com/Players/ISISStandAlonePlayer.aspx?Id=d49267dc-394c-4a45-951c-73f4a95943b4>

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SUBJECT: Health Check Update Bulletin #1 Progress Update (City Wide) - Page 2 of 2

through a quarterly Health Check Update Bulletin. Update Bulletin #1 will be released by email to stakeholders on Friday, April 14, 2023.

Overview of Population Health Assessment

Population health assessment, including a comprehensive understanding of health inequities, allows Hamilton Public Health Services to identify the population health needs of the Hamilton community. Population health needs are typically longstanding issues that require many years and collective action by multiple partners and at multiple levels to address; public health is one of many contributors.

Should you require further information, please contact Catherine Holtz, Manager, Epidemiology & Evaluation Program at ext. 6708 or at catherine.holtz@hamilton.ca.

APPENDICES AND SCHEDULES ATTACHED

Appendix "A" to Board of Health Communication Update (2023-04-14) – Health Check Update Bulletin No1



APRIL 14, 2023

HEALTH CHECK UPDATE #1

 Hamilton Public Health Services' population health assessment report, Health Check, is currently being updated and will be publicly available in early 2024.

Project Background

In 2018, Hamilton Public Health Services (Public Health) completed a comprehensive population health assessment (Health Check). It systematically quantified and compared the burden of various disease outcomes for City of Hamilton residents. In 2019, Public Health completed an equity analysis to begin to identify health inequalities within the City of Hamilton, particularly as it applied to public health programs. Public Health is now updating Health Check, which will include the equity analysis. The aim is to identify Hamilton's community health needs particularly related to population health risk factors and outcomes that public health programs and services work to improve in partnership with community health and social sectors.

The report will compare rates in Hamilton to Ontario and other peer health units that are like in size and sociodemographic composition. Health Check will include the following four broad components:

- Sociodemographic Profile
- Health Outcome Profile
- Risk Factor Profile
- Preliminary Pandemic Impact Assessment

Health Check 2023 will use existing data from key population health assessment sources. The report will also rank the contribution of various health risks based on the Global Burden of Disease approach and assess the impact of a set of socio-demographic factors on the health of Hamiltonians.

Public Health's vision for population health assessment is that, "our communities' collective understanding of our population's health status and health inequities improves the health and wellbeing of all Hamiltonians." Public Health will provide quarterly status updates to internal and external partners interested in this project in alignment with the City of Hamilton's commitment to transparency.

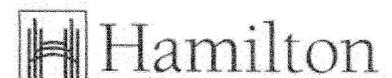
Status Update

Current Project Status	Milestones achieved	Upcoming Work
<ul style="list-style-type: none"> • Finalizing the analysis plan and stakeholder engagement plan. • Analyzing available data. 	<ul style="list-style-type: none"> • Completed the planning phase including identifying the scope of the project, timelines, resources, and deliverables. 	<ul style="list-style-type: none"> • Complete data analysis by early summer 2023. • Develop products summer/fall 2023.

Contact for Questions

Catherine Holtz, Manager (Appointed), Epidemiology and Evaluation
905-546-2424 ext., #6708 or Catherine.holtz@hamilton.ca

This document is available in alternate format upon request.





COMMUNICATION UPDATE

TO:	Mayor and Members City Council
DATE:	April 14, 2023
SUBJECT:	Saltfleet Community Centre Structural Concerns and Closure – Update #2 (CFEM2302) (Ward 10)
WARD(S) AFFECTED:	Ward 10
SUBMITTED BY:	Robyn Ellis Acting Director, Corporate Facilities and Energy Management Public Works Department
SIGNATURE:	

This Communication Update is to provide members of Council with a second 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.

Update on Relocations of Community Groups:

- As of April 12, The Foodbank is open to the public and serving customers at Stoney Creek Municipal Service Centre (777 Hwy 8, Stoney Creek) after their relocation which took place on April 4 and 5;
- All tenants of the building were provided with an accommodation plan and options for relocation to continue with services;
- The accommodation plan coordinated to date includes:
 - Senior's Outreach and Victory Gardens, moving to Stoney Creek City Hall;
 - Stoney Creek Historical Society, moving to Winona Recreation Centre;
 - Cancer Homefront, moving to Winona Recreation Centre;
 - Air Cadets, moving to Saltfleet Arena;
 - Football Association, moving to Eastwood Arena.

All community groups have either moved to their new locations or their move planning is in progress.

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**SUBJECT: Saltfleet Community Centre Structural Concerns and Closure –
Update #2 (CFEM2302) (Ward 10) – Page 2 of 2**

Update on Saltfleet Community Centre:

- Additional emergency structural shoring has been installed in the East Wing, per recommendations. This has enabled supervised access to the East Wing for moving purposes;
- Facilities staff continue to meet onsite and via Webex with engineers, including review of geotechnical information, in order to inform root cause of structural issues and next steps;
- An update will be provided to Council and the community once that process is complete.

Looking back previous Communications to Council:

- [March 27: Communications Update, including Order to Comply](#)
- March 22: Email to Council, notice of Facility closure and structural concerns

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.

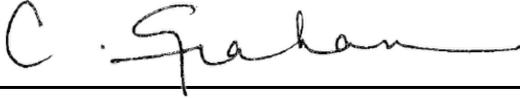
If you have any questions, please contact Robyn Ellis, Acting Director, Corporate Facilities and Energy Management at Ext. 2616.

APPENDICES AND SCHEDULES ATTACHED

N/A



COMMUNICATION UPDATE

TO:	Mayor and Members City Council
DATE:	April 18, 2023
SUBJECT:	Hamilton Municipal Cemeteries - Spring Maintenance Program 2023 (ES23006) (City Wide)
WARD(S) AFFECTED:	City Wide
SUBMITTED BY:	Cynthia Graham Acting Director, Environmental Services Public Works Department
SIGNATURE:	

This Communication Update is to inform the Mayor and Members of City Council of the Annual Spring Maintenance clean-up of all municipal cemeteries.

The Annual Spring Maintenance Program within Hamilton's 69 municipally owned and operated cemeteries will begin and continue through the next few weeks. The maintenance will include a variety of post winter/pre summer services including but not limited to the following: ground maintenance and turf repair, leaf and litter pick up, grave repair (including tamping, levelling and top dress/seeding), flower bed preparation, flat marker maintenance and installations, grave site clean ups and the activation of all water lines.

In accordance with the current Cemetery By-law 12-151, all artificial flowers and wreaths, glass trinkets, Christmas ornaments and any other item(s) that are in contravention of the by-law will be removed. As a courtesy to family members of the deceased, all items removed by cemetery staff will be stored for a period of 60 days for to allow for pick up by the owners.

Public notification respecting the removal of winter items is conveyed through various means including the cemetery website and site signage.

Please contact John Perrotta, Superintendent of Cemeteries at extension 4402 should you have any questions or concerns respecting the operation of any of the city owned and operated Cemeteries.

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APPENDICES AND SCHEDULES ATTACHED

N/A



COMMUNICATION UPDATE

TO:	Mayor and Members City Council
DATE:	April 18, 2023
SUBJECT:	Parks Summer Program - Service Level and Operations Schedule (ES23007) (City Wide)
WARD(S) AFFECTED:	City Wide
SUBMITTED BY:	Cynthia Graham Acting Director, Environmental Services Public Works Department
SIGNATURE:	

This update is being provided to highlight the annual Council approved service levels in the City of Hamilton's (City) parks, performed by the Parks and Cemeteries Section of the Environmental Services Division.

Waste Collection Service

Trash receptacles are distributed to strategic locations throughout our parks to encourage litter control. This service level is variable with the seasons with May-October representing the summer season and November-April representing the winter. Where sites are inaccessible over the winter months, the garbage receptacles are removed and replaced in the spring. This affects approximately 670 receptacles annually.

There are a total of 1,347 winter trash receptacles, and a total of 2,017 summer receptacles throughout the parks system which are often moved around to meet needs such as events, or to respond to illegal dumping or vandalism.

Ground Litter Removal

Ground litter removal is performed in all parks before the grounds are mowed and trimmed. Removal of ground litter prior to cutting is instrumental in helping to prevent damage to machinery, and injury to operators. It also helps protect public safety and enhances the overall aesthetics of the park. This task is mainly completed by hired

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SUBJECT: Parks Summer Program – Service Level and Operations Schedule (ES23007) (City Wide) – Page 2 of 3

summer students, but significantly supplemented by the efforts of many volunteer groups.

Spring Clean-Up

Prior to the commencement of the mowing season (late April), staff undertake to perform a major clean-up of the general parkland, and where time allows in woodlots, and naturalized areas. Ground litter, refuse and debris, and winter kill are collected and removed from the site. This activity usually lasts for approximately 4 weeks. The intensity of the clean-up is often dependent upon the location, weather, and staff availability, recognizing that most hired summer students arrive in May.

Turf Management Program

Mowing and trimming of parks and sports fields is an important part of any Turf Management Program and plays an integral role in all Integrated Pest Management (IPM) Programs. It should be noted that pesticides are banned from use in parkland, so staff work to ensure healthy turf growth as a weed management strategy. In 2023, City staff will service various park sites across the City. The goal of this program is to support healthy turf grass systems for safe and enjoyable public use of sports fields and general park grounds and amenities. The program includes monitoring and assessment of general turf health, the application of fertilizers, topdressing materials and grass seed, aeration of sports fields, ground litter/debris control and regular mowing activities.

Mowing and trimming activities are the foundation of the turf management and IPM Programs. Park mowing service levels are tiered relative to the type of playing fields or parks as outlined in the table below:

Park Type	Mowing/Trimming Frequency Maintenance Standards	Anticipated Number of Cycles *
	Late April/May - October Only	
Class A and B Sports fields	1 time / 5 working days	21 or 22 cycles
Class C and D Sports fields	1 time / 7 working days	17 or 18 cycles
Citywide, Community, Neighbourhood general parklands	1 time / 7 working days	17 or 18 cycles
Parkette	1 time / 7 working days	17 or 18 cycles

* Cycles completed per year are weather dependent and can be influenced by equipment breakdowns.

Parks staff will commence cutting once the fields and parks are dry enough to support heavy equipment without causing damage to the turf. Damage caused by machinery

tires will severely impact the quality of sports field for the entire season. Prior to the full commencement of the grass cutting program, full-time and seasonal staff will be utilized by completing infrastructure and asset inspections, litter and illegal dumping control, spring clean-up (which includes leaf and debris removal and small-scale pruning and trimming), storm clean up, over-seeding and fertilizing.

Mowing and trimming activities are performed by Parks maintenance staff and equipment/resources are shared across district boundaries where necessary to respond to issues such as equipment breakdowns or park event programming in order to maintain consistent program service levels. Please be aware all parks are being cut in a specified order to maximise efficiency based on geography and daily workload. Dandelion growth in the coming month may impact on the visual aesthetics of the park, but for overall efficiency and equity for all customers, service delivery schedules require strict adherence.

Naturalized Areas

The City of Hamilton is rich with natural open spaces that include valued natural heritage features, corridors and habitats. Many parks include naturalized areas or are adjacent to natural open spaces and require natural buffers. Maintenance in the natural areas or adjacent natural buffer areas is controlled to provide opportunities for self-sustaining native vegetation to thrive. Where requested, or associated with a particular naturalization initiative, signage may be present to help educate the residents who are curious about the maintenance of the areas.

Staffing Shortage and Possible Service Level Reductions

With current labour market, and competition for summer student hiring, Parks operations has seen a marked decline in summer student applicants. Since the Parks summer maintenance program depends on summer student labour, it may be necessary to implement some reduction in service. If this is required, aesthetic work will be reduced, including grass trimming around fence lines and other objects. This change will likely generate concerns from the public but has no lasting negative impact on parks properties or program delivery. It can also be corrected quickly later in the season when mowing pressure is reduced when grass growth rates slows down.

Should you require further information, please contact Kara Bunn, Manager, Parks and Cemeteries at extension 4334.

APPENDICES AND SCHEDULES ATTACHED

N/A



COMMUNICATION UPDATE

TO:	Mayor and Members City Council
DATE:	April 19, 2023
SUBJECT:	Quarterly Update (January - March 2023) Loans/Grants Approved by the General Manager of Planning and Economic Development (Wards 1, 2, 3 and 8)
WARD(S) AFFECTED:	Wards 1, 2, 3 and 8
SUBMITTED BY:	Jason Thorne General Manager Planning and Economic Development Department
SIGNATURE:	

On September 29, 2021, City Council enacted By-law 21-165, being a by-law to delegate authority to the General Manager of Planning and Economic Development (GM) to approve grants/loans to a maximum of \$200,000 per grant/loan under financial incentive programs provided under the Revitalizing Hamilton's Commercial Districts Community Improvement Plan (2021) and the *Ontario Heritage Act*. Programs subject to this delegated authority are:

- Barton/Kenilworth Planning and Building Fees Rebate Program;
- Barton/Kenilworth Revitalization Grant Program;
- Commercial District Housing Opportunities Program;
- Commercial District Revitalization Grant Program;
- Commercial Vacancy Assistance Program;
- Gore Building Improvement Grant Program;
- Hamilton Heritage Conservation Grant Program; and,
- Hamilton Heritage Property Grant Program.

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SUBJECT: Quarterly Update (January - March 2023) Loans/Grants Approved by the General Manager of Planning and Economic Development (Wards 1, 2, 3 and 8) - Page 2 of 2

On a quarterly basis, staff provide to City Council details of the grants/loans approved by the GM over the previous quarter.

During the months of January – March 2023, the General Manager approved the following:

- Nine grant applications under the Commercial District Revitalization Grant Program in the total amount of \$93,858.06; and,
- Two grant applications under the Hamilton Heritage Conservation Grant Program in the amount of \$8,842.00.

The total estimated value of the proposed work under the Commercial District Revitalization Grant Program is \$326,285.46. Therefore, the City's grant represents 28.77% of the total improvement costs. The properties that are being improved under the Program are located within the King Street East Commercial Corridor, the King Street West Commercial Corridor and the Westdale Village Business Improvement Area.

The total estimated value of the proposed work under the Hamilton Heritage Conservation Grant Program is \$24,069.00. Therefore, the City's grant represents 36.74% of the total restoration costs. The properties that are being restored are designated under the *Ontario Heritage Act* and are located within Wards 2 and 8.

Please refer to Appendix "A", attached to this Communication Update, for a more detailed description of each property and the proposed improvements.

If you require any further information on the above matter, please contact Carlo Gorni, Co-ordinator, Urban Renewal Incentives by e-mail at Carlo.Gorni@hamilton.ca or at (905) 546-2424 Ext. 2755.

APPENDICES AND SCHEDULES ATTACHED

Appendix "A" – Loans / Grants approved by General Manager (January – March 2023)

Loans and Grants Approved by General Manager (January - March, 2023)

Commercial District Revitalization Grant Program

FILE NO.	APPLICANT / BUSINESS	ADDRESS	PROPOSED IMPROVEMENTS	TOTAL VALUE OF PROPOSED WORK	GRANT AMOUNT	DATE OF GM APPROVAL	WARD	BIA/CIPA
MF 05/22	Applicant: Image Optical Brampton Inc. o/a Blue Sage Cannabis (Parminder Kaur Dhillon) Owner: Omar Khan	835 King Street East, Hamilton	Vinyl graphics applied to existing canopy	\$ 1,124.00	\$ 562.18	22-Feb-23	3	King Street East Commercial Corridor
MF 11/21	Applicant: Phin Coffee Ltd. (Andrew Meas) Owner: Gateway Real Estate Group Inc. (Charles Wah) Business: Phin Coffee Bar	791-793 King Street West, Hamilton	Removal and disposal of old windows and door and prepare for installation of new windows and door; installation of new windows and door on front façade of building; paint front façade of building; and repointing and caulking as required	\$ 15,791.75	\$ 7,895.88	03-Mar-23	1	King Street West Commercial Corridor
WEST 08/22	Applicant/Owner: Sterling Rentals Corp. (Costakis Mouskos) Business: Smokes Poutinerie	6 Newton Avenue, Hamilton	Installation of new storefront; and installation of new signage	\$ 34,408.50	\$10,000.00	03-Mar-23	1	Westdale Village Business Improvement Area
WEST 07/22	Applicant/Owner: Sterling Rentals Corp. (Costakis Mouskos) Business: Vacant	4 Newton Avenue, Hamilton	Installation of new door and window; and installation of new signage	\$ 44,578.50	\$10,000.00	03-Mar-23	1	Westdale Village Business Improvement Area
WEST 06/22	Applicant/Owner: Sterling Rentals Corp. (Costakis Mouskos) Business: Vacant	2 Newton Avenue, Hamilton	Installation of new door and window; and installation of new signage	\$ 39,487.85	\$10,000.00	03-Mar-23	1	Westdale Village Business Improvement Area

Loans and Grants Approved Through General Manager's Delegated Authority: January - March, 2023

WEST 02/22	Applicant/Owner: Sterling Rentals Corp. (Costakis Mouskos) Business: Basilique	1065 King Street West, Hamilton	Installation of new doors and windows; and installation of new signage	\$ 53,919.65	\$10,400.00	08-Mar-23	1	Westdale Village Business Improvement Area
WEST 03/22	Applicant/Owner: Sterling Rentals Corp. (Costakis Mouskos) Business: UPS	1063 King Street West, Hamilton	Installation of new doors and windows; and installation of new signage	\$ 35,110.23	\$10,000.00	08-Mar-23	1	Westdale Village Business Improvement Area
WEST 04/22	Applicant/Owner: Sterling Rentals Corp. (Costakis Mouskos) Business: Colio Wines	1061 King Street West, Hamilton	Installation of new doors and windows; and installation of new signage	\$ 27,261.25	\$10,000.00	08-Mar-23	1	Westdale Village Business Improvement Area
WEST 05/22	Applicant/Owner: Sterling Rentals Corp. (Costakis Mouskos) Business: TCBY	1059 King Street West, Hamilton	Installation of new doors and windows; and installation of new signage	\$ 74,603.73	\$25,000.00	08-Mar-23	1	Westdale Village Business Improvement Area
Total				<u>\$326,285.46</u>	<u>\$93,858.06</u>			

Hamilton Heritage Conservation Grant Program

FILE NO.	APPLICANT / BUSINESS	ADDRESS	PROPOSED IMPROVEMENTS	TOTAL VALUE OF PROPOSED WORK	GRANT AMOUNT	DATE OF GM APPROVAL	WARD	BIA/CIPA
HCPG 23/01	The Board of Trustees of Barton Stone – Mount Hope United Church	21 Stone Church Road West, Hamilton	Refurbishment of two sets of original church windows	\$ 16,385.00	\$ 5,000.00	01-Feb-23	8	N/A
HCPG 23/02	Sarah Steadman	124 MacNab Street South, Hamilton	Refurbishment of two original original windows	\$ 7,684.00	\$ 3,842.00	27-Feb-23	2	Downtown Hamilton CIPA
Total				<u>\$24,069.00</u>	<u>\$8,842.00</u>			



COMMUNICATION UPDATE

TO:	Mayor and Members City Council
DATE:	April 20, 2023
SUBJECT:	Spills from Hamilton Water Infrastructure Webpage - HW.23.03
WARD(S) AFFECTED:	City Wide
SUBMITTED BY:	Shane McCauley Director, Water and Wastewater Operations Public Works Department
SIGNATURE:	

On February 13, 2023, Hamilton Water presented Burlington Street Sewage Spill Update report ([PW22088\(a\)](#)) to Public Works Committee with an overview of the Provincial Officer's Order relating to the Burlington Street and Rutherford Avenue sewage spills, the implications, and the steps being taken to address the requirements.

The report recommended the implementation of a communications guideline for sewage spills resulting from City of Hamilton wastewater infrastructure. The purpose of the Communications Guideline ([included as Appendix "F" to Report PW22088\(a\)](#)) is to assist in keeping Council, Senior Leadership, the community, media and other stakeholders informed in an open and transparent manner, including publishing a webpage dedicated to providing information relating to sewage spills originating from City of Hamilton wastewater infrastructure that have been identified through Hamilton Water's risk-based inspection pilot program, or through other means.

Today, the City of Hamilton (City) has published its dedicated Sewer Inspection Program webpage (www.hamilton.ca/sewerinspectionprogram) which provides an overview of the pilot program's approach and progress to date, as well as a mapping tool that allows users to view a registry of all sewage spills originating from City of Hamilton wastewater infrastructure. Using the interactive map, web users can view the location of a spill, date of discovery, cause, corrective actions, spill volume and more.

As required by regulation, if a potential sewage spill from City of Hamilton wastewater infrastructure is identified, Hamilton Water will notify the Ministry of Environment

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SUBJECT: Spills from Hamilton Water Infrastructure Webpage (City Wide)
HW.23.03 - Page 2 of 2

Conservation and Parks of the potential spill through the Spills Action Centre. Hamilton Water will investigate the situation further to confirm if there is a spill occurring from Hamilton Water wastewater infrastructure or from a private cross-connection. As per the Hamilton Water Sewage Spills Communications Guideline, if the investigation confirms a sewage spill originating from City of Hamilton wastewater infrastructure, the communication protocols will be based on the relative magnitude of the spill. While the relative magnitude of the spill will determine the level of communication with stakeholders, an update to the dedicated Sewer Inspection Program webpage will always be initiated.

To-date, the City has completed 288 combined sewer maintenance chamber inspections and 346 storm sewer maintenance chamber inspections. As a result, three spills have been identified as part of the pilot program (Burlington Street, Rutherford Avenue and Kinrade Avenue). The fourth spill was identified through the City's sewer regulator inspection program (Wentworth Street South). While all inspections as part of the pilot program are complete, ongoing maintenance inspections will continue, and spills identified as part of these inspection programs as well as any new inspection programs resulting from the Ministry's Order will be shared via the sewer inspection webpage.

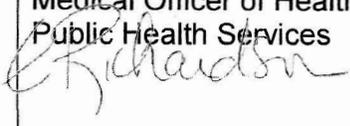
APPENDICES AND SCHEDULES ATTACHED

NA



Hamilton

COMMUNICATION UPDATE

TO:	Mayor and Members Board of Health
DATE:	April 20, 2023
SUBJECT:	Update to the Hamilton Opioid Information System (City Wide)
WARD(S) AFFECTED:	City Wide
SUBMITTED BY:	Dr. Elizabeth Richardson, MD, MHSc, FRCPC Medical Officer of Health Public Health Services
SIGNATURE:	

This communication informs the Board of Health of our intent to share information from a new data source on suspect drug-related deaths with community members through the Hamilton Opioid Information System.

Background on the Hamilton Opioid Information System

The Hamilton Opioid Information System (HOIS) is a webpage launched in 2018 and was designed to disseminate a range of indicators concerning opioid-related activities and harms in Hamilton. The HOIS represents the public's main source of information on opioids in our community. The page contains information on opioid-related paramedic incidents, opioid and substance-related emergency department visits and hospitalizations, naloxone distribution and use, and opioid-related deaths. The HOIS is updated weekly, but indicators are updated on different frequencies ranging from weekly (paramedic incidents) to every three to six months (trends in mortality).

New Data Source on Suspect Drug-Related Deaths

In October 2022, the Office of the Chief Coroner for Ontario (OCC) began a pilot program disseminating weekly reports to public health units with the number of suspect drug-related deaths recorded in the previous week. The timeliness of receiving these data could improve early identification of trends in opioid-related deaths.

As this reporting stream from the OCC is expected to continue, Hamilton Public Health Services' Epidemiology & Evaluation Program assessed inclusion of information from these reports in the HOIS, considering recommendations from a privacy assessment.

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Forthcoming Updates to HOIS

Information from the weekly OCC reports on suspect drug-related deaths will be added to the HOIS. Updates will include publication of:

- Monthly counts of suspect drug-related deaths;
- Distribution summary of the age, sex, and forward sortation area of suspect drug-related deaths in 2022 and 2023; and,
- Historical summary of the weekly median, mean, and range of the number of suspect drug-related deaths in Hamilton.

These updates are anticipated to be live on the website on April 21, 2023.

Should you have any questions related to the above information, please contact Catherine Holtz, Acting Manager, Epidemiology & Evaluation Program, Public Health Services, at ext. 6708 or at catherine.holtz@hamilton.ca.

APPENDICES AND SCHEDULES ATTACHED

Not Applicable.

Authority: Item 1, Audit, Finance & Administration
Committee Report 23-003 (AUD23005)
CM: March 29, 2023
Ward: City Wide

Bill No. 067

CITY OF HAMILTON

BY-LAW NO. 23-

A By-law to Amend the Procedural By-law No. 21-021

WHEREAS Council enacted the Procedural By-law being City of Hamilton By-law 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 Appendix F of By-law No. 21-021 be amended by repealing the reference to “Office of the City Auditor” and replacing it with “Office of the Auditor General”.
2. That Appendix F of By-law No. 21-021 be amended by repealing the reference to “City Auditor” and replacing it with “Auditor General”.
3. That By-law 21-021 be amended by repealing Schedule F1 of Appendix F and replacing it with Schedule F1 to Appendix F attached as Schedule 1 to this By-law.
4. This By-law comes into force on the day it is passed.

PASSED this 26th day of April, 2023.

B. Clark
Acting Mayor

A. Holland
City Clerk

Schedule 1

Schedule F1 to Appendix F

CITY OF HAMILTON OFFICE OF THE AUDITOR GENERAL CHARTER

INTRODUCTION

The Office of the Auditor General provides independent, objective audit, assurance and special investigative services designed to add value and improve the City of Hamilton's operations. The Office of the Auditor General (OAG) brings a systematic, disciplined approach to evaluating and improving the effectiveness of the City's risk management, control and governance processes.

The OAG assists City Council in holding itself and its administrators accountable for the quality of stewardship over public funds and for the achievement of value for money in City operations.

SCOPE

The Office of the Auditor General completes the following types of work:

- Compliance Auditing
- Value for Money Auditing
- Special Investigations (Fraud and Waste, Whistleblower)

Audit, Assurance and Special Investigations

Audit and Assurance work includes the examination and evaluation of the adequacy and effectiveness of the City's governance, risk management process, systems of internal control and the quality of performance in carrying out assigned responsibilities to achieve the organization's goals and objectives. This includes both compliance and value for money audits. The City's processes should function in a manner that ensures:

- Risks are appropriately identified and managed.
- Significant financial, managerial, and operating information is accurate, reliable and timely.
- Actions are in compliance with policies, standards, procedures, and applicable laws and regulations.
- Resources are acquired economically, used efficiently and are adequately protected.
- Programs, plans and objectives are achieved.
- Significant legislative and regulatory issues impacting the City are recognized and addressed properly.

- Quality and continuous improvement are fostered in the organization's internal control processes.

In addition to audits, special investigations may be undertaken by the OAG pursuant to Council having given that authority under the Whistleblower By-law (19-181) and the City of Hamilton's Fraud Policy and Protocol. These include reviews or investigations of matters of alleged or suspected wrongdoing, per the Whistleblower By-law or fraud, waste or other similar activities reported by employees or residents through the Fraud and Waste Hotline or other mechanisms.

The Auditor General has been appointed by By-law 19-180 (Auditor General By-law) as an Auditor General under Section 223.19 of the *Municipal Act, 2001*, with the responsibilities, including the powers, duties and protections, under Sections 223.19 to 223.23 of the *Municipal Act, 2001*. These responsibilities apply to the extent authorized by these sections of the *Municipal Act, 2001*. The powers and protections provided to the Auditor General (by appointment as an Auditor General) strengthens the position of independence and institutional authority of the Auditor General while providing information to Council for its oversight role.

AUTHORITY

The Office of the Auditor General is granted full, free and unrestricted access to any and all records, property and personnel relevant to any function under review. Access to personal information is provided for under the *Municipal Freedom of Information and Protection of Privacy Act* (in particular, Subsections 31(c) and 32(d)).

The OAG has the authority to conduct audits and reviews of all City departments, Members of Council, agencies, boards and commissions, as well as other entities the City is related to or has an interest in.

All employees will assist the OAG in fulfilling its objectives, in a timely manner.

As an Auditor General, the OAG has the responsibilities, including the powers, duties and protections, under Sections 223.19 to 223.23 of the *Municipal Act, 2001* for:

- City Departments;
- Members of Council;
- Local boards (not including the Board of Health, the Hamilton Public Library Board, the Police Services Board or other local boards in accordance with the current definition of "local board" under Section 223.1 of the *Municipal Act, 2001*);
- Municipally-controlled corporations (a corporation that has 50 per cent or more of its issued and outstanding shares vested in the City or that has the appointment of a majority of its board of directors made or approved by the City, not including a corporation established in accordance with Section 203 of the *Municipal Act, 2001*); and

- Grant recipients (as currently defined under Section 223.1 of the *Municipal Act, 2001* as “a person or entity that receives a grant directly or indirectly from the municipality, a local board or a municipally-controlled corporation”);

These responsibilities under Section 223.19 to 223.23 of the *Municipal Act, 2001* include the powers to access information and to examine persons under Section 33 of the *Public Inquiries Act, 2009*; the duty to preserve secrecy with respect to all matters that come to its knowledge in the course of performing its functions; and the protection of not being a competent or compellable witness in a civil proceeding.

The relevant excerpts from the *Municipal Act* (accessed on March 1, 2023 at <https://www.ontario.ca/laws/statute/01m25#BK272>) are included below for reference:

Auditor General

223.19 (1) Without limiting sections 9, 10 and 11, those sections authorize the municipality to appoint an Auditor General who reports to council and is responsible for assisting the council in holding itself and its administrators accountable for the quality of stewardship over public funds and for achievement of value for money in municipal operations. 2006, c. 32, Sched. A, s. 98.

Same

(1.1) The Auditor General shall perform his or her responsibilities under this Part in an independent manner. 2009, c. 33, Sched. 21, s. 6 (11).

Exceptions

(2) Despite subsection (1), the responsibilities of the Auditor General shall not include the matters described in clauses 296 (1) (a) and (b) for which the municipal auditor is responsible. 2006, c. 32, Sched. A, s. 98.

Powers and duties

(3) Subject to this Part, in carrying out his or her responsibilities, the Auditor General may exercise the powers and shall perform the duties as may be assigned to him or her by the municipality in respect of the municipality, its local boards and such municipally-controlled corporations and grant recipients as the municipality may specify. 2006, c. 32, Sched. A, s. 98.

Grant recipients

(4) The authority of the Auditor General to exercise powers and perform duties under this Part in relation to a grant recipient applies only in respect of grants received by the grant recipient directly or indirectly from the municipality, a local board or a municipally-controlled corporation after the date on which this section comes into force. 2006, c. 32, Sched. A, s. 98.

Delegation

(5) The Auditor General may delegate in writing to any person, other than a member of council, any of the Auditor General’s powers and duties under this Part. 2006, c. 32, Sched. A, s. 98.

Same

(6) The Auditor General may continue to exercise the delegated powers and duties, despite the delegation. 2006, c. 32, Sched. A, s. 98.

Status

(7) The Auditor General is not required to be a municipal employee. 2006, c. 32, Sched. A, s. 98.

Duty to furnish information

223.20 (1) The municipality, its local boards and the municipally-controlled corporations and grant recipients referred to in subsection 223.19 (3) shall give the Auditor General such information regarding their powers, duties, activities, organization, financial transactions and methods of business as the Auditor General believes to be necessary to perform his or her duties under this Part. 2006, c. 32, Sched. A, s. 98.

Access to records

(2) The Auditor General is entitled to have free access to all books, accounts, financial records, electronic data processing records, reports, files and all other papers, things or property belonging to or used by the municipality, the local board, the municipally-controlled corporation or the grant recipient, as the case may be, that the Auditor General believes to be necessary to perform his or her duties under this Part. 2006, c. 32, Sched. A, s. 98.

No waiver of privilege

(3) A disclosure to the Auditor General under subsection (1) or (2) does not constitute a waiver of solicitor-client privilege, litigation privilege or settlement privilege. 2006, c. 32, Sched. A, s. 98.

Powers re examination

223.21 (1) The Auditor General may examine any person on oath on any matter pertinent to an audit or examination under this Part. 2006, c. 32, Sched. A, s. 98.

Application of Public Inquiries Act, 2009

(2) Section 33 of the *Public Inquiries Act, 2009* applies to an examination by the Auditor General. 2009, c. 33, Sched. 6, s. 72 (3).

Duty of confidentiality

223.22 (1) The Auditor General and every person acting under the instructions of the Auditor General shall preserve secrecy with respect to all matters that come to his or her knowledge in the course of his or her duties under this Part. 2006, c. 32, Sched. A, s. 98.

Same

(2) Subject to subsection (3), the persons required to preserve secrecy under subsection (1) shall not communicate information to another person in respect of any matter described in subsection (1) except as may be required,

- (a) in connection with the administration of this Part, including reports made by the Auditor General, or with any proceedings under this Part; or
- (b) under the *Criminal Code* (Canada). 2006, c. 32, Sched. A, s. 98.

Same

(3) A person required to preserve secrecy under subsection (1) shall not disclose any information or document disclosed to the Auditor General under section 223.20 that is subject to solicitor-client privilege, litigation privilege or settlement privilege unless the person has the consent of each holder of the privilege. 2006, c. 32, Sched. A, s. 98.

Section prevails

(4) This section prevails over the *Municipal Freedom of Information and Protection of Privacy Act*. 2006, c. 32, Sched. A, s. 98.

Testimony

223.23 Neither the Auditor General nor any person acting under the instructions of the Auditor General is a competent or compellable witness in a civil proceeding in connection with anything done under this Part. 2006, c. 32, Sched. A, s. 98.

INDEPENDENCE

Independence is an essential component to maintaining public trust and preserving objectivity and integrity associated with the audit function.

To provide for the independence of Office of the Auditor General, its personnel report to the Auditor General, who reports functionally to the Audit, Finance and Administration Committee of Council and administratively to the City Manager. Audit and other reports (such as the Fraud and Waste Annual Report and Serious Matter Reporting) are sent directly to the Audit, Finance and Administration Committee for discussion and approval and then to Council. These reporting relationships help ensure independence, promote comprehensive audit objectivity and coverage, and assure adequate consideration of audit recommendations.

All OAG activities shall remain free of influence by any element in the organization, including matters of audit selection, scope, procedures, frequency, timing or report content to permit maintenance of an independent and objective attitude necessary in rendering reports. The Auditor General has the authority to revise and extend the scope of any audit or investigation in the course of their examination.

The OAG shall have no direct operational responsibility or authority over any of the activities it reviews. Accordingly, it shall not develop nor install systems or procedures, prepare records or engage in any other activity which would normally be audited or investigated.

RESPONSIBILITIES

The Auditor General and the staff of the OAG have the responsibility to:

- Review operations within the City at appropriate intervals to determine whether planning, organizing, directing and controlling are in accordance with management instructions, policies and procedures and in a manner that is consistent with both City objectives and high standards of administrative practice.

- Determine the adequacy and effectiveness of the systems of internal accounting, financial and operating controls.
- Review the reliability, utility and integrity of financial information and the means used to identify, measure, classify and report such information.
- Review the established systems to ensure compliance with those policies, plans, procedures, laws and regulations which would have a significant impact on operations and reports and determine whether the organization is in compliance.
- Review the means of safeguarding assets and, as appropriate, verify the existence of such assets.
- Carry out value for money (VFM) / performance audits to determine the efficiency and effectiveness of services and evaluate attainment of corporate objectives and value to residents.
- Report to those members of management who should be informed or who should take corrective action, the results of audit examinations, the audit opinions formed, and the recommendations made.
- Evaluate any plans or actions taken to correct reported conditions and provide timely follow-up to ensure satisfactory disposition of audit findings in the manner and timeframe committed to by management in the original audit report. If the corrective action is considered unsatisfactory, hold further discussions to achieve acceptable disposition.
- Develop a flexible multi-year work plan, including any risks or control concerns identified by management or other audits as well as appropriate special tasks or projects requested by management.
- Undertake assessments, investigations, or refer issues to other appropriate parties as a result of disclosures under a Whistleblower By-law or the Fraud and Waste Hotline.

Maintain a professional audit staff with sufficient knowledge, skills and experience and engage external subject matter experts as required for audits and investigations.

AUDIT PLANNING

Each term of Council, the Auditor General shall prepare a multi-year work plan, setting out the proposed work for the term.

For the projects, the following sources are considered:

- Prioritization of the audit universe using a risk-based methodology;
- Requests from Members of Council, senior management and staff;
- Any audits planned for the past term but delayed or not completed;

- Any conditions, concerns, or risks discovered or communicated throughout past years; and
- Input from members of the public, via the Fraud and Waste Hotline and resident complaints or suggestions.
- Areas likely to provide significant payback in terms of increased revenues, reduced costs, operational efficiencies and quality of services.

The multi-year work plan will be presented to the Audit, Finance and Administration Committee for approval. Any changes to the work plan requested by Council or individual Members of Council will require a majority of at least two-thirds the total members of Council present and not prohibited by statute from voting for the Auditor General to consider.

REPORTING

A written report is prepared and issued by the Auditor General following the conclusion of each audit or assurance project. The report will include management's responses to the report findings and recommendations. Management's response will include a statement of general agreement or disagreement with the stated findings and recommendations as well as a timeframe for anticipated completion of action to be taken and an explanation for any recommendation not addressed.

The OAG is responsible for appropriate follow up on audit findings and recommendations. All significant findings will remain open until the Auditor General has determined management has appropriately taken action to resolve the finding. Follow up audits will be completed as OAG capacity permits.

By-law 19-181 (Whistleblower By-law), Section 19 – Responsibility of the Auditor General requires a semi-annual report for, in the aggregate, on the number, nature and outcome of disclosures of serious wrongdoing made under this By-law. A Fraud, Waste, and Whistleblower Semi-Annual Update report is submitted to the Audit, Finance and Administration Committee and captures at a high level the special investigations activity undertaken by the OAG. This is in addition to the Fraud and Waste Annual Report.

The OAG does not perform consulting and risk assessment work, as this would compromise the independence of the OAG.

All reports are generally presented to the Audit, Finance and Administration Committee. Reports may be presented to the General Issues Committee, if appropriate.

PROFESSIONAL STANDARDS

Under the Auditor General's authority granted in this Office of the Auditor General Charter, all OAG activity will be guided by the following professional standards and/or legislative requirements:

- Municipal Act, Sections 223.19-223.23 (Auditor General), as applicable.
- City of Hamilton Whistleblower By-law (19-181).

- Government Auditing Standards (commonly referred to as generally accepted government auditing standards or GAGAS, or the “Yellow Book”), issued by the U.S. Government Accountability Office for audit and assurance work.
- Certified Fraud Examiners Code of Professional Standards issued by the Association of Certified Fraud Examiners for Fraud, Waste and Whistleblower assessments and investigations.

OAG professional staff are also bound by the standards and ethics of their respective professional organizations, which include the Chartered Professional Accountants of Canada (CPA), Institute of Internal Auditors (IIA), and Association of Certified Fraud Examiners (ACFE).

**CITY OF HAMILTON
BY-LAW NO. 23-**

**A By-law to Amend By-law No. 19-286, Being a By-law for the
Prohibiting and Regulating the Alteration of Property Grades, the
Placing or Dumping of Fill, and the Removal of Topsoil**

WHEREAS the municipal Council of the City of Hamilton enacted By-law 19-286 on November 28, 2019 to prohibit and regulate the placing or dumping of fill, the removal of topsoil, and the alteration of the grade of lands within the municipality;

AND WHEREAS Council of the City of Hamilton deems it necessary to enact a By-law to make technical amendments and improvements to By-law 19-286;

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. Section 3 of By-law 19-286 is amended by deleting the definition of “Director” and substituting the following therefor:

“Director” means the Director and Chief Development Engineer of the City of Hamilton or designate.

2. Section 3 of By-law 19-286 is amended by adding the following definition thereto:

“Site” and “Property” are synonyms that both mean a parcel of land which can be legally conveyed pursuant to the provisions of the Planning Act.

3. Section 5 of By-law 19-286 is repealed and the following substituted therefor:

Statutory Exceptions - Interpretation

5 This By-law is not intended nor shall it apply to any activities or matters identified in the Municipal Act from time to time as matters to which a By-law passed under section 142 of the Municipal Act does not apply. For ease of reference, as of the date of the passage of this By-law, this By-law therefore does not apply to any of the activities or matters described in section 142(5)(a) through (g) of the Municipal Act and, subject to subsection 142(7) of the Municipal Act, this By-law does not apply to any of the activities or matters described in section 142(6) of the Municipal Act.

4. Section 8 of By-law 19-286 is hereby repealed.
5. Section 9 of By-law 19-286 is hereby repealed and the following substituted therefor:

No permit to be issued where certain Planning Act Applications are Pending

9(1) No site alteration permit shall be issued for a site which is the subject of or included within any pending application to the City for the approval of any of the following Planning Act approvals: a Site Plan, a Plan of Subdivision, a Consent, or a Development Permit.

9(2) For purposes of subsection (1), a pending application is an application that has been submitted to the City but on which:

- (a) a decision has not been made;
- (b) a decision has been made but that decision has been appealed and a decision on the appeal has not yet been rendered; or,
- (c) a decision has been made but any applicable appeal period has not yet expired.

9(3) Subsection (1) shall not prohibit the issuance of a site alteration permit for a site on which there is a pending application for a Plan of Subdivision if the Site is within an area having any of the Employment Area designations shown on Schedule E-1 of the Urban Hamilton Official Plan, as amended.

9(4) Section 31(2) shall not apply to a site alteration permit issued pursuant to subsection (3).

6. Sections 14(1) and 15(4) of By-law 19-286 are both amended by deleting the phrase "other than as described in subsection 5(2)" therefrom.

7. Section 25 of By-law 19-286 is amended by renumbering the existing section as 25(1) and adding the following subsection 25(2) thereto:

25(2) Subsection (1) shall not apply to a Site that is within an area having any of the Employment Area designations shown on Schedule E-1 of the Urban Hamilton Official Plan, as amended.

8. Section 29(1) of By-law 19-286 is amended by deleting the words "section 25" and substituting the words "section 26" therefor.

9. Section 29(2) of By-law 19-286 is amended by deleting the words "section 25" and substituting the words "section 26" therefor.

PASSED this 26th day of April, 2023.

B. Clark
Acting Mayor

A. Holland
City Clerk

Authority: Item 14, Committee of the Whole
 Report 01-003 (FCS01007)
 CM: February 6, 2001
 Ward: 2,3,5,14

Bill No. 069

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	Times	Adding/ Deleting
8 - No Parking	E	Park	East	commencing 112 feet north of Charlton to a point 29 feet northerly therefrom	8 am - 6 pm Mon - Sat	Deleting
8 - No Parking	A	Old Mohawk Rd.	North	Mohawk Rd. to 35m westerly	Anytime	Deleting
8 - No Parking	A	Old Mohawk Rd.	North	57m west of Mohawk Rd. to 6m westerly	Anytime	Deleting
8 - No Parking	A	Old Mohawk Road	North	57 metres west of Mohawk Road to 6 metres west thereof	Anytime	Adding

Schedule	Section	Highway	Side	Location	Times	Adding/ Deleting
12 - Permit	E	Fairleigh Cr.	West	From 78.7m north of Cumberland Ave. to 6m northerly	Anytime	Deleting
12 - Permit	E	Stirton Street	West	10 metres north of Huron Street to 6 metres north thereof	Anytime	Adding
12 - Permit	E	McKinstry Street	East	29 metres south of Burlington Street East to 6 metres south thereof	Anytime	Adding

Schedule	Section	Highway	Side	Location	Times	Adding/ Deleting
<i>13 - No Stopping</i>	A	Old Mohawk Road	North	Mohawk Road to 57 metres west thereof	Anytime	Adding
<i>13 - No Stopping</i>	A	Old Mohawk Road	North	63 metres west of Mohawk Road to 25 metres west thereof	Anytime	Adding
<i>13 - No Stopping</i>	E	Harrisford Street	West	Albright Road to 106 metres south thereof	8:00 a.m. to 9:00 a.m. 2:30 p.m. to 4:00 p.m. Monday to Friday September 1st to June 30th	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 26th day of April 2023.

B. Clark
 Acting Mayor

A. Holland
 City Clerk

A. Holland
 City Clerk

CITY OF HAMILTON

BY-LAW NO. 23-

To Confirm the Proceedings of City Council at its meeting held on April 26, 2023.

**THE COUNCIL OF THE
CITY OF HAMILTON
ENACTS AS FOLLOWS:**

1. The Action of City Council at its meeting held on the 26th day of April 2023, in respect of each recommendation contained in

Public Works Committee Report 23-005 – April 17, 2023,
Planning Committee Report 23-006 – April 18, 2023,
General Issues Committee Report 23-013 – April 19, 2023,
Sole Voting Member of the Hamilton Farmers Market Report 23-002 – April 19, 2023,
Audit, Finance and Administration Committee Report 23-006 – April 19, 2023,
Emergency and Community Services Committee Report 23-004 – April 6, 2023
and
General Issues Committee Report (Special) 23-014 – April 24, 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 26th day of April, 2023.

B. Clark
Acting Mayor

A. Holland
City Clerk