



**City of Hamilton**  
**GENERAL ISSUES COMMITTEE**  
**AGENDA**

**Date:** August 14, 2023

**Time:** 9:30 a.m.

**Location:** Council Chambers  
Hamilton City Hall  
71 Main Street West

Angela McRae, Legislative Coordinator (905) 546-2424 ext. 5987

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**1. CEREMONIAL ACTIVITIES**

**2. APPROVAL OF AGENDA**

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

**3. DECLARATIONS OF INTEREST**

**4. APPROVAL OF MINUTES OF PREVIOUS MEETING**

4.1 July 10, 2023

**5. COMMUNICATIONS**

5.1 Correspondence respecting Encampment Response, Homelessness and Addressing the Needs of Unsheltered Individuals, from the following individuals:

Recommendation: Be received and referred to consideration of Items 8.1 through 8.3.

a. Shabeeh Ahmad, Hamilton Social Medicine Response Team (HAMSMaRT)

**6. DELEGATION REQUESTS**

6.1 Delegation Requests, respecting Encampment Response, Homelessness and Addressing the Needs of Unsheltered Individuals, for today's meeting, from the following individuals:

- a. Jordan Nicholson (Virtually)
- b. Branden Deschambault (In-Person)
- c. Marianne McNanny, BU Harm Reduction (Virtually)

6.2 Delegation Requests, respecting Item 11.5 - Declaration of Gender-Based Violence and Intimate-Partner Violence as an epidemic in the City of Hamilton, for today's meeting, from the following individuals:

- a. Jessica Bonilla-Dampney, Woman Abuse Working Group (WAWG) & Sexual Assault Centre (Hamilton and Area) - SACHA (In-Person)
- b. Thea Symonds, Woman Abuse Working Group (In-Person)
- c. Erin Griver, Inasmuch House, Mission Services of Hamilton, and WAWG (Woman Abuse Working Group) (In-Person)

6.3 Gail Rappolt, United Nations Association Canada Hamilton Branch, respecting City Hall Peace Garden and the International Day of Peace Event on September 21 (In-Person) (For the September 20, 2023 General Issues Committee Meeting)

6.4 Andrzej Felinczak, Canadian Polish Congress Hamilton District, respecting the commemorative street naming - Nicholaus Copernicus Way (In-Person) (For today's meeting) - REVISED

## 7. DELEGATIONS

7.1 Paul Vermaat, White Star Group, respecting matters relating to lands in the West Harbour Stadium Precinct (In Person) (Approved July 10, 2023)

7.2 Stefan Sobolewski, Taras Bulba Ukraine Support 2022, to request financial support towards our upcoming Ukraine humanitarian aid missions (In-Person) (Approved July 10, 2023)

## 8. STAFF PRESENTATIONS

8.1 Overview of Housing 2023 Reports and Budget Asks (HSC23058) (City Wide)

8.2 Public Feedback and Recommendations for an Encampment Protocol and Sanctioned Sites (HSC20036(g)) (City Wide) - REVISED

8.3 Addressing Needs of Unsheltered Individuals and Those Relying on Hamilton's Emergency Shelter System (HSC23041) (City Wide)

## 9. CONSENT ITEMS

- 9.1 Transit Area Rating Review Sub-Committee Clerk's Report 23-001 - July 27, 2023
- 9.2 Light Rail Transit Sub-Committee Report 23-003 - July 26, 2023
- 9.3 Open for Business Sub-Committee Report 23-001 - July 28, 2023
- 9.4 Advisory Committee for Persons with Disabilities Report 23-007 - July 11, 2023
- 9.5 Hamilton-Wentworth District School Board (HWDSB) Liaison Committee Report 23-001 - July 18, 2023

## 10. DISCUSSION ITEMS

- 10.1 Business Improvement Area Sub-Committee Report 23-007 - July 11, 2023
- 10.2 Our City Survey (CM23011(a)) (City Wide)
- 10.3 Hamilton Waterfront Trust Business Model Review (FCS23029(a)) (City Wide) (Outstanding Business List Item)  
  
*Please refer to Item 14.2 for Private and Confidential Appendix "C" to this report.*
- 10.4 Establishment of a Mayor's Task Force on Transparency, Access and Accountability (CM23018) (City Wide) (Outstanding Business List Item)

## 11. MOTIONS

- 11.1 Ottawa Street BIA and Ottawa Street Pride Committee Public Art (Wards 3 and 4)
- 11.2 Revenue Sources to fund Council Priorities and Ongoing Operating and Capital Works
- 11.3 Support for Francophone Seniors Active Living Centre (SALCA) in Hamilton
- 11.4 Commemorative Street Naming - Nicolaus Copernicus Way
- 11.5 Declaration of Gender-Based Violence and Intimate-Partner Violence as an epidemic in the City of Hamilton
- 11.6 Ward Specific Funding Policy Revisions

## 12. NOTICES OF MOTION

- 12.1 City of Hamilton Meta Advertising

## 13. GENERAL INFORMATION / OTHER BUSINESS

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

### 13.1 Amendments to the Outstanding Business List:

#### a. Items Considered Complete and Needing to be Removed:

Our City Survey 2022 Results (CM23011) (City Wide)

OBL Item: 2023-CC

Added: May 3, 2023 at GIC (Item 8.1)

Completed: August 14, 2023 at GIC (Item 10.2)

Requirements for the Implementation of a 311 Customer Service Call Platform

OBL Item: 2023-O

Added: November 25, 2022 at GIC

Reason for Removal: This Item has been incorporated into the Council Strategic Planning Initiative

Establishment of a Mayor's Task Force on Transparency, Access and Accountability

OBL Item: 2023-A1

Added: January 18, 2023 at GIC (Item 11.4)

Completed: August 14, 2023 at GIC (Item 10.4)

Hamilton Waterfront Trust - Options for Future Operations, Programs & Services (FCS23029)

OBL Item: 2023-P

Added: March 22, 2023 at GIC (Item 8.1)

Completed: August 14, 2023 at GIC (Item 10.3)

#### b. Items Requiring a New Due Date:

Grant or Low-Interest Loans from FCM (for the purposes of the park development of the project lands including the properties – Ward 3 (PED20041 / LS20004/PW20016)

OBL Item: F

Current Due Date: July 10, 2023

Proposed New Due Date: October 18, 2023

## 14. PRIVATE AND CONFIDENTIAL

#### 14.1 Closed Minutes - July 10, 2023

Pursuant to Section 9.3, Sub-sections (b), (c), (e), and (f) of the City's Procedural By-law 21-021, as amended, and Section 239(2), Sub-sections (b), (c), (e), and (f) of the *Ontario Municipal Act, 2001*, as amended, as the subject matters pertain to personal matters about an identifiable individual, including municipal or local board employees; a proposed or pending acquisition or disposition of land by the municipality or local board; litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board; and advice that is subject to solicitor-client privilege, including communications necessary for that purpose.

#### 14.2 Confidential Appendix "C" to Item 10.3 - Hamilton Waterfront Trust Business Model Review (FCS23029(a)) (City Wide)

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

#### 14.3 Property Acquisition in Ward 12 - REVISED

Pursuant to Section 9.3, Sub-section (c) of the City's Procedural By-law 21-021, as amended, and Section 239(2), Sub-section (c) of the *Ontario Municipal Act, 2001*, as amended, as the subject matter pertains to a proposed or pending acquisition or disposition of land by the municipality or local board.

#### 14.4 Collective Bargaining Update

Pursuant to Section 9.3, Sub-section (d) of the City's Procedural By-law 21-021, as amended, and Section 239(2), Sub-section (d) of the *Ontario Municipal Act, 2001*, as amended, as the subject matter pertains to labour relations or employee negotiations.

#### 14.5 Labour Disruption Contingency Planning - REVISED

Pursuant to Section 9.3, Sub-section (d) of the City's Procedural By-law 21-021, as amended, and Section 239(2), Sub-section (d) of the *Ontario Municipal Act, 2001*, as amended, as the subject matter pertains to labour relations or employee negotiations.

### 15. ADJOURNMENT



## GENERAL ISSUES COMMITTEE MINUTES 23-022

9:30 a.m.

July 10, 2023

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

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

**Absent:** Mayor A. Horwath – City Business

### THE FOLLOWING ITEMS WERE REFERRED TO COUNCIL FOR CONSIDERATION:

**1. 2022 Economic Development Action Plan Update (PED23095) (City Wide)  
(Item 8.1)**

**(Francis/Jackson)**

That Report PED23095, respecting the 2022 Economic Development Action Plan Update, be received.

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

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

**2. Light Rail Transit Sub-Committee Report 23-002 - June 2, 2023 (Item 9.1)**

**(Kroetsch/Clark)**

**(a) Hamilton Light Rail Transit (LRT) Governance Frameworks and Design Update (PED23139) (City Wide) (Item 8.1)**

That Report PED21139, respecting Hamilton Light Rail Transit (LRT) Governance Frameworks and Design Update, be received.

**(b) Hamilton Light Rail Transit (LRT) Agreements Update (PED23150) (City Wide) (Item 9.1)**

That Report PED23150, respecting Hamilton Light Rail Transit (LRT) Agreements Update, be received.

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

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

**3. Equity in the Emergency Plan (HSC23024) (City Wide) (Item 9.2)**

**(A. Wilson/Danko)**

That Report HSC23024, Equity in the Emergency Plan, be received.

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

Absent	-	Mayor Andrea Horwath
Yes	-	Ward 1 Councillor Maureen Wilson
Yes	-	Ward 2 Councillor Cameron Kroetsch
Yes	-	Ward 3 Councillor Nrinder Nann
Yes	-	Ward 4 Councillor Tammy Hwang

Absent	-	Ward 5	Councillor Matt Francis
Yes	-	Ward 6	Councillor Tom Jackson
Yes	-	Ward 7	Councillor Esther Pauls
Yes	-	Ward 8	Councillor J. P. Danko
Yes	-	Ward 9	Councillor Brad Clark
Yes	-	Ward 10	Councillor Jeff Beattie
Yes	-	Ward 11	Councillor Mark Tadeson
Yes	-	Ward 12	Councillor Craig Cassar
Yes	-	Ward 13	Councillor Alex Wilson
Absent	-	Ward 14	Councillor Mike Spadafora
Yes	-	Ward 15	Councillor Ted McMeekin

**4. Accessibility Updates to the Temporary Outdoor Patio Program (PED23108)  
(City Wide) (Item 9.3)**

**(Kroetsch/Nann)**

That Report PED23108, Accessibility Updates to the Temporary Outdoor Patio Program, be received.

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

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

**5. Airport Sub-Committee Report 23-002 - June 26, 2023 (Item 9.4)**

**(Tadeson/Pauls)**

**(a) APPOINTMENT OF CO-CHAIR (Item 1)**

That Councillor M. Spadafora be appointed as Co-Chair of the Airport Sub Committee on a rotating basis for the term of 2022-2026.

**(b) Committee Member Orientation Tour (Item 14.2)**

That the training respecting the Committee Member Orientation Tour, be received and remain confidential.

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

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

**6. Business Improvement Area (BIA) Sub-Committee Report 23-005 - May 9, 2023 (Item 9.5)**

**(Pauls/Kroetsch)**

That the Business Improvement Area (BIA) Sub-Committee Report 23-005 of May 9, 2023, be received for information.

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

Absent	-	Mayor Andrea Horwath
Yes	-	Ward 1 Councillor Maureen Wilson
Yes	-	Ward 2 Councillor Cameron Kroetsch
Yes	-	Ward 3 Councillor Nrinder Nann
Yes	-	Ward 4 Councillor Tammy Hwang
Absent	-	Ward 5 Councillor Matt Francis
Yes	-	Ward 6 Councillor Tom Jackson
Yes	-	Ward 7 Councillor Esther Pauls
Yes	-	Ward 8 Councillor J. P. Danko
Yes	-	Ward 9 Councillor Brad Clark
Yes	-	Ward 10 Councillor Jeff Beattie
Yes	-	Ward 11 Councillor Mark Tadeson
Yes	-	Ward 12 Councillor Craig Cassar

Yes - Ward 13 Councillor Alex Wilson  
 Absent - Ward 14 Councillor Mike Spadafora  
 Yes - Ward 15 Councillor Ted McMeekin

**7. 41 South Street West, Dundas, Disposition Strategy (PED23151) (Ward 13)  
(Item 10.1)**

**(A. Wilson/McMeekin)**

- (a) That the use of a portion of the City-owned property at 41 South Street West by the Dr Bob Kemp Hospice, toward the creation of a paediatric hospice be approved;
- (b) ***That City of Hamilton Staff work with the Ward Councillor's office to host two public consultations; one in the Fall of 2023 and the second in 2024 prior to staff reporting back to the General Issues Committee.***
- (c) That staff be authorized and directed to negotiate requisite agreements and work with Dr Bob Kemp Hospice (DBKH) to achieve a site design that explores the feasibility of both a Paediatric Hospice and additional housing for seniors to be located at 41 South Street West, Dundas, and to evaluate the feasibility of an ambulance station also being located there;
- (d) That an allocation of up to \$100 K from Property Purchases and Sales Account No. 3561850200, to be used for joint site design work and site due diligence of 41 South Street West, Dundas, including but not limited to contributing toward shared costs of consultant(s) retained by Dr Bob Kemp Hospice for the site design work and site due diligence, be approved;
- (e) That staff report back to General Issues Committee by end of Q2 2024 on the outcome of the negotiations with Dr Bob Kemp Hospice (DBKH), ***the outcomes of the public consultations***, potential site design options satisfactory to all parties, and the terms and conditions for further consideration and approval

**Result: MAIN MOTION, As Amended, CARRIED by a vote of 13 to 0, as follows:**

Absent - Mayor Andrea Horwath  
 Yes - Ward 1 Councillor Maureen Wilson  
 Yes - Ward 2 Councillor Cameron Kroetsch  
 Yes - Ward 3 Councillor Nrinder Nann  
 Yes - Ward 4 Councillor Tammy Hwang  
 Absent - Ward 5 Councillor Matt Francis  
 Yes - Ward 6 Councillor Tom Jackson  
 Yes - Ward 7 Councillor Esther Pauls  
 Yes - Ward 8 Councillor J. P. Danko  
 Yes - Ward 9 Councillor Brad Clark

Yes	-	Ward 10	Councillor Jeff Beattie
Yes	-	Ward 11	Councillor Mark Tadeson
Yes	-	Ward 12	Councillor Craig Cassar
Yes	-	Ward 13	Councillor Alex Wilson
Absent	-	Ward 14	Councillor Mike Spadafora
Yes	-	Ward 15	Councillor Ted McMeekin

**8. Disaster Mitigation and Adaptation Fund Intake Three (FCS21090(b)) (City Wide) (Item 10.2)**

**(Danko/Cassar)**

- (a) That the projects listed in Appendix “A” to Report FCS21090(b), totalling \$35.860 M, be approved as the City of Hamilton’s submission for consideration of the requested funding amount of \$12.910 M for the period from 2023 to 2033 in accordance with the terms and conditions associated with Infrastructure Canada’s Disaster Mitigation and Adaptation Fund Intake Three;
- (b) That should the City’s submission for the Disaster Mitigation and Adaptation Fund Intake Three program be approved by Infrastructure Canada, staff be directed to report back to the General Issues Committee to seek approval of a financing strategy, inclusive of future tax supported levy increases, for the City’s portion of approximately \$22.950 M related to eligible project costs between 2023 to 2033, as outlined in Appendix “A” to Report FCS21090(b), in accordance with the terms and conditions associated with the Disaster Mitigation and Adaptation Fund Intake Three;
- (c) That the Mayor and City Clerk be authorized and directed to execute any funding agreement(s) and ancillary documents required for the City to receive funding for the projects listed in Appendix “A” to Report FCS21090(b), through Infrastructure Canada’s Disaster Mitigation and Adaptation Fund Intake Three, in a form satisfactory to the City Solicitor;
- (d) That copies of Report FCS21090(b), respecting the Disaster Mitigation and Adaptation Fund Intake Three, be forwarded to local Members of Parliament.

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

Absent	-	Mayor Andrea Horwath
Yes	-	Ward 1 Councillor Maureen Wilson
Yes	-	Ward 2 Councillor Cameron Kroetsch
Yes	-	Ward 3 Councillor Nrinder Nann
Yes	-	Ward 4 Councillor Tammy Hwang
Yes	-	Ward 5 Councillor Matt Francis
Yes	-	Ward 6 Councillor Tom Jackson
Yes	-	Ward 7 Councillor Esther Pauls

Yes	-	Ward 8	Councillor J. P. Danko
Yes	-	Ward 9	Councillor Brad Clark
Yes	-	Ward 10	Councillor Jeff Beattie
Yes	-	Ward 11	Councillor Mark Tadeson
Yes	-	Ward 12	Councillor Craig Cassar
Yes	-	Ward 13	Councillor Alex Wilson
Yes	-	Ward 14	Councillor Mike Spadafora
Yes	-	Ward 15	Councillor Ted McMeekin

**9. Disposition of Unopened Road Allowance (PED23132) (Ward 10) (Item 10.3)**

**(Kroetsch/M. Wilson)**

That Report PED23132, respecting the Disposition of Unopened Road Allowance and Confidential Appendix "B" to Report PED23132 (Item 14.2), be REFERRED to the July 14, 2023 Council meeting to allow for further comment from the City Solicitor.

**Result: MOTION, CARRIED by a vote of 12 to 0, as follows:**

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

**10. Business Improvement Area (BIA) Sub-Committee Report 23-006 - June 13, 2023 (Item 10.4)**

**(Pauls/Kroetsch)**

**(a) Appointment of Representative to the Open for Business Sub-Committee (Item 10.1)**

That Nadine Ubl, Barton Village Business Improvement Area, be appointed as the Representative from the Business Improvement Area

(BIA) Sub-Committee to the Open for Business Sub-Committee for 2022-2026.

**(b) Barton Village Business Improvement Area Expenditure Request (Item 11.1)**

That the expenditure request from the Barton Village Business Improvement Area, in the amount of \$11,436.94 for beautification and art projects in the public realm to be funded from the Offset to the Shared Parking Revenue (Contribution from Reserve to Current Account 815010-47101), be approved.

**(c) Expanding the Temporary Outdoor Patio Program (Item 11.2)**

WHEREAS, on February 23, 2022, the City of Hamilton, approved the combining of the On-Street Patio Program with the Outdoor Dining District Program to become the Temporary Outdoor Patio Program;

WHEREAS, the former On-Street Patio Program allowed any business to apply for an on-street patio permit;

WHEREAS, the Temporary Outdoor Patio Program is limited to cafes, restaurants, and bars; and

WHEREAS, businesses within the Business Improvement Areas would like to be able to participate in the Temporary Outdoor Patio Program.

THEREFORE, BE IT RESOLVED:

That staff be directed to report back to the Planning Committee with recommendations on the feasibility of expanding the Temporary Outdoor Patio program to any business in advance of the 2024 patio season.

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

Absent	-	Mayor Andrea Horwath
Yes	-	Ward 1 Councillor Maureen Wilson
Yes	-	Ward 2 Councillor Cameron Kroetsch
Yes	-	Ward 3 Councillor Nrinder Nann
Yes	-	Ward 4 Councillor Tammy Hwang
Yes	-	Ward 5 Councillor Matt Francis
Yes	-	Ward 6 Councillor Tom Jackson
Yes	-	Ward 7 Councillor Esther Pauls
Yes	-	Ward 8 Councillor J. P. Danko
Yes	-	Ward 9 Councillor Brad Clark
Yes	-	Ward 10 Councillor Jeff Beattie

Yes - Ward 11 Councillor Mark Tadeson  
 Yes - Ward 12 Councillor Craig Cassar  
 Yes - Ward 13 Councillor Alex Wilson  
 Yes - Ward 14 Councillor Mike Spadafora  
 Yes - Ward 15 Councillor Ted McMeekin

**11. Advisory Committee for Persons with Disabilities (ACPD) Report 23-006 - June 13, 2023 (Item 10.5)**

**(Tadeson/Francis)**

**(a) Strategic Planning Working Group Work Plan (Item 9.5(c))**

That the Strategic Planning Working Group Work Plan attached as Appendix "A" to the Advisory Committee for Persons with Disabilities Report, be approved.

**(b) Requirement to Include Inclusion, Diversity, Equity and Accessibility (IDEA) within Staff Reports (deferred May 9, 2023) (Item 12.1)**

WHEREAS, Council considered Report HUR19019(c), respecting an Equity, Diversity and Inclusion Framework Update, which updated the Equity, Diversity and Inclusion (EDI) Strategic Plan from EDI branding to Inclusion, Diversity, Equity and Accessibility (IDEA) branding;

WHEREAS, following Council approval on December 7, 2022, staff has laudably begun to embed the principles of IDEA in their internal processes;

WHEREAS, the incorporation of 'Accessibility' into the strategic document reinforces the importance of accessibility across the organization;

WHEREAS, the IDEA Strategic Plan was shared at the Advisory Committee for Persons with Disabilities at its October 11, 2022 meeting and was fully embraced by the Committee;

WHEREAS, the City's IDEA Strategic Plan's Priorities include Legislative and Policy Compliance; and

WHEREAS, the Advisory Committee for Persons with Disabilities believes that it is very important that Council (or any Committee of Council), in order to carry on its provincially empowered responsibilities, be presented with complete information in all reports introduced to Council by staff and that all reports include consideration of IDEA;

THEREFORE, BE IT RESOLVED:

- (a) That the Advisory Committee for Persons with Disabilities (ACPD) recommends that staff be directed to report back to the Governance Review Sub-Committee on implementing the following requirements within all reports to Committee or Council:
- (i) the inclusion of a new category, identified as 'IDEA' (Inclusion, Diversity, Equity and Accessibility), alongside Finance, Staffing, and Legal;
  - (ii) the requirement for staff to consult with the ACPD (and other Advisory Committees where appropriate), or respond to requests from the ACPD to consult on matters where the elements of IDEA (particularly accessibility) clearly apply;
  - (iii) where staff do not consult the ACPD in the composition of reports on matters which clearly contain elements of IDEA (particularly accessibility), such reports be referred back for consultation with the ACPD before any further action is taken by Council;
  - (iv) where a representative of the ACPD makes a delegation to a Committee of Council and, as part of that delegation a request is made for a report to be referred to the ACPD, that such requests will be respected unless IDEA clearly does not apply; and
  - (v) any consultation that includes the ACPD (and other Advisory Committees where appropriate), comments, opinions and recommendations, should be included in all reports under the heading 'RELEVANT CONSULTATION', in addition to any redress by staff of the ACPD's consultation.
- (c) **Attendance at the National Conference on Ending Homelessness, November 8-10, 2023 (Item 12.2)**

WHEREAS, the Canadian Alliance to End Homelessness is hosting the National Conference on Ending Homelessness, November 8 – 10, 2023, in a hybrid format, offering the option to register for in person in Halifax or remote participation;

WHEREAS, the Advisory Committee for Persons with Disabilities recognizes there are concerns related to escalating costs of disabilities and barriers to social inclusion that can result in homelessness, as

expressed in its correspondence to Hamilton's General Issues Committee, dated July 21, 2022; and

WHEREAS, interest has been expressed by members of the Advisory Committee for Persons with Disabilities in participating remotely in the National Conference on Ending Homelessness, November 8 – 10, 2023.

THEREFORE, BE IT RESOLVED:

That the registration fee for up to two Advisory Committee for Persons with Disabilities members to participate remotely in the National Conference on Ending Homelessness, November 8 – 10, 2023, hosted by the Canadian Alliance to End Homelessness, to be funded from the Advisory Committee for Persons with Disabilities' 2023 approved budget for conferences and related travel expenses (ID# 300303), to an upset limit of \$700, be approved.

**(d) Approval for Media and Website for the Advisory Committee for Persons with Disabilities' "Ability First" Event – September 28, 2023**

WHEREAS, the Outreach Working Group of the Advisory Committee for Persons with Disabilities is organizing an event "Ability First" in the Forecourt of City Hall on September 28th, 2023 from 11:00 a.m. until 3:00 p.m. to promote accessibility for all, no matter your ability;

WHEREAS, Ability First will be an interactive event and attracting people to attend will be a key component to its success;

WHEREAS, the media and website currently in draft format require Council approval before release to the public;

WHEREAS, there are some details of the event that are still being finalized but the media's basic layout and website structure will not change much after approval; and

WHEREAS, any communication with the media requires Council's approval before it is released;

THEREFORE, BE IT RESOLVED:

- (a) That the draft media and website content, attached as appendices "A" through "I", for the Advisory Committee for Persons with Disabilities' "Ability First" event to be held on September 28th, 2023 from 11:00 a.m. until 3:00 p.m., be approved for release to the public and the media; and

- (b) That the organizers of the “Ability First” event, to be held September 28 from 11:00 a.m. to 3:00 p.m., be granted permission to make minor changes to the media and website content to reflect changes to the event planning, subject to the approval by the Outreach Working Group of the Advisory Committee for Persons with Disabilities.

**(e) Donation in Memory of Tom Manzuk (Item 14.4)**

That a donation in memory of Tom Manzuk to Food for Kids in the amount of \$200 from account #300303, to be facilitated by the Diversity and Inclusion Office, be approved.

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

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

**12. Update on Strategic Land Acquisition Plan Along the Hamilton Light Rail Transit (LRT) Corridor (PED23142) (Wards 1, 2, 3, 4 and 5) (Outstanding Business List Item) (Item 10.6)**

**(Beattie/Cassar)**

That Report PED23142, Update on Strategic Land Acquisition Plan Along the Hamilton Light Rail Transit (LRT) Corridor, be received.

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

Absent	-	Mayor Andrea Horwath
Yes	-	Ward 1 Councillor Maureen Wilson
Yes	-	Ward 2 Councillor Cameron Kroetsch
Yes	-	Ward 3 Councillor Nrinder Nann

Yes	-	Ward 4	Councillor Tammy Hwang
Yes	-	Ward 5	Councillor Matt Francis
Yes	-	Ward 6	Councillor Tom Jackson
Yes	-	Ward 7	Councillor Esther Pauls
Yes	-	Ward 8	Councillor J. P. Danko
Yes	-	Ward 9	Councillor Brad Clark
Yes	-	Ward 10	Councillor Jeff Beattie
Yes	-	Ward 11	Councillor Mark Tadeson
Yes	-	Ward 12	Councillor Craig Cassar
Yes	-	Ward 13	Councillor Alex Wilson
Yes	-	Ward 14	Councillor Mike Spadafora
Yes	-	Ward 15	Councillor Ted McMeekin

**13. Downtown Entertainment District Annual Status Update (PED23175)  
(Ward 2) (Outstanding Business Item) (Item 10.7)**

**(Tadeson/Jackson)**

That Report PED23175, Downtown Entertainment District Annual Status Update, be received.

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

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

**14. Disposition of Land in the City of Hamilton (Ward 10) (Item 14.4)**

**(Beattie/Francis)**

(a) That the directions provided to staff in closed session respecting the Disposition of Land in the City of Hamilton (Ward 10), be approved; and,

- (b) That recommendations (a) to (e) be released publicly following approval by Council.

**Result: MOTION, CARRIED by a vote of 12 to 0, as follows:**

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

**15. Third Party Advertising on City Property (CM23017) (City Wide) – REVISED (Item 14.3)**

**(M. Wilson/Kroetsch)**

That Report CM23017, respecting Third Party Advertising on City Property, be received and remain confidential.

**Result: MOTION, CARRIED by a vote of 8 to 4, as follows:**

Absent	-	Mayor Andrea Horwath
Yes	-	Ward 1 Councillor Maureen Wilson
Yes	-	Ward 2 Councillor Cameron Kroetsch
Absent	-	Ward 3 Councillor Nrinder Nann
Yes	-	Ward 4 Councillor Tammy Hwang
No	-	Ward 5 Councillor Matt Francis
No	-	Ward 6 Councillor Tom Jackson
No	-	Ward 7 Councillor Esther Pauls
Absent	-	Ward 8 Councillor J. P. Danko
No	-	Ward 9 Councillor Brad Clark
Yes	-	Ward 10 Councillor Jeff Beattie
Yes	-	Ward 11 Councillor Mark Tadeson
Yes	-	Ward 12 Councillor Craig Cassar
Yes	-	Ward 13 Councillor Alex Wilson
Absent	-	Ward 14 Councillor Mike Spadafora

Yes - Ward 15 Councillor Ted McMeekin

**16. General Litigation Update (LS23027) (City Wide) (Item 14.5)**

**(Clark/Tadeson)**

- (a) That the direction provided to staff in Closed Session be approved and remain confidential; and,
- (b) That Report LS23027, respecting General Litigation Update and all Appendices remain confidential.

**Result: MOTION, CARRIED by a vote of 12 to 0, as follows:**

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

**FOR INFORMATION:**

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

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

**6. DELEGATION REQUESTS**

- 6.6 Karl Andrus, Hamilton Community Benefits Network, respecting Item 10.6 - Update on Strategic Land Acquisition Plan Along the Hamilton Light Rail Transit (LRT) Corridor (PED23142) (Wards 1, 2, 3, 4 and 5) (In-Person) (For today's meeting)
- 6.7 Mark McNeil, ACPD, respecting Item 10.5 - Advisory Committee for Persons with Disabilities (ACPD) Report 23-006 - June 13, 2023 (In-Person) (For today's meeting)

- 6.8 PJ Mercanti, Hamilton Urban Precinct Entertainment Group, respecting an update on the activities and positive progress of our downtown entertainment district redevelopment initiative (In-Person) (For the August 14, 2023 Meeting)

## **12. NOTICES OF MOTION**

- 12.1 Ottawa Street BIA and Ottawa Street Pride Committee Public Art (Wards 3 and 4)
- 12.2 Revenue Sources to fund Council Priorities and Ongoing Operating and Capital Works

## **14. PRIVATE AND CONFIDENTIAL**

- 14.3 Third Party Advertising on City Property (CM23017) (City Wide) – REVISED

## **CHANGE TO THE ORDER OF THE AGENDA**

- 14.4 Disposition of Land in the City of Hamilton (Ward 10)

To be considered immediately following Item 14.2 - Confidential Appendix "B" to Item 10.1 - Disposition of Unopened Road Allowance (PED23132) (Ward 10)

### **(Clark/Beattie)**

That the agenda for the July 10, 2023 General Issues Committee meeting, be approved, as amended.

### **Result: MOTION, CARRIED by a vote of 14 to 0, as follows:**

Absent	-	Mayor Andrea Horwath
Yes	-	Ward 1 Councillor Maureen Wilson
Yes	-	Ward 2 Councillor Cameron Kroetsch
Yes	-	Ward 3 Councillor Nrinder Nann
Yes	-	Ward 4 Councillor Tammy Hwang
Yes	-	Ward 5 Councillor Matt Francis
Yes	-	Ward 6 Councillor Tom Jackson
Yes	-	Ward 7 Councillor Esther Pauls
Yes	-	Ward 8 Councillor J. P. Danko
Yes	-	Ward 9 Councillor Brad Clark
Yes	-	Ward 10 Councillor Jeff Beattie
Yes	-	Ward 11 Councillor Mark Tadeson
Yes	-	Ward 12 Councillor Craig Cassar
Yes	-	Ward 13 Councillor Alex Wilson

Absent - Ward 14 Councillor Mike Spadafora  
Yes - Ward 15 Councillor Ted McMeekin

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

Councillor M. Wilson declared a non-disqualifying interest to Item 7.2, the delegation from Karl Andrus, Hamilton Community Benefits Network, respecting Item 10.6 - Update on Strategic Land Acquisition Plan Along the Hamilton Light Rail Transit (LRT) Corridor (PED23142), as the Hamilton Community Foundation funds the Hamilton Community Benefits Network and her husband is CEO of Hamilton Community Foundation.

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

**(i) (Pauls/McMeekin)**

That the following minutes be approved, as presented:

- (1) June 14, 2023 (Item 4.1)
- (2) June 27, 2023 – Special (Item 4.2)
- (3) June 28, 2023 – Special (Item 4.3)

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

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

**(d) DELEGATION REQUESTS (Item 6)**

**(i) (A. Wilson/Cassar)**

That the Delegation Requests be approved, as follows:

- (1) Paul Vermaat, White Star Group, respecting matters relating to lands in the West Harbour Stadium Precinct (In Person) (For a future meeting) (Item 6.1)
- (2) Doug Mattina, Director, Dr. Bob Kemp Hospice, respecting Item 10.1, 41 South Street West, Dundas, Disposition Strategy (PED23151) (Ward 13) (In Person) (For today's meeting) (Item 6.2)
- (3) David Farrar, President and Vice-Chancellor of McMaster University along with Ty Shattuck, CEO McMaster Innovation Park, would like to present an update to GIC on both institutions (In-Person) (For the November 1, 2023 GIC Meeting) (Item 6.3)
- (4) Stefan Sobolewski, Taras Bulba Ukraine Support 2022, to request financial support towards our upcoming Ukraine humanitarian aid missions (In-Person) (For a future meeting) (Item 6.4)
- (5) Jo-Ann Mattina, Biindigen Well-Being Centre, respecting an update on the Biindigen Well-Being Centre development and next steps (In-Person) (For a future meeting) (Item 6.5)
- (6) Karl Andrus, Hamilton Community Benefits Network, respecting Item 10.6 - Update on Strategic Land Acquisition Plan Along the Hamilton Light Rail Transit (LRT) Corridor (PED23142) (Wards 1, 2, 3, 4 and 5) (In-Person) (For today's meeting) (Added Item 6.6)
- (7) Mark McNeil, ACPD, respecting Item 10.5 - Advisory Committee for Persons with Disabilities (ACPD) Report 23-006 - June 13, 2023 (In-Person) (For today's meeting) (Added Item 6.7)
- (8) PJ Mercanti, Hamilton Urban Precinct Entertainment Group, respecting an update on the activities and positive progress of our downtown entertainment district redevelopment initiative (In-Person) (For the August 14, 2023 Meeting) (Added Item 6.8)

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

Absent	-	Mayor Andrea Horwath
Yes	-	Ward 1 Councillor Maureen Wilson
Yes	-	Ward 2 Councillor Cameron Kroetsch
Yes	-	Ward 3 Councillor Nrinder Nann
Yes	-	Ward 4 Councillor Tammy Hwang
Yes	-	Ward 5 Councillor Matt Francis
Yes	-	Ward 6 Councillor Tom Jackson
Yes	-	Ward 7 Councillor Esther Pauls

Yes	-	Ward 8	Councillor J. P. Danko
Yes	-	Ward 9	Councillor Brad Clark
Yes	-	Ward 10	Councillor Jeff Beattie
Yes	-	Ward 11	Councillor Mark Tadeson
Yes	-	Ward 12	Councillor Craig Cassar
Yes	-	Ward 13	Councillor Alex Wilson
Absent	-	Ward 14	Councillor Mike Spadafora
Yes	-	Ward 15	Councillor Ted McMeekin

**(e) DELEGATIONS (Item 7)**

**(i) Doug Mattina, Director, Dr. Bob Kemp Hospice, respecting Item 10.1, 41 South Street West, Dundas, Disposition Strategy (PED23151) (Ward 13) (In Person) (Added Item 7.1)**

Danielle Zucchet, CEO of Dr. Bob Kemp Hospice and Rob MacIsaac, CEO and President of Hamilton Health Sciences, addressed the Committee respecting Item 10.1, 41 South Street West, Dundas, Disposition Strategy (PED23151) (Ward 13).

**(A. Wilson/Jackson)**

That the delegate be provided with an additional 5 minutes to complete their delegation.

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

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

**(McMeekin/Pauls)**

That the Delegation from Danielle Zucchet, CEO of Dr. Bob Kemp Hospice and Rob MacIsaac, CEO and President of Hamilton Health Sciences,

respecting Item 10.1, 41 South Street West, Dundas, Disposition Strategy (PED23151) (Ward 13), be received.

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

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

**(ii) Karl Andrus, Hamilton Community Benefits Network, respecting Item 10.6 - Update on Strategic Land Acquisition Plan Along the Hamilton Light Rail Transit (LRT) Corridor (PED23142) (Wards 1, 2, 3, 4 and 5) (In-Person) (Added Item 7.2)**

Karl Andrus, Hamilton Community Benefits Network, addressed the Committee respecting Item 10.6 - Update on Strategic Land Acquisition Plan Along the Hamilton Light Rail Transit (LRT) Corridor (PED23142) (Wards 1, 2, 3, 4 and 5).

**(Nann/Francis)**

That the Delegation from Karl Andrus, Hamilton Community Benefits Network, respecting Item 10.6 - Update on Strategic Land Acquisition Plan Along the Hamilton Light Rail Transit (LRT) Corridor (PED23142) (Wards 1, 2, 3, 4 and 5), be received.

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

Absent	-	Mayor Andrea Horwath
Yes	-	Ward 1 Councillor Maureen Wilson
Yes	-	Ward 2 Councillor Cameron Kroetsch
Yes	-	Ward 3 Councillor Nrinder Nann
Yes	-	Ward 4 Councillor Tammy Hwang
Yes	-	Ward 5 Councillor Matt Francis

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Yes	-	Ward 6	Councillor Tom Jackson
Yes	-	Ward 7	Councillor Esther Pauls
Yes	-	Ward 8	Councillor J. P. Danko
Yes	-	Ward 9	Councillor Brad Clark
Yes	-	Ward 10	Councillor Jeff Beattie
Yes	-	Ward 11	Councillor Mark Tadeson
Yes	-	Ward 12	Councillor Craig Cassar
Yes	-	Ward 13	Councillor Alex Wilson
Yes	-	Ward 14	Councillor Mike Spadafora
Yes	-	Ward 15	Councillor Ted McMeekin

**(iii) Mark McNeil, ACPD, respecting Item 10.5 - Advisory Committee for Persons with Disabilities (ACPD) Report 23-006 - June 13, 2023 (In-Person) (Added Item 7.3)**

Mark McNeil, ACPD, addressed the Committee respecting Item 10.5 - Advisory Committee for Persons with Disabilities (ACPD) Report 23-006 - June 13, 2023.

**(Tadeson/Pauls)**

That the Delegation from Mark McNeil, ACPD, respecting Item 10.5 - Advisory Committee for Persons with Disabilities (ACPD) Report 23-006 - June 13, 2023, be received.

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

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

**(f) STAFF PRESENTATIONS (Item 8)**

**(i) 2022 Economic Development Action Plan Update (PED23095) (City Wide) (Item 8.1)**

Norm Schleeahn, Director, Economic Development provided the Committee with a presentation respecting Report PED23095, 2022 Economic Development Action Plan Update.

**(Tadeson/Beattie)**

That the staff presentation respecting Report PED23095, 2022 Economic Development Action Plan Update, be received.

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

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

For disposition of this matter, refer to Item 1.

**(g) DISCUSSION ITEMS (Item 10)**

**(i) 41 South Street West, Dundas, Disposition Strategy (PED23151) (Ward 13) (Item 10.1)**

**(A. Wilson/McMeekin)**

- (a) That the use of a portion of the City-owned property at 41 South Street West by the Dr Bob Kemp Hospice, toward the creation of a paediatric hospice be approved;
- (b) That staff be authorized and directed to negotiate requisite agreements and work with Dr Bob Kemp Hospice (DBKH) to

achieve a site design that explores the feasibility of both a Paediatric Hospice and additional housing for seniors to be located at 41 South Street West, Dundas, and to evaluate the feasibility of an ambulance station also being located there;

- (c) That an allocation of up to \$100 K from Property Purchases and Sales Account No. 3561850200, to be used for joint site design work and site due diligence of 41 South Street West, Dundas, including but not limited to contributing toward shared costs of consultant(s) retained by Dr Bob Kemp Hospice for the site design work and site due diligence, be approved;
- (d) That staff report back to General Issues Committee by end of Q2 2024 on the outcome of the negotiations with Dr Bob Kemp Hospice (DBKH), potential site design options satisfactory to all parties, and the terms and conditions for further consideration and approval

**(A. Wilson/McMeekin)**

That a new sub-section (b) to Report PED23151, respecting 41 South Street West, Dundas, Disposition Strategy, be added, the remaining sub-sections be re-numbered, and sub-section (e) ***be amended***, as follows:

***(b) That City of Hamilton Staff work with the Ward Councillor's office to host two public consultations; one in the Fall of 2023 and the second in 2024 prior to staff reporting back to the General Issues Committee.***

~~(b)~~(c) That staff be authorized and directed to negotiate requisite agreements and work with Dr Bob Kemp Hospice (DBKH) to achieve a site design that explores the feasibility of both a Paediatric Hospice and additional housing for seniors to be located at 41 South Street West, Dundas, and to evaluate the feasibility of an ambulance station also being located there;

~~(c)~~(d) That an allocation of up to \$100 K from Property Purchases and Sales Account No. 3561850200, to be used for joint site design work and site due diligence of 41 South Street West, Dundas, including but not limited to contributing toward shared costs of consultant(s) retained by Dr Bob Kemp Hospice for the site design work and site due diligence, be approved;

~~(d)~~(e) That staff report back to General Issues Committee by end of Q2 2024 on the outcome of the negotiations with Dr Bob Kemp Hospice (DBKH), ***the outcomes of the public consultations***,

potential site design options satisfactory to all parties, and the terms and conditions for further consideration and approval

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

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

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

**(ii) Disposition of Unopened Road Allowance (PED23132) (Ward 10)  
(Item 10.3)**

**(Kroetsch/Cassar)**

That consideration of Report PED23132, respecting Disposition of Unopened Road Allowance be DEFERRED until after the Closed Session portion of the meeting, to allow Committee to consider the Confidential Appendix "B" to Report PED23132.

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

Absent	-	Mayor Andrea Horwath
Yes	-	Ward 1 Councillor Maureen Wilson
Yes	-	Ward 2 Councillor Cameron Kroetsch
Yes	-	Ward 3 Councillor Nrinder Nann
Yes	-	Ward 4 Councillor Tammy Hwang
Yes	-	Ward 5 Councillor Matt Francis
Yes	-	Ward 6 Councillor Tom Jackson
Yes	-	Ward 7 Councillor Esther Pauls
Yes	-	Ward 8 Councillor J. P. Danko
Yes	-	Ward 9 Councillor Brad Clark
Yes	-	Ward 10 Councillor Jeff Beattie

Yes - Ward 11 Councillor Mark Tadeson  
 Yes - Ward 12 Councillor Craig Cassar  
 Yes - Ward 13 Councillor Alex Wilson  
 Yes - Ward 14 Councillor Mike Spadafora  
 Yes - Ward 15 Councillor Ted McMeekin

For disposition of this matter, refer to Item 9.

**(iii) Recess**

**(Kroetsch/Tadeson)**

That the General Issues Committee recess for 30 minutes until 12:45 pm.

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

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

**(iv) Update on Strategic Land Acquisition Plan Along the Hamilton Light Rail Transit (LRT) Corridor (PED23142) (Wards 1, 2, 3, 4 and 5) (Outstanding Business List Item) (Item 10.6)**

**(Nann/Danko)**

WHEREAS Report PED23142 "Update on Strategic Land Acquisition Plan Along the Hamilton Light Rail Transit (LRT) Corridor" has confirmed that the primary City and community need for land on the LRT corridor relates to the need for affordable housing; and,

WHEREAS the Hamilton Community Benefits Network has undertaken, and continues to undertake, community engagement along the LRT corridor, which has resulted in the identification of potential community

benefits that would entail property acquisition, such as additional greenspace;

THEREFORE BE IT RESOLVED:

- (a) That staff in the Housing Secretariat, the Corporate Real Estate Office, and the City's LRT Office review known and anticipated Metrolinx-acquired properties on the LRT corridor, as well as any City-owned properties, and identify potential prospects for future affordable housing development, including potential for land assembly to support future affordable housing development;
- (b) That staff in the City's LRT Office meet with the Hamilton Community Benefits Network to identify any specific or general land needs that could advance or implement some of the community priorities identified through the CBN's engagement efforts; and,
- (c) That staff report back to the Light Rail Transit (LRT) Sub-Committee with their findings.

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

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

For further disposition of this matter, refer to Item 12.

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

Councillor N. Nann introduced the following Notice of Motion:

**(i) Ottawa Street BIA and Ottawa Street Pride Committee Public Art  
(Wards 3 and 4) (Added Item 12.1)**

WHEREAS, the City of Hamilton's strategic plan priority for Healthy and Safe Communities consists of a caring place that is safe and inviting, with people working together to care and support each other, which is inclusive of the communities of people who are Two Spirit, lesbian, gay, bisexual, trans, queer, questioning, intersex, asexual, and those for whom letters cannot fully yet describe (2SLGBTQIA+);

WHEREAS, the City of Hamilton is committed to working with artists, businesses, and citizens in the ongoing development and implementation of art in public places to enhance our sense of community;

WHEREAS, the Ottawa Street BIA intends to hang 12 new mobiles, six on each side of Ottawa Street North, from May until September every year for the next five years, to signal to the 2SLGBTQIA+ community that they are recognized and cared for outside the boundary of Pride month celebrations;

WHEREAS, the art is a result of a project lead by the Ottawa Street Pride Committee and created as part of STEPS' I HeART Main Street initiative;

WHEREAS, the mobiles are designed by Riley Jamieson, a trans artist, and are a symbol of the joy of summer and of queer people working together to care and support each other;

THEREFORE, BE IT RESOLVED:

- (a) That \$1,500 be allocated from the Ward 3 Bell Tower Funds Non-Property Tax Revenue Account (3301609603) and \$1,500 from the Ward 4 Capital Discretionary Account (3302109400) to the Ottawa Street BIA toward costs associated with the installation of the 12 Pride mobiles; 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.

Councillor M. Wilson introduced the following Notice of Motion:

**(ii) Revenue Sources to fund Council Priorities and Ongoing Operating and Capital Works (Added Item 12.2)**

WHEREAS, Hamilton City Council has identified a set of priorities to guide its legislative agenda for the 2022-2026 term of Council;

WHEREAS, access to sufficient and sustainable revenue sources is critical to the city's ability to achieve these priorities along with ongoing operating, maintenance and capital programming needs;

WHEREAS, the fiscal framework within which Canadian municipalities work limits opportunities for local government to advance solutions at the scale required to address many of today's challenges, including but not limited to affordable and supportive housing, climate change mitigation, technology and an ageing infrastructure and population;

WHEREAS, Ontario municipalities like Hamilton are heavily reliant on property taxes as a source of revenue;

WHEREAS, property taxes are a regressive form of taxation;

WHEREAS, in 2021, Hamilton's taxes for a detached bungalow were 3.52% higher than municipalities with comparable populations, but 24.30% higher than a broader compactor group;

WHEREAS, municipalities are responsible for 60% of public infrastructure while collecting only 9 cents for every tax dollar collected in Ontario;

WHEREAS, municipalities continue to face the following challenges:

- Ongoing impacts related to the COVID-19 pandemic;
- Rising inflation and interest rates;
- Supply chain disruptions and tight labour supply;
- Increasing demand for services; and,
- Unanticipated legislative changes (such as Bill 23).

WHEREAS, the City of Hamilton directly invests a significant share of property tax revenues, in extensions of federal and provincial responsibilities, such as housing, social services, and health services;

WHEREAS, in the absence of other non-residential property tax revenue, property taxes will become less affordable for more people over the next few years while the need for local investments will continue to grow;

THEREFORE, BE IT RESOLVED:

That staff be directed to report back to the General Issues Committee the following information by Q1 2024:

- (a) A scan of revenue authorities contained in the Municipal Act, 2021 or other Provincial legislation that do not require the expressed permission of the Government of Ontario;
- (b) An inventory of revenue sources that are contained in the City of Toronto Act, 2006 but not contained in the Municipal Act, 2021; and,
- (c) A scan of municipal revenue tools in other jurisdictions that may be more progressive and could support in the achievement of this term of Council priorities and ongoing programming needs and any expressed permissions necessary to implement the strategies.

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

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

**(Kroetsch/McMeekin)**

That the amendments to the Outstanding Business List, be approved, as follows:

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

Correspondence from Janice M. Shearer, Director, Chair of the Board of Directors, Dr. Bob Kemp Hospice Foundation Inc., respecting to officially move into an exploratory phase by Dr. Bob Kemp Hospice, and with city staff, to examine the viability of the acquisition of land at 41 South St. W

OBL Item: 2023-A

Added: January 18, 2023 at GIC (Item 5.2)

Completed: July 10, 2023 at GIC (Item 10.1)

Temporary Outdoor Patio Program's Compliance with the Accessibility for Ontarians with Disabilities Act

OBL Item: 2023-S

Added: March 22, 2023 at GIC (Item 11.3)

Completed: July 10, 2023 at GIC (Item 9.3)

Strategic Land Acquisition Plan Along the Hamilton Light Rail Transit (LRT) Corridor

OBL Item: W

Added: March 22, 2023 at GIC (Item 11.3)  
April 6, 2022 at GIC (Item 9)  
Completed: July 10, 2023 at GIC (Item 10.6)

**(b) Items to be Referred to the Emergency and Community Services Committee (Item 13.1(b)):**

Correspondence respecting the situation at 1083 Main Street East  
OBL Item: 2023-L  
Reason: This item will be captured as part of the Renovictions Report going to Emergency and Community Services Committee on August 17, 2023.

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

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

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

**(i) Closed Session Minutes – June 14, 2023 (Item 14.1)**

**(Danko/Clark)**

That the General Issues Committee Closed Session Minutes of June 14, 2023, be approved and remain confidential.

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

Absent	-	Mayor Andrea Horwath
Yes	-	Ward 1 Councillor Maureen Wilson
Yes	-	Ward 2 Councillor Cameron Kroetsch
Yes	-	Ward 3 Councillor Nrinder Nann

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Yes	-	Ward 4	Councillor Tammy Hwang
Yes	-	Ward 5	Councillor Matt Francis
Yes	-	Ward 6	Councillor Tom Jackson
Absent	-	Ward 7	Councillor Esther Pauls
Yes	-	Ward 8	Councillor J. P. Danko
Yes	-	Ward 9	Councillor Brad Clark
Yes	-	Ward 10	Councillor Jeff Beattie
Yes	-	Ward 11	Councillor Mark Tadeson
Yes	-	Ward 12	Councillor Craig Cassar
Yes	-	Ward 13	Councillor Alex Wilson
Yes	-	Ward 14	Councillor Mike Spadafora
Yes	-	Ward 15	Councillor Ted McMeekin

**(Beattie/Tadeson)**

That Committee move into Closed Session pursuant to Section 9.3, Sub-sections (b), (c), (e), and (f) of the City's Procedural By-law 21-021, as amended, and Section 239(2), Sub-sections (b), (c), (e), and (f) of the *Ontario Municipal Act, 2001*, as amended, as the subject matters pertain to personal matters about an identifiable individual, including municipal or local board employees; a proposed or pending acquisition or disposition of land by the municipality or local board; litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board; and advice that is subject to solicitor-client privilege, including communications necessary for that purpose.

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

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

**(ii) Confidential Appendix "B" to Item 10.1 - Disposition of Unopened Road Allowance (PED23132) (Ward 10) (Item 14.2)**

For disposition of this matter, refer to Item 9.

**(ii) Disposition of Land in the City of Hamilton (Ward 10) (Item 14.4)**

For disposition of this matter, refer to Item 14.

**(iii) Third Party Advertising on City Property (CM23017) (City Wide) - REVISED (Item 14.3)**

For disposition of this matter, refer to Item 15.

**(iv) General Litigation Update (LS23027) (Item 14.5)**

For disposition of this matter, refer to Item 16.

**(k) ADJOURNMENT (Item 15)**

**(Tadeson/Kroetsch)**

That there being no further business, the General Issues Committee be adjourned at 4:28 p.m.

**Result: MOTION, CARRIED by a vote of 11 to 0, as follows:**

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

Respectfully submitted,

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Deputy Mayor Tammy Hwang  
Chair, General Issues Committee

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Angela McRae  
Legislative Coordinator  
Office of the City Clerk

## The People's Protocol on Encampments

**The People's Roundtable**, consisting of people in our broader communities who are currently and/or previously unhoused, people who are and/or have lived in encampments – including members of Keeping Six Hamilton Harm Reduction Action League (K6) – and the Hamilton Social Medicine Response Team (HAMSMaRT) have come together to develop a people's protocol around encampments. **We denounce the process and proposed protocol the City of Hamilton has put forward in response to encampments. We denounce the financialization of housing and the resulting realities of everyday people being deprived of safe and dignified housing.**

Public encampments are the result of decades of harmful and bad-faith policy choices from all levels of government. Successive governments have evaded their responsibilities to provide basic needs to the people, have privatized housing and social supports to corporations and institutions, and are now blaming individuals for failing to thrive within these disastrous living conditions. Housing is not affordable in Hamilton through the private market-based sector. Director of Hamilton Housing Services Michelle Baird, the Federal Housing Advocate, and Hamilton City Council all recognize housing as a fundamental human right. This means that everyone, including people living in encampments, has a right to safe, secure, and dignified housing. By not directing their efforts towards providing this housing immediately, the City of Hamilton has denied unhoused people the very human right both municipal, provincial and federal governments claim to uphold. And by proposing an encampment policy built on policing, the City has further criminalized those who are deprived of housing.

As the City engages in public consultations that ultimately question the fundamental right to shelter, the people living in the encampments and those who support us demand the right to build an encampment protocol that addresses the needs, safety, security, and care of encampment residents. By opening our right to shelter up for public debate and scorn, the City has devalued and dehumanized people's right to live and exist as part of the broader Hamilton community, while increasing the risk of harm for those of us who are unhoused. The most recent protocol proposed by the City has no provisions for meeting any of the most basic needs of the people living in encampments and only serves to further stigmatize and marginalize people who are deprived of housing. The input provided by encampment residents to assist with building the City's protocol was not included in the proposal. We reject the City's latest proposed protocol outright.

The current system needs to change. The lack of support for basic needs has resulted in unsafe conditions for those living in encampments. This has resulted in encampment residents being forced into circumstances that require us to take risks and forego safety to get our basic needs met. The current situation, where there is not enough affordable housing, and where people living in encampments do not have access to basic needs such as bathrooms, showers, garbage disposal, or drinking water, has furthered a divide and tensions between those who are waiting for housing and those who are housed within the same neighbourhoods and communities. The ongoing harassment and attacks on encampments by some housed Hamiltonians is unacceptable, and have understandably ramped up safety concerns and vigilance in encampments. The City's so-called public debates about encampments have only amplified the violence people living in encampments are facing. Reliance on policing, surveillance, and criminalization has further marginalized us and made us less safe, by forcing us to choose locations to stay with fewer community members around.

All of this serves to only weaken our community and divide us. We need to provide better support for all members of the Hamilton community, especially those of us living in encampments who are most vulnerable to violence. We survive under the constant threat of displacement and with a continuous

cycle of new neighbours as a result of displacement. Our energy is being used to repeatedly find a new space to survive and wait for housing. Such threats and frequent displacements rob us of our ability to create community, and of our capacity to take pride in and care for the places where we are living. Enforcement and displacement harm our communities, our relationships, and our ability to care for our surroundings and each other while we are awaiting housing.

A commitment to a human rights-based approach, which City Council has named as a priority, necessitates a commitment to defunding both Hamilton Police Services and Municipal Law Enforcement Services or by-law services. This should result in much of the funds previously earmarked for enforcement being put into housing first and foremost. The police budget has already received a \$12 million increase this year, making up almost 20 percent of the overall city budget. This is a failure to allocate the necessary funding towards basic needs and living with dignity while we are waiting for housing, rather than policing and enforcement. No other sector in Hamilton has seen annual budget increases as big as this despite the urgent and rapidly growing need for housing and other social services. By allocating funding and resources towards policing and enforcement against people deprived of housing, the City of Hamilton is failing in its duty to provide people deprived of housing of their basic needs and criminalizing us in the process.

As encampment residents, we have a clear understanding of our own needs. It is important that any plans or policies regarding the encampments take in our input and needs as the expertise that they are, and centre us in any decision-making. With this in mind, we have developed, with some help from people who support us, a temporary encampment protocol (“the People’s Protocol”). Its purpose is to minimize harm within the encampments while the City and policy-makers reorient their priorities back to housing as the primary solution. We are calling on the City of Hamilton to implement this encampment protocol as a temporary measure to reduce the harms towards people in encampments and redirect their focus and resources into securing housing immediately for the people who are deprived of housing.

## DEFINITIONS

**Housing** - permanent, dignified units and living spaces for people which provide rights of tenure as defined by the *Residential Tenancies Act, 2006, SO 2006, c 17* or the *Co-operative Corporations Act, R.S.O. 1990, c. C.35* as applicable.

**Encampment Resident** - An encampment resident is any individual living outside with or without a temporary shelter or tent. Used interchangeably with “resident(s),” or “individual(s).”

**Peer Support Workers** - People who are or have been deprived of housing who work with allied organizations.

**Encampment Captains** - A resident of a site composed of three or more individuals who has been chosen by other encampment residents to act both as an organizer and caregiver to the encampment site as well as being a liaison to the City of Hamilton and the broader Hamilton community as needed.

**Allied Organizations** - Organizations that are trusted by encampment residents, and may differ between encampments. Each encampment resident would be able to identify which organization(s) they choose to connect with. Allied organizations would be categorized as such as they relate to an encampment resident - for instance, one organization can be an allied organization for one encampment resident but not for another encampment resident based on the encampment resident’s trust and choice.

## **BASIC NEEDS**

**We reject the presence of police or by-law officers in encampments, and we reject the criminalization of people deprived of housing. No evictions and no enforcement-based interventions.**

We are calling on the City of Hamilton to work collaboratively with encampment residents, encampment captains, and allied organizations to ensure that basic needs are provided immediately to encampment residents while they await the “Housing First” solutions they have been promised by the City.

### **Basic needs are outlined as follows:**

- Safety and freedom from threats and/or harassment;
- Internal management of conflict between residents without interference from Hamilton Police Services, Municipal Law Enforcement Services and/or other forms of state enforcement;
- Privacy within spaces, including in residents’ personal accommodations as well as in showers and in washrooms;
- Storage lockers/spaces provided by the City of Hamilton for encampment residents to place belongings in a secure location without fear of theft, destruction or surveillance by anyone, including police, Municipal Law Enforcement Services, and other law enforcement bodies;
- Clean drinking water provided by the City of Hamilton which encampment residents can access 24/7 both via fully operational water fountains throughout the City as well as through local soup kitchens/free meal spaces, food banks, and at any shelter regardless of whether or not they fit the demographic of the particular shelter service;
- Free food available throughout the day and evening for each encampment resident, including on holidays and weekends, with proper care and provisions for dietary needs/restrictions as needed both at the encampment sites and within the community. This includes, but is not limited to, all community members and organizations attending encampments bringing food, and encampment residents being able to access food at local soup kitchens/free meal spaces, food banks, as well as at any shelter regardless of whether or not they fit the demographic of the particular shelter service;
- Open, public and accessible washrooms that are available 24/7 including through the night, and on weekends, and holidays;
- Safe and accessible showers including the ability to access the free shower services in the recreation centres and shelters;
- Free and accessible laundry services;
- Access to clothing from clothing banks across the City of Hamilton on an as-needed basis;
- 24/7 provision of existing spaces to supply shade, cooling and warming centres, and other accessible spaces to protect from the natural elements and weather conditions on a continuous basis (including overnight, weekends and public holidays.)
- Increased access to electricity in existing public spaces to support with charging personal electronic equipment, and medical equipment, and to support with other needs as determined by encampment residents;
- Accessible transportation services to assist with attending appointments to address needs including, but not limited to, monthly bus pass supports, taxi rides to hospitals/urgent care as needed, bus tickets, and free passes for SoBi or Bird Scooters;

- Daily access to traditional medicines for Indigenous residents, including on weekends;
- Increased medical and peer support for people who use drugs (PWUD), including but not limited to: financial support for increased peer training through allied organizations; increased safer use, safe injection sites, and access to drug testing supplies across Hamilton; harm reduction drop off and pick up of safer supplies at encampment sites; encampment sites that are equipped to support PWUD, including encampment sites which are also detox spaces, and increased access to addiction counselors and supports when requested; and any other additional supports during and following drug poisonings at encampments;
- Any specific needs as identified by each encampment, centring the experiences of people with disabilities in relation to the ways that encampments are organized and resourced;
- Fire extinguishers are made available by the city to each encampment and replenished when necessary.

## **PERSONAL BELONGINGS**

- Current and/or former encampment residents continue to have primary ownership, rights, and autonomy over their own belongings at all times. At no time will belongings be placed in the garbage and/or destroyed by another person including, but not limited to, City staff, Hamilton Police Services, Municipal Law Enforcement, security personnel, peer support workers, allied organizations, business owners, or any other community members.
- If any belongings are placed/reside outside of the Encampment Site Parameters (see below), encampment captains, with the support of peer support workers and allied organizations as needed, will work to return the belongings to an individual as soon as possible and/or support the individual to store their belongings in their provided storage locker/facility (see Basic Needs above re: storage lockers) until the resident can return to reclaim them.
- If the City of Hamilton receives a complaint about unattended belongings outside of the Encampment Site Parameters, City staff will alert the encampment captain at the nearest encampment, and take direction from the captain about how the belongings will be returned and/or stored
- If an individual's belongings remain unattended, peer support workers and allied organizations will make every effort to connect with the encampment resident to follow up with (a) their safety, health and well-being (if they have not already done so), and (b) collaboratively work with the resident to create a plan that ensures the belongings are either returned to the individual, moved to a site of the resident's choosing for safekeeping and/or have the belongings remain at the current site until the resident can return to reclaim them if the resident is unable to immediately return to their site (for example: due to being in the hospital).
- In the event that encampment residents, peer support workers and allied organizations are unable to connect with an individual whose belongings have remained unattended, then they will attempt to use all means to connect with the individual, their community supports, and their allied organizations. If there has still been no contact with the individual and all of the above efforts to reach them have been exhausted, then the belongings will be safely transported to a storage locker/facility by encampment captains to be held until the individual can reclaim them. Where encampment sites do not have encampment captains, peer support workers will take on this responsibility. The encampment captains and peer support workers would then collaboratively work with the individual upon their next contact with them to ensure that their belongings are transported back to them.
- Any additional work needed to care for and/or beautify the space will be completed by peer support workers under the parameters of the Encampment Site Management (below).

## HEALTH AND SAFETY

Health and safety measures are intended to protect and care for encampment residents' well-being, security, and welfare. The best way to achieve this for people who are deprived of housing is to provide housing immediately. In the absence of this and while encampment residents are waiting for housing, the following health and safety measures will be set in place:

- The City of Hamilton will work with allied organizations to immediately establish the provisions of basic needs (as outlined above) to encampment residents for their immediate health and safety needs;
- The City of Hamilton will not interfere with or impede "wet" encampment sites (encampment sites where people use drugs), and there will be no threat of criminalization by law enforcement bodies. Encampment residents will establish the location(s) of these "wet" encampment sites based on their own needs adhering to the boundaries of the Encampment Site Parameters (see below);
- The City of Hamilton will also not interfere with BBQs and designated spaces for campfires for food and weather provisions. The City's Fire Department is to work with encampment residents, encampment captains, and peer support workers to identify and establish these designated spaces;
- The City of Hamilton will not interfere with individuals smoking within their encampment residences (i.e. in their tents);
- The City of Hamilton will not evict, displace, or criminalize encampment residents, recognizing this interference as a Health and Safety issue.

## ENCAMPMENT SITE MANAGEMENT

We as encampment residents want to live in spaces that are clean, safe, and welcoming. We are committed to self-organizing around how to make this happen within each encampment site while we wait for housing, and will require some monetary support from the City so that encampment captains and peer support workers can ensure that the upkeep and management of encampments are sustained.

Encampment site management will be as follows:

- Each encampment resident is responsible for maintaining the cleanliness of their own space and the space of the encampment sites. Peer support workers and encampment captains are to provide support and work collaboratively with encampment residents as needed.
- The City of Hamilton will assist with the facilitation of cleanliness of each encampment site by providing additional secure garbage and recycling receptacles for encampment residents along with an increased frequency of garbage pickup dependent on the size and needs of the encampment. This could include, but not be limited to, designated waste drop-off locations for encampment residents, weekly scheduled garbage/recycling pick up, and provisions for garbage tags for additional bags. Encampment residents will also be able to call the City of Hamilton to arrange for pick-up/removal of any bulk items as needed.
- The City of Hamilton will make provisions for payments to allied organizations in order to provide honoraria and/or appropriate monetary compensation to encampment residents and peer support workers to assist with facilitation of encampment and community residents' needs including, but not limited to, ongoing cleanliness of encampment sites and parks.
- The City of Hamilton and allied organizations would assist with appropriate monetary

compensation for peer support workers and encampment captains for their work and their training needs.

- Strategies for working with conflict will be determined at each encampment as they self organize. This means non interference from by-law officers, police, or other enforcement bodies.

## **COMMUNITY OUTREACH/ENGAGEMENT**

- We want to receive deeper and more consistent support from outreach workers of allied organizations of our choice while we wait for housing. The purpose of outreach workers is to work collaboratively with encampment residents to help ensure their basic needs are being met, and supporting the fulfillment of physical, mental, and emotional/spiritual well-being.
- Paramedics and the fire department, if called to encampments, should work collaboratively with encampment captains where applicable, and peer support workers to follow up with any concerns or address any issues.
- A donation registry will be maintained in order to maximize the supports provided to all encampment residents.
- Each encampment resident will decide how and from whom they want to receive supports such as wellness checks and other social and mental health services. Random wellness checks from city appointed social workers, which are often tied to police services, are not welcomed in encampments.
- The City will help facilitate access to City-run spaces, such as community gardens, recreation and community centres, for encampment residents to take part in relevant community events and activities.
- Should any allied outreach worker have any concerns about their health and/or safety during any meeting(s) with encampment residents, they are to immediately connect with the encampment captains and peer support workers who will work with the encampment residents, outreach worker, and allied organizations to collaboratively resolve any concern(s) and/or issue(s).
- Should the City of Hamilton staff receive any complaints or concerns about an encampment resident or encampment site that require follow up, they will reach out to encampment captains, who can engage peer support workers in order to make first contact with the resident(s) to collaboratively resolve any concern(s) and/or issue(s), potentially with the support of allied organizations.

## **ENCAMPMENT SITE PARAMETERS**

- All encampments must be more than 50 metres from a playground, school, childcare centre, pool, waterpark, spray pad, and/or recreation centre. As well, encampments will not be on a pathway, a sidewalk, or blocking any designated fire route, fire hydrant, entrances/exits, and/or access to accessible entrances or ramps.
- Encampment sites should be as accessible as possible and should include but not be limited to sites that are within parks, rail trails, next to fences, and/or private sites that have given permission for the use of space.
- The limit to the number of tents within the encampment site and the distance between each tent will both be at the discretion of the encampment residents.
- Encampment residents will determine their own space allotments within each site. Any concerns with space allotments will be resolved collaboratively amongst residents of each site.

- Where an encampment does not meet these site parameters, the City of Hamilton will reach out to encampment captains, who can work with peer support workers in collaboration with allied organizations, in order to make first contact with the resident(s). The captains, peer support workers and allied organizations will work collaboratively with the resident(s) to come to a resolution that meets encampment site parameters.

## **OUR DEMANDS OF THE CITY**

We are calling on the City of Hamilton to immediately implement this encampment protocol as a temporary measure to reduce the harms towards people in encampments.

We demand that the City of Hamilton be involved with encampment sites and with residents living outside in the following ways:

- (a) no evictions, no police, no by-law officers, or any other criminalizing arm of the state presence;
- (b) providing funding where needed to fulfill all of the parameters of the People's Protocol (as detailed both above and below);
- (c) Ensuring access to all basic needs as outlined above;
- (d) facilitating access to City-run spaces as needed (recreation and community centres, bathrooms, community gardens, storage lockers);
- (e) providing incentives and support for relevant businesses and services to open their doors to allow people to use the space and/or access services for the space (eg. laundry services, shower services, food available at all the shelters regardless of demographic, locker space/access, etc.).

We are also demanding that the City of Hamilton redirect its focus and resources into securing housing immediately for people who are deprived of housing. These should include, but not be limited to, the following:

- Prioritizing all City Housing units and all social housing units towards current encampment and other unhoused residents with no reference to or prejudice from the VI-SPDAT or other screening tools;
- Expropriating units that are in disrepair or that are condemned in order to be able to make these into safe and dignified housing units (as defined above);
- Remediating industrial land and expropriating old schools or other unused property for housing and storage;
- Providing deeper supports for people, especially aging populations, to ensure that their housing is sustained and that they are not displaced/unhoused;
- Demanding stronger rent control provisions and lower rents from both the provincial and federal governments;
- We also want to see an end to people being bumped to the bottom of a housing list if they say no to a unit that does not suit their needs, whether due to accessibility of the space, changes to family size, disrepair of the unit, or other reasons, in line with Housing First principles.
- Following adoption of this protocol, the City of Hamilton is to conduct ongoing meetings with the People's Roundtable, including HAMSMaRT, Keeping Six, participants of the roundtable and people with lived and living experience of being deprived of housing, to review the above progress of the People's Protocol, obtain feedback re: concerns, and to discuss next steps to secure housing for all;
- Provide a monthly report to City Council and the Public that includes updates re: status of the above and any other housing projects as well as how many of these units have been filled by people who are deprived of housing generally and by encampment residents more specifically.

– END –

Submitted on Fri, 07/07/2023 - 14:16

Submitted by: Anonymous

Submitted values are:

**Committee Requested**

Committee  
General Issues Committee

Will you be delegating in-person or virtually?  
Virtually

Will you be delegating via a pre-recorded video?  
Yes

**Requestor Information**

Requestor Information  
Jordan Nicholson

Preferred Pronoun  
she/her

Reason(s) for delegation request  
Sanitary issue of human waste at and surrounding J.C. Beemer encampment. I am requesting the washrooms be unlocked and a potable toilet be set up outside the washrooms for the hours they are closed.

Will you be requesting funds from the City?  
No

Will you be submitting a formal presentation?  
No

Submitted on Wed, 08/02/2023 - 14:54

Submitted by: Anonymous

Submitted values are:

**Committee Requested**

Committee

General Issues Committee

Will you be delegating in-person or virtually?

In-person

Will you be delegating via a pre-recorded video?

No

**Requestor Information**

Requestor Information

Branden Deschambault

Preferred Pronoun

he/him

Reason(s) for delegation request

14Aug23 GIC to review Modified Proposed Encampment Protocol. To convey the perspective of a property tax payer, parent, and victim of violence by the marginally/unhoused. As soon as the Updated Proposed Encampment Protocol becomes available from the Director of Housing Services office becomes available, I would appreciate if this could be forwarded to inform my delegation/presentation.

Will you be requesting funds from the City?

No

Will you be submitting a formal presentation?

No

Submitted on Tue, 08/08/2023 - 15:36

Submitted by: Anonymous

Submitted values are:

### **Committee Requested**

Committee  
General Issues Committee

Will you be delegating in-person or virtually?

Virtually

Will you be delegating via a pre-recorded video?

No

### **Requestor Information**

Requestor Information  
Marianne McNanny  
BU Harm Reduction

[marianne@buharmreduction.ca](mailto:marianne@buharmreduction.ca)

Preferred Pronoun  
she/her

Reason(s) for delegation request

The topic of sanctioned encampments, the anticipated challenges on both sides ("campers" and City), mitigations for most of those challenges, as well as the "meet people where they are" concept (which is a Harm Reduction model approach) are all areas in which I am well versed.

I am neither for or against sanctioned areas, nor do I hold any hidden agendas. I believe that, just like the last time I spoke at the Emergency & Community Services Committee meeting on Dec. 1, 2022, my input will resonate among many of the members. This is my City, and I wave the flag as well as complain like any other citizen. But this particular issue is upon us due to the course of the horrendous wake of havoc caused by the Covid Pandemic. And there's quite literally no better time to both say and believe, "It takes a village" and this is OUR City, lets get this right.

Will you be requesting funds from the City?

No

Will you be submitting a formal presentation?

No

Submitted on Tue, 08/08/2023 - 21:30

Submitted by: Anonymous

Submitted values are:

### **Committee Requested**

Committee  
General Issues Committee

Will you be delegating in-person or virtually?  
In-person

Will you be delegating via a pre-recorded video?  
No

### **Requestor Information**

Requestor Information  
Jessica Bonilla-Dampney  
Woman Abuse Working Group (WAWG) & Sexual Assault Centre (Hamilton and Area) -  
SACHA

Preferred Pronoun  
she/her

Reason(s) for delegation request  
Speaking in support of Motion from Councillor Nann: "Declaration of Emergency  
Regarding Gender-Based Violence and Intimate Partner Violence in the City of  
Hamilton"

Will you be requesting funds from the City?  
No

Will you be submitting a formal presentation?  
No

Submitted on Tue, 08/08/2023 - 21:56

Submitted by: Anonymous

Submitted values are:

**Committee Requested**

Committee  
General Issues Committee

Will you be delegating in-person or virtually?  
In-person

Will you be delegating via a pre-recorded video?  
No

**Requestor Information**

Requestor Information  
Thea Symonds  
Woman Abuse Working Group

Preferred Pronoun  
she/her

Reason(s) for delegation request

As coordinator of the violence against women coordinating committee for the City of Hamilton, which is the Woman Abuse Working Group (WAWG), I would appreciate time to delegate on the reality of violence against women in Hamilton by sharing WAWG's annual snapshot of gender-based violence statistics and related intersectional information. It is important for our elected officials to be awareness of the reality of this aspect of violence in our community to better support preventative measures and other supports being made and requested.

Will you be requesting funds from the City?  
No

Will you be submitting a formal presentation?  
Yes

Submitted on Wed, 08/09/2023 - 11:01

Submitted by: Anonymous

Submitted values are:

### **Committee Requested**

Committee  
General Issues Committee

Will you be delegating in-person or virtually?  
In-person

Will you be delegating via a pre-recorded video?  
No

### **Requestor Information**

Requestor Information  
Erin Griver  
Inasmuch House, Mission Services of Hamilton, and WAWG (Woman Abuse Working Group)

[egriver@mission-services.com](mailto:egriver@mission-services.com)

Preferred Pronoun  
she/her

Reason(s) for delegation request  
Re  
-Declaring IPV and GBV an epidemic in the City of Hamilton  
-Femicide stats  
-Shelter Turnaways stats  
CKW Inquest and Recommendations

Will you be requesting funds from the City?  
No

Will you be submitting a formal presentation?  
No

Submitted on Thu, 07/27/2023 - 19:48

Submitted by: Anonymous

Submitted values are:

### **Committee Requested**

Committee  
General Issues Committee

Will you be delegating in-person or virtually?  
In-person

Will you be delegating via a pre-recorded video?  
No

### **Requestor Information**

Requestor Information  
Gail Rappolt  
United Nations Association Canada Hamilton Branch

Preferred Pronoun  
she/her

Reason(s) for delegation request

Date Requested: Wednesday September 20, 2023, General Issues

To enlist Councillors in making the public aware of the City Hall Peace Garden, to invite them to attend the International Day of Peace event Sept 21 at noon in the Peace Garden (they will have received formal invitations prior), and to connect the Six Manifesto 2000 Principles to the Hamilton for All Campaign.

UNAC Hamilton Branch has not been to General Issues since before COVID and newer Councillors may not be aware of IDP as an international day or may not know the history or importance of the Peace Garden.

We wish to commend Mayor Horwath agreeing to sign the Mayor's for Peace Pledge on September 21, and re-engaging Hamilton with this International Project and to thank the city staff for their work in completing and installing the Peace Garden Plaque and arranging for its unveiling at the IDP event at noon, September 21.

Will you be requesting funds from the City?  
No

Will you be submitting a formal presentation?  
Yes

Submitted on Thu, 08/03/2023 - 08:56

Submitted by: Anonymous

Submitted values are:

**Committee Requested**

Committee  
General Issues Committee

Will you be delegating in-person or virtually?  
In-person

Will you be delegating via a pre-recorded video?  
No

**Requestor Information**

Requestor Information  
Andrzej Felinczak  
Canadian Polish Congress Hamilton District

Preferred Pronoun  
he/him

Reason(s) for delegation request  
Commemorative Street Naming - Nicolaus Copernicus Way  
Ceremony is planned for September 10, 2023

Will you be requesting funds from the City?  
No

Will you be submitting a formal presentation?  
No

Submitted on Tue, 05/23/2023 - 16:35

Submitted by: Anonymous

Submitted values are:

### **Committee Requested**

Committee  
General Issues Committee

Will you be delegating in-person or virtually?

In-person

Will you be delegating via a pre-recorded video?

No

### **Requestor Information**

Requestor Information  
Paul Vermaat  
White Star Group

Preferred Pronoun

he/him

Reason(s) for delegation request

Reasons for Delegation Request

To submit a formal presentation and discuss matters relating to:

- The Motion brought forth by former Ward 2 Councillor Bratina of September 14, 2010 within Committee of the Whole Report 10-024

"Resolution of Matters Related to Lands in the West Harbour Stadium Precinct"

- The resulting Report LS10017 introduced to Council on October 13, 2010 within Committee of the Whole Report 10-027

- Motion 4.1 (b) from City Council Meeting of October 11, 2011 directing staff to cease expropriations of land at the west harbour site, as was directed by Council on February 24, 2010, by way of Item 2 of Subsection B of Committee of the Whole Report 10-008

- Supreme Court of Canada Ruling of October 21, 2022 as it relates to defacto expropriations/constructive taking where no land is acquired

- The Supreme Court rules that a private land developer can take the regional municipality to court for its plan to expropriate its land.

Will you be requesting funds from the City?

No

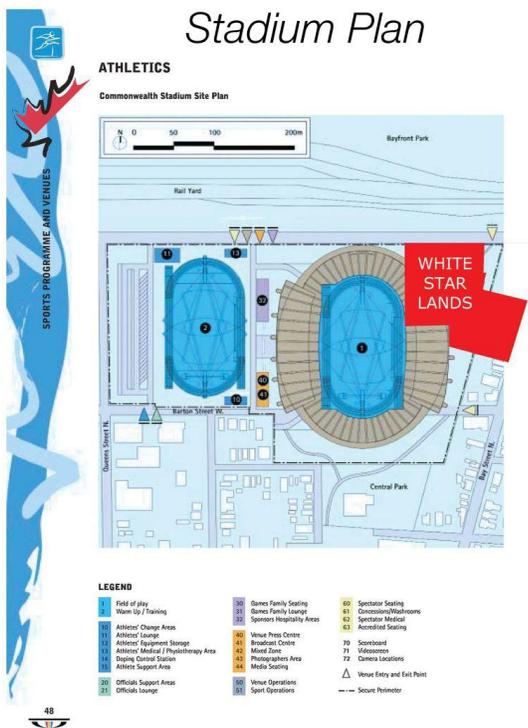
Will you be submitting a formal presentation?

Yes

# LIST OF DOCUMENTS THAT DEMONSTRATES CITY OF HAMILTON'S DE FACTO CONSTRUCTIVE EXPROPRIATION (CONSTRUCTIVE TAKING) OF WHITE STAR LANDS AND BUSINESS

## THREE SEPARATE STADIUM PLANS PURSUED BY CITY OF HAMILTON

2003 | 2005  
*Commonwealth Games  
Stadium Plan*



2010  
*Pan Am Games  
Stadium Plan*



# CITY OF HAMILTON OFFICIAL INTENTION OF BIDDING ON COMMONWEALTH GAMES 2010

CITY WIDE IMPLICATIONS
---------------------------

<b>CITY OF HAMILTON</b>
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*CITY MANAGER'S OFFICE*

<b>Report to:</b> Mayor and Members Committee of the Whole	<b>Submitted by:</b> Robert W. Robertson, Ph. D., AICP, MCIP City Manager
<b>Date:</b> July 19, 2002	<b>Prepared by:</b> Greg Maychak, Supervisor Sport Development, Ext. 2000

**SUBJECT: Commonwealth Games Bid Proposal 2010 Update CM02-004a  
(City Wide)**

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**RECOMMENDATION:**

- (a) That the City of Hamilton confirms its intent to bid to host the 2010 Commonwealth Games through a partnership and joint bid with the Hamilton Spectator;
- (b) That the Mayor on behalf of City Council and The Hamilton Spectator, submit a letter of Intent to Bid for the 2010 Commonwealth Games to Commonwealth Games Canada, by the August 14, 2002 deadline;
- (c) That the Letter of Intent be accompanied by a non-refundable deposit of \$5,000 to be taken out of Capital Account 2050258103;
- (d) That City Council approve the secondment of the Supervisor of Sport Development and Scheduling, Culture and Recreation Division, Community Services Department, to assist with the preparation of the bid; and that the cost for salary and benefits be attributed to the Commonwealth Games Bid budget.
- (e) That City Council receives an updated working budget and a progress report for the domestic bid phase.

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Robert W. Robertson, Ph. D., AICP, MCIP  
City Manager

# CITY OF HAMILTON OFFICIAL INTENTION OF BIDDING ON COMMONWEALTH GAMES 2014

CITY WIDE IMPLICATIONS
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## CITY OF HAMILTON

**PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT**  
*Economic Development Division*

<b>Report to:</b> Mayor and Members Committee of the Whole	<b>Submitted by:</b> Lee Ann Coveyduck General Manager
<b>Date:</b> July 12, 2005	<b>Prepared by:</b> David Adames
<b>File:</b>	(905) 546-2424 Ext. 4132

**SUBJECT: City of Hamilton Support for the 2014 Commonwealth Games Bid (PED05070) (City Wide)**

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### RECOMMENDATION:

- a) That Council authorize a bid for the 2014 Commonwealth Games, including endorsement and support for the domestic bid phase.
- b) That the Mayor, on behalf of Council, submit a letter of intent for the domestic bid phase, to Commonwealth Games Canada by the July 22, 2005 deadline.
- c) That the letter of intent be accompanied by a non-refundable fee of \$5,000, to be paid from the Unallocated Capital Levy Reserve, Account 108020.
- d) That Council approve a domestic bid budget of up to \$400,000 for the domestic bid phase, including providing funding up to \$275,000, and that this amount be funded from the Unallocated Capital Levy Reserve, Account 108020.
- e) That Council assign the City's surplus from the 2010 Commonwealth Games Bid to the domestic bid phase for the 2014 Commonwealth Games.
- f) That staff be directed to establish a 2014 Commonwealth Games Bid Committee, that the City's team be led by Tourism Hamilton, and that Council authorize the bid committee to prepare the bid submission and all necessary work to comply with the bid specifications as presented by Commonwealth Games Canada.
- g) That Council receive a progress report for the domestic bid phase prior to the final bid submission.

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Lee Ann Coveyduck  
General Manager  
Planning and Economic Development Department

# **CITY OF HAMILTON OFFICIAL INTENTION OF BIDDING ON PAN AM GAMES 2015**

**SUBJECT: International Event Opportunities - 2015 Pan Am Games Update  
(CM09006(I) (City Wide) - Page 6 of 25**

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February 25, 2009: Through Report CM09006 "International Event Opportunities – 2015 Pan Am Games Bid Update" City Council approved Hamilton's participation in the bid and Games.

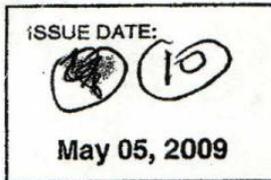
January 12, 2009: Through Report PED08091(b), City Council approved Hamilton's list of sport venues and sites to be investigated to locate the stadium and velodrome as part of the bid process.

November 12, 2008: Through Report PED08091(a), City Council approved the establishment of a Community Advisory Committee and staff secondments to work on the bid.

May 5, 2008: Staff provided City Council with an Information Update to report on activities related to Report PED08091 "International Event Opportunities".

April 7, 2008: Through Report PED08091 "International Event Opportunities", City Council authorized staff to participate in the Pan Am Games bid process.

# HAMILTON CITY SOLICITOR INDICATES CITY ADVANCING STADIUM PLANS TAKES PRECEDENT OVER WHITE STAR DEVELOPMENT PLANS AT OMB



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PL050408

Ontario Municipal Board  
 Commission des affaires municipales de l'Ontario

Harbour West Neighbours Inc., Shawn Selway and North End Neighbours have appealed to the Ontario Municipal Board under subsection 17(24) of the *Planning Act*, R.S.O. 1990, c. P.13, as amended, from a decision of the City of Hamilton to approve Proposed Amendment No. 23 to the (former) Regional Official Plan for the City of Hamilton  
 Approval Authority File No. ROPA No. 23  
 OMB File No. O050065

The TDL Group Corp, the Harbour West Neighbours Inc., the Canadian National Railway, 687224 Ontario Inc. et al. have appealed to the Ontario Municipal Board under subsection 17(24) of the *Planning Act*, R.S.O. 1990, c. P.13, as amended, from a decision of the City of Hamilton to approve Proposed Amendment No. 19C to the Official Plan for the City of Hamilton  
 Approval Authority File No. OPA No. 198  
 OMB File No. O050066

Rheem Canada Ltd., the Harbour West Neighbours Inc., the Canadian National Railway, 687224 Ontario Inc. et al. have appealed to the Ontario Municipal Board under subsection 34(19) of the *Planning Act*, R.S.O. 1990, c. P.13, as amended, against Zoning By-law 05-073 of the City of Hamilton  
 OMB File No. R050077

## APPEARANCES:

### Parties

1255717 Ontario Ltd.  
 City of Hamilton  
 B & M Metal Recycling  
 Canadian National Railway  
 Rheem Canada Ltd.  
 Harbour West Neighbours Inc., Shawn Selway, and North End Neighbours

### Counsel

Anthony Powell  
 Art Zuidema  
 Russell Cheeseman  
 Michael Hackl  
 Michael Bowman  
 Herman Turkstra

**DECISION DELIVERED BY J. de P. SEABORN AND ORDER OF THE BOARD**

1255717 → SETTING SAIL PARTY STATUS  
 ZUIDEMA STATEMENT SET DOCUMENTS

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PL050408

In March 2005 the City of Hamilton (City) enacted certain Official Plan Amendments (OPA 23 & 198) and a Zoning By-law Amendment (By-law) which cover lands in the waterfront area of Hamilton. These instruments, which have the effect of re-zoning these lands from industrial to residential (among other uses), have been appealed by a variety of landowners, all of whom are Parties to the matters before the Board. Since the appeals (known as the Setting Sail appeals) were launched, the Board has convened pre-hearing events and some issues have been resolved. However, there has been no procedural order issued nor has a hearing date been set. The City has been trying to resolve issues with the Parties and intervening initiatives have meant that neither the City, nor the Parties, are ready to proceed to a hearing.

1255717 Ontario Ltd (Applicant) has launched a motion seeking Party status in respect of the Setting Sail appeals. The OPAs and re-zoning are favourable to the Applicant as it proposes to re-develop its lands, currently used as a wrecking yard, to residential uses. The Applicants site-specific project is not before the Board. The City indicated that in order to develop the lands, the Applicant would need additional approvals including at least a site-specific Official Plan amendment, site-specific zoning, and site plan approval. The Applicant previously submitted a zoning application and Official Plan amendment, which have not been processed by the City. The Applicant has not appealed the inaction of the City. Nevertheless, Mr. Powell argued that his client should be added as a party to the appeals launched by neighbouring landowners for the simple reason that his client's lands form part of the lands that are the subject matter of the appeals before the Board. The Applicant has been working with the City. As a result of this alliance, the Applicant has determined it has not been necessary to move ahead and appeal its site-specific instruments. The Applicant does however wish to be included in the current appeals in the hope that the Board will determine within a predictable timeframe, the fate of the OPAs and By-law under appeal.

The City does not object to the Applicant receiving party status. However, Mr. Zuidema explained that in supporting the request, the City is not prepared to move ahead with an early pre-hearing to establish the organization and conduct of the hearing. An intervening issue has arisen. The Province has formed a corporation that is bidding for the 2015 Pan Am Games. In February 2009, the City endorsed a proposal to invest toward a stadium and a velodrome, with the preferred site in the West Harbour Precinct lands, covered by the Setting Sail appeals. It will not be known until November

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PL050408

2009 whether the bid is successful. Accordingly, Mr. Zuidema's instructions are to support the Applicant's request for party status, but delay any further pre-hearing until a decision concerning the location of facilities in Hamilton for the 2015 Pan Am Games has been made. That decision will materially affect the appeals that are before the Board and it makes little sense to move ahead with the Setting Sail appeals while the decision in respect of the Pan Am Games remains outstanding.

Mr. Turkstra's clients support the City in its quest to have the lands re-zoned for residential development and accordingly the request for party status was not opposed. However, concern was expressed that only one hearing should be convened and Mr. Turkstra would therefore oppose any attempt by Mr. Powell's client, having received party status, to have an early hearing in respect of its application. This would result in a duplicity of proceedings. Mr. Bowman argued that while his client, Rheem Canada, did not oppose party status, it should only be granted on the condition that there be no separate or early hearing. Mr. Bowman submitted that Mr. Powell should be required to appeal his site-specific applications, rather than seek to intervene in these proceedings. Mr. Bowman indicated that there is no evidence that the Applicant's project is consistent with the goals of the City. Similarly, Mr. Hackl, who represents Canadian National Railway (CN), is concerned about the prospect of more than one hearing on essentially the same issues. The issues involved at any hearing will be complex given the proximity of CN lands to the sites owned by the various appellants, requiring sophisticated expert evidence. Mr. Hackl also submitted that there was no planning evidence (merely a statement by Mr. Powell's client in the affidavit) before the Board upon which it could rely to conclude that the Applicant's project is indeed suited to the site and consistent with the City's vision for the area generally. Accordingly, while not opposing the request for party status *per se*, Mr. Hackl's submission was that such status should only be granted if it is made conditional on the Board determining that the Applicant cannot, subsequent to obtaining that status, be afforded a separate hearing. Mr. Hackl was candid that if Mr. Powell instead appealed the City's refusal to address the site-specific applications, CN likely would want that appeal heard with or following these proceedings. Again, the goal is to avoid two hearings covering largely the same issues.

Mr. Cheeseman was opposed to the Motion. In his submission, nothing can be gained by granting party status, as the issues surrounding the City's secondary plan

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PL050408

must be determined in any event prior to any consideration of site-specific applications. With the exception of Mr. Bowman's clients, all of the Appellants are appealing the secondary plan and the issue for the hearing will concentrate on the City's vision for the waterfront area. Mr. Cheeseman's clients take the position that the vision should not include residential. Mr. Powell's client is aligned with the City and therefore there is no reason, at this late date, to add the Applicant whose interest is site specific to these proceedings. The City will protect its vision and there is nothing Mr. Powell can add.

Other than Mr. Cheeseman's client, there is no opposition to the Applicant being made a party to these proceedings. The Applicant is a landowner that is affected by the Setting Sail appeals and has an interest in the outcome of these appeals. In this regard, the Board rejects Mr. Cheeseman's contention that the Applicant is not a proper party. While the Applicant may be aligned with the City and support its vision, that support should not bar the Applicant from party status. The decision of the Board is to grant party status on the basis proposed by the City, which is a sensible resolution. Party status is not conditional. It would be premature for the Board to make any finding or ruling on how the hearing will proceed in the absence of a substantive pre-hearing conference, the purpose of which will be to delineate the issue for the hearing. Accordingly, it is not appropriate for the Board to impose a formal condition to the party status granted to the Applicant. The Applicant is a landowner affected by the Setting Sail appeals and on this basis alone, party status is proper. However, the submissions of Counsel to the effect that more than one hearing should be avoided are accepted as valid concerns and shall be considered by the Board in the context of the way in which any hearing is structured. Separate hearings on the same or similar issues are always to be avoided.

The Motion is allowed and 1255717 Ontario Ltd. is added as a Party. The Board will convene a further pre-hearing conference in December 2009. Counsel should provide convenient dates to Mr. Norris, the planner responsible for the file, by May 31, 2009 and shortly thereafter the Board will provide notice of the pre-hearing to all Parties.

The purpose of the December, 2009 pre-hearing conference will be to establish dates for the conduct and organization of the hearing. The Parties should prepare a list of issues in preparation for the pre-hearing. As a housekeeping matter, Mr. Turkstra requested first, that the Appellants Michael Poworoznyk and John Mattinson be

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PL050408

removed as Parties; and second that the North End Neighbours be added in place of Mr. Mattinson. These amendments were not opposed and are adopted by the Board.

I am seized of the next pre-hearing and will continue to case manage the appeals.

This is the Order of the Board.

"J. de P. Seaborn"

J. de P. SEABORN  
VICE CHAIR

# **SWORN AFFIDAVIT OF CITY OF HAMILTON REAL ESTATE CONSULTANT, DARLENE COLE, CONFIRMING CITY HAD AUTHORIZED EXPROPRIATIONS FOR CITY STADIUM DISTRICT PLAN**

## **TRIBUNALS ONTARIO LOCAL PLANNING APPEAL TRIBUNAL**

**PROCEEDING COMMENCED UNDER** subsection 26(b) of the *Expropriations Act*, R.S.O. 1990, c. E.26, as amended

Claimant:	White Star Group of Companies
Respondent:	City of Hamilton
Subject:	Land Compensation
Property Address/ Description:	271 Bay St. N, 107 Stuart St. & 34-36 Tiffany St.
Municipality:	City of Hamilton
LPAT Case No.:	LC200004
LPAT File No.:	LC200004
LPAT Case Name:	White Star Group of Companies v. Hamilton (City)

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### **AFFIDAVIT OF DARLENE COLE JUNE 18, 2020**

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I, Darlene Cole, of the City of Toronto, make oath and swear as follows:

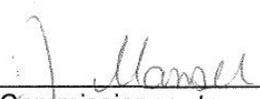
#### ***Qualifications and Experience***

1. I am a Senior Real Estate Consultant in the Real Estate Section of the Planning and Economic Development Department for the City of Hamilton ("City"). I have held this position since 2003.
2. Attached as Exhibit "A" is a copy of my curriculum vitae.
3. By virtue of my position with the City, I have knowledge of these matters.
4. I understand and verily believe that the lands which are the subject of the claimant's claim in this matter are the lands known municipally as 271 Bay Street North, 107 Stuart Street, and 34-36 Tiffany Street, Hamilton (the "Subject Lands"). The Subject Lands are located within the West Harbour precinct of the City.

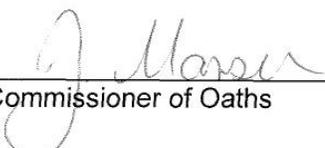
5. On February 24, 2010, City Council directed staff to start the process of acquiring lands necessary to construct a stadium in the West Harbour precinct of the City for the upcoming 2015 Pan Am Games. Where any required lands could not be acquired through negotiations, staff was directed to proceed with expropriation. A copy of the minutes of Council is attached as Exhibit "B".
6. I was actively involved in the subsequent negotiations with property owners, including with the claimant in this matter.
7. On October 11, 2011, City Council directed staff to cease active expropriations of lands for the proposed stadium as the stadium was no longer being pursued. A copy of the minutes of Council is attached as Exhibit "C".
8. The Subject Lands were not acquired by the City through negotiation with the owner, nor were they expropriated (either in whole or in part) during this time.
9. I am not aware of any action by the City to initiate expropriation of the Subject Lands (either in whole or in part) by serving the owner with a notice of intent to expropriate between February 2010 and October 2011 (or since). In fact, no expropriations were ever completed in the West Harbour precinct and all lands owned by the City in that area for the purpose of the proposed stadium were acquired through negotiation and purchase.
10. No construction of the proposed stadium was ever commenced at that time or since.
11. I make this affidavit in support of the City's motion and for no other or improper purpose.

SWORN BEFORE ME at )  
 the City of Hamilton in the )  
 Province of Ontario this )  
 18<sup>th</sup> day of June, 2020 )

  
 \_\_\_\_\_  
 Darlene Cole

  
 \_\_\_\_\_  
 A Commissioner etc.  
 Jillian Claire Manser, a Commissioner, etc.,  
 Province of Ontario, for the City of Hamilton.  
 Expires April 13, 2021.

This is Exhibit "A" referred to in  
the affidavit of Darlene Cole  
sworn before me, this 18<sup>th</sup> day of June, 2020

  
\_\_\_\_\_  
A Commissioner of Oaths

Jillian Claire Manser, a Commissioner, etc.,  
Province of Ontario, for the City of Hamilton.  
Expires April 13, 2021.

**DARLENE COLE, *Senior Real Estate Consultant, City of Hamilton***  
*Tel: 905-546-2424 Ext. 7910*

---

## **WORK HISTORY**

### **Senior Real Estate Consultant, City of Hamilton 2003-2020**

Acquired land, easements, rights of way, and licences in Hamilton for Red Hill Expressway, Pan Am Stadium, Waterdown East/West By-Pass and other public works projects;

Sold land and/or interests to school boards, religious organizations, local development community, utilities, railways, government agencies, investors in Hamilton real estate including local residents.

### **Real Estate Manager, Canadian Highways International Constructors 1994-1998**

Liaison between Ministry of Transportation, Ontario Realty Corporation and Canadian Highways International Constructors, overseeing entire land acquisitions/expropriations process for Hwy. 407 right of way.

Obtained severances/rezoning for estate lots to facilitate relocation of 23 heritage buildings in Vaughan, Markham and Brampton.

### **Project Planner, Proctor & Redfern Consulting Engineers 1989-1994**

Represented Proctor & Redfern Ltd., at public meetings for the Town of Fergus;

Participated in the development of Canada's first Blue Box Waste Collection program for the City of Mississauga;

Participated in the planning of the Victoria County Waste Management Master Plan for waste diversion;

For Pepsi-Cola Canada searched across Canada for suitable aquifers to supply future bottling plants for "new age" product line.

### **Negotiator, Ontario Realty Services, Province of Ontario 1983-1989**

Acquisitions/expropriations across GTA for Parkway Belt West Plan;  
 Acquisitions across the Province to fulfill various Ministerial requirements (Housing, Transportation, Education, Natural Resources, Environment, Attorney General, and Health);

Acquisitions for development of linear facilities (Hydro, GO Transit, OPP, Union Gas, TransCanada Pipe Lines, York-Durham sewer);

**Appraiser, Ontario Realty Services, Province of Ontario 1977-1983**

Prepared valuations for the Province to serve the acquisition and disposition of its Capital Construction and Special Projects portfolio which included real estate in all categories .

Prepared appraisals for Parkway Belt West acquisitions/expropriations;

Carried out realty surveys and made recommendations to senior management for appropriate program uses.

**EMPLOYMENT HISTORY**

2003-2020	City of Hamilton, Senior Real Estate Consultant
1994-1998	Canadian Highways International Constructors, Real Estate Manager
1989-1994	Proctor & Redfern, Project Planner
1983-1989	Province of Ontario, Negotiator
1977-1983	Province of Ontario, Appraiser

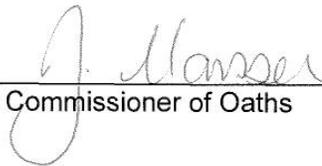
**ACADEMICS**

Appraisal Institute of Canada (1977 – 1980)  
 Urban Land Institute (1989)  
 Real Property Assessment (1995)  
 Institute of Law Clerks (2001 – 2002)  
 International Right of Way Association (2005)  
 Real Estate Institute of Canada (2005)

**PROFESSIONAL MEMBERSHIPS**

Ontario Expropriation Association  
 International Right of Way Association  
 Real Estate Institute of Canada

This is Exhibit "B" referred to in  
the affidavit of Darlene Cole  
sworn before me, this 18<sup>th</sup> day of June, 2020



A Commissioner of Oaths

**Jillian Claire Manser, a Commissioner, etc.,**  
Province of Ontario, for the City of Hamilton.  
Expires April 13, 2021.



## CITY COUNCIL MINUTES

Wednesday, February 24, 2010

7:00 p.m.

Albion Rooms

Hamilton Convention Centre

One Summer's Lane

Hamilton, Ontario

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**Present:** Mayor F. Eisenberger

Councillors B. Bratina, B. Clark, C. Collins, S. Duvall,  
T. Jackson, M. McCarthy, B. McHattie, S. Merulla, B. Morelli,  
D. Mitchell, R. Pasuta, M. Pearson, R. Powers, T. Whitehead

**Absent with Regrets:** Councillor L. Ferguson – Vacation

Mayor Eisenberger called the meeting to order and called upon Reverend Ian McPhee, of Erskine Presbyterian Church, to lead Council in prayer.

<b>APPROVAL OF THE AGENDA</b>
-------------------------------

The Clerk advised of the following changes to the agenda:

**1. ADDED CORRESPONDENCE**

- 5.5 Correspondence from Dwayne Alexander Brown and Sandra Penner, Crown Point Community Planning Team respecting 1429 Main Street East – Homestead Christian Care

Recommendation: Be received

**2. ADDED MINUTES**

- 10.2 Minutes of the February 17, 2010 Closed Session Meeting

City Council

(9)

February 24, 2010

Nays: Bratina, Clark, McCarthy, Mitchell  
Total: 4

Absent: Ferguson  
Total: 1

- (m) That should the West Harbour Plan fail, that the City explore other options as potential sites including the East Harbour Front among others.

Yeas: Eisenberger, Collins, Duvall, Jackson, McHattie, Morelli, Pasuta,  
Pearson, Powers, Whitehead  
Total: 10

Nays: Bratina, Clark, McCarthy, Mitchell, Merulla  
Total: 5

Absent: Ferguson  
Total: 1

**2. International Event Opportunities – 2015 Pan Am Games Update (CM090006(c)) (Item 11.1)**

Item 2 was split for voting purposes and, on a Standing Recorded Vote, CARRIED, as follows:

- (a) That the Real Estate Section of the Economic Development and Real Estate Division be authorized and directed to commence the process of land acquisitions and negotiate and execute interim permission to enter access agreements for environmental testing within the West Harbour precinct pursuant to City Council's approved Real Estate Portfolio Strategy Plan and Council's approved Delegation of Authority for routine real estate matters, based on the following:
- (i) that the budget amount for the total acquisition costs including land access agreements for the lands identified in Appendix "A" as amended, be subject to the financial details and funding outlined in Report CM09006(b) and be funded from Project 3621054100;
  - (ii) that the funding source for the purposes of undertaking environmental audits be charged to Project 3621054100;
  - (iii) that the Director of Energy, Fleet and Facilities be authorized and directed to take all the necessary steps for the demolition of the subject buildings, and that the cost for the demolition and any additional ancillary expenses be charged to Project 3621054100;

City Council

(10)

February 24, 2010

Yeas: Eisenberger, Clark, Collins, Duvall, Jackson, McHattie, Morelli,  
Pasuta, Pearson, Powers, Whitehead

Total: 11

Nays: Bratina, McCarthy, Mitchell, Merulla

Total: 4

Absent: Ferguson

Total: 1

- (b) That In the event that an Option to Purchase can not be reached by all parties pursuant to Clause 3, that appropriate legal counsel be retained, authorized and directed, working with the assistance of appropriate City officials and staff, if available, and the City solicitor to:
- (i) Proceed with the necessary steps to expropriate the necessary lands, as per the mapping contained in Appendix "A" as amended;
  - (ii) Prepare an Application for the Approval to Expropriate by the City of Hamilton for the affected lands to be signed by the City Clerk;
  - (iii) Cause the necessary Notice of Application to be served on the registered owners of the lands affected and for the advertisement of the said Notice of Expropriation to be placed in the local newspaper for three (3) consecutive weeks;
  - (iv) Apply for an Order to dispense of any request for hearing pursuant to the Expropriations Act, chap. E.26, Section 6(3);
  - (v) Forward to the Chief Inquiry Officer any Request for Hearings received and to report to City Council of such information in the event subsection (iv) is not granted;
  - (vi) Introduce the appropriate Expropriation By-law to City Council in the event no requests for Hearing are received;
  - (vii) Direct the Manager of Real Estate, Planning and Economic Development Department to obtain external Appraisals for the affected lands, if and when necessary, to form the basis of compensation to be offered by the City and that the Manager of Real Estate, if and when necessary, be authorized and directed to negotiate compensation with the owner of the expropriated lands on the basis of the appraisal report;
  - (viii) Direct the Surveys/Technical Services Section of the Environment and Sustainable Infrastructure Division to prepare a Plan of Expropriation for registration in the Land registry Office;

City Council

(11)

February 24, 2010

Yeas: Eisenberger, Collins, Clark, Duvall, Jackson, McHattie, Morelli,  
Pasuta, Pearson, Powers, Whitehead

Total: 10

Nays: Bratina, McCarthy, Mitchell, Merulla

Total: 5

Absent: Ferguson

Total: 1

(iv) Apply for an Order to dispense of any request for hearing pursuant to the Expropriations Act, chap. E.26, Section 6(3);

Yeas: Eisenberger, Collins, Duvall, Jackson, McHattie, Morelli, Pasuta,  
Pearson, Powers, Whitehead

Total: 10

Nays: Bratina, Clark, McCarthy, Mitchell, Merulla

Total: 5

Absent: Ferguson

Total: 1

(c) That the Mayor and Clerk be authorized and directed to sign the Certificate of Approval affixed to the Plan of Expropriation and the City Clerk be authorized and directed to affix the Corporate Seal thereto;

Yeas: Eisenberger, Clark, Collins, Duvall, Jackson, McHattie, Morelli,  
Pasuta, Pearson, Powers, Whitehead

Total: 11

Nays: Bratina, McCarthy, Mitchell, Merulla

Total: 4

Absent: Ferguson

Total: 1

(d) That the City Clerk be authorized and directed to sign, and the City Solicitor be authorized and directed to serve, any Notices required by the Expropriations Act and such Notices of Compensation and possession and any other action, as may be required, to obtain and authorize entry and possession of the expropriated lands at the earliest possible date, and to settle compensation before the Land Compensation Board, if necessary, for the City of Hamilton.

Yeas: Eisenberger, Clark, Collins, Duvall, Jackson, McHattie, Morelli,  
Pasuta, Pearson, Powers, Whitehead

City Council

(12)

February 24, 2010

Total: 11

Nays: Bratina, McCarthy, Mitchell, Merulla

Total: 4

Absent: Ferguson

Total: 1

- (e) That the cost of Expropriations be charged to Project 3621054100;

Yeas: Eisenberger, Clark, Collins, Duvall, Jackson, McHattie, Morelli,  
Pasuta, Pearson, Powers, Whitehead

Total: 11

Nays: Bratina, McCarthy, Mitchell, Merulla

Total: 4

Absent: Ferguson

Total: 1

- (f) That Public Works be authorized and directed to undertake the process to assemble and close all necessary road allowances within the West Harbour precinct and, that the cost be charged to Project 3621054100;

Yeas: Eisenberger, Clark, Collins, Duvall, Jackson, McHattie, Morelli,  
Pasuta, Pearson, Powers, Whitehead

Total: 11

Nays: Bratina, McCarthy, Mitchell, Merulla

Total: 4

Absent: Ferguson

Total: 1

- (g) That the Surveys/Technical Services Section of the Environment and Sustainable Infrastructure Division be authorized and directed to undertake all necessary surveys and, that the cost be charged to Project 3621054100;

Yeas: Eisenberger, Clark, Collins, Duvall, Jackson, McHattie, Morelli,  
Pasuta, Pearson, Powers, Whitehead

Total: 11

Nays: Bratina, McCarthy, Mitchell, Merulla

Total: 4

Absent: Ferguson

Total: 1

City Council

(13)

February 24, 2010

- (h) That Gowling, Lafleur Henderson (Gowlings) be retained as outside Counsel to the City and be authorized and directed, working with the assistance of such City officials and staff as may be available and other retained outside consultants, to advise on and obtain environmental and planning approvals for acquiring, environmental testing, preparation and use of the West Harbour lands for the Pan Am Games facilities;

Yeas: Eisenberger, Clark, Collins, Duvall, Jackson, McHattie, Morelli,  
Pasuta, Pearson, Powers, Whitehead  
Total: 11

Nays: Bratina, McCarthy, Mitchell, Merulla  
Total: 4

Absent: Ferguson  
Total: 1

- (i) That Gowlings further be authorized for these purposes, to retain Decommissioning Consulting Services Limited (DCS) to carry out the required environmental site investigations of the West Harbour lands, including City owned streets and property, for the purpose of carrying out a risk assessment and other actions necessary to prepare a Record of Site Condition (RSC) for the lands and file and obtain Ministry of Environment acceptance of the RSC, and to direct and supervise the actions required to environmentally prepare the West Harbour lands for Pan Am facility construction, including demolition of on-site buildings, as outlined in the DCS work plan to be provided by Gowlings to the City Solicitor;

Yeas: Eisenberger, Clark, Collins, Duvall, Jackson, McHattie, Morelli,  
Pasuta, Pearson, Powers, Whitehead  
Total: 11

Nays: Bratina, McCarthy, Mitchell, Merulla  
Total: 4

Absent: Ferguson  
Total: 1

- (j) That the cost of the work carried out under these retainers be charged to Project 3621054100;

Yeas: Eisenberger, Clark, Collins, Duvall, Jackson, McHattie, Morelli,  
Pasuta, Pearson, Powers, Whitehead  
Total: 11

City Council

(14)

February 24, 2010

Nays: Bratina, McCarthy, Mitchell, Merulla  
Total: 4

Absent: Ferguson  
Total: 1

- (k) That the Mayor and Clerk be authorized and directed to execute all necessary documents in a form satisfactory to the City Solicitor;

Yeas: Eisenberger, Clark, Collins, Duvall, Jackson, McHattie, Morelli,  
Pasuta, Pearson, Powers, Whitehead  
Total: 11

Nays: Bratina, McCarthy, Mitchell, Merulla  
Total: 4

Absent: Ferguson  
Total: 1

Information Section (g):

Councillor T. Whitehead to be recorded as being Opposed to moving into Closed Session.

**(Eisenberger/Whitehead)**

That the EIGHTH Report of the Committee of the Whole be adopted, and the information section received.

**CARRIED**

<b>BOARD OF HEALTH REPORT 10-002</b>
--------------------------------------

**(Eisenberger/Whitehead)**

That the SECOND Report of the Board of Health be adopted, and the information section received.

**CARRIED**

**(Merulla/McHattie)**

That the Committee of the Whole rise and report.

**CARRIED**

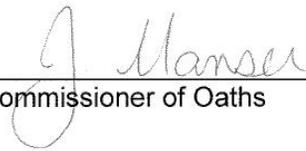
<b>MOTIONS</b>
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**(Mitchell/Pearson)**

That the Rules of Order be waived in order to allow for the introduction of a motion with respect to GO Transit Stations – Preferred Locations.

**CARRIED**

This is Exhibit "C" referred to in  
the affidavit of Darlene Cole  
sworn before me, this 18<sup>th</sup> day of June, 2020



A Commissioner of Oaths

Jillian Claire Manser, a Commissioner, etc.,  
Province of Ontario, for the City of Hamilton.  
Expires April 13, 2021.

<b>APPROVAL OF MINUTES</b>
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None

<b>COMMUNICATIONS</b>
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<b>STANDING COMMITTEE REPORTS</b>
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None

<b>MOTIONS</b>
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**4.1 International Event Opportunities – 2015 Pan Am Games Velodrome Business Plan (CM10005(b)) (City Wide)**

**(Ferguson/McHattie)**

- (a) That Item 1 of Committee of the Whole Report 10-008, approved by Council on February 24, 2010, respecting the location of a Warm up track and Velodrome at the West Harbour site, be rescinded;
- (b) That staff be directed to cease the active expropriations of land at the West Harbour site, as was directed by Council on February 24, 2010 by way of Item 2, subsection (b) of Committee of the Whole Report 10-008;
- (c) That Council:
  - (i) Confirms its participation in the Pan Am Velodrome project;
  - (ii) Selects Mohawk College as the site for the construction of a permanent velodrome and be forwarded to Toronto 2015 and Infrastructure Ontario for inclusion in the RFP process;
  - (iii) Reconfirms the commitment of the \$5 million grant funded from the Hamilton Future Fund;
  - (iv) Approves \$2 million funded from Mohawk College.
- (d) That the City of Hamilton's participation in the Pan Am Velodrome project be conditional on receiving an annual financial commitment from the Pan Am Legacy Fund of at least \$500,000 per year to be used to support ongoing operating, maintenance and capital rehabilitation costs;
- (e) That staff be directed to prepare any and all necessary agreements in a form satisfactory to the City Solicitor and that the Mayor and City Clerk be authorized to sign and execute all such agreements.

The Motion **CARRIED** on the following Standing Recorded Vote:

# **MOTION BY COUNCILLOR BRATINA TO DISCUSS POSSIBLE COMPENSATION FOR DELAYS TO WHITE STAR DUE TO CITY STADIUM PRECINCT EFFORTS**

*Excerpt from page 15 of Report 10-024 to the Committee of the Whole*

(ii) Councillor B. Bratina put forward the following Notice of Motion:

**Resolution of Matters Related to Lands in the West Harbour Stadium Precinct – The White Star Group (New Business – No Copy)**

That staff be directed to review and report back to Council by October 12, 2010 on the resolution of matters related to the lands in the West Harbour stadium precinct owned or controlled by The White Star Group, including possible compensation for losses sustained by the proponent as a result of City actions related to the Setting Sail Plan and the Pan Am Games opportunity.

The rules of order be waived in order to allow for the introduction of a motion respecting Resolution of Matters Related to Lands in the West Harbour Stadium Precinct – The White Star Group.

See Information Item (k) for the disposition of this item.

**Council – September 15, 2010**

**(k) Resolution of Matters Related to Lands in the West Harbour Stadium Precinct – The White Star Group (New Business – No Copy)**

Staff was directed to review and report back to Council by October 12, 2010 on the resolution of matters related to the lands in the West Harbour stadium precinct owned or controlled by The White Star Group, including possible compensation for losses sustained by the proponent as a result of City actions related to the Setting Sail Plan and the Pan Am Games opportunity.

**Council – September 15, 2010**

*Excerpts from Committee of the Whole Report 10-027 Oct. 13, 2010*

**20. Matters Related to Lands in the West Harbour Stadium Precinct – White Star Group (Ward 2) LS10017 (Added Item 11.3)**

(a) That Report LS10017 be received for information.

(b) That Report LS10017 remain confidential and not be publicly released as the content relates to potential land acquisition and litigation, and includes communications and advice of a solicitor and client nature.

**(i) Matters Related to Lands in the West Harbour Stadium Precinct – White Star Group (Ward 2) LS10017 (Requested by COW on September 14, 2010 – OB Item II) (Added Item 11.3)**

**(i) Request from Raquel Rakovac, White Star Auto Wreckers, to address personal issues regarding the Bay and Tiffany lands, unresolved issues. (Added Item 10.5)**

Rachel Rakovac addressed Committee and read from a prepared statement. Her family business is affected by the City's lack of action and she urged the City to resolve the situation.

**(ii) Request from Tony Powell, The White Star Group, to address resolution of the completion of the purchase of lands in the West Harbour (Copies distributed) (Added Item 10.4)**

Mr. Powell indicated that on September 14, 2010, Committee referred the matter to staff. He requested that Council deal with this issue before the new Term.

On a motion (Ferguson/Mitchell) Committee received both delegations.

Mayor Eisenberger relinquished the Chair to Councillor Collins and left the meeting.

# REPORT HIGHLIGHTING THE AGREEMENT TO REZONE LANDS AND PROVIDE ACCESS TO ERASE PROGRAM FOR REMEDIATION OF LANDS

Appendix F to Corporate Administration Committee Report 05-012  
Page 2 of 3

CITY OF HAMILTON  
APPENDIX "A" RESULTS FROM BROWNFIELD INITIATIVES  
AS OF AUGUST 04, 2005

- 0) Failed at Tax Sale - Vested by City with Council Approval required for City Purposes
- 1) Renewal of Uncollectible Accounts through Through Negotiations and Council Approval
- 2) Renewal of Uncollectible Accounts through Tax Sales then Request for Offers and Council Approval

Property Address	Process	Allowance for Doubtful Accounts	Municipal Tax Write-off	Taxes Recovered	Purchasers Required Actions	Result	New Purchasers / Former owners
17) 12 Walnut 18) 18 Walnut	1 Negotiation with new owner using Ontario Reg 138/04 to W.O Taxes. Council approval December 15, 2004	\$ 226,537.12	\$ 59,428.12	\$ 167,109.00	Former Dry cleaner plant. Would have been on the allowance for doubtful accounts for 2005. Suspected contamination from buried tanks which will be removed.	Outstanding taxes recovered. Penalty & Interest, water arrears and BIA charges written off. Property to be Auction House and Artisan studios. Building restored. Will lead to high assessments and taxes.	<b>Marino Rakovac</b> Former owner Langley-Parisian in receivership, property in disrepair. Would have been on 2005 allowance for doubtful accounts.
19-25) Tiffany, Bay & Stuart 7 Properties 32 Tiffany, 107 Stuart, 263 / 269 / 271 / 275 / 279 Bay St. N	1 Negotiation with new owner using Ontario Reg 138/04 to W.O Taxes. Council approval December 15, 2004	\$ 594,625.38	\$ 301,000.00	\$ 293,625.38	7 Properties that make up a scrap yard. Scrap to be removed from site. Multi-townhouse development planned depending on city getting zoning changed. Remediation costs estimated at \$1.5 M. Property has been in limbo since 99 re zoning change since new owners took possession.	Deal pays all of the outstanding taxes in arrears since the early 80's. Scrap Yard is being cleaned up. If zoning gets changed then the soil will be remediated with the assistance of the Brownfield ERASE program and multi res development will take place	<b>Marino Rakovac</b> Former owners Bay Street Auto Wreckers.

Deal pays all of the outstanding taxes in arrears since the early 80's. Scrap Yard is being cleaned up. If zoning gets changed then the soil will be remediated with the assistance of the Brownfield ERASE program and multi res development will take place

## **CORRESPONDENCE HIGHLIGHTING THAT REZONING HASN'T HAPPENED BUT CITY INSISTING THAT THE BUSINESS ON THE PROPERTY REMAIN CLOSED**

**From:** Friday, Larry  
**Sent:** Wednesday, February 15, 2006 2:06 PM  
**To:** Tony Powell  
**Subject:** Tiffany Block concern - Councillor Collins

Councillor Collins who was on the committee who approved the deal to forgive taxes (Penalty and Interest) under the agreement that the scrap cars would be removed, the land cleaned and residential development done, has some concerns as to the site. He is aware that all the cars were removed to which he was quite glad to see but has apparently been advised that more cars are being dumped there. He is also well aware that the OMB hearing as to the zoning change is hampering efforts to re-develop. Please advise if anything has changed as the agreement will be in jeopardy should a scrap dealership continue to be run.

Larry Friday  
Director of Taxation  
Corporate Services Department  
City of Hamilton  
Phone 905 546-2424 ext 2425  
Fax 905 546-2449  
lfriday@hamilton.ca

# CORRESPONDENCE FROM JUDY LAM CONFIRMING DENIAL OF ACCESS TO ERASE PROGRAM

SONORAK - CITY INCLUDES REFUSAL LETTER JUNE 12 2015

2



Planning and Economic Development Department  
Urban Renewal Section  
71 Main Street West, 7<sup>th</sup> Floor, Hamilton ON L8P 4Y5  
Phone: 905-546-2424, Ext. 4178 Fax: 905-546-2693

June 12, 2015

Sonorak Corp.  
756 King Street East  
Hamilton, ON  
L8M 1A5

**Attention: Ms. Raquel Rakovac**

Dear Raquel:

**Re: 257, 259, 263, 269, 271, 275 and 279 Bay Street North (the "Property")**

I wish to acknowledge the receipt of your application, certified cheque in the amount of \$700.00, and the Site Remediation Proposal from Soil-Mat Engineers & Consultants Ltd for the ERASE Redevelopment Grant last week. The application was submitted by Sonorak Corp., as agent on behalf of the registered property owners who are 1255717 Ontario Ltd 1290976 Ontario Ltd., and 1255705 Ontario Ltd.

As discussed in a recent meeting with you, your father Marino Rakovac, and Hazel Milsome from our office, part of the due diligence for all applications is a corporate search as well as a litigation search. The due diligence has been completed and I have been advised that the property owners (1255717 Ontario Ltd, 1290976 Ontario Ltd., and 1255705 Ontario Ltd.) and Marino Rakovac (the sole shareholder of those three companies), are presently in litigation with the City of Hamilton. Therefore, we cannot process the application due to the ongoing litigation and we are returning your application and documentation as well as the certified cheque.

Yours truly,

A handwritten signature in black ink, appearing to be "Judy Lam".

Judy Lam, CPA, CMA, MBA  
Senior Business Development Consultant

Attachments

# EXAMPLE OF CITY REPORT HIGHLIGHTING CHALLENGES OF DEVELOPING BARTON-TIFFANY DUE TO PAST INDUSTRIAL HISTORY

Appendix E to Report CMO9006(f)  
Page 1 of 5

## SUMMARY OF WEST HARBOUR SITE DEVELOPMENT OPTIONS

The proposed development, as originally planned, included construction of a 20,000 seat multi-purpose stadium that is intended to replace Ivor Wynne Stadium, a velodrome, an outdoor warmup running track and associated greenspace, all to be located on a 9.5 ha site bounded by Barton Street West, Bay Street North, Stuart Street and Victoria Street North in Hamilton. The land proposed for the Pan Am Games venue, and now being assembled by the City through purchase or expropriation, is known as the West Harbour Site and comprises five moderately to large sized industrial properties, three of which have been vacated, several small commercial sites including a service station, some 45 residential properties, the majority of which are single family dwellings and three vacant lots. The industrial properties and the service station site have all been determined, as was expected, to exhibit varying degrees of soil and groundwater contamination associated with their past use and with industrial activity on other properties in the general vicinity of the site. Some degree of soil and/or groundwater contamination will also be expected to be encountered on all of the commercial sites and, to a lesser degree, on at least some of the residential properties.

A municipal master plan evaluation for redevelopment of the Hamilton West Harbour Planning Area had previously identified this area for high density private sector residential developments. Site preparation of the lands for construction for this purpose would thus have required full depth, boundary to boundary soil and groundwater cleanup meet MOE Table 3 residential site condition standards (SCS) from *Soil, Ground Water and Sediment Standards for Use Under Section XV.1 of the Environmental Protection Act*, (MOE 2004, as amended under O.Reg. 511/09) to meet generally accepted requirements imposed by most commercial lenders due to concerns relating to the value of the land as security against default. Based on initial estimates of approximately 220,000 m<sup>3</sup> of soil exceeding the applicable SCS, full scale cleanup costs for the site were estimated to be of the order of \$37,000,000, including \$31,000,000 for soil and groundwater cleanup and \$5,000,000 for shoring, in addition to investigation, assessment, engineering design, implementation management, testing and reporting services.

The advent of the Pan Am Games, ushering in a change from a market residential development by the private sector to community recreational use by a public body for the City, has provided the opportunity to consider other significantly less costly alternatives to full scale cleanup based on the use of risk assessment. Risk assessment permits contaminants in soil and groundwater to be left safely in place at concentrations that exceed the applicable generic SCS through the application of risk management measures to reduce exposure by site users. Although risk assessment permits safe use of the site, it does not result in the removal or treatment of contaminants and thus the environmental liabilities associated with the affected soil and groundwater remain. Thus while the utility of the site for its intended use is unimpaired and the cost of site preparation is minimized, the value of the land remains unimproved. Based on the

findings of a preliminary screening level risk assessment conducted using information on site conditions available at the commencement of the site evaluation program, the costs of implementing the risk management measures that would permit safe use of the site as a sports stadium, greenspace area and velodrome will be of the order of \$3,500,000 the majority of which covers the placement of a clean soil/composite protective cap to be carried out as part of the stadium construction. The principal cost saving that arises from the adoption of a risk assessment-based approach is the avoided cost of soil disposal. Little reduction in the overall cost of site preparation, therefore, would accrue if construction of the facility requires the removal of large volumes of contaminated soil.

Since the commencement of the West Harbour Site assessment program, a proposal has been made to relocate the stadium to an alternate site that better suits the interests of the Hamilton Tiger-Cats football team organization. The site suggested for the Stadium, known as the East Mountain Site, is situated on City-owned greenfields lands located at the junction of the Red Hill Valley Parkway and the Lincoln M. Alexander Parkway. The East Mountain proposal specifically excludes the velodrome which would thus either be left at the West Harbour site or relocated elsewhere in Hamilton. If the Stadium, and possibly the velodrome, were to be relocated, the City would have to find some alternative use for the land currently designated for the Pan Am Games track and field facilities in order to realize on its acquisition.

Although in theory any land use can be considered for the site if the owner or developer and the financial institution underwriting the development is prepared to accept the concept of risk assessment and the retention of soil or groundwater contamination at concentrations that exceed applicable generic SCS established by the MOE, in practice, unfortunately, this is not yet the case. Virtually all privately, as opposed to publically, financed residential developments and the vast majority of private commercial developments only proceed when a contaminated property has been, or is to be, cleaned up as part of site preparation by the vendor before sale of the property. A full site cleanup will result, therefore, in either:

- a reduction in the return realized by the vendor, in this case the City, during the transaction or
- an increase in the sale price or lease cost for the final product if the market can accommodate the environmental premium in the cost.

A second approach to site development revolves around soil management and the actual landuse to which all of the lands that make up the entire assembly will ultimately be put. In this soil management approach, the overall site is divided into separate:

- private development blocks for, say market residential purposes and
- public blocks that will be used for parkland, roadway, community/recreation centre and/or school construction purposes.

Any soil that underlies the market development parcels and that exceeds the applicable Generic SCS can then be excavated from the private lands and placed beneath the future public lands (subject to the provisions of a risk assessment with the acquiescence of the City and if an increase in grade across the assembly can be accommodated) at a fraction of the cost of full scale cleanup. This approach can be undertaken with the full concurrence of the Ministry of the Environment and can result in the provision of an acknowledged RSC for the property.

Assuming a decision was to be made not to locate the new stadium at the West Harbour site, using this soils management approach would allow a wide range of landuses to be accommodated, as summarized below.

- A. The most cost effective approach to site development will involve site preparation without the need to excavate soil for remedial or construction purposes, thus avoiding the need for shoring, significant soil or groundwater handling and treatment or offsite disposal. Examples include:
- i) installation of a park across the entire assembled property using a combination of clean fill cover and a composite geomembrane/fill cap to reduce exposure opportunities by receptors to chemical contaminants site. Based on data obtained to date, the majority of the site is underlain by low grade inorganic and petroleum hydrocarbon-based contaminants that pose little exposure risk at the concentrations encountered and that can be safely left in place under a 500 mm to 1.0 m thick clean fill cap. A small portion of the site encountered at the south end of the City-owned Rheem site at 285 Barton St. W. has been affected by coal tar wastes from a former coal gasification plant situated to the south and east of the site and a former roofing materials manufacturing concern situated to the south. Construction of supplementary measures including a composite clean soil and geomembrane or asphalt or concrete cap and possibly a vent stack system to exhaust vapours generated from within the coal tar contaminated zone underlying the south end of the Rheem site should provide all of the necessary protection required. The surface of the site could be raised by using it for the disposition of construction fill from other projects owned by the City;
  - ii) construction of the velodrome already proposed for the site and/or similar single or multi-storey slab-on grade recreational, sports, community or public agency buildings constructed at or above a median graded surface, using a combination of clean fill cover and a composite geomembrane/fill cap in exposed areas of the site, as per option A.i) and clean fill and the building floorslab as the protective cover and possibly a vent stack system to exhaust vapours generated from within the above referenced coal tar contaminated zone should provide all of the necessary protection required. Soil removed for caissons installation or excavated for grade beams and municipal and private utilities would be spread across the subgrade surface of the property before placement of the cover and overlying floor slabs. The surface of the site could be raised by using it for the disposition of construction fill from other projects owned by the City;

- iii) construction of lowrise townhouses or commercial development space on a single basement structure founded at or above a median graded surface, using clean fill and the building floorslab as the protective cover and possibly a vent stack system to exhaust vapours generated from within the above referenced coal tar contaminated zone should provide all of the necessary protection required. The access to the development and ornamental gardens at ground surface would be on a podium deck fronting onto Barton St. W. while garage access would be provided from the north off Stuart Street. At this time, it is considered that such a development would either have to comprise public housing, owned by a municipal or provincial agency or coop or market housing constructed on city-owned land under a long term lease. The surface of the site could be raised by using it for the disposition of construction fill from other projects owned by the City.

**B.** The next most cost effective approach to site development will involve site preparation for buildings that include below grade parking levels or basement space for other purposes, thus requiring soil excavation into underlying contaminated fill zones, soil handling and management and shoring for construction purposes, with building blocks separated by parkland that would be raised to match Barton St. W. using development block derived excavated soil. The amount of subgrade parking associated with the development would be sized to permit a cut and fill balance to be achieved. Extensive soil handling activities would be conducted however, since onsite management is contemplated, no significant offsite waste soil disposal activity would be involved. Examples include:

- i) construction of market residential or commercial high rise towers on multi level parking garages separated by open space to be used for parkland. Selection of the tower sites would be informed by the distribution of contamination across the site, leaving deeper zones of contamination such as that encountered under the south end of the former Rheem property beneath parkland zones. All fill underlying the development blocks that exceeds the applicable Table 3 SCS, and any additional fill required to reach design depth in the excavation, would be removed and placed across the parkland space, which will remain under City ownership, up to a subgrade elevation established by the thickness of the clean fill cover selected. A composite protective cover and possibly a vent stack system to exhaust vapours generated from within the above referenced coal tar contaminated zone may be required in addition to the general fill and clean soil cover to be placed across the parkland. Such a development could comprise market housing sold in fee simple;
- ii) construction of market residential or commercial high rise towers on multi level parking garages separated by open space to be used for parkland as per option B.i), but requiring the excavation of soil for construction purposes only, as opposed to the removal of all fill exceeding applicable SCS. Selection of the tower sites would also be informed by the distribution of contamination across the site, leaving deeper zones of contamination such as that encountered under the

south end of the former Rheem property beneath parkland zones. All fill underlying the development blocks would be removed down to design depth in the excavation, and placed across the parkland space, which will remain under City ownership, up to a subgrade elevation established by the thickness of the clean fill cover selected. A composite protective cover and possibly a vent stack system to exhaust vapours generated from within the above referenced coal tar contaminated zone may be required in addition to the general fill and clean soil cover to be placed across the parkland. The land would be leased on a long term basis to the user and owner of the building.

- C. The least cost effective approach will involve the application of conventional site preparation procedures involving the offsite disposal of any excess soil that exceeds the capacity of such parkland space as may be included in the development.

The decision to relocate the municipally-owned stadium, which can be safely and cost effectively constructed on a brownfield such as the West Harbour area without the need for a comprehensive cleanup, to a greenfield site that would be best reserved for a development that is sensitive to the presence of soil or groundwater contamination at concentrations that exceed applicable generic SCS, whether from a landuse or an economic point of view, is inconsistent with the concept of environmental sustainability.

# CITY SOLICITOR LETTER STATING THAT A REPORT ON ELIGIBILITY AND ACCESS TO ERASE PROGRAM WOULD BE PRODUCED. NO REPORT WAS EVER RECEIVED BY COUNCIL

**From:** Brailsford, Grant [mailto:Grant.Brailsford@hamilton.ca]  
**Sent:** February-09-18 3:56 PM  
**To:** 'Cathy Neal' <CNeal@folkeslaw.ca>; ronefolkes@folkeslaw.ca  
**Cc:** Orgera, Maria <Maria.Orgera@hamilton.ca>; Guest, Anita <Anita.Guest@hamilton.ca>  
**Subject:** RE: Rakovac v. City of Hamilton - various matters

Mr. Folkes,

In anticipation of your client's application under the Erase program, I have recommended to the program administrators that the application not be immediately rejected simply because it does not comply with the policy against extending grants to parties in litigation with the City. I informed the administrators of my intention to bring a report to Council for its consideration and asked that a final decision regarding eligibility be held in abeyance until Council has had an opportunity to consider the issue.

Thank you for confirming that the OMB proceeding regarding severance will be abandoned. Mr. Kovacevic has informed me that the City's consent is not required for the abandonment of the appeal, and I invite you to file the necessary paperwork to formally abandon the appeal on a without costs basis.

In an earlier email, you indicated that Miller Thomson might provide an opinion regarding the applicability of the *Dell* decision to the present circumstances. Do you anticipate that such an opinion might be available shortly so that it can be referred to in my report?

With respect to the timing of the report, the deadline for submission of the report to the Office of City Clerk for the next non-budget General Issues Committee is February 12<sup>th</sup>. The report cannot be submitted prior to that deadline. The next available GIC is March 21st. I anticipate that the report will be considered at the GIC meeting in March.

I understand that Mr. Rakovac spoke with Glen Norton, Director of Economic Development, in the second week of January at which time Mr. Norton advised Mr. Rakovac that he could and should submit an application for ERASE prior to doing the work, in the event that the lawsuit is settled. It would be useful for me to know, for the purposes of the report, which of the various ERASE programs the joint venture intends to apply for. For ease of reference, I have attached the Hamilton ERASE Community Improvement Plan which lists the programs beginning at page 43.

Sincerely,

Grant Brailsford

Lawyer, Legal Services Division

City of Hamilton

Tel: 905-546-2424 ext. 4642

Fax: 905-546-4370

**Finally, some clarity has been determined on situations such as this with the recent Supreme Court of Canada ruling *Annapolis Group Inc v Halifax Regional Municipality* providing direction on the common law of de facto expropriation, or constructive taking.**

**In the ruling, it was found that:**

1. *an “acquisition” does not require an actual acquisition of the property; instead, the interest acquired can flow from the property as well as being an interest in property;*
2. *the “beneficial interest” acquired can be an advantage in respect of the lands; and*
3. *the intention of the government behind the exercise of its regulatory authority may be relevant to determining whether an owner has lost all reasonable uses of its property.*

**This ruling by the Supreme Court of Canada has confirmed in its ruling that a private land developer can take the regional municipality to court for its plan to expropriate its land.**

## SUPREME COURT OF CANADA

The Court	Cases	Judges	Act and Rules	Parties	Media	Visits	Library	Jobs
Home > Cases > Cases in Brief > Case in Brief: Annapolis Group Inc. v. Halifax Regional Municipality								
<b>Cases</b>		<b>Case in Brief</b>						
SCC Case Information		<b>Annapolis Group Inc. v. Halifax Regional Municipality</b>						
Scheduled Hearings								
Archived Webcasts		<b>The Supreme Court rules that a private Halifax land developer can take the regional municipality to court for its plan to expropriate its land.</b>						
Year in Review								
Reasons for Judgments								
<b>Cases in Brief</b>								
Cases in Brief for Community Newspapers								
Judgments in Leave Applications								
Bulletins of Proceedings								
Canada Supreme Court Reports								
Access to Court Records								
Policy for Access to Supreme Court of Canada Court Records								

Submitted on Fri, 06/30/2023 - 14:33

Submitted by: Anonymous

Submitted values are:

### **Committee Requested**

Committee  
General Issues Committee

Will you be delegating in-person or virtually?

In-person

Will you be delegating via a pre-recorded video?

No

### **Requestor Information**

Requestor Information  
Stefan T. Sobolewski  
Taras Bulba Ukraine Support 2022  
[tarasbulba2022@hotmail.com](mailto:tarasbulba2022@hotmail.com)

Preferred Pronoun

he/him

Reason(s) for delegation request

Good afternoon,

My name is Stefan Taras Sobolewski, president of the Taras Bulba Ukraine Support 2022. I would like to request to participate as delegation member for the upcoming July 10th Council Meeting at City Hall.

The purpose of my request is to have the opportunity to speak in front of our Honourable Mayor Horwath and all City of Hamilton council to request financial support towards our upcoming Ukraine humanitarian aid missions.

Previously in 2022, our organization was assisted by City of Hamilton ex-mayor Fred Eisenberger and supported by all councillors for funding of 4 transport aircraft and ground transport costs. Our humanitarian aid missions consist of gathering medical, hygiene, non-perishable food and military non-lethal items to send to Ukrainian civilians and Ukrainian military who are in dire need.

<https://www.cbc.ca/news/canada/hamilton/hamilton-50-000-grant-ukraine-1.6432978>

Will you be requesting funds from the City?

Yes

Will you be submitting a formal presentation?

Yes



## INFORMATION REPORT

<b>TO:</b>	Mayor and Members General Issues Committee
<b>COMMITTEE DATE:</b>	August 14, 2023
<b>SUBJECT/REPORT NO:</b>	Overview of Housing 2023 Reports and Budget Asks (HSC23058) (City Wide)
<b>WARD(S) AFFECTED:</b>	City Wide
<b>PREPARED BY:</b>	Michelle Baird (905) 546-2424 Ext. 4860 Director, Housing Services Division
<b>SUBMITTED BY:</b>	Angie Burden General Manager, Healthy and Safe Communities Department
<b>SIGNATURE:</b>	

### COUNCIL DIRECTION

Not Applicable

### INFORMATION

Housing in Hamilton has become unaffordable for a lot of Hamiltonians and unattainable for many more.

Between June 2020 and June 2023, Hamilton has seen a 69% increase in the number of people experiencing homelessness – including those staying with friends, couch surfing, staying in emergency shelters or with no shelter at all. As of June 2023, the total number of individuals without a home was sitting at 1,732, including 165 people sleeping rough.

There is no singular cause of homelessness and nor is there a single solution. This is not an issue facing Hamilton alone. Homelessness is an issue that's affecting cities across the Canada and beyond. Council's recent declaration of emergencies related to homelessness, mental health and opioid addiction point to an overall crisis that one that is complex and intersects with issues of mental health and additions, income, and other social challenges.

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**SUBJECT: Overview of Housing 2023 Reports and Budget Asks 2024 (HSC23058)  
(City Wide) - Page 2 of 6**

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As the numbers of individuals experiencing homelessness continue to increase, demand is outstripping capacity in the shelter system. Likewise, demand for affordable housing across Canada is outstripping supply as incomes are not keeping pace with the increasing costs of living.

The root cause of homelessness is lack of housing. The City has aimed to investing in new housing units, but the net loss of affordable housing – 16,000 units over the last 10 years - has outstripped the City's ability to replace, let alone increase the overall number of affordable housing units.

Post-pandemic, the City has continued to dramatically increase its investments in addressing visible homelessness, emergency response and housing needs along all four pillars of the Housing Sustainability and Investment Roadmap, including a 70% increase in its housing budget in 2023 alone. Increased investments in services and supports are not sustainable for the City without assistance from upper levels of government.

Looking ahead to how the City will continue to meet housing needs in 2024, the City faces significant financial headwinds, including a \$5M increase in costs in providing current services just due to inflation, \$6.7 M in development charges the City will invest in supporting affordable housing providers for upcoming housing projects, as well as the potential of up to \$6 M to cover cost overruns for Rapid Housing Initiative projects.

Additionally, the City will draw \$22 M from its reserves this year to fund housing-related investments that were made in 2023 after the 2023 budget was approved, leaving reserves near depletion.

Concerning housing and the ability of the City of Hamilton to continue to address the current housing crisis, the 2024 budget will represent some very difficult choices. The City of Hamilton will need to invest in some priorities and not others despite the demonstrated need, given its financial constraints. The City must advocate to other government counterparts to fulfill housing needs that cannot be funded by the municipality alone.

In March 2023, staff brought forward a comprehensive report HSC23021 Ending Chronic Homelessness, which provided an overview of what it will take to end homelessness in the City. City staff followed in April 2023 by presenting the Housing Sustainability and Investment Roadmap that identified four pillars of work and eleven first year priorities. Over the next few months, City staff will be bringing forward a series of reports on these priorities and what investments they believe will be necessary to meet all identified housing needs in the coming year, with the understanding that the City's fiscal capacity will make it unlikely that all those needs can be met without external assistance.

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**SUBJECT: Overview of Housing 2023 Reports and Budget Asks 2024 (HSC23058)  
(City Wide) - Page 3 of 6**

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Some reports will seek to address the symptoms of the housing crisis, homelessness, and aim to provide emergency response to support some of the community's most vulnerable citizens. The remainder will seek to address the root causes of the issue through the four pillars of the Housing Roadmap and focus on helping people to stay in their homes and create new housing opportunities that expand permanent housing options across the City as a whole.

The items related to emergency response (i.e. Winter Response, Encampment Response) will require an in-year decision by Council as the reports come forward. The remainder will be referred to the 2024 budget process, and it is recommended that these recommendations be brought forward collectively for the Council's consideration on a housing-specific budget day for a decision where they can all be discussed in the context of all housing-related supports being asked for and the available budget.

**LIST OF REPORTS COMING FORWARD – FOR DECISION BASED ON HOUSING EMERGENCY**

- **Encampment Protocol Public Engagement and Sanctioned Encampments**  
Encampments are the outcome of the pressures in the homelessness sector combined with the challenges of addictions and mental health and lack of affordable housing. Recognizing that encampments exist in Hamilton this report is not a solution to homelessness but rather recommends a framework to manage encampments while meeting the needs of the housed and unsheltered residents of our city (estimated at \$800,000 in-year investment for 2023). Also, recommend supporting a housing project for Hamilton Alliance of Tiny Shelters (HATS) (estimated at \$0) - August 14 GIC.
- **Addressing the Needs of Unsheltered Individuals and Those Accessing Emergency Shelters** recommends maintaining current, enhanced shelter supports but directing any future investments to more permanent housing supports – a collective cost of approximately (\$7.9M in-year investment for 2023 and \$9.63 M in 2024 and annually thereafter. Note that this report includes recommendations for supportive housing, some costs which we would advocate be funded by other government agencies) - August 14 GIC.
- **Winter Homelessness Response** – Currently limited resources are available to allow unsheltered individuals to find warming areas during inclement weather. This report provides an overview of investments in supports such as overnight drop-ins and warming shelters (estimated at \$2.5 to \$3 M) – September 7 ECS.

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**SUBJECT: Overview of Housing 2023 Reports and Budget Asks 2024 (HSC23058)  
(City Wide) - Page 4 of 6**

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LIST OF REPORTS COMING FORWARD WITH RECOMMENDATIONS REFERRED TO THE 2024 BUDGET:

- **Ending Renovictions and the Tenant Support Program** – Maintaining existing rental units, particularly those with affordable rents, is an integral piece to ensuring further individuals are not experiencing homelessness. These two reports are aimed at supporting tenants with their tenancy and establishes tenant support to assist tenants in understanding their rights (\$1.2 M) and sufficient bylaw resources to protect tenants from being unjustly evicted (\$3 M) – August 17 ECS
- **Supporting Social Housing Providers to Maintain Affordable Housing Units at the End of Mortgage Agreements** provides funding to encourage social housing providers to keep their rental housing units affordable after agreements with the federal government sunset (estimated at \$5.2 M per year over next 4 years) – September 7 ECS.
- **Emergency Shelter Standard Review and Continuous Quality Improvement** established a review in partnership with and led by funded shelter providers (estimated at \$100,000) – September 21 ECS
- **Stability of City Housing Hamilton (CHH) Operations** responds to Council direction to review CHH annual operating budget and make a recommendation regarding increase to base budget to address budgetary deficits and better enables consistent repair of vacant units (\$2.5 M per year) – September 21 ECS.
- **Sustainable Housing Through Rental Subsidies Arrears Supports** aims to provide increased support to low-income individuals to maintain their accommodations (\$2.5 M) – October 19 ECS.
- **Additional Staffing Required to Sufficiently Resources Housing Services Division and Housing Secretariat** – Report will take into consideration an independent review of the City's Housing Services Division as well as staffing needs within the newly created Housing Secretariat and will recommend resources designed to advance the Roadmap and Term of Council priority within these two divisions to prevent any gaps in service to follow (placeholder - \$1.2 M) – October 19 ECS.

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**SUBJECT: Overview of Housing 2023 Reports and Budget Asks 2024 (HSC23058)  
(City Wide) - Page 5 of 6**

<b>Report Timelines</b>		
<b>Meeting Date</b>	<b>Report</b>	<b>In-year or Referral to Budget</b>
<b>GIC August 14, 2023</b>	Encampment Protocol Public Engagement and Sanctioned Encampments	In-year: <ul style="list-style-type: none"> <li>Washroom and Shower Access</li> <li>Adequate resourcing of a) Protocol Enforcement and b) Waste and Debris Removal</li> <li>\$800,000 total</li> </ul> Remainder referral to 2024 budget process
	Addressing the Needs of Unsheltered Individuals and Those Accessing Emergency Shelters	In-year: <ul style="list-style-type: none"> <li>30 rooms hotel overflow for families (4.1M)</li> <li>24 units Supportive Housing for individuals directly from encampments (\$300,000)</li> <li>Grant to enable construction on Acorn Flats to build 24 units for families (\$2.3M)</li> </ul> Remainder referral to 2024 budget process
<b>ECS August 17, 2023</b>	Ending Renovictions and the Tenant Support Program	<ul style="list-style-type: none"> <li>Referral to 2024 Budget</li> </ul>
<b>ECS September 7, 2023</b>	Supporting Social Housing Providers to Maintain Affordable Housing Units at the End of Mortgage Agreements	<ul style="list-style-type: none"> <li>Referral to 2024 Budget</li> </ul>
	Winter Homelessness Response	In-year <ul style="list-style-type: none"> <li>\$876,000 for overnight drop in warming</li> </ul>
<b>ECS September 21, 2023</b>	Emergency Shelter Standard Review and Continuous Quality Improvement	<ul style="list-style-type: none"> <li>Referral to 2024 Budget</li> </ul>
	Stability of City Housing Hamilton (CHH) Operations	<ul style="list-style-type: none"> <li>Referral to 2024 Budget</li> </ul>
<b>ECS October 19, 2023</b>	Additional Staffing Required to Sufficiently Resources Housing Services Division and Housing Secretariat	<ul style="list-style-type: none"> <li>Referral to 2024 Budget</li> </ul>
	Sustainable Housing Through Rental Subsidies Arrears Supports	<ul style="list-style-type: none"> <li>Referral to 2024 Budget</li> </ul>

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**SUBJECT: Overview of Housing 2023 Reports and Budget Asks 2024 (HSC23058)  
(City Wide) - Page 6 of 6**

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**APPENDICES AND SCHEDULES ATTACHED**

Not Applicable



# OVERVIEW OF HOUSING SERVICES 2023 REPORTS AND BUDGET ASKS 2024 (HSC23058) (CITY WIDE)

General Issues Committee  
August 14, 2023

# Our Context: Hamilton's Housing Crisis



69% ↑

As of June 2023, 1723 individuals were known to have connected with the homeless-serving system in the three months prior, a 69% Increase in people experiencing homelessness between June 2020 and June 2023



16k ↓

Net loss of 16,000 naturally occurring affordable housing units over the last 10 years



Incomes not keeping pace with rising costs of living

# Our Context: Hamilton's Housing Crisis

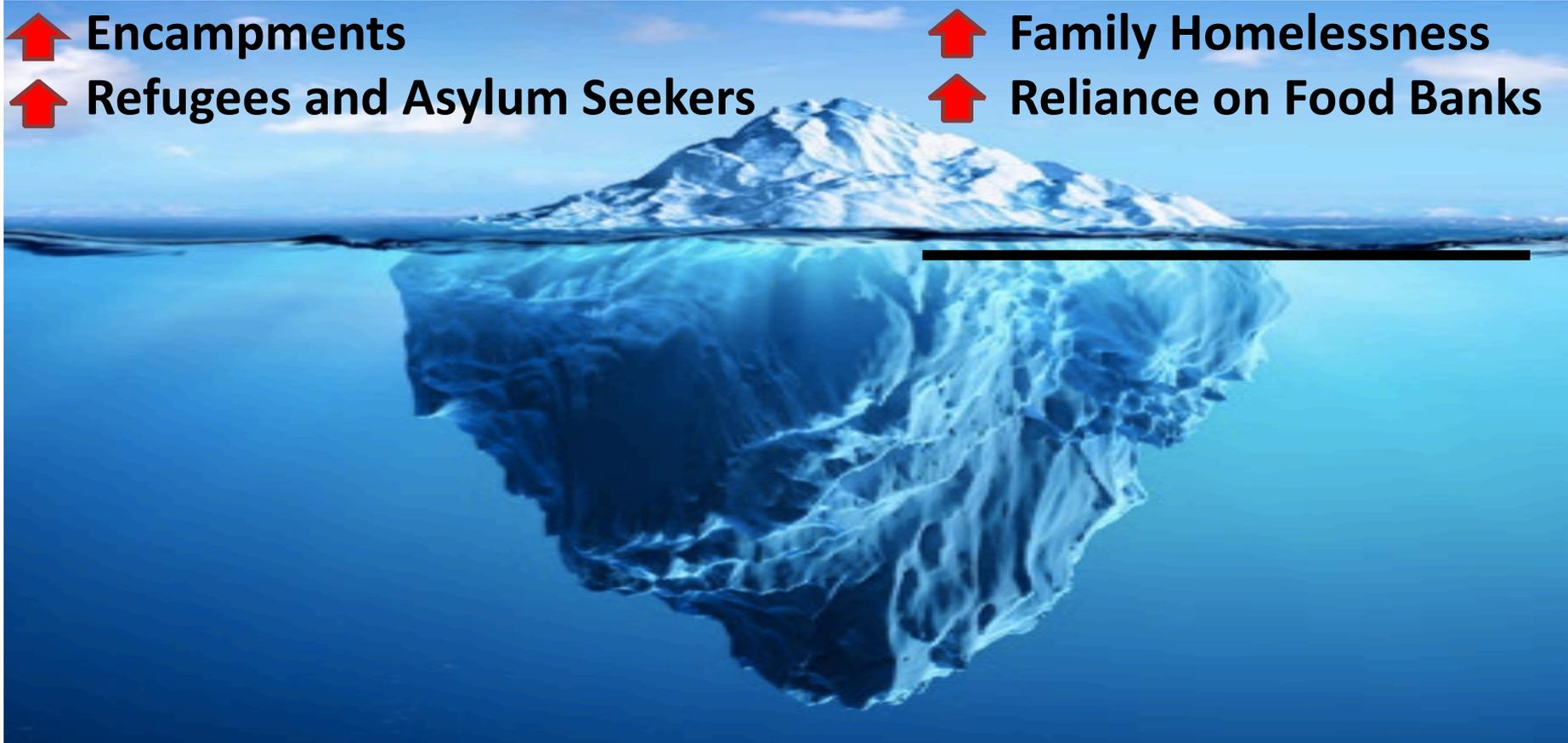
## What We See:

↑ Encampments

↑ Refugees and Asylum Seekers

↑ Family Homelessness

↑ Reliance on Food Banks



# Our Context: Hamilton's Housing Crisis

## Below the Surface:

- 
- An image of an iceberg floating in the ocean. The tip of the iceberg is visible above the water surface, while the much larger, jagged base is submerged below. This visual metaphor represents the visible symptoms of a housing crisis versus the underlying, more complex and larger issues.
- High Interest Rates
  - Inflation
  - Incomes not keeping pace with Rental costs
  - Frozen Social Assistance Rates
  - Struggle to pay rent/mortgage/utilities
  - Inability to move from rental to home ownership
  - Downloading costs to municipal govt

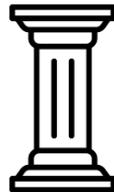
# Our Response: Addressing all Four Pillars and Continued Emergency Response

## Housing Roadmap

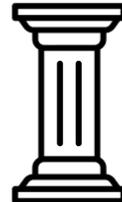


**Housing &  
Homelessness  
Emergency  
Response**

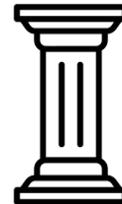
**Build  
New**



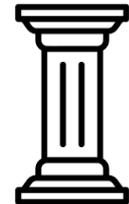
**Acquire**



**Preserve  
Existing**



**Provide  
Supports**



# Municipal Investment to Meet Housing Needs

- In 2023, there was a 70% increase in the Housing Services Division's budget over 2022.
- An additional 22M was approved in 2023, to be funded by reserves this year
- For 2024,
  - \$5M additional required to maintain current services as a result of inflation
  - Development charges of \$6.7M and up to \$6M for Rapid Housing Initiative Cost overruns

# Addressing the Four Pillars and Emergency Response

- Reports coming forward from the Ending Chronic Homelessness (March 2023) and Housing Sustainability Investment Roadmap (April 2023) recommend significant additional investments
- It will not be feasible to fund all recommendations
- Key In-year Asks; Remainder Referred to 2024 Budget process – Housing Specific Budget Day
- Provincial/Federal government partnerships Critical

## In-Year Asks

<b>Meeting Date</b>	<b>Report</b>
August 14 (GIC)	Encampment Protocol Public Engagement and Sanctioned Encampments
	Addressing the Needs of Unsheltered Individuals and Those Accessing Emergency Shelters
August 17 (ECS)	Tenant Support Program
September 7 (ECS)	Winter Homelessness Response

## 2024 Budget Referral:

Meeting Date	Report
August 17	Ending Renovictions and the Tenant Support Program
September 7	Supporting Social Housing Providers to Maintain Affordable Housing Units at the End of Mortgage Agreements
September 21	Emergency Shelter Standards Review and Continuous Quality Improvement
	Stability of City Housing Hamilton Operations
October 19	Housing Services Division and Secretariat Resources
	Sustainable Housing Through Rental Subsidies Arrears Supports



Hamilton

THANK YOU



**CITY OF HAMILTON**  
**HEALTHY AND SAFE COMMUNITIES DEPARTMENT**  
**Housing Services Division**

REVISED

<b>TO:</b>	Mayor and Members General Issues Committee
<b>COMMITTEE DATE:</b>	August 14, 2023
<b>SUBJECT/REPORT NO:</b>	Public Feedback and Recommendations for an Encampment Protocol and Sanctioned Sites (HSC20036(g))
<b>WARD(S) AFFECTED:</b>	City Wide
<b>PREPARED BY:</b>	Mike Jones (905) 546-2424 Ext. 3824 Danielle Blake (905) 546-2424 Ext. 3731
<b>SUBMITTED BY:</b>	Michelle Baird Director, Housing Services Division Healthy and Safe Communities Department
<b>SIGNATURE:</b>	<i>Michelle Baird</i>
<b>SUBMITTED BY:</b>	Angie Burden General Manger Healthy and Safe Communities Department
<b>SIGNATURE:</b>	<i>A. Burden</i>

**RECOMMENDATIONS**

- (a) That Council adopt the Proposed Encampment Protocol attached as Appendix “A” to Report HSC20036(g), and that staff be directed to implement and enforce the Proposed Encampment Protocol;
- (b) That Public Works be authorized to provide security to ensure access to washroom and/or shower services to support individuals who are unsheltered, including two existing all-year outdoor washroom facilities with 24-hour security and two existing all-year recreation centres with 12-hour security;
- (i) at a cost of \$576,240, for the period of September 1, 2023 to March 31, 2024 to be funded from the Tax Stabilization Reserve (#110046)
- (ii) and that the cost of \$987,840 to operationalize this as a permanent program in 2024 be referred to the 2024 Tax Budget process;

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- (c) That in order for Planning and Economic Development, Municipal By-Law Enforcement to support enforcement of the Protocol based on the existing Monday to Friday level of service, and a four-day response time, Council approve;
- (i) the creation of a 1FTE Supervisor of Municipal By-law Enforcement for the period September 1, 2023 to March 31, 2024, at a cost of \$86,120 to be funded from the Tax Stabilization Reserve (#110046),
  - (ii) and that the approval of one FTE at an annualized cost of \$147,650 be referred to the 2024 Tax Budget process.
  - (iii) that the purchase of a vehicle at a cost of \$35,000, and an annual operating impact of \$9,000 be referred to the 2024 Tax Budget process
- (d) That staff be directed to provide an enhanced service level to allow the Public Works, Parks Section staff to respond to requests for clean-up and maintenance in alignment with the service levels outlined in the Proposed Encampment Protocol and that Council approve;
- (i) the creation of one FTE Parks Lead Hand and two FTE Parks Operators and that the cost of \$93,000 for this enhanced service level be funded from the Tax Stabilization Reserve (#110046) for the period of September 1, 2023 to March 31, 2024;
  - (ii) The leasing of vehicles and equipment for the period of September 1, 2023 to March 31, 2024 at an estimated cost of \$50,000, be funded from the Tax Stabilization Reserve (#110046);
  - (iii) the operating cost of \$278,400 to annualize this enhanced service level, includes \$245,000 for the approval of three FTEs, and \$33,400 for the annualized operating cost of the vehicles in recommendation d)iv) be referred to the 2024 Tax Budget process;
  - (iv) the Capital Costs of \$220,000 for equipment and vehicles to be referred to the 2024 Tax Budget process.
- e) That the General Manager of the Healthy and Safe Communities Department ,or designate, be authorized and directed, on behalf of the City of Hamilton, to enter into, execute and administer all agreements and documents necessary to hire the equivalent and two seconded peer Support Workers, at an approximate annual cost of \$61,500 each (total for two FTEs \$123,000) on terms and conditions satisfactory to the General Manager of the Healthy and Safe Communities Department, or designate, and in a form satisfactory to the City

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Solicitor and that the funding for these positions be referred to the 2024 Tax Operating Budget;

- (f) That upon the adoption of the Encampment Protocol, Housing Focused Street Outreach collaborate with key stakeholders to develop a liaison committee to ensure that individuals with lived/living experience of encampments, frontline operators, and staff are all meaningfully engaged in providing input into Hamilton's encampment response. Staff will collaborate with key stakeholders including Keeping Six, HAMSMaRT, Hamilton Regional Indian Centre, and Hamilton Encampment Support Network (to help recruit people with lived/living experience for the committee), to develop terms of reference for the committee that identifies goals, scope, and desired outcomes;
- (g) That the General Manager of Healthy and Safe Communities be authorized and directed to enter into the appropriate agreements with the Hamilton Alliance for Tiny Shelters for the operation of a two-year pilot of up to 25 temporary tiny homes on City lands, with appropriate security, services and supports at no cost to the City, subject to the following conditions; and,
  - (i) That the pilot program be located on the site of the parking area on the Strachan Avenue linear park or an alternative site that meets the criteria for the Protocol and is determined appropriate by staff
  - (ii) That all potential residents of the site are selected from the City of Hamilton's By-Name List, as per associated requirements of its Coordinated Access system, with approval from Housing Services Division;
  - (iii) That staff be directed to work with Hamilton Alliance for Tiny Shelters to review operating model and provision of security and services, determine performance metrics and outcomes, including eligibility and entry criteria, gender-specific considerations, Indigenous supports, identification of formalized community partnerships with health and social service sectors, pathways to permanent housing, and a process for evaluating the success of the pilot;
  - (iv) That staff be directed to evaluate program outcomes and that staff include information on the Hamilton Alliance for Tiny Shelters in progress updates to the General Issues Committee as part of future encampment reporting and performance metrics reporting; and
  - (v) That a detailed exit strategy has been created and will be executed should HATS not be able to ensure site safety and/or adequate funding to operate.

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- (vi) That the appropriate General Managers of Public Works, Planning and Economic Development, and 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 respective General Manager or their designate and in a form satisfactory to the City Solicitor.

## **EXECUTIVE SUMMARY**

As Hamilton's housing crisis has increased, so have the numbers of individuals living unsheltered in encampments throughout the City. The issue of encampments is one faced by many municipalities and continues to be a challenge beyond Hamilton. Encampments exist because of complex challenges related to housing affordability and availability, substance use, incomes, and mental health. Housing is a human right. As a municipality we must find a way to respond to the needs of residents living unsheltered in our community while we also work towards permanent housing solutions.

In May 2023 given the significance of the issue for the community, Council directed staff to make the draft Encampment Protocol and issues related to Encampment Response available for public comment. Staff were directed to incorporate public feedback into an amended Protocol for Council's consideration, conduct a jurisdictional scan of sanctioned sites (including site criteria, potential sites and potential operating models), and identify resources required to integrate services and supports for individuals living unsheltered, including access to washrooms and showers, and integration of peer supports and Indigenous supports into the City's encampment response and report back to Council on these items,

Staff received significant feedback from the community on the draft Protocol and the City's response to encampments in June 2023, including 11,943 visitors to the Engage Hamilton website who contributed 15,965 individual comments as well as approximately 2,000 attendees at three in-person community engagement sessions.

Across all engagement forums, there was a strong consensus that respondents did not want tents in parks, and that parkland should continue to be available for public use, especially in wards where there is a lack of parks and greenspace. There was no clear consensus from the public related to adopting sanctioned sites as an approach to encampments. There was consensus that respondents wanted more permanent, housing-focused solutions to address the needs of individuals living unsheltered.

There was limited agreement regarding the Protocol, with some believing it was too lenient and others too restrictive. One area of consensus was that encampments should be further away from schools, day cares centres, playgrounds, pools, waterparks, or any spray pad, as well as from private property lines. To address the public feedback

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provided, the recommended Protocol has been amended to extend the permissible distances from identified areas of concern. With amendments to the Protocol based on feedback from respondents, staff are recommending the adoption of the encampment Protocol as per Appendix "A" of Report HCS20036(g).

As directed by Council, staff completed a jurisdictional scan reviewing sanctioned encampments across North America, as well as their potential operating models. Staff used this scan and advice from staff within Housing Services Division to develop a list of criteria for sanctioned sites and ran scenarios of what locations would meet criteria and might be feasible in a sanctioned site model with services and supports. These scenarios assumed the need for a minimum of six sites to accommodate 150 individuals currently unsheltered in Hamilton, and a capacity of no more than 25 individuals at each site.

Given the costs associated with developing a fully serviced and managed sanctioned encampment site model; no clear mandate from respondents to trial the approach in Hamilton; unclear outcomes regarding pathways into housing; and limited resources being available, staff are not recommending identifying managed sanctioned encampment sites and related resourcing at this time.

However, staff's jurisdictional scan identified the need for a low-barrier alternative to encampments, and as a result staff are recommending implementation of a two-year pilot project led by the Hamilton Alliance for Tiny Shelters (HATS), at no cost to the City, to operationalize a model that will accommodate up to 25 structures where individuals living in encampments can live on a temporary basis. Staff used similar criteria as was used for identifying potential locations for sanctioned sites, as well as HATS criteria that was developed in consultation with community partners and individuals with lived experience, and the recommended Encampment Protocol to identify suitable sites that would work for the model. Strachan Linear Park on Strachan Avenue between Hughson Street and James Street has been identified as a preferred site for HATS for occupancy beginning Q4 2023. Staff will work with HATS to identify measurable outcomes to review the success of the approach, and ensure all prospective residents are selected via the City's By-Name List.

To meet Council direction related to providing access to washroom and showers for individuals living unsheltered, staff is recommending providing washroom and/or shower access via existing washrooms in parks, and at specified recreational centres in areas, both accompanied by security staff to ensure safety. Staff are recommending that two existing washrooms in two city parks be available and staffed 24 hours daily in addition to provision of shower and washroom facilities at two existing recreation facilities for 12 hours daily. Subject to Council approving resources, additional facilities can be added.

To meet Council direction to integrate peer support workers and Indigenous workers within the encampment response, an existing 1.0 FTE outreach worker was converted

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to an Indigenous Outreach worker within existing budget and employed as part of Housing Outreach team through a partnership with the Hamilton Regional Indian Centre Staff are recommending an addition of two (2) FTE peer support workers to the Housing Outreach team, to provide expertise around harm reduction, and support the cleaning of encampment sites, with particular attention to needle debris and other paraphernalia. Peer support workers are individuals with lived experience, in this case experience with homelessness, substance use or mental health, and through their shared experiences are able to provide emotional and practical support to clients making a connection based on their experience. This is different than a Housing Focused Street Outreach worker whose role it is to engage with the individuals to understand their situation and needs in order to connect with services and support their journey to housing. The Outreach worker has specific training and expertise in working with the population and the homelessness serving sector.

There has been a growth in the number of encampments across the city. The increase in encampments often leads to more waste and garbage accumulation in and around these areas. In addition, the increased numbers of encampments means additional by-law officers are needed to address any issues that arise and ensuring compliance with the Protocol.

Council provided direction to staff to transition existing encampment response team resources to the new Protocol and encampment response. Staff have been able to convert one Housing Outreach worker funded in the initial response to an Indigenous Worker, in response to Council direction. The City's current encampment response, as approved by Council through Report HSC20038(e)/PED21188(b), which includes a seven day / week service level response from the City's Housing Outreach Team, will continue to be necessary and will be deployed to implement the recommended protocol. Additionally, new investments are recommended in this report to ensure the current Monday-Friday level of service with a four-day response time and increased resources for waste/garbage removal, as well as to address any new services and supports directed by the Council.

By investing in these additional resources, the goal is to manage the encampments more effectively, ensuring the safety and well-being of both the residents and the surrounding community. The recommended actions aim to strike a balance between providing support and services to those experiencing homelessness while also addressing the concerns of constituents and local authorities regarding the impact of encampments on the area. The goal is to achieve the current Monday-Friday level of service with a four-day response time to handle constituent complaints and effectively implement the recommended protocol.

Respondents in the public consultations were strongly in support of prioritizing garbage removal and management throughout the City, for the health and safety of individuals living in encampments and the broader public.

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Overall, the report recommends the need for additional resources and a coordinated effort to manage encampments effectively and meet the community's needs and demands.

Finally, from a human-rights based approach, to properly address the needs of individuals living in encampments, and consistent with overwhelming feedback from respondents, staff are recommending the prioritization of permanent, affordable supportive housing and other supports to address the needs of individuals living unsheltered. Many of these permanent housing solutions are included in recommendations made in Report HSC23041 Addressing the Needs of Unsheltered Individuals and Emergency Shelter Capacity. This report aims to outline the current pressures in the shelter system and propose immediate and long-term solutions to address the pressures.

**Alternatives for Consideration – Page 22**

**FINANCIAL – STAFFING – LEGAL IMPLICATIONS**

Financial:

In order for the Coordinated Encampment response to implement additional service enhancements from September 1, 2023 through March 31, 2024, staff are requesting an additional \$805K of operating costs to be funded through the Tax Stabilization Reserve, (#110046). A permanent coordinated encampment response is being referred to the 2024 Tax Operating budget with a levy increase of \$1.6M or 0.15%, as well as an additional \$255K of Capital Costs which will be referred to the 2024 Tax Budget.

Please see Table 1 below:

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**TABLE 1**

Division/Section	2023 Council Approved Budget	August 2023 Additions – Recommended Resources	Total Costs
Housing Services Division	Manager of Housing Focused Street Outreach (\$149,000)  Project Manager of Housing-focused Street Outreach (\$102,000)  3.5 FTE Street Outreach Workers (\$216,000) – Added in March to transition Housing Focused Outreach Team from 5 days to 7 days/week	1FTE Street Outreach worker converted to 1FTE Indigenous Worker (cost neutral)  2 FTE Peer support workers, to support harm reduction (\$123,000) (referred to 2024 budget process)	<u>Approved in 2023 Budget:</u> \$467,000  <u>Annual Operating Costs referred to 2024 Budget:</u> \$123,000
Licensing and Bylaw Services	Two Municipal Law Enforcement Officers (\$277,000)	Growth in encampments since February will require additional resources for enforcement of the Protocol at current levels, and a dedicated team with a supervisor:  One Supervisor of Municipal Law Enforcement (\$147,650)  One vehicle (\$35,000)  Vehicle Operating Costs (\$9,000)	<u>Approved in 2023 Budget:</u> \$277,000  <u>Sept 1, 2023 – March 31, 2024 Operating Costs:</u> \$86,120  One-Time Capital referred to 2024 budget: \$35,000  <u>Annual Operating Referred to 2024 Budget:</u> \$156,650

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Public Works	<p>Parks Section Supervisor (\$124,000)</p> <p>Public Works operating budget be increased by \$200,000 annually</p>	<p>Public Works requires additional resources to ensure timely removal of debris and garbage given number of encampments and waste left behind when encampments are relocated</p> <p>One Parks Lead Hand (\$95,000) and two Parks Operators (\$150,000).</p> <p>Leasing of vehicles and equipment Sept. 1, 2023 – March 31, 2024 estimated at \$50,000</p> <p>One-time capital costs for Crew Cab Stake Truck (\$100,000), Skid Steer (\$100,000) and Dump Trailer (\$20,000), plus an additional annual operational cost of \$33,400 for gas, insurance, contribution to reserve and maintenance.</p> <p>Annual Increase in budget to hire security for ensuring individuals who are unsheltered have access to existing washrooms and recreational facilities (\$987,840)</p>	<p><u>Approved in 2023 Budget:</u> \$324,000</p> <p><u>Sept. 1 2023 – March 31 2024</u> <u>Operating Costs:</u> \$719,377</p> <p>One-Time Capital referred to 2024 Budget: \$220,000</p> <p><u>Annual Operating Referred to 2024 budget:</u> \$1,266,240</p>
Hamilton Police Services	Two Encampment Engagement Officers (\$268,646), plus \$30,000 in one-time costs for ancillary equipment	N/A	<u>Approved in 2023 Budget:</u> \$298,646

Summary costs by category in order to understand total costs of in-year, existing approved budget and proposed 2024 referred budget. Please refer to Table 2 below:

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**TABLE 2**

<b>2023 Approved Budget</b>	<b>Operating Costs Referred to 2024 Budget</b>	<b>Total New Budget</b>	<b>Sept 1, 2023 – March 31, 2024</b>	<b>Capital Costs referred to 2024 Budget (one-time)</b>
<b>\$1,366,646</b>	<b>\$1,545,890</b>	<b>\$2,912,536</b>	<b>\$805,497</b>	<b>\$255,000</b>

There is no financial impact based upon staff's understanding of the Tiny Homes requirements as outline in this Council report.

Legal: N/A  
Staffing:

The recommended coordinated encampment response enhancement would require an additional 6.00 FTEs, including 2.00 seconded staff and 4.00 budgeted complement staff:

- Funding for 2.00 additional seconded FTE, Peer Support Workers
- 1.00 FTE Supervisor of Municipal Law Enforcement
- 1.00 FTE Parks Lead Hand
- 2.00 FTE Parks Operators

#### HISTORICAL BACKGROUND

On May 17, 2023, staff provided a Proposed Encampment Protocol (HSC20038(f)/PED21188(c)) to Council. Staff recommended that Council adopt a Proposed Encampment Protocol in the interim, while a period of public comment occurred. Once the period of public comment closed, it was recommended that the City make the necessary changes and provide a final recommended Protocol to Council in August 2023.

Council did not adopt the proposed Encampment Protocol and directed staff to make the Protocol available for public comment until June 30, 2023, and to obtain public comment around the concept of sanctioned sites, conduct a jurisdictional scan on potential operating models, and report back to Council in August 2023. Council also directed staff to incorporate access to services and supports, including washrooms and showers, Peer Supports and Indigenous Workers, into encampment response.

#### POLICY IMPLICATIONS AND LEGISLATED REQUIREMENTS

Not applicable

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**RELEVANT CONSULTATION**

Staff from Healthy and Safe Communities (Housing Services Division, Recreation Division), Planning and Economic Development (Licensing and By-law Services), Public Works (Parks Division), and Corporate Services (Legal, and Finance) were consulted in the preparation of this report. Hamilton Police Services were also consulted.

Housing Focused Street Outreach engaged with the City's Indigenous Relations Office to review its approach to addressing Indigenous involvement in an outreach response model.

Additionally, Housing Focused Street Outreach met with the Program Coordinator at Keeping Six to review the proposed Encampment Protocol to ensure the language contained in the protocol reflected the voice of people with lived/living experience, and Hamilton Alliance for Tiny Shelters to understand program model and approach to operationalization.

**ANALYSIS AND RATIONALE FOR RECOMMENDATION**

Housing is a human right. While the City continues to work toward permanent solutions such as affordable and/or supportive housing, we continue to have individuals experiencing homelessness. Encampments have proliferated within communities across Canada since the beginning of the pandemic, creating challenges as well as new avenues for solutions to chronic homelessness. Various approaches to managing encampments have been identified and established in municipalities across Canada. Notably, a human-rights based approach to managing encampments has set a baseline for interactions between municipalities and individuals residing in encampments, as per principles outlined in a National Protocol for Homeless Encampments in Canada. The City is committed to pursuing deeply affordable supportive housing opportunities, while also pursuing an interim strategy based on a human-rights approach to manage encampments across the city.

From June 7 to June 30, 2023, City staff gathered input from the public through Engage Hamilton, conducted outreach to Ward Councillors offices, and ran three public meetings across the City, facilitated by Lura Consulting.

Additional comments from the public were submitted through other channels such as emailed comments, comments from town halls, and paper survey submissions. In total, the City received 11,943 visitors to the Engage Hamilton website, contributing 15,965 individual comments to the City of Hamilton regarding encampment response in the city. The questionnaire on Engage Hamilton resulted in 7,536 contributions. Approximately 2,000 Hamilton residents attended public meetings.

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**Protocol Feedback**

Overall, there was diversity of response and limited agreement about the draft Protocol. The draft Protocol received 41% approval via the Engage Hamilton questionnaire, which was consistent with the feedback received within the three public forums and other comments and feedback provided. There was no clear consensus regarding the Protocol, as one significant cohort identified the protocol as too enforcement-laden, while another believed it was too permissive, and some preferred an enforcement-led approach, whereas others preferred a housing-led approach.

Several changes were recommended to the Protocol by respondents, including updates to the distances away from specific landmarks or facilities, and more clarity regarding roles and responsibilities of staff, processes, and service levels.

Respondents were clear that they did not want encampments in city parks as they wanted parks to be able to be used and enjoyed for park purposes by individuals and families. At the same time, respondents also recognized the need to identify a place where individuals who are unsheltered could set up temporary shelter, and provided suggestions such as vacant lots, greenspace, underutilized campgrounds, and industrial or commercial lands, as places to host encampments.

There was a strong consensus that the City should identify temporary indoor spaces as an alternative to planned outdoor encampments, suggesting that the City explore using existing vacant or underutilized spaces such as vacant city buildings, vacant schools, and/or vacant underutilized private buildings (i.e. office space, industrial buildings, faith-based buildings). Respondents also identified alternative housing options as alternatives to sanctioned encampments, such as tiny homes, increased shelter beds, and field hospital beds.

A majority of respondents identified encampments as a symptom of several interconnected issues rather than a root cause, and provided several ideas regarding investments or re-allocation of funding toward longer-term solutions, such as mental health and substance use supports (i.e., programs, beds), the creation of new affordable housing to meet the demands of the community, rent and cost of living controls that help ensure affordability of housing and other goods, and a basic income to ensure that everyone is afforded the dignity and opportunity to live a healthy life. They also urged the City to advocate to other levels of government for more resources and develop a strategy to better provide mental health and substance use supports (i.e., treatment programs, rehabilitation, counselling), housing solutions (i.e., supportive housing, affordable housing, licensed rooming houses), and better income support services.

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**Sanctioned Sites Feedback**

The feedback received from respondents regarding sanctioned encampment sites highlights a mix of support and concerns. While 54% of respondents to the Engage Hamilton questionnaire were in favor of such sites, the support was less clear in the public forums, and significant concerns were raised, particularly about the locations of these sites.

One area of common consensus across various feedback modalities was that sanctioned sites should be situated away from parks and residential neighborhoods where children commonly gather. Concerns were raised about the potential impact on homeowners and nearby residents, including safety concerns, property values, residential taxes, and overall affordability.

Despite concerns, those who supported sanctioned encampment sites identified important benefits. One major advantage was the ease of providing services and support to the unsheltered population within these sites. These services included mental health and substance use supports, medical services, counseling services, and access to essential needs like potable water, washroom and shower facilities, garbage removal, and safekeeping of personal belongings.

To address the concerns raised and effectively implement sanctioned encampment sites, careful consideration of the locations is essential. Ensuring that these sites are not located near residential areas and places where children frequently gather can help alleviate the worries of nearby residents. Additionally, engaging in community dialogue and providing clear communication about the planned sites' services and benefits can build support and understanding among all stakeholders.

Overall, the feedback underscores the importance of finding a balanced approach to address homelessness, considering both the needs of the unsheltered population and the concerns of residents. By focusing on providing comprehensive services and support to those in need while respecting the concerns of the broader community, there is potential to find solutions that benefit everyone and foster a sense of compassion and empathy in addressing the issue of homelessness in Hamilton.

**General Feedback**

Based on the public engagement, it is evident that there was a strong consensus to support individuals living in encampments. The goal was to achieve better outcomes by providing access to the services they need, with a particular emphasis on housing, within a safe and healthy environment. This approach aims to address the immediate needs of the unhoused population while also taking into consideration the safety and access to recreation for the broader community.

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Safety emerged as a significant concern across various feedback modalities. Respondents expressed a desire for actions and supports to ensure the safety of both individuals who are unsheltered and the community as a whole. Addressing safety concerns includes measures to protect those living in encampments, creating a sense of security for housed residents, and ensuring visitors to the City of Hamilton feel safe.

To gather and present the feedback accurately, a detailed methodology was utilized during the engagement process. This methodology allowed for comprehensive data collection and analysis, ensuring that the 'what we heard' section in the report encompassed the themes identified through feedback from all engagement sessions and modalities. The inclusion of Appendix “C” provides further transparency and clarity in presenting the findings and conclusions drawn from the public engagement.

### **Encampment Protocol Update**

Following the feedback received through the consultations, staff are recommending a number of modifications to the Encampment Protocol that was originally presented to Council in May 2023 through Report HSC20038(f)/PED21188(c). These amendments seek to reflect some of the commonly raised issues that locations suitable for unsheltered individuals should not be mixed with locations for other uses (e.g. schools, recreational assets, private property).

The Protocol attached as Appendix “A” to this report remains largely the same as the version proposed in May 2023, but the following changes are being recommended to some of the separation distances between encampments and other uses to reflect public feedback:

- Schools and day-care centres (50 metres has been modified to 100 metres).
- Playgrounds, pools, waterparks, or any spray pad (50 metres has been modified to 100 metres).
- Private property line (5 metres has been modified to 10 metres).

A shift from a 50-metre to a 100-metre setback from playgrounds, in particular, does introduce a number of limitations on potential encampment locations, particularly in the downtown and lower city where parks tend to be a smaller size.

Where the Protocol prohibited tents in “any area identified as susceptible to flooding, erosion, slope instability, or other environmental hazards” the amended protocol now includes language added that this clause is only enforceable when it presents a risk to health and safety. While this is not a specific change to the Protocol, for clarity, and consistent with the housing-focused approach, By-law enforcement will only occur in situations related to health and safety concerns or where an encampment, tent, or temporary structure is not in conformity with the Encampment Protocol, and where there

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is an alternative location permitted by the protocol, or where alternative accommodation exists within the City's emergency shelter or housing system.

Additionally, some notable changes, based on public feedback, have been made to the Protocol to ensure greater clarity and ease-of-reading. A detailed review of public feedback regarding the Encampment Protocol was conducted and staff rationale for changes and non-changes to the Protocol, is attached in Appendix "B".

To address direction from Council and to ensure individuals living in encampments are given a reasonable ability to comply with the Protocol, a set of measures has been included in the Protocol to inform residents of nearby compliant sites in the case of any enforcement measures, and to ensure no residents are facing enforcement measures without being made aware of sanctioned and permitted sites where they can go.

An updated Encampment Protocol inclusive of all changes being proposed to Council for adoption is attached as Appendix "A".

**Enforcement**

Staff are recommending that the City's encampment response continue to follow a housing-focused approach. The recommended enforcement process is defined within the Protocol attached as Appendix "A". The City's Licensing and By-law Services Division will dedicate the two officers previously approved by Council through Report HSC20038(f)/PED21188(c) to the City's encampment response, as well, staff are recommending through this report the addition of a Supervisor role. This staffing level will allow staff to maintain the existing Monday to Friday level of service, and a four-day response time.

**Removal of Waste and Debris**

Respondents in the public consultations were strongly in support of prioritizing garbage removal and management throughout the City, for the health and safety of individuals living in encampments and the broader public. As encampments have grown, there is an increased need to ensure sufficient resources for removal of waste and debris. To address updated service levels that ensure ongoing maintenance throughout the City including regular pickups at established encampment sites (not including the sanctioned HATS site), as well as cleaning and maintenance within three days of an encampment being abandoned (with discretion for extenuating circumstances such as inclement weather), additional staffing and equipment is required. An in-house team made up of a Parks Lead Hand and 2 operators who would report to the existing Parks encampment response supervisor is recommended to be able to provide an enhanced clean up response and would be available daily Monday to Friday for cleanup efforts throughout the parks system. In addition to this increase, existing funding would continue to cover the staff costs for overtime and contracted services as required.

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**Jurisdictional Scan of Protocols, Sanctioned Sites, and Operating Models**

While staff are not recommending sanctioned sites at this time, at Council direction, staff reviewed the cities across Canada that have implemented encampment protocols to manage the location of, and expectations of staff when interacting with encampments within a community. The scan included Halifax, Kingston, Toronto, Brantford, Niagara Region, St. Catharines, London, Windsor, Sudbury, Thunder Bay, Winnipeg, Edmonton, Prince George, Vancouver, and Victoria, as well as other smaller municipalities. Additionally, several municipalities across the United States also utilize protocols.

While the content of each protocol contains different goals, processes, and restrictions based upon unique local circumstances, all protocols identify key partners involved in encampment response, roles and responsibilities, areas of the city where camping is not permitted, and a process to manage encampments in non-permitted areas.

Other items contained within protocols include shared principles, process(es) for managing abandoned sites and/or site maintenance and cleaning, and approach to connect individuals to housing alternatives.

**Approaches to Sanctioned Site Encampments**

Jurisdictions across Canada have implemented sanctioned encampments including Victoria, Toronto, Waterloo Region, Fredericton, Halifax and Winnipeg. To increase the breadth of analysis, several jurisdictions in the United States were also included, such as Portland, Chicago, Tacoma, Denver and Oakland. Each of these sites was analyzed to compare approaches to providing overnight accommodations, operating models, and where possible, outcomes.

As part of a jurisdictional scan of sanctioned encampments in North America, operating models include a) sanctioned self-governed low barrier models; b) sanctioned, fully managed low barrier models; c) sanctioned, fully managed medium-high barrier models, and; d) transitional models. For means of comparison, each of the approaches were compared to a supportive housing model, which was also reviewed for cost and effectiveness by staff.

Staff reviewed potential operating models to be utilized within a sanctioned site (for a more comprehensive analysis of operating models, see Appendix "D"). Staff approximated the costs associated with providing this service for approximately 150 individuals who are living unsheltered in encampments (i.e., the City would require six sanctioned sites with a capacity of 25 per site to ensure service was available to every individual presently living within an encampment).

Utilizing benchmarks from other jurisdictions operating similar low barrier models and costing estimates using our local context wherever possible, the costs associated with

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providing this level of service is significant, ranging from \$2.8M and \$8.1M to provide adequate staffing, food, and access to drinking water, washrooms, electricity, lockers and personal belongings safekeeping, and a heating and cooling common area, across six sanctioned sites. A range is provided to address several options available for implementation (i.e., staffing levels, food service). It should also be noted that there are significant risks to operating an under-resourced sanctioned site for individuals who are unsheltered with complex, co-occurring needs, particularly as it relates to adequate staffing.

Given that resources to address housing and homelessness are limited, and significant feedback was provided by respondents for permanent, sustainable options, applying funding to several sanctioned sites would result in significantly fewer funds available to address other acute areas within the housing and homelessness sector, namely transitional housing with supports. Across municipalities, there is little clarity regarding the long-term success of transitioning individuals staying in sanctioned encampments into permanent housing, as funds spent on emergency services often come at the expense of more permanent housing options.

Notably, other jurisdictions (i.e., Kingston and Edmonton) have come to similar conclusions regarding sanctioned encampments sites and have instead proposed new funding towards housing and other indoor shelter alternatives.

For additional jurisdictional scan details, including further analysis of potential operating models and operational principles and recommendations associated with low barrier models within sanctioned encampments, see Appendix “D”.

**Site Criteria**

As mentioned, staff are not recommending sanctioned sites at this time, however, following Council direction, staff used the work of the jurisdictional scan and professional experience to establish the following criteria where a potential sanctioned site might be identified if sanctioned sites were to be implemented:

- sites are immediately available (no current construction/disruption),
- site can be available within 1-2 months without significant site preparation,
- existing washrooms on site,
- access to drinking water and whether it is winterized,
- access to communal hydro connections for personal use,
- ability to provide a sense of privacy,
- readily accessible by service vehicles and emergency vehicles,
- safely accessible by foot,
- access to transit,
- accessible by waste vehicles and storage,
- near to downtown core,

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- able to be compliant with protocol,
- site would not occupy or make unavailable public park space in an area or neighbourhood where park space is in limited supply,
- provides access to shade,
- site would not prevent or preclude special events where major public special events are held, and
- site is near where existing encampments are located.

After applying these criteria to existing park space, several sites were partially or fully able to meet these criteria either immediately or with minimum changes. These sites included Alexander Park, Strachan Avenue Linear Park, Woodlands Park -east side, Confederation Park, Mohawk Sports Park – north side of parking area in unprogrammed space, Turner Park – north of ballpark, and Valley Park – north side. As mentioned, although these sites matched the criteria, and demonstrate where sanctioned sites might be feasible if explored in the future, sanctioned sites are not being recommended by staff at this time. However, it should be noted that The Strachan Avenue Linear Park located between Hughson Street and James Street was identified through this approach and has been identified as the preferred site for HATs and is being recommended for the purpose of identifying a low-barrier alternative model for individuals living within encampments.

**Hamilton Alliance for Tiny Shelters**

Within Hamilton, and in alignment with the jurisdictional scan, there is a need for a low barrier emergency option for individuals who are unsheltered. As such, contingent upon the City providing a site, Hamilton Alliance for Tiny Shelters is prepared to operate a two-year pilot, providing a fully managed site with appropriate services and supports for up to 25 tiny shelters. This is a cost-neutral pilot for the City, as Hamilton Alliance for Tiny Shelters is a community-led initiative and has privately fundraised to support the operation of the site.

The Hamilton Alliance for Tiny Shelters will address an existing gap in the City's current approach to emergency overnight space and will provide a new option for those who have complex, co-occurring needs and are not interested in traditional emergency shelter.

To support Hamilton Alliance for Tiny Shelters in the operationalization of their pilot program, staff are recommending that the pilot program be located on the preferred site of the parking area on the Strachan Avenue linear park, or at an alternative site that meets the criteria for the Protocol and is determined appropriate by staff. In the longer term it is recommended that the Scout House site be considered as a site for Hamilton Alliance for Tiny Shelters and for this to happen changes are required at the property to address safety concerns (e.g. installation of sidewalks, etc.).

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As part of an agreement with Hamilton Alliance for Tiny Shelters to operate the pilot program, prospective individuals residing at the site must be selected via the City's By-Name List, which provides the City with an up-to-date understanding of individuals experiencing homelessness in the community and establishes an individual's suitability for a particular housing. The results from this pilot will be evaluated on an ongoing basis and will inform the City's future encampment response.

**Services and Supports within the Protocol**

Consistent with a human rights-based approach and the National Protocol for Homeless Encampments in Canada, and supported by stakeholders, City staff and the public, Council directed staff to address washrooms, showers, and access to drinking water for individuals who are unsheltered in the community, as well as to integrate Indigenous and peer supports into the Protocol.

a) Access to Washrooms, Showers, and Drinking Water

Staff are recommending provision of washroom access using existing recreation and City Parks facilities by expanding hours of operation and staffing and providing security. Building new washrooms is not recommended given the time and resources required. The cost of building new winterized washroom facilities, is very high and requires significant planning and construction time. The cost for a new single, winterized washroom is between \$1.75M and \$2.25M and requires a minimum of 18-months to implement. Portable showering trailers and self-cleaning showers were investigated but are not being recommended, due to high up-front costs and operating fees, challenges in identifying potential vendors, as well as concerns with ongoing maintenance and repair. The City previously operated port-o-lets during COVID-19 and struggled with maintaining facilities in working order.

To support the implementation of this initiative, Housing Focused Street Outreach have partnered with Recreation Division and City Parks to identify potential sites available to provide services to individuals who are living in encampments. Staff is recommending an upset limit of \$987,840 be provided annually to support individuals who are unsheltered in encampments to access washrooms, drinking water, and showers, in the most suitable locations given patterns of encamped individuals and in alignment with a rights-based approach to encampment response. This will provide the City with the funds to hire 24/7 security (one guard) at 2 outdoor, existing washrooms in parks (\$525,600) and 12-hour security (one guard) at 2 recreation centres (\$262,800), each for 365 days along with the maintenance costs associated with each.

The security guard will be responsible for providing oversight and ensure a harm-reduction focused approach to service delivery. Assigned security staff will receive Naloxone, and additional harm reduction training to support individuals who access the service.

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City staff are also recommending resourcing to ensure that individuals who access showers, both within parks and in community or recreational facilities, be provided with the hygiene supplies and other sundry items necessary to maintain their hygiene. These costs will be managed within existing budget.

Council provided direction to staff to transition existing encampment response team resources to the new Protocol and encampment response. Staff have been able to convert one Housing Outreach worker funded in the initial response to an Indigenous Worker, in response to Council direction. The remaining resources approved by Council in the 2023 budget earlier this year will continue to be required for the response proposed in this report, and additional resources are required due to the growing encampment situation, in order to maintain existing service levels related to removal or garbage and debris, and by-law officer response times and enforcement of the Protocol as well as respond to Council direction related to services and supports

b) Integration of Peer Supports

While it can take considerable time for staff to build trust with individuals living unsheltered, peers can often act as a bridge between staff and those individuals and can also provide specialized expertise because of their uniquely similar experiences. Peers are also integral to overdose prevention. Statistically, peers are the most likely to be first responders to an overdose and should be equipped with the tools and training to engage in effective overdose prevention techniques. Peer workers can provide harm reduction education and training to City staff, frontline staff, and individuals living in encampments, and can also play a role supporting the cleaning of encampment sites, particularly needle debris and other paraphernalia. To formalize this work, peers with lived or living experience of encampments with a focus on harm reduction are being recommended to become part of the City's Housing Focused Street Outreach team.

While both peer support workers and Housing Focused Street Outreach workers play crucial roles in supporting individuals experiencing homelessness, their approaches and focuses differ. Peer support workers leverage their lived experiences to provide a unique form of emotional and practical support, while Housing Focused Street Outreach workers are trained to understand and connect individuals with the necessary resources and services to address their needs. Combining both approaches can lead to more comprehensive and effective support for those facing homelessness and related challenges. The cost to add an additional 2 FTE of a Housing Focused Street Outreach worker is \$60,950 (\$30,475 per FTE). Staff will need to work with individuals with lived/living experience to determine roles and responsibilities at encampments.

c) Integration of Indigenous Supports

To provide expertise in integrating and implementing a culturally appropriate approach, the City has partnered with the Hamilton Regional Indian Centre to fund, within existing

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approved budget one FTE towards an outreach worker that will remain as part of Hamilton Regional Indian Centre's staffing complement as part of its Mobile Street Outreach Van. Hamilton Regional Indian Centre will lead the outreach response their staff are taking to address the needs of Indigenous peoples living in encampments and will bring their expertise as participants in the City's Coordinated Response Team, and proposed committee, which will also include people with lived/living experience, community stakeholders involved in frontline response, and relevant City staff. Adding an Indigenous staff to the City's outreach complement is a first step in an iterative process of establishing culturally appropriate frontline services for people living in encampments.

d) Development of an Encampment Liaison Committee

Upon the adoption of the Encampment Protocol, Housing Focused Street Outreach develop a liaison committee to ensure that individuals with lived/living experience of encampments, frontline operators, and staff are all meaningfully engaged in providing input into Hamilton's encampment response. The table will convene on a regular basis to discuss overall encampment response in the community and discuss approaches to sustain continuous improvement. Staff will collaborate with key stakeholders including Keeping Six, HAMSMaRT, Hamilton Regional Indian Centre, and Hamilton Encampment Support Network (to help recruit people with lived/living experience for the committee), to develop terms of reference for the committee that identifies goals, scope, and desired outcomes. This may include a review process to address issues should concerns arise from individuals living unsheltered, community agencies or housed individuals in the community that the Protocol is not being implemented appropriately.

It is important to note that any changes to the Protocol itself, including the implementation process defined therein, would require a report to Council and Council approval. Furthermore, the committee would not have the authority to direct enforcement or to establish or alter City service levels. Development of this process will also require advisement from the City's Legal department.

**Alignment to Permanent Housing Solutions**

Given the benefits of permanent, appropriate transitional housing with supports, its alignment with a housing first approach, ability to address basic needs, and the cost-effectiveness of housing as a solution, staff are recommending that in lieu of recommending several sanctioned sites throughout the community, that available resources are directed towards permanent supportive housing solutions. Recommendations related to investments that will address the needs of unsheltered individuals are contained within the report "Addressing the Needs of Unsheltered Individuals and Shelter Capacity" on the same August 14, 2023 General Issues Committee meeting agenda.

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**ALTERNATIVES FOR CONSIDERATION**

1. Council could direct staff to identify suitable locations for and implement a sanctioned site model with services and supports. This approach would come with significant financial cost to the City.
2. Council could choose to increase the City's financial investment and expand the number of washrooms staffed throughout the City to meet the needs of those unsheltered in more areas, across a broader geographic distance.

**APPENDICES AND SCHEDULES ATTACHED**

Appendix "A" to Report HSC20036(g): Updated Encampment Protocol

Appendix "B" to Report HSC20036(g): Rationale for Updates to Encampment Protocol

Appendix "C" to Report HSC20036(g): 'What we Heard' Public Consultation Report

Appendix "D" to Report HSC20036(g): Jurisdictional Scan of Sanctioned Sites and Operating Models

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**Encampment Protocol – with Amendments**

**REVISED**

**A) Shared Principles**

When engaging in encampment response, all staff in a frontline capacity will use the same philosophical approach. In all interactions with people who are living unsheltered, staff will engage utilizing a human-centered, housing first, health-focused, rights-based approach. All actions will be guided by a commitment to upholding the human rights and human dignity of all individuals living in encampments, temporary shelters, or tents. Staff will also work to build rapport through mutual respect, effective communication, empathy, and by maintaining transparency around the expectations of individuals living in encampments, temporary shelters, or tents and City staff.

It is vital that all actions taken in the Protocol are grounded in the understanding that housing is a fundamental human need, and that people in our community deserve housing and homelessness responses that are based on intentional planning and good evidence and that have measurable positive impacts and outcomes. Working to provide permanent housing for all is critical and will require an ongoing commitment from the City, community, and other levels of government to find innovative, meaningful solutions.

**B) Complaints and Service Request Information:**

Individuals in the community who encounter an active or abandoned encampment, temporary shelter, or tent, or someone who is living unsheltered, and/or have questions or concerns about an encampment, should contact the Coordinated Response Team led by Housing Focused Street Outreach by email at [unsheltered@hamilton.ca](mailto:unsheltered@hamilton.ca) or by phone at 905-546-2828.

Any contacts made with other internal City divisions or through other City channels regarding encampments, temporary shelters, or tents will also be forwarded to Housing Focused Street Outreach for first response.

**C) Alignment to Housing Resources and Supports**

In establishing a housing-focused approach to interacting with individuals living unsheltered and/or in encampments, all individuals will be given an opportunity to complete a Vulnerability Index – Service Prioritization Decision Assistance Tool (VI-SPDAT)

In the context of individuals living in encampments, temporary shelters, or tents, the Vulnerability Index – Service Prioritization Decision Assistance Tool is a triage tool, with a series of questions asked by Housing Focused Street Outreach staff to individuals who are experiencing homelessness. The assessment tool is used to support conversations where staff learn about an individual’s housing situation, needs, and strengths to help build a plan to achieve stable housing. It is also used to inform additional supports that may be needed and/or help prioritize housing interventions

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within Hamilton’s Homeless-serving System likely to be most beneficial to support an individual’s needs, preferences, and long-term housing outcomes.

There is no requirement for anyone who is living in an encampment, temporary shelter, or tent to complete the Vulnerability Index – Service Prioritization Decision Assistance Tool and it will have no bearing on whether they are able to stay in a particular location or for a specific duration of time. The assessment tool will only be used to help connect individuals experiencing homelessness to housing resources and supports.

**D) Prohibited Areas for Erecting Encampments, Temporary Shelters, or Tents**

In order to provide for the availability of space for temporary shelter in parks, persons without shelter or being homeless will be able to establish an encampment through erecting a temporary shelter for themselves and also be able group together with other such persons’ temporary shelters. However, the encampment or cluster of shelters must not exceed five tents or similar temporary shelters, and there must be at least 50 meters separating the encampment or cluster from other encampments or clusters of shelters. Further, the balancing of public and private interests while allowing for temporary shelter will require encampments or clusters not be located:

1. On or within 100 meters of a school or children daycare centre
2. On or within 100 meters of a playground, pool, waterpark, or any spray pad
3. On or within 50 metres of any lake, beach, pond, watercourse or other body of water, or a dock
4. Within 10 meters of any private property line
5. On or within 50 metres of the Hamilton Alliance for Tiny Shelters model site. For th purpose of this site the full length of the Strachan Linear Park, Bay Street North to Ferguson Street North, will be considered the site.
6. On or within 5 meters of any transit stop or a highway and specifically including a sidewalk, boulevard, or bridge or tunnel being part of such highway
7. On or within 5 meters of any property with an environmental or heritage designation
8. On or within 50 meters of any sports fields, inclusive of but not limited to, skateboard parks, fitness amenities, golf courses, ball diamonds, soccer pitches, tennis courts, or any other sports or multi-use courts, as well as stadiums, dugouts, stages, and bleachers.
9. On any fenced-in, off-leash dog area
10. On any cemetery, including its roads, lanes and paths for travel within the cemetery
11. On any community garden and including any garden shed or greenhouse
12. On any pathway, sidewalk, or parking lot or on or under any bridge, including pedestrian access points to such areas and structures
13. On or within any designated fire route, or the entrance to or exit from a designated fire route, or located so as the block any fire hydrant

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14. On or within any entrance, exit or a doorway to a building or structure, and including, without limiting the generality of the foregoing, an area adjacent to such entrances or exits required in the event of fire or emergency
15. On or within any accessibility entrance or ramp or located in a way that blocks access to such entrances or ramps.
16. On or within any area identified susceptible to flooding, erosion, slope instability, or other environmental hazards that presents a risk to health and safety.
17. Further no temporary shelter or tent will be placed against, or under, or be attached or tied to any building or permanent structure. All shelters or tents must be freestanding.

### **E) Campfire and Barbecue Use**

Section 14 of By-Law 01-219, the Parks By-Law, which regulates campfires and barbecues in City Parks; as well as By-Law No. 02-283, the Open Air Burning By-Law, which regulates open-air burning within the City, shall be complied with and will be enforced.

### **F) Maximum Personal Space Allotment(s)**

The total area for a single tent and all its associated belongings cannot exceed beyond a 3-metre-by-3-metre area, or 9-metres-squared, and the total area for five tents within a cluster cannot exceed beyond a total area of 45-metres-squared. The following chart identifies space limits by number of temporary shelters or tents:

Number of Temporary Shelters/Tents within Encampment Cluster	Maximum Total Space Allotment (metres)
One	9m <sup>2</sup>
Two	18m <sup>2</sup>
Three	27m <sup>2</sup>
Four	36m <sup>2</sup>
Five	45m <sup>2</sup>

Any items located outside of the allotted personal space area will be subject to removal by City staff.

### **G) Encampment Response Processes**

Given that there are several circumstances that require a unique response from the Coordinated Response Team, the following guidelines have been established to direct responses to people living in encampments, and their temporary shelters, or tents:

- A) When an encampment, temporary shelter, or tent is located on public property, and not within a prohibited area, as defined by this Protocol:

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1. Within 72 hours after receiving a complaint or request for service (unless exceptional circumstances exist), Housing Focused Street Outreach staff will engage with the individual(s) living within an encampment, temporary shelter, or tent to better understand their needs and connect them with internal and community supports, including housing-focused case management; referral into the emergency shelter system; referrals to health agencies, social assistance supports, and specialized outreach supports; and any other relevant supports available that would improve an individual’s health and wellbeing.
  2. If no health and safety issues are observed by Housing Focused Street Outreach (see Section J, ‘Health and Safety’ for further detail on specific circumstances or factors), and the encampment, temporary shelter, or tent complies with the prohibitions and locations outlined in this Protocol, individuals will be allowed to maintain and occupy temporary such shelter for the duration of the Protocol, as defined by City Council. Housing Focused Street Outreach will continue to engage with the individual(s) on an ongoing basis to provide supports and referrals as needed and work towards goals in individualized housing plans.
  3. Only if a substantial change in circumstances is observed by Housing Focused Street Outreach in subsequent visits to the encampment, temporary shelter, or tent, such as new significant health or safety issues, will Hamilton Police Services be asked to attend to support any response. Hamilton Police Services will attend encampments within the normal course of responding to emergencies and other policing duties, and Housing Focused Street Outreach and other City partners will work cooperatively with Hamilton Police Services if a concern related to health and safety is identified at an encampment.
  4. Any items or circumstances that are of clear and immediate risk to the individuals living in an encampment or neighbouring encampments or the broader public will result in a call for immediate emergency response. Hamilton Police Service Encampment Engagement Officers will attend the location and conduct a risk assessment when requested and as required.
- B) When an encampment, temporary shelter, or tent is located on public property, within a prohibited area, as defined by this Protocol:
1. Within 72 hours after receiving a complaint or request for service (unless exceptional circumstances exist), Housing Focused Street Outreach staff will engage with individual(s) living within an encampment, temporary shelter, or tent to better understand their needs and connect them with internal and community supports, including housing-focused case management; referral into the emergency shelter system; referrals to health agencies, social assistance

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supports, and specialized outreach supports; and any other relevant supports available that would improve an individual’s health and wellbeing. Housing Focused Street Outreach will have available information about possible suitable and compliant sites and will consider the needs and choices of the individual and collaborate with the individual(s) living within an encampment, temporary shelter, or tent, to identify a more suitable area that meets the conditions noted within this Protocol.

2. If after visiting an encampment, temporary shelter, or tent, Housing Focused Street Outreach staff observe the encampment, temporary shelter, or tent to be in a prohibited area, as defined by this Protocol, they will contact Municipal Law Enforcement to conduct a follow-up assessment.
3. Municipal Law Enforcement Officers will visit the site within four business days and confirm whether the encampment, temporary shelter, or tent is in a prohibited area. If so, Municipal Law Enforcement Officers will notify the individual(s) living at the location via a Notice of Trespass and verbally, if possible, that they are in a prohibited area, and that they will be required to move from the existing location.
4. Municipal Law Enforcement Officers will determine compliance timelines depending on the presenting circumstances, for the issuance of notices or actions to be taken in respect to the encampment, temporary shelter, or tent, within a maximum of 14 total days from the issuance of notice, unless exceptional circumstances exist. For example, if the Municipal Law Enforcement Officers observes a significant health or safety issue for the individual due to placing a shelter on a highway the Municipal Law Enforcement Officers will take more urgent action to require compliance or remediate the concern and may seek Hamilton Police Services support. If there are few or no immediate health, safety, or other concerns due to encampment or its location within a prohibited area, Municipal Law Enforcement Officers will allow for more time, up to a maximum of 14 days, unless exceptional circumstances exist, to engage with the individuals in an encampment, temporary shelter, or tent around supports and next steps.
5. After a Trespass Notice has been served and prior to an area being cleared, Housing Focused Street Outreach’s will continue to engage with individual(s) at the location to identify alternate sheltering options and attempt to address any barriers to shelter or housing, such as lack of identification or item storage.
6. If the duration of time provided by a Trespass Notice expires and individual(s) at the site has not moved voluntarily and are unwilling to move, Municipal Law Enforcement Officers will notify Hamilton Police Services Encampment

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Engagement Officers. Hamilton Police Services will be available to support and assist the Municipal Law Enforcement Officers, operational plan, and/or the individual(s) living at the encampment, temporary shelter, or tent to vacate the prohibited area.

7. Hamilton Police Services Encampment Engagement Officers will interact with individuals in encampments, temporary shelters, or tents at the request of Housing Focused Street Outreach and/or Municipal Law Enforcement, in a supportive capacity. Otherwise, their level of intervention will be dictated by their own internal policies and the circumstances at a given encampment, temporary shelter, or tent site.
  8. Parks staff will coordinate the clean-up, to be completed either by Parks staff, Roads staff, or the contractor, depending on the location, within 72 hours, with discretion for extenuating circumstances such as inclement weather.
- C) When an encampment, temporary shelter, or tent is located on public property, is not located in a prohibited area, but health and safety concerns are identified:
1. If Housing Focused Street Outreach identify or confirm a health or safety issue at an encampment, temporary shelter, or tent, and depending on circumstances, will address or may collaborate with appropriate partners to address the health and safety concerns identified.
  2. If the health and safety concern is considered serious and/or imminent (e.g., exposed electrical wiring, accumulation of discarded needles, use of propane tanks and other combustible materials, possession of weapons) as identified by Housing Focused Street Outreach or Hamilton Police Services Encampment Engagement Officers, Hamilton Police Services will follow appropriate policing responses required in the circumstances. In addition, they will communicate with the Coordinated Response Team and prioritize working with community partners to address any remaining safety concern. These partners may include Hamilton Fire Department, Hamilton Public Health’s Community Points program, Hamilton Parks, or any other parties deemed necessary to address the observed health and safety concerns.
  3. All items determined by Hamilton Police Services and/or partners to be a serious risk to the health and safety of individual(s) living at the encampment, temporary shelter, or tent, as well as the public will be removed at the earliest opportunity.
  4. If the encampment, temporary shelter, or tent is also in an area deemed to be prohibited based upon the provisions identified in Section D of this Protocol, and after health and/or safety issues placing Municipal Law Enforcement Officers at

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risk have been removed, Municipal Law Enforcement Officers will initiate steps 4-9 in Encampment Response Process B – *“If an encampment is located on public property, in a prohibited area.”*

5. If all serious health and/or safety issues have been removed or otherwise corrected, and the encampment, temporary shelter, or tent is not located in a prohibited area as designated in Section D of this Protocol, then the individual(s) will be permitted to remain where they are, in accordance with Encampment Response Process A.

#### **H) Encampments on Private Property**

Encampments, temporary shelters, or tents identified on private property are primarily the responsibility of the property owner. Where the owner has not provided consent, concerns of the owner are within Hamilton Police Services’ jurisdiction and will be subject to ordinary enforcement procedures in accordance with applicable laws.

Hamilton Police Services may seek the assistance of Municipal Law Enforcement Officers as appropriate or required in the circumstances.

Provided the property owner permits, Housing Focused Street Outreach will engage with encampment, temporary shelter, or tent residents to identify alternate sheltering options and attempt to address any barriers to shelter or housing. Additionally, Housing Focused Street Outreach will work with individuals at the encampment, temporary shelter, or tent to provide supports and referrals as needed and work towards goals in individualized housing plans.

#### **I) Process for Designating an Encampment, Temporary Shelter, or Tent as Abandoned**

While Housing Focused Street Outreach is aware of many encampments, temporary shelters, and tents in the community, people living in encampments, temporary shelters, and tents may move to new locations and/or may abandon a previous site without Housing Focused Street Outreach’s or other Coordinated Response Team partners’ knowledge. Given that maintaining one’s possessions while experiencing homelessness is vital to a human-rights based approach, staff will be cautious when deeming a site to be abandoned.

The following process will be followed regarding potentially abandoned sites on public property:

1. If Housing Focused Street Outreach have not interacted with anyone at a particular site and/or there has been observed inactivity for at least three (3) days, they will review the site with the Coordinated Response Team partners at

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the nearest opportunity to confirm there has been no recent activity witnessed at the site.

2. If Coordinated Response Team partners (i.e., Municipal Law Enforcement, Hamilton Police Services, Parks) have not witnessed anyone at the site and/or can confirm that the former inhabitants of the site have moved elsewhere, Housing Focused Street Outreach will place a notice at the site in a conspicuous area informing potential residents that the site is due to be cleaned in three (3) days from the time of the notice being placed.
3. Within the three-day timeline, all reasonable attempts will be made by Housing Focused Street Outreach and/or other Coordinated Response Team partners to ensure that individuals known to be previously staying at a site have been made aware that their former site will be deemed abandoned and cleaned.
4. If no interaction has been made by Housing Focused Street Outreach with the former inhabitants at the site, no attempts have been made by the former inhabitants of the site to contact Housing Focused Street Outreach, and/or no other changes are observed at the site by the end of the allotted time, Housing Focused Street Outreach will provide approval to Parks Section to clean the site.
5. Parks staff will coordinate the clean-up, to be completed either by Parks staff, Roads staff, or the contractor, within 72 hours of approval, with discretion for extenuating circumstances such as inclement weather.

Clean-up and maintenance of encampments, temporary shelters, or tents previously on private property are the responsibility of the property owner.

#### **J) Health and Safety**

Defining specific health and safety issues is difficult and can be based upon several factors unique to a particular site or circumstance. Some examples include, exposed electrical wiring, accumulation of discarded needles, illegal activity, abuse, threats or violence against staff, HPS or other persons, improper use or storage of propane tanks and other flammable materials, and acts involving weapons. Health and safety issues may also be identified via complaints from the public and/or businesses in relation to the encampment, temporary shelter, or tent; for example regarding harassment, vandalism, and/or stolen personal property.

Housing Focused Street Outreach staff will notify Animal Services when a pet is encountered at an encampment site. Housing Focused Street Outreach staff will collaborate with appropriate parties including the pet owner to identify how to best support the pet and pet owner, including implementing strategies to reduce any potential harms to the pet owner, public, City staff and the animal.

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Health and safety concerns existing for those living within or adjacent to an encampment, temporary shelter, or tent will be addressed in a reasonable and timely fashion, in good faith, on a case-by-case basis, prioritizing the seriousness of the concern and recognizing that there is a need to balance the needs of both the individual living in an encampment, temporary shelter, or tent and community members.

In situations where the need to intervene is less acute, the City may consult with additional internal and external partners to determine how to best balance the needs of individuals living encamped and community members.

If at any time City staff encounter someone in medical distress requiring immediate attention, witness violence, or believe violence to be imminent to people living in encampments, temporary shelters, or tents, staff, or community members, they will notify emergency medical, Hamilton Fire Department, or Hamilton Police Services, including members of the Hamilton Police Crisis Response Branch), to have the appropriate services dispatched. Additionally, City staff will leave the site irrespective of all procedures above, if their health and safety is currently being, or at risk of being threatened. To ensure safety of staff, the presence of Hamilton Police Services may be required while visiting the site.

### **K) Reporting**

To provide ongoing accountability and transparency to the City’s encampment response program and the implementation of its encampment protocol, communication with Council and Ward Councillors regarding the Encampment Protocol will be through monthly, ongoing reports to Council and include data and trends, operational updates, and any continuous improvement measures implemented to further efforts toward providing ongoing accountability and transparency to the City’s encampment response program and the implementation of its encampment protocol. Where a Ward Councillor requests information regarding a specific encampment site within their ward, Housing Focused Street Outreach will provide an update as to whether the encampment has been deemed to be within a prohibited area. Reporting on the status of outreach or enforcement activities will be limited to the monthly Council reports.

### **L) Communicating Protocol to Residents of Encampments**

An engagement strategy has been developed to update unsheltered individuals living in encampments about the Protocol as well as to communicate expectations of places within the City where encampments, temporary shelters, or tents can be erected.

The following approaches will be taken to build understanding of the Protocol:

- Housing Focused Street Outreach workers will have an information sheet outlining expectations of the Protocol, to be shared with unsheltered individuals when staff visit an encampment. Additionally, outreach staff will collaborate with individuals to understand their needs and choices in order to

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identify suitable locations (compliant sites) within the City where the individual can set up a temporary shelter or tent.

- Information sheets will also be shared with external frontline service providers who manage drop-ins, emergency shelters, and other related services and programs providers in the community, which can be posted in their locations and also communicated to staff throughout these organizations.
- City partners who also engage in frontline response, i.e., Parks Section and Municipal Law Enforcement, will also be provided information sheets to share with unsheltered individuals within the City, and community partners upon request.
- The City will post the Encampment Protocol and information sheet on the City’s website for public access.

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**Clause-Specific Feedback**

Protocol Item	Public Feedback	Update Status	Rationale
<p>In order to provide for the availability of space for temporary shelter in parks, persons without shelter or being homeless will be able to establish an encampment through erecting a temporary shelter for themselves and also be able group together with other such persons’ temporary shelters. However, the encampment or cluster of shelters must not exceed five tents or similar temporary shelters, and there must be at least 50 meters separating the encampment or cluster from other encampments or clusters of shelters.</p>	<p>Several respondents shared concern with how people experiencing homelessness would be able to measure the distances required to ensure they are within the acceptable space limits.</p>	<p align="center">Maintain</p>	<p>To address the concern that individuals living outside will not be aware of the prohibited areas and clauses resulting from this Protocol, the City will be working with frontline stakeholders, community partners, and its outreach team to provide educational materials and graphics that will assist individuals living outside in relocating to a space that is permitted within the protocol.</p> <p>For infractions that do not present immediate health and safety concerns, staff from Municipal Law Enforcement will work with unsheltered individuals to assist them in understanding the expectations of the Protocol and will give opportunity to make changes prior to enforcement.</p>
<p>Maximum Personal Space Allotment(s)</p> <p>The total area for a single tent and all its associated belongings cannot exceed</p>	<p>One respondent was concerned with applying the principles to varying numbers of individuals and sizes of tents (i.e., “having five single person tents is very different than having 5 10-person</p>	<p align="center">Maintain</p>	<p>The protocol is clear about the number of tents, as opposed to the number of individuals living within them. The personal space allotment applies to each tent or temporary structure, not each individual.</p>

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Protocol Item	Public Feedback	Update Status	Rationale
beyond a 3-metre-by-3-metre area, or 9-metres-squared, and the total area for five tents within a cluster cannot exceed beyond a total area of 45-metres-squared.	<p>tents. The City of Hamilton needs to consider specifics in their protocol.”)</p> <p>Some respondents did not agree on the amount of space being provided, believing it to be too small an area, while others believed it was reasonable.</p>		The distances used to define the personal space allotments were consistent with those used in other jurisdictions.
Further the balancing of public and private interests while allowing for temporary shelter will require encampments or clusters not be located:			
On or within 50 meters of a school or children daycare centre	Numerous responses were shared that 50m was not far enough from parks, daycares and schools.	Modify to 100m.	The initially proposed distance of 50-metres was deemed insufficient by the public. This distance was originally determined by planning guidelines, however, in response to the public feedback, the protocol has been amended to 100 metres, to provide a greater distance from schools or daycare centres.
On or within 50 meters of a playground, pool, waterpark, or any spray pad	Numerous responses were shared that 50m was not far enough from parks, daycares and schools.	Modify to 100m.	The initially proposed distance of 50-metres was deemed insufficient by the public. This distance was originally determined by planning guidelines, however, in response to the public feedback, the protocol has been amended to 100 metres, to provide a greater

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Protocol Item	Public Feedback	Update Status	Rationale
			distance from playgrounds, pools, waterparks.
On or within 50m of any lake, beach, pond, watercourse or other body of water, or a dock	There were a few comments regarding consideration of adding a required distance from trails.	Maintain.	Some individuals who are unsheltered prefer to live away from the downtown core and prefer wooden areas where they can maintain better privacy. As such, unless persistent, unsolvable health and safety concerns are present, it would be unreasonable to prohibit camping nearby trails.
Within 5 meters of any private property line	Several commenters wanted a distance much greater than 5-metres from residential lots (i.e., 50m or 100m), while a few others felt the end of someone’s property line was the limit to what they could claim to influence, and that any further would impact the wellbeing of residents in encampments.	Modified to ‘10 metres of any private property line.’	Although planning guidelines identify 5 metres as a recommended distance from private property, the distance has been doubled to reflect the concerns of the public.
On or within 5 meters of any transit stop or a highway and specifically including a sidewalk, boulevard, or bridge or tunnel being part of such highway	A suggestion was made by a respondent that City should “ensure that the definition of sidewalk includes park pathways and multi-use trails and is not only limited to sidewalks that are part of the public right-of-way.”	Maintain.	The suggestion to include a definition of a sidewalk that includes park pathways and multi-use trails is covered by ‘On any pathway, sidewalk, or parking lot or on or under any bridge, including pedestrian access points to such areas and structures’ within the Protocol.

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Protocol Item	Public Feedback	Update Status	Rationale
	<p>Additionally, there was a suggestion from one respondent that 5m from a transit stop was considered too close, due to safety concerns (i.e., harassment).</p>		<p>Any criminal acts that are committed are the remit of Hamilton Police Services.</p>
<p>On or within 5 meters of any property with an environmental or heritage designation</p>	<p>A few respondents suggested removing the heritage designation clause.</p>	<p>Maintain.</p>	<p>Areas and buildings with environmental and heritage designation often require additional care for ongoing sustainment, and potential damage is both culturally and financially costly.</p>
<p>On or within 50 meters of any sports fields, inclusive of but not limited to, skateboard parks, fitness amenities, golf courses, ball diamonds, soccer pitches, tennis courts, or any other sports or multi-use courts, as well as stadiums, dugouts, stages, and bleachers.</p>	<p>It was noted by several respondents that 50m may be too restrictive (i.e., at Kay Drage Park), especially when compared to other restrictions.</p> <p>Additionally, there was a belief that 50m from a golf course was overreaching.</p>	<p>Maintain.</p>	<p>There was consideration of utilizing a buffer zone associated with each different field of play, but the required distances often remained close to 50-metres anyway. For the purposes of keeping the document consistent, and ease of understanding for the public and people living in encampments, the distance of 50 metres will be maintained in the protocol for all identified recreational assets.</p>
<p>On any fenced-in, off-leash dog area</p>	<p>One respondent suggested encampments should further away from the fenced-in, off-leash dog area, to ensure health</p>	<p>Maintain.</p>	<p>The fencing at an off-leash dog park already provides a natural separation between the environments. Adding a</p>

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Protocol Item	Public Feedback	Update Status	Rationale
	and safety of dog park users and encampment residents		greater distance would be needlessly prohibitive without significant benefit.
On any cemetery, including its roads, lanes, and paths for travel within the cemetery	Some respondents questioned why cemeteries should be prohibited.	Maintain.	Use of cemetery land is federally regulated, and the City does not have the jurisdiction to override this clause.
On any community garden and including any garden shed or greenhouse	One respondent believed a greater distance from a community garden should be considered.	Maintain.	Community gardens are meant to be accessible by the public and do not commonly experience heavy foot traffic. Adding a greater distance would be needlessly prohibitive without significant benefit.
On any pathway, sidewalk, or parking lot or on or under any bridge, including pedestrian access points to such areas and structures	Some respondents believed that given limited options for use, bridges would be ideal for use by individuals as it provides protection from the elements.	Maintain	This clause is being maintained due to inherent risks to the well-being of someone under a bridge. Not knowing the general conditions of all the bridges and culvert infrastructure, materials / debris could potentially fall from the bridge and potentially harm someone. Additionally, snow-plows are often moving at 50-60km/hr and pushing heavy and large masses of snow which contain ice, that could present a significant risk for someone sleeping underneath of an overpass.

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Protocol Item	Public Feedback	Update Status	Rationale
On or within any designated fire route, or the entrance to or exit from a designated fire route, or located so as the block any fire hydrant	No changes noted.	Maintain	No changes required.
On or within any entrance, exit or a doorway to a building or structure, and including, without limiting the generality of the foregoing, an area adjacent to such entrances or exits required in the event of fire or emergency	No changes noted.	Maintain	No changes required.
On or within any accessibility entrance or ramp or located in a way that blocks access to such entrances or ramps.	No changes noted.	Maintain	No changes required.
On or within any area identified susceptible to flooding, erosion, slope instability, or other environmental hazards	Some respondents suggested providing more clarity and/or specificity around the locations not permitted.	Add language to protocol to specify that this clause is only enforceable when the	This clause has been included to protect the safety of encampment residents against safety hazards that may be known, or unknown by the party residing in the location.

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Protocol Item	Public Feedback	Update Status	Rationale
		health and/or safety of the individual(s) is currently, or may potentially be at-risk	
Further no temporary shelter or tent will be placed against or under or be attached or tied to any building or permanent structure.	Several respondents suggested removing this clause as it is unnecessarily harsh and is likely to be covered by other clauses in the protocol already.	Maintain.	Tents should be freestanding and not affixed to any other structure. This is meant to ensure that encampments do not become entrenched by affixing to a building or any permanent structure.

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**Frequently Asked Questions and General Feedback Regarding Proposed Encampment Protocol**

General Feedback	Update Status	Rationale
<p>Several people are finding it difficult to understand where exactly encampment will be permitted, as the rules seem quite prohibitive.</p>	<p>Individuals living unsheltered seeking a place to stay outdoors will be provided a map of potential locations, and the support of Housing Focused Street Outreach staff and partners in securing a new location.</p>	<p>The protocol is intended to balance the needs of individuals who are unsheltered and those of the community. All potential, available locations will be indicated to individuals who are unsheltered so that they can identify a location that best suits their specific needs.</p>
<p>There needs to be a mechanism for non-encampment residents to file a complaint or request support.</p>	<p>This has been added to Section B – Complaints and Service Requests section.</p>	<p>Non-encampment residents require a mechanism to share information and concerns regarding encampments to ensure a comprehensive view of the impacts.</p>
<p>Staff should include performance indicators for the protocol – what are the measurable impacts and outcomes? How does it all connect to housing?</p>	<p>Staff have committed to updating the General Issues Committee on a monthly basis with data on key indicators to measure the success of encampment response efforts.</p> <p>Further approaches to sharing information will be considered.</p>	<p>Providing a set of indicators that the public can monitor will provide greater accountability and transparency toward the goals and outcomes of encampment response.</p>

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General Feedback	Update Status	Rationale
<p>There needs to be greater enforcement around dogs and the potential for dog attacks on the public.</p>	<p>No update to Protocol.</p>	<p>Pets, such as dogs, are currently managed in accordance with addressing health and safety concerns at the site. Pets that are unfriendly and off-leash present greater risks to the public, and other pets, and raise the urgency for intervention at the site.</p> <p>Additionally, the Coordinated Response Team regularly collaborates with Animal Services, who provide services and supports for the pet and pet owner in an attempt to mitigate the health and safety concerns at the site.</p>
<p>Greater transparency for community members living nearby encampments, and an opportunity for ongoing discussion.</p>	<p>The City’s website with information on encampments will be updated on an ongoing basis, and opportunities for further feedback will be prioritized as part of coordinated encampment response efforts.</p> <p>Additionally, all concerns or requests can be sent to <a href="mailto:unsheltered@hamilton.ca">unsheltered@hamilton.ca</a></p>	<p>Neighbours of encampments require a voice to share concerns regarding encampments, and transparency regarding the actions and approaches being taken by City staff to manage encampments within the city, and to provide services and supports to individuals living within encampments.</p>
<p>Why aren’t “health and safety issues” being clearly defined? What counts, and how has it been decided?</p>	<p>No update to Protocol.</p>	<p>To ensure that the response is flexible and tailored to the unique needs of the individual(s) at a particular site, placing arbitrary timelines would not allow for a client-centred approach.</p>

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General Feedback	Update Status	Rationale
		<p>As such, each site is managed on a case-by-case basis, working with individual(s) to find solutions. In the event solutions cannot be found, the issues will be escalated to the appropriate partners should further support be required, or as a last resort relocation of the encampment to another appropriate, suitable area as defined by the protocol.</p> <p>Some examples are included in Section J – Health and Safety, within the protocol.</p>
<p>The connection to the VI-SPDAT should not be voluntary, even if the person wants to remain anonymous, they should need to connect to potential housing solutions.</p>	<p>The VI-SPDAT will remain voluntary for individuals living in encampments.</p>	<p>Given the trauma that is experienced by individuals living in encampments, particularly by institutions, there is a need to build rapport and trust through ongoing engagement by Housing Focused Street Outreach staff.</p> <p>To effectively provide appropriate supports and services through the City’s coordinated access system, including housing, individuals in encampments are required to share personal information with City staff.</p> <p>In requiring participation before trust and rapport is built, this damages the ability of outreach workers to foster a lasting, meaningful connection that is more likely to result in successful outcomes for the individual seeking support.</p>
<p>In the process for designating an encampment, temporary shelter, or tent as abandoned, there was</p>	<p>The three (3) day timeframe will be maintained.</p>	<p>A ten-day limit is likely to result in increased complaints from the community and divert resources from supporting individuals who are unsheltered. Additionally, any</p>

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General Feedback	Update Status	Rationale
<p>discussion around the 3-day timeframe to identify whether an encampment was abandoned. Some felt it was too soon, and a 10-day limit was more reasonable while another cohort of responses felt 3-days was reasonable.</p>		<p>leftover food is likely to attract rodents and other pests, causing health and safety concerns for residents of neighbouring encampments.</p> <p>Members of Housing Focused Street Outreach and other partners of the Coordinated Response Team are in the community on a daily basis engaging with individuals living in encampments and maintain a strong understanding of active sites throughout the city. As such, a three-day limit, plus three days of posting a notice would ensure a reasonable amount of time has passed prior to removing items from a site.</p>
<p>Needle boxes should be available throughout the City. This had led to a reduction in ‘discarded needles’ in Guelph.</p>	<p>City staff are discussing its potential for implementation.</p>	<p>All solutions that attempt to reduce harms for individuals living in encampments, and the public should be pursued.</p>
<p>Service levels should be introduced re: timeliness when addressing health and safety concerns.</p>	<p>Service levels for timeliness have been introduced throughout the protocol, for Housing Focused Street Outreach, Municipal Law Enforcement, and Parks Section staff</p>	<p>Service levels provide accountability to the public regarding expectations associated with encampment response.</p> <p>These will be used as encampment response performance measures.</p>
<p>One respondent suggested that Housing Focused Street Outreach conduct risk assessments.</p>	<p>Formal risk assessments will still only be conducted</p>	<p>Housing Focused Street Outreach has a mandate to provide services and support to individuals living unsheltered in the community. Any items that may be of</p>

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General Feedback	Update Status	Rationale
	by Hamilton Police Services	<p>potential risk will be flagged in Coordination Response Team meetings, and a strategy will be identified to mitigate the potential risk.</p> <p>Any items or circumstances that are of clear and immediate risk to the individuals living in an encampment, neighbouring encampments, or the broader public, will result in a call for immediate emergency support.</p>

## Highlights

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11,943	7536	233	286	15,965	41%	54%
Engage Hamilton Visitors	Engage Hamilton Contributors	Additional Comments	Protocol Notes	Individual Comments Submitted	Agree With Protocol Provisions	In Favour of Sanctioned Encampments Sites

## Methods

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Housing Services staff undertook quantitative summary and thematic analysis of the Engage Hamilton submissions. Additional comments submitted through other channels such as emailed comments, comments as a result of face-to-face public consultations, paper survey submissions etc. were also provided to Housing Services staff to include in the analysis. The data collection platform did not restrict multiple comments by submitters.

Summary statistics were generated for Engage Hamilton quantitative survey questions using MS Excel. Counts and percent values were generated. No confidence intervals were not included because of the voluntary non-representative nature of the survey.

Key messages and summary themes were derived from the Engage Hamilton submitted comments using a thematic analysis process. For the survey comments and annotated protocol comments, the process began with preliminary familiarization of the results and the development of the preliminary codebook. Additionally for the annotated protocol comments, the section where the comment was noted was also considered in the analysis. Codebook development initially focused on the comments associated with non-supportive responses to counterbalance any coding bias from Housing Services staff. Codebooks included preliminary descriptions and documentation of any coding decisions. Housing services reviewed comments and assigned codes. Any comments that contained results not in the original codebook were flagged for discussion where either new codes were developed or coding decisions were documented. Final coded results were reviewed themes and summarized into results and key messages. No theoretical framework was used to develop the codebook or themes given the broad open-ended questions posed.

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## Key Messages

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*Comment themes beyond general comments of support or non-support include:*

- Measures should be taken to ensure safety for all community members, unhoused and community residents more broadly
- Garbage removal and management, including sharps debris, and sanitation are priorities for encampment sites
- Endorsed encampment site(s) should consider enforced rules or participant codes of conduct
- The City should explore the use of existing indoor space to temporarily house the homeless, including
  - Vacant City buildings
  - Vacant schools (e.g. Sir John A MacDonald)
  - Vacant or underutilized private buildings (e.g. office space, industrial buildings, faith-based buildings)
- The City should explore more permanent temporary housing options such as tiny structures or increased emergency shelter beds or other winterized options
- Many residents identified secondary impacts to the city as a result of permitting or endorsing encampments that caused concern.
- The City should invest in or choose to reallocate funding to longer-terms solutions
  - Mental health and addictions supports or beds
  - Affordable housing
  - Rent and cost of living controls
  - Basic income

*If the City was to allow for sanctioned encampment sites, what things would you like the City to prioritize/consider when implementing this approach (e.g., community aesthetics, impacts on City resources, safety of unhoused residents, services to unhoused residents)*

- Sanctioned encampment site(s) should be considered for implementation in lieu of the encampment protocol
- Endorsed encampment site(s) should consider the required amenities, supports, and services

*Are you in agreement with the provisions being recommended under the protocol? If not, what suggestions would you make to the protocol that ensures the City can still meet its obligations to compassionately assist unhoused residents? Do you have any ideas on how this protocol could be improved?*

- Encampments should not be permitted in:
  - Places where children play (e.g. near schools, playgrounds, recreation centres)
  - City parks

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- Close to residential neighbourhoods
- Encampments should possibly be permitted in:
  - Vacant City lots or greenspace
  - Underutilized campgrounds
  - Industrial/ commercial lands
- Lack of support for the current protocol is driven by:
  - Lack of evidence of effectiveness in other cities
  - Preference for sanctioned sites only with or without support service provision
  - Preference for temporary housing rather than permitted tents
  - Philosophical differences in the preferred approach (e.g. enforcement led vs human-centred/rights-based)
- There is limited agreement about the current protocol specifics

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## Key Messages Breakdown

Theme	Theme Driver	Summary	Illustrative Quotes
Theme Label	<ul style="list-style-type: none"> <li>• High frequency</li> <li>• Cross question thread</li> <li>• High variability</li> <li>• Other</li> </ul>	Description of the theme	Illustrative example comments of the theme
Measures should be taken to ensure safety for all community members	High frequency	<p>Safety for unhoused residents as well as the community more broadly was identified as a key priority.</p> <p>This includes actions and supports to ensure safety of individuals experiencing homelessness and staying in an encampment, as well as actions to ensure nearby residents and visitors to the City of Hamilton feel safe. Safety concerns expressed include crime in general, harassment, property crime, petty theft, fire safety, violence, having security and ongoing site monitoring, perimeter fencing, and general health and safety related to waste and sanitation.</p>	<p><i>Safety for unhoused residents (they should not be hidden, making it easier for them to be subject to violence), location should be close to other social services (people need to be near their doctors, mental health supports, clinics, etc.), the city should provide access to bathrooms, showers, running water.</i></p> <p><i>Safety for all, no one wants to feel fear when navigating their daily routes, or to have to stare at the ground they walk on to make sure they don't step on any foreign objects</i></p> <p><i>Safety of the general public. This policy feels like the rights of the homeless are above everyone's else. The city makes no effort to ensure safety for everyone else, seems like the only priority is "homeless rights" even when these homeless harass and threaten members of the public, openly use drugs, leave unsafe drug paraphernalia in public, and trash public spaces</i></p> <p><i>It is likely that these encampments will result in an increase in crime in the areas in which they are set up. For the sake of area residents, it is important to enhance policing in those areas to make sure that the neighbourhoods in which the encampments are set up remain safe for existing residents. Services should be provided to unhoused residents to help</i></p>

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Theme	Theme Driver	Summary	Illustrative Quotes
			<p><i>them find appropriate housing or deal with the issues that are causing them to be unhoused.</i></p> <p><i>Safety and services to those living in the encampments should be the top concerns</i></p> <p><i>Safety of the unhoused residents and safety in the surrounding neighbourhoods. Many bylaws exist for safety; doesn't seem wise to, for example, prevent open-air burning by residents for fire safety and air quality, but ignore open campfires and otherwise illegal use of propane on public property....Additionally, when encampments lead to crime, harassment, theft, public drug use and paraphernalia, tensions will invariably rise in the vicinity, threatening safety for all.</i></p> <p><i>A major priority is security. These sites must be safe for residents and housed neighbours. Encampment violence is a reality that must be dealt with. (If it is felt that police are not appropriate monitors for these sites, then city housing employees or social workers should be on site at all times - these sites MUST BE SAFE FOR ALL)</i></p>
<p>Garbage removal and management, including sharps debris, and sanitation are priorities for encampment sites</p>	<p>High frequency</p>	<p>The accumulation of garbage, in particular sharps, as well as the sanitary conditions of the site was noted as a priority.</p> <p>Comments include those noting waste removal, waste receptacles, dumpsters, City clean up, sharps clean up, sharps containers, sanitary conditions, human waste, access to washrooms, and access to clean water.</p>	<p><i>Sanctioned sites only, no tents anywhere else, I am sick and tired of them sleeping anywhere causing trouble, intimating people, leaving garbage everywhere and needles on the ground.</i></p> <p><i>Easy access to sanitation similar to when Gage Park has festivals in the summer. There are numerous porta potties in several areas that are maintained. They also have had hand washing stations too.</i></p>

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Theme	Theme Driver	Summary	Illustrative Quotes
			<p><i>Sanitation services (portable washrooms and water available for cleansing) and garbage removal should be key.</i></p> <p><i>Who becomes responsible for the site? Currently there is garbage strewn about the encampments. Who is going to maintain/clean the encampment? The protocol doesn't have any responsibilities listed for either the unhoused resident nor for the City.</i></p>
<p>Endorsed encampment sites should consider enforced rules or participant codes of conduct</p>	<p>Cross question thread</p>	<p>Commenters noted that there should be some accountability for participants who use encampments to follow agreed upon site rules or requirements.</p> <p>These comments include those that suggest that the protocol specifics need enforcement plan and resources, those that suggest a code of conduct or participation agreement should be in place, and those that identify consequences for not adhering to safety or site expectations or other relevant bylaws.</p>	<p><i>If anything there isn't enough consequences in the protocol, it can be more compassionate to intervene with purpose.</i></p> <p><i>Also, a code of conduct would be useful to protect some encampment users from others who may be behaving badly.</i></p> <p><i>The protocol should outline responsibilities (not limited to littering, needle safety, trespassing private property, etc.) expectations that must be met by unhoused individuals if choosing to live outside of sanctioned encampment. And the rights that protect them from harassment, and/or destruction of property. Even though the land they are on is not legally there's, the equipment and personal belongings is and should therefore be treated (temporarily) as their property.</i></p>
<p>The City should explore the use of existing indoor space to temporarily house the homeless</p>	<p>High frequency</p>	<p>As an alternative to planned outdoor encampments, many commenters identified that the City should explore the use of existing vacant or underutilized spaces. These spaces include:</p> <ul style="list-style-type: none"> <li>• Vacant City buildings</li> </ul>	<p><i>Using the numerous vacant buildings throughout the city instead o outside subjecting them to the weather elements without public toilets/ showers etc.</i></p> <p><i>Fix up Sir John a Macdonald school and other dilapidating buildings around the city and house them there.</i></p>

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Theme	Theme Driver	Summary	Illustrative Quotes
		<ul style="list-style-type: none"> <li>• Vacant schools (e.g. Sir John A MacDonald)</li> <li>• Vacant or underutilized private buildings (e.g. office space, industrial building, faith-based buildings)</li> </ul>	<p><i>Unhoused people could be housed temporarily in buildings that are no longer in use. Such as Churches, schools, stores, factories etc.</i></p> <p><i>There are vacant lots of land throughout Hamilton (Upper Ottawa/ Stonechurch Rd.) There is a now barricaded, and previously run down and infested townhouse community (James St. N before Picton St)... why can't the city of Hamilton build there? Or at the very least make an encampment in those locations?</i></p> <p><i>There are many vacant city properties. Identify what ones would be suitable and get to work! Use unused public buildings for housing. I.e., unused schools and office and commercial space. How can you expect these people to live in tents? How inhumane. Petition the Federal and Provincial governments for funding. Pressure our elected officials to actually speak up on our behalf. Canada should be seeing to their citizens first. How disheartening to see such times.</i></p>
The City should explore alternative temporary housing options	High frequency	As an alternative to planned outdoor encampments, many commenters identified that the City should explore alternative temporary housing options. This includes tiny homes, increased shelter beds, and field hospital bed.	<p><i>A sanctioned encampment should closely resemble the Covid 19 hospital expansion built by HHS in a parking lot near the corner of Wellington St N and Barton St E. The site used substantial military type tents with services needed and managed by the hospital. I would suggest this same type of tent-service complex should be again constructed, maybe even on the same site as it was previously considered suitable. Covid 19 was an emergency and this suited the temporary emergency need. Lack of adequate available housing is an emergency as defined by City Council. The same emergency response seems appropriate and should be maintained until more substantial permanent</i></p>

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Theme	Theme Driver	Summary	Illustrative Quotes
			<p><i>affordable housing can be built over the next several years.</i></p> <p><i>Increase shelter beds, use motel vouchers to take people of the streets and open temporary shelter homes to move unhoused residents.</i></p> <p><i>Investment needs to be made in appropriate housing solutions - full stop. The city has a wealth of under-developed land that could support new facilities or alternative housing models (e.g., tiny homes, pop-up housing). Seems fertile ground for multi-level or a public-private partnership with Non-profits/ foundations. Site selection is key, but there are lands available.</i></p> <p><i>Not in agreement with encampments! In freezing temperatures and high heat, we don't leave our pets outside. We need tiny homes for people. Let's make this happen!</i></p> <p><i>Provide alternative local solutions - tiny houses project, shelter funding, or programs that can support safe use/injection. Alternatively, fund transportation to an area of choice with these program options and availability.</i></p> <p><i>Perhaps tiny houses on unused industrial lands with very basic amenities &amp; security.</i></p> <p><i>Consider green space that already has some infrastructure and where outreach can go, for example Sir John A school and turn on the power and water, or Confederation park, not encampments in city parks where children play, (or then can't safely play), especially in underprivileged areas where</i></p>

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Theme	Theme Driver	Summary	Illustrative Quotes
<p>The community identify a wide range of general concerns.</p>	<p>High variability</p>	<p>Many residents identified secondary impacts to the city as a result of permitting or endorsing encampments that caused concern.</p> <p>Some highlighted concerns include:</p> <ul style="list-style-type: none"> <li>• Property values to adjacent properties</li> <li>• Increased service demands from other communities</li> <li>• Impacts to residential taxes and affordability</li> </ul> <p>Some identified potential solutions to address the concerns include:</p> <ul style="list-style-type: none"> <li>• Temporary residential tax reduction for surrounding areas</li> <li>• Partnership with neighbouring municipalities</li> <li>• Advocacy to other levels of government who are better positioned to address the issues of basic income, immigration, and housing affordability</li> </ul>	<p><i>children already have so few to no other options for recreation, entertainment, and outdoor play.</i></p> <p><i>There needs to be funds or reduction in taxes to property owners near the encampments to compensate for the loss in property value due to encampments.</i></p> <p><i>When these encampments are allowed it opens the doors for all homeless from other cities to move to Hamilton.</i></p> <p><i>this problem needs to be addressed from a provincial/federal level by supplying funding and housing and community supports. municipalities are suckers in this game and are in no way equipped to deal with this problem. bring forward a report to council that outlines a strategy to join with other municipalities to force higher levels of government to deal with this.</i></p> <p><i>The City needs to have all hands-on-deck and can't be expected to shoulder the task by itself, without the help of senior levels of government and our social service agencies.</i></p> <p><i>If we don't have housing for individuals then perhaps we have too many in Hamilton and numbers need to be shared equally with other area, Burlington, Oakville etc., why does Hamilton have to take on the major brunt of social assistance, as tax payers</i></p>
<p>The City should invest in or choose to reallocate funding to longer-terms solutions</p>	<p>High frequency</p>	<p>The following longer-term solutions were identified as high-priority areas of focus:</p> <ul style="list-style-type: none"> <li>• Mental health and addictions supports or beds</li> <li>• Affordable housing</li> <li>• Rent and cost of living controls</li> </ul>	<p><i>We need affordable housing for those that are currently forced to live outside in tents.</i></p> <p><i>Need to focus on a sustainable plan. Sanctioned encampments are not a practical solution in our climate- extreme temperatures in both summer in</i></p>

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Theme	Theme Driver	Summary	Illustrative Quotes
		<ul style="list-style-type: none"> <li>• Basic income</li> </ul> <p>Comments include those noting that City investments and advocacy focus should be reallocated or assigned to:</p> <ul style="list-style-type: none"> <li>• mental health and addictions related support services such as treatment programs, institutional care, detox, rehabilitation, counselling, psychiatric supports</li> <li>• housing solutions such as more supportive housing, more affordable housing, more, government housing, rooming houses, subsidized housing</li> <li>• rent control, rent-geared to income services, subsidies, vouchers</li> <li>• income supports such as increased Ontario Works and Ontario Disability Support Program payments, guaranteed income</li> </ul>	<p><i>winter. Need to keep working on shelter spaces / subsidized housing long term. Temporarily bring the services needed out to the people.</i></p> <p><i>The protocol must also have upstream work being done to limit multiple income property ownership without appropriate rent control and taxation.</i></p> <p><i>Commit to a basic income and see it through. If we truly want to end homelessness, it is going to cost \$. But, if it works, it pays for itself by having renewed citizens. Will it fix every situation? Probably not. But at least we could prove we did our best.</i></p> <p><i>Enforce or establish requirements that new buildings have 20% of units for lower income. Creating more housing is the long-term solution</i></p>
Sanctioned encampment sites should be considered for implementation in lieu of the encampment protocol	High frequency	<p>Commenters noted that there was a preference for designated encampment sites rather than the site self-selection permitted by the encampment protocol.</p> <p>Reasons noted for this preference was ease of support service provision, community aesthetics, coordination of supports and site management and monitoring.</p>	<p><i>I think that any encampments that are allowed without any basic health and sanitation services are not doing anyone any good. They are unpleasant at best for housed neighbours and people using parks and trails. More significantly, they are not healthy for the encamped, and they are not sustainable throughout the winter. We simply must create sanctioned sites and/or tiny homes which will include basic amenities such as washrooms and showers, and access to clean drinking water. This is the only way to deal with the homeless crisis in a way that is safe for everyone.</i></p>

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Theme	Theme Driver	Summary	Illustrative Quotes
			<p><i>Ensure accessible sanctioned sites across the city, and don't permit encampments outside this. In practical reality It's the only way to appropriately regulate and support this marginalized group with efficient resource allocation. It's better for everyone</i></p> <p><i>Do not permit living outside of sanctioned areas. If we're going to put the effort into creating and enforcing sanctioned areas, we're undermining those efforts with permitting encampments in unsanctioned areas.</i></p>
<p>Endorsed encampment sites should consider providing the required amenities, supports, and services</p>	<p>High frequency</p>	<p>Commenters noted that providing supports to unhoused persons was a priority.</p> <p>The supports identified include:</p> <ul style="list-style-type: none"> <li>• Mental health and addiction support services including harm reduction services</li> <li>• Medical services for physical health needs such as nurses, paramedics</li> <li>• Assessment and counselling services to provide individualized supports to help individuals move to alternative housing options other than an encampment. For example, emergency shelter, treatment program, transitional housing, or permanent housing</li> <li>• Access to services to meet basic needs: <ul style="list-style-type: none"> <li>○ access to running water and drinking water</li> <li>○ washroom and shower facilities (access to pre-</li> </ul> </li> </ul>	<p><i>services are key in order to ensure that encampments provide stability to unhoused residents; being homeless is very stressful and destabilizing; kitchen and washroom facilities, shelter, and staff to provide support is a minimum -- beyond this medium-term step, long term solutions are more important. Many people simply cannot afford market rent, if in fact they can even find a place available.</i></p> <p><i>Safety and services! Toilets, sanitation, water, harm reduction, resources, EVERYTHING they need to take care of themselves while in these circumstances.</i></p> <p><i>Daily services to check on encampment residents - EMS or nurse check ins (like social navigator), harm reduction supplies (safe drug use equipment), garbage collection, mental health outreach (not police officers). Avoid engagement with law enforcement as much as possible.</i></p> <p><i>Community supports need to visit the encampment daily, location of the encampment (if it is away from access to everyday services, how will the residents of the encampment get into the city), security/policing required 24/7</i></p>

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Theme	Theme Driver	Summary	Illustrative Quotes
		<ul style="list-style-type: none"> <li>existing or mobile toilets and showers brought in)</li> <li>○ access to food (for example, mobile food options such as food trucks, regular meal or food hamper delivery, on-site food preparation and safe storage, or close proximity to grocery stores or fast-food chains)</li> <li>○ garbage removal and sanitation of site overall and washroom and shower facilities on site</li> <li>○ personal belonging safe-keeping</li> </ul>	<p><i>provide access to places for garbage, hygiene (bathrooms, showers etc.), social service and police visits</i></p> <p><i>Ensure that clean, potable water is available at all times; provide and maintain multiple public bathrooms around the city, not just in sanctioned encampment sites; provide shower facilities; provide basic facilities and supplies to prepare food and drinks; provide laundry facilities; provide safe and secure storage facilities; ensure residents will not be criminalized or policed; provide mental and physical health supports; provide drug testing and naloxone.</i></p> <p><i>Social supports for folks living in the encampments (ie outreach workers to support with hygiene materials, food, harm reduction supplies, first aid kits, sleeping bags etc). Medical supports such as street nursing visiting the site on a scheduled day to provide services (ie wound care, primary care, infectious disease point of care testing/treatment HIV/Hep C). Safety protocols without police involvement. Strongly believe police involvement would be triggering for many residents and likely cause more harm, I believe when looking at how safety protocols can be in place mental health professionals should be involved over police. Community cleaning and access to sharps containers. Food outreach services, and access to public washrooms and/or portable washrooms on the encampment site...What have unhoused community members said about this approach and services they need? Folks know their needs best!</i></p>
Encampments should not be permitted in certain areas	High frequency	Commenters identified the following locations as places where they would not like to see encampments or tents:	<i>Encampments should be away from schools, parks and anywhere children may be alone or families.</i>

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Theme	Theme Driver	Summary	Illustrative Quotes
		<ul style="list-style-type: none"> <li>• Places where children play (e.g. near schools, playgrounds)</li> <li>• City parks</li> <li>• Close to residential neighbourhoods</li> </ul>	<p><i>Allowing encampments in City Parks where families with children and pets are going to enjoy is not a good "fix" to these problems. Encampments are unsanitary and garbage is strewn everywhere making the city green spaces an eyesore. Community Aesthetics are important to bring new businesses into the city and unfortunately this will not happen if every green space has an encampment in it.</i></p> <p><i>Locations away from city parks and residences if possible to ensure the safety of citizens, especially children. Encampments should not be allowed outside of these zones. Children should not be exposed to violence or drug paraphernalia.</i></p>
<p>Encampments should possibly be permitted in certain areas</p>	<p>High frequency</p>	<p>Commenters identified the following locations as places where encampments or tents could be permitted but there is no clear consensus on which areas of the city are most appropriate (e.g. downtown, outside urban areas, distribution of sites)</p> <ul style="list-style-type: none"> <li>• Vacant City lots or greenspace</li> <li>• Underutilized campgrounds</li> <li>• Industrial/ commercial lands</li> </ul>	<p><i>an area that is away from neighborhoods, schools. Perhaps an empty lot in the industrial area. No one wants an encampment near their home.</i></p> <p><i>We agree with Sanctioned Sites as currently outlined by the city...Sanctioned sites should be located as to not infringe on local resident's enjoyment of their neighbourhood....Being a homeowner on Caroline St. North, near Central Park, we would recommend a sanctioned site on the empty lots north of Barton. It also needs to be recognized by the city, that being a resident on Caroline St. North, that the Central Park encampment has already increased fear in the community regarding the safety of our person &amp; property &amp; enjoyment of our neighbourhood... Property values have decreased dramatically.</i></p> <p><i>Turn the half of confederation park that was campgrounds back into a camp with shower and toilet facilities.</i></p>

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Theme	Theme Driver	Summary	Illustrative Quotes
			<p><i>The sanctioned areas should be located in a commercial or industrial area away from schools and the entertainment district. This provides a location for services to be provided to the homeless while also alleviating issues with schools and public places being overrun by tents.</i></p> <p><i>Make a real campsite for Hamilton, include water facilities but no electricity...Let the campers purchase their own generators or have a lease to own system for power generators... Please don't turn our playgrounds into campgrounds, nobody should be intimidated ...it is nerve wracking for us as parents and children to be so close to poverty-stricken people!</i></p> <p><i>There are many underutilized industrial- or commercial-zoned lands around the city that are near public transportation but also not close to people's homes, parks or schools. For example, along Burlington Street. Or, the Barton and Gage site suggested by the Hamilton Alliance for Tiny Shelters</i></p>
Lack of support for the current protocol	Cross question thread	<p>The primary drivers identified as reason why the current proposed protocol was not supported include:</p> <ul style="list-style-type: none"> <li>• Lack of evidence of effectiveness in other cities</li> <li>• Preference for sanctioned sites only with or without support service provision</li> <li>• Preference for temporary housing rather than permitted tents</li> <li>• Philosophical differences in the preferred approach (e.g. enforcement led vs human-centred/ rights-based)</li> </ul>	<p><i>More shelters. Send to other cities with more capacity so Hamilton doesn't have to weather this financial and health burden alone. Encampments beget more unhoused people who will come here, exacerbating the problem we already can't afford to solve. Look at San Francisco. Please walk an alternate path and respect your tax payers who deserve a clean and safe city. Solving a problem for one group should not create a wealth of problems for a larger group</i></p> <p><i>This is the stupidest idea Hamilton has ever had. It is not going to be how you think it will be. Look at Portland OR or San Francisco CA. The homeless population has increased drastically after allowing</i></p>

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Theme	Theme Driver	Summary	Illustrative Quotes
			<p><i>these same things to happen. What you're trying to do isn't new, it's been done already in major cities and look at the state those places are in.</i></p> <p><i>Absolutely no unsanctioned site</i></p> <p><i>All the money that has been used to deal with this matter should have been placed into affordable housing; getting to families facing poverty early, etc. Hamilton has done a very poor job at dealing with the root cause of the issue.</i></p> <p><i>Unhoused residents need INDOOR housing with mental health and medical services. Hamilton is one of the largest medical cities in the country, in addition to having many unused/empty buildings. WE CAN DO BETTER THAN PUTTING PEOPLE INTENTS ACROSS THE CITY...health and safety of all people is necessary!</i></p> <p><i>This is a housing issue for the minority. This is a drug and mental health problem disguised as a housing issue. Get rid of the encampments in the parks. Force them into housing or force them into jail. Uphold the parks bylaw</i></p>
<p>There is limited agreement about the current protocol specifics</p>	<p>High variability</p>	<p>There is limited agreement about the current protocol specifics. Some suggestions include:</p> <ul style="list-style-type: none"> <li>• Prohibit tents in City parks</li> <li>• Increase distances from private property and transit stops/ hubs</li> <li>• Increase distances from schools, daycare, playgrounds, waterpark, spray pads</li> <li>• Decrease distances from sport fields</li> </ul>	<p><b>NOT IN RESIDENTIAL AREAS. NOT NEAR SCHOOLS. NOT IN PARKS THAT CHILDREN ATTEND...50 metres is essentially 50 giant steps. That's half of a 100 m dash which can be run in like 20 seconds. Are you all serious?</b></p> <p><i>Not far enough away from private property, I think. I would be interested in hearing the rationalization for 5m, but I think 50m would be much better.</i></p>

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Theme	Theme Driver	Summary	Illustrative Quotes
		<ul style="list-style-type: none"> <li>• Reduce restriction related to bridges, cemeteries, golf courses, highways, and attachment to permanent structures</li> <li>• Specify inclusion of parks pathways and multi-use pathways and trails as prohibited areas</li> <li>• Include details for permissible heat and/or cooking options</li> <li>• Identify or provide a map of permissible locations</li> <li>• Include protocol enforcement and monitoring schedule specifics</li> <li>• Specify complaints processes and response times</li> <li>• Reduce or clarify escalated enforcement or removal of belonging including giving notice, warnings. exceptions</li> <li>• Specify protocol performance measures</li> <li>• Specify the timeline that the protocol would be in effect</li> <li>• Increase timeline for identifying and addressing potentially abandoned sites</li> <li>• Clarify additional expectations related to other bylaws e.g. tree removal, responsible animal ownership</li> <li>• No clear consensus on the preferred tent cluster size</li> <li>• No clear consensus on the whether the protocol is too restrictive or not restrictive enough</li> </ul>	<p><i>50m is not far enough from parks, daycares and schools</i></p> <p><i>50 m from any sports field is overly restrictive (Kaye Drage is a perfect location for several sites), and perhaps there should be a time of year exemption, such that in off-seasons these areas (which would not be in use) are able to host sanctioned encampments.</i></p> <p><i>I'm not sure why cemeteries are restricted. The dead aren't capable of being inconvenienced by the unhoused.</i></p> <p><i>Please ensure that these are sufficiently important to warrant being on a list that creates restrictions for folks needing the human right of shelter. Particularly “golf courses” but potentially also others seems over reaching.</i></p> <p><i>I don't think distance to highways should be regulated.</i></p> <p><i>It is unclear to me why "any pathway or sidewalk under a bridge" would be prohibited. The health and safety issue is completely unclear to me. This seems like it would be a good place, given the shelter the bridge would provide.</i></p> <p><i>Please ensure that the definition of "sidewalk" includes park pathways and multi-use trails and is not only limited to sidewalks that are part of the public right-of-way.</i></p> <p><i>Fire is a big risk, but these are typically used for warmth and cooking. If we are strictly applying the fire restrictions that already exist, we need to provide other options for warmth and cooking.</i></p>

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Theme	Theme Driver	Summary	Illustrative Quotes
			<p><i>The protocol is a good start, there are a few gaps that make the encampment logistics difficult to understand. The provision of some kind of map showing potential locations that would be acceptable would go a long way to helping to make the policy usable for a diverse unhoused population. I'm not sure if assigning acceptable encampment areas would be possible (or accepted by unhoused populations), but assigning encampment locations based on family or friend groups up to 5 may be a good opportunity to ensure that encampments are created in successful locations rather than needing to be relocated due to the initial location not meeting policy. Taking the uncertainty out of setting up an encampment seems like a positive way to foster goodwill for unhoused populations.</i></p> <p><i>What about individuals whose quality of life is negatively affected by encampments, or whose safety is compromised? Will there be a mechanism for filing a complaint or requesting help?</i></p> <p><i>This should be changed to "may" to allow for some discretion. Two examples where some flexibility would be helpful: First, if there are no apparent safety issues and no community complaints, the lack of discretion translates to an unnecessary use of city resources and a major inconvenience for unhoused neighbours who we can assume, in most cases, will have made best efforts to follow the complex rules of the protocol. Second, discretion would be helpful in situations where best efforts have been made to follow the protocol but, due to space constraints for instance, an encampment is slightly outside the rules of the protocol.</i></p>

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**Specific Site Locations for Sanctioned Encampments Identified by Respondents:**

Area/Location Identified in Public Comments	Nearest Address Identified
Vacant Stelco/Dofasco lands (i.e., abandoned buildings, unused parking lots), such as the site north of Burlington, East of Gage	386 Wilcox St, several additional locations
Tiffany-Barton lots (x3)	239 Caroline St N
City Hall and City Hall Parking Lots (i.e., lot 40)	78 Bay St S
Ancaster	N/A
Dundas	N/A
Binbrook	N/A
Upper Ottawa/Stonechurch Rd.	1375 Upper Ottawa
Woodlands park	501 Barton St E
Sir John A Macdonald school	130 York Blvd
Northeast corner of West fifth and Fennell Avenue	282 Fennel Ave W
Frid Street	606 Aberdeen Ave
Fortinos plaza on Dundurn and King St. W.	50 Dundurn St S
Temporary 'field hospital' that was setup adjacent to the General Hospital	191 Barton St E
Waterdown	N/A
Carlisle	N/A
Mount Hope	N/A

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Farmland	N/A
Conservation Areas	N/A
Delta Secondary School	Main St E and Graham Ave S
At Juravinki psychiatric institute site	282 Fennel Ave W
Townhouse community (James St. N before Picton St)	419 James St N
Vacant property north of Barton and Gage	43 Lloyd St
Lands where the old Sanatorium was located	870 Scenic Drive
Gibson Street Elementary School	601 Barton St E
Kaye Drage park	200 Macklin St N
Birch and Brant St areas	Birch St (no number identified)
City parking lots	Several locations
Chedoke Golf park	18 Mountside
Areas around Rail trail	Unsure, escarpment open space
Auchmar House Lands	88 Fennell Ave W
Confederation Park	680 Van Wagner's Beach Rd
Lots along King east of Wentworth that burned down years ago	670 King St E
The toxic land near Collective Arts (the one that had old barrels discovered on it).	350 Wentworth St N
Gore Park	1 Hughson St S
Eastwood Park	111 Burlington St E

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Cathedral Park	40 Carling St
Hamilton City Centre	77 James St N
Several city parks already have washrooms, picnic pavilions and security lighting in place. eg:Turner Park, Dundas Driving Park, Battlefield Park. These parks would be ideal first picks. Other parks ,eg: Lawfield Park, have connected Recreation Facilities, these parks would also be ideal, as they also have safe toileting facilities and an added indoor space, this indoor space (often with a kitchen) could be utilized at a reduced or "free" rate by local charities looking to assist the tented population	Several locations
Former Hamilton Scout Shop	375 James St S

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### Municipalities with Encampment Protocols in Canada

Across North America, several cities utilize encampment protocols to govern where individuals who are unsheltered are permitted to set up their tent or temporary structure.

The following are Cities with encampment protocols, or clearly defined rules and processes around encampments:

- Halifax
- Kingston
- Toronto
- Brantford
- Niagara Region
- St Catherines
- London
- Windsor
- Sudbury
- Thunder Bay
- Winnipeg
- Edmonton
- Prince George
- Vancouver
- Victoria

All encampment protocols identified City parties involved in encampment response, including frontline staff and if applicable, teams responsible for coordination. Additionally, all protocols identified the roles and responsibilities of each team, generally via the aspects of the encampment response procedures they are responsible for.

All encampment protocols reviewed also included reporting mechanisms for the public to report on encampments and individuals who are unsheltered in the community that may require service and/or supports.

Several protocols included service levels for different types of response, including follow-up to a complaint or service request from the public, and enforcement periods. Less commonly, protocols included tiered responses based upon risks of the encampment (i.e., high, medium, low). This would change the parties involved in response and adapt the service levels required for intervention by staff and partners.

Level of detail varied across protocols, with some providing step-by-step procedures and recourse based on high-risk events, while others provided staff with greater flexibility in using their expertise when responding.

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### Analysis of Infrastructure to Support Overnight Accommodations at Sanctioned Encampment Sites

Across North America, several approaches have been used to provide overnight sleeping accommodations to unsheltered populations. Given the needs of unsheltered individuals in our community and the impacts of extreme weather, colder weather jurisdictions were reviewed to identify the most common approaches to overnight accommodations. The following is a list of indoor, outdoor, and hybrid options that have been used to reduce harms for those living unsheltered.

Infrastructure	Jurisdictions Implementing Approach	Description
Tents or tents on platforms	Halifax, Victoria, Toronto (rapid housing initiative pilot), Portland, Denver, San Jose	<p>Recreational camping tents are most commonly used in sanctioned encampment areas across North America.</p> <p>In planned sanctioned encampments, tents are generally funded by the Service Manager (i.e., municipality or region) responsible for the program. In addition, many sanctioned encampment sites have wooden platforms that the tents are erected on top of, to provide additional protection from the elements and comfort for residents.</p> <p>In Denver, where extreme cold weather is an issue, ice finishing tents were purchased for residents to ensure consistency of service and to provide protection against the extreme cold.</p> <p>In some cases when an unsanctioned encampment becomes sanctioned, the tents initially brought to the site by residents are allowed to remain.</p>
Tiny homes or cabins	Waterloo Region, Kingston, Fredericton, Oakland	<p>Tiny homes or cabins are prefab wooden structures that are installed at the site. Some cabins resemble a studio with a hot plate and mini-fridge, and bed, while tiny homes often have more elaborate setups which may include a bathroom, shower, and personal storage space. Commonly each cabin will be heated and include access to electricity.</p> <p>In all cases, the structure provides a locked, private space with protection against the elements for residents to reside in.</p>
Sprung structure with cots	Toronto, Los Angeles, San Francisco, Fresno, Portland	<p>As part of its respite model, Toronto has purchased sprung structures, which are comparable to a temporary refuge facility, with a dorm-like open layout, and cots as sleeping materials. The site provides protection against extreme heat and cold, as well as facilities to prepare food, a recreation/dining area, staff offices, and outdoor areas. Sites are also equipped with private showers, bathrooms, running</p>

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		water and electricity. Sprung structures are used in locations across the United States as emergency shelters.
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The following chart compares the various approaches to developing infrastructure to support overnight accommodation at a sanctioned encampment area. Supportive housing was included as a best practice reference point.

	Least Desirable			Most Desirable	
Objectives	Tents	Tents with Platforms	Tiny Homes or Cabins	Sprung Structure	Supportive Housing
Upfront capital expenditures required	Low	Low	Medium	High	High
Time required to prepare a site for operation	Low	Low	Medium	Medium	High
Safety of residents	Low	Low	Medium	Low	High
Privacy for residents	Medium	Medium	High	Low	High
Mitigation of environmental risks (i.e., exposure to extreme cold and heat)	Low	Low-Medium	Medium-High	High	High

Sanctioned encampment areas with recreational tents, ice fishing tents, or tents on wooden platforms have minimal upfront capital costs associated, but do not provide the level of mitigation of environmental risks, safety, or privacy as tiny homes, cabins, or sprung structures with cots. As such, this approach is often regarded as a shorter-term solution for individuals who are unsheltered, while working towards the longer-term outcome of housing.

Tiny homes and cabins provide a wider range of benefits to residents in terms of their ability to provide built-in amenities such as a mini-fridge and hot plate, and in some

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cases washroom, shower, and dedicated storage areas. Each tiny home or cabin also provides a private, locked area that residents can call their own, which gives residents a feeling of autonomy and security. Unfortunately, given the complex co-occurring needs for many who are living unsheltered, this can present challenges. A locked door can be a safety concern for individuals who use substances if significant harm reduction/ overdose prevention measures aren't in place, such as non-intrusive wellness checks from staff and peer-to-peer witnessing/spotting. As a result, tiny homes/cabins are more commonly paired with medium or high barrier models that operate similarly to transitional housing, many requiring residents to pay to stay. Notably, Waterloo Region's 1001 Erb St location that welcomed residents in June 2023 will operate a lower barrier model with cabins.

Respite sites (sprung structures) operate within indoor facilities that resemble an overnight emergency shelter environment, often implementing a lower barrier operating model. The site provides significant protection against extreme heat and cold, but has significant costs associated with upfront capital expenditure in purchasing or leasing a sprung structure, as well as increased operating costs resulting from its operating model (i.e., in Toronto residents are provided three meals, and light beverages and snacks throughout the day). Another limitation is that cots, much like tents, do not provide an accessible environment for residents, and residents report that the open layout affords very little privacy and limited safety.

#### Analysis of Operational Models Utilized at Sanctioned Sites

The following charts were created utilizing information collected from other jurisdictions across Canada, including Victoria, Toronto, Waterloo Region, Fredericton, Halifax, and Winnipeg, as well as jurisdictions in the United States such as Portland, Chicago, Tacoma, San Jose, Oakland, and Denver, regarding operating models targeted toward people who are unsheltered.

Operating Model	Jurisdictions Implementing Approach	Description of Model
Sanctioned, Self-Governed Low Barrier Model	Halifax, Victoria, San Jose (CA)	Sanctioned Encampment site is sanctioned by the Service Manager (i.e., municipality or region) but managed by a community organizer or coalition of encampment residents who operate and manage the site with little to no government involvement.
Sanctioned, Fully Managed Low Barrier Model	Waterloo Region, Toronto (rapid housing pilot), Toronto (respite shelter), Kingston, Tacoma (WS),	Sanctioned Encampment site operates like an emergency shelter with 24/7 staff and supports but differs in that it adapts the service to address the needs of individuals with the highest acuity. The site is sanctioned by the Service Manager, but commonly managed by a funded operator, with many onsite

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	Chicago (IL), Oakland (CA)	and in-reach supports offered by community stakeholders and City staff.
Sanctioned, Fully Managed Medium Barrier Model	Portland (OR), Denver (CO)	Site operates similarly to an emergency shelter with 24/7 staff and supports, utilizing a medium barrier model for individuals with medium-high acuity. The site is sanctioned by the service manager, but commonly managed by a funded operator, with some onsite and in-reach supports offered.
Transitional Model	Fredericton, Winnipeg	Site is sanctioned by the service manager but managed by a funded operator. Commonly, less supports are offered onsite, as the site operates like a transitional housing model, for individuals with medium-low acuity (i.e., some sites have a blend of people who are unsheltered and previously living precariously). Service is often rooted in abstinence-based approaches and work readiness programs.

Objectives	Self-Governed, Sanctioned Encampments	Low Barrier Sanctioned Encampments	Medium Barrier Sanctioned Encampments	Supportive Housing
Movement along the housing continuum	Low	Low	Low	High
Direct provision of health and social services	Low	High	Medium	High
Ability for staff to engage with unsheltered individuals	Low	Medium	Medium	High
Ability to stay at site long-term	Medium	Medium	Medium	High
Address barriers to access (i.e., couples, pets)	High	High	Low	High

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Objectives	Self-Governed, Sanctioned Encampments	Low Barrier Sanctioned Encampments	Medium Barrier Sanctioned Encampments	Supportive Housing
Level of autonomy for residents	High	Medium	Low	High
Positive impacts on wellbeing	Medium	Medium	Low	High
Level of support from surrounding community	Low	Medium	Medium	High
Addresses Gap in Housing Continuum	High	High	Low	High
Upfront capital costs	N/A*	N/A*	N/A*	High
Long-term operating costs	Medium	High	High	Low-Medium

\* Depends on model of housing utilized (i.e., tent, tent with platform, cabin, tiny home, indoor respite, modular unit)

Self-governed sanctioned encampments provide several benefits for individuals who are living unsheltered, in that it provides the highest level of autonomy, self-determination, and potential for skill development, and addresses a gap for low barrier service in the community. This approach takes advantage of peer coordination and requires less operational funding for staffing than other approaches due to its use of informal and existing supports (i.e., existing community groups and outreach supports).

Fully managed low- and medium-barrier sanctioned encampments provide broadly similar service models. Each model identifies and collaborates with community supports that provide ongoing in-reach services directly to residents. The primary difference in approaches is that commonly a low barrier model provides residents with a greater level of autonomy, is accessible to couples and people with pets, employs more varied and intensive in-reach services, and has a much greater focus on harm reduction, as is commonly required by people with complex co-occurring needs. Another notable difference is that a low barrier service would address a service gap within the community, while a medium barrier service is most likely to resemble service models already being offered at an overnight emergency shelter.

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Implementing a medium- or high-barrier approach may be problematic given the target population of individuals who are living in encampments. In jurisdictions across North America, unsheltered populations living in encampments have consistently expressed apprehension toward accessing emergency shelter, given common barriers (i.e., access for couples and people with pets) and specific needs (i.e., harm reduction-friendly environment, less institutional approach). Re-introducing another medium- or higher-barrier service would increase redundancy in the system and is unlikely to have significant uptake from individuals with the highest acuity, which may result in an inefficient use of funds.

Despite high upfront capital costs, deeply affordable supportive housing is the most cost-effective, human rights-based solution to addressing the short- and long-term needs of individuals who are living in encampments.

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Jurisdictional Scan of Sanctioned Sites and Operating Models

Item	Self-Governed, Lowest Barrier Models	Fully Managed, Low Barrier Model	Fully Managed, Medium-High Barrier Model	Transitional Model
Location(s)	Victoria, Halifax, San Jose	Waterloo, Toronto (rapid housing pilot), Toronto (respite), Kingston (Our Livable Solutions), Tacoma, Chicago, Oakland	Portland, Denver	Fredericton, Winnipeg
Operation of Site	Site is sanctioned by the service manager but managed by community organizer or encampment members that operate and manage the operations within the encampment with little to no government involvement.	Site operates like an emergency shelter with 24/7 staff and supports, utilizing a low barrier model for individuals with highest acuity.  The site is sanctioned by the service manager, but managed by a funded operator, with many onsite and in-reach supports offered.	Site operates similarly to an emergency shelter with 24/7 staff and supports, utilizing a medium-high barrier model for individuals with medium-high acuity.  The site is sanctioned by the service manager, but managed by a funded operator, with some onsite and in-reach supports offered.	Site is sanctioned by the service manager but managed by a funded operator. Commonly, less supports are offered onsite, as the site operates like a transitional housing model, for individuals with medium-low acuity (i.e., some sites have a blend of people who are unsheltered and living precariously).
Sleeping Materials	Includes a wide range of options and possibilities (i.e., tents, tents with platforms, cots, cabins, tiny homes, modular housing), irrespective of the program model selected. Most commonly, the lower barrier sites utilize tents with or without platforms underneath for additional support. Higher-barrier sites and sites that operate similar to a transitional housing environment more commonly utilize tiny homes, cabins, or modular housing.			
Staffing Models (including security)	Halifax has no permanent onsite staff or security. City- or community-led outreach visit the sites intermittently.  In Victoria, peers have designated roles within the site.  In San Jose, Hope Village was initially unsanctioned and peer-led, before the City leased the land and hired an operator to assist in organizing the site.	Waterloo utilizes four frontline staff on-site on a 24/7 basis. Health supports are a minimum of 15 hours per week.  Toronto's pilot utilized a single staff on-site 9-5, with additional support from community partners. Security was present within the park to dissuade new tents from setting up.  Toronto's respites all have 24/7 security onsite, with varying staffing models depending on capacity and location of site.	In Portland, the site will be managed on a 24/7 basis, with a 15:1 client to staffing ratio.  In Denver, the site will be managed on a 24/7 basis. All staff will be trained in trauma informed care, person centered language, de-escalation, conflict mediation, crisis response, and site operations and logistics.	In Fredericton, the site is staffed by 12 Neighbours non-profit, who are also responsible for constructing the tiny homes. The site has three resident support staff, and an addictions and mental health coordinator onsite.

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Item	Self-Governed, Lowest Barrier Models	Fully Managed, Low Barrier Model	Fully Managed, Medium-High Barrier Model	Transitional Model
Location(s)	Victoria, Halifax, San Jose	Waterloo, Toronto (rapid housing pilot), Toronto (respite), Kingston (Our Livable Solutions), Tacoma, Chicago, Oakland	Portland, Denver	Fredericton, Winnipeg
Site Security	<p>Halifax sites do not have fencing, and no distinct entry points.</p> <p>The Victoria site had fencing around the site, as well as 24-hour security. 24-hour security was put in place. Additionally, at night, one of the two points of entry to the site were locked.</p> <p>San Jose’s Hope Village had a fence around the perimeter of the site, but no hired security.</p>	<p>Waterloo has a security booth with one (1) security guard working 24/7 and fencing around the site.</p> <p>Toronto (respites) are located indoors and have a single, staffed entryway with security onsite.</p> <p>Toronto (pilot) is outdoors, with no fences and no distinct entryways or staffed entrances or exits. The park maintained a security presence to prevent new tents from being erected.</p> <p>Tacoma utilizes 24/7 onsite security. Also, fencing is erected around the site, and access to the site is limited to a single, staffed entryway.</p>	<p>In Portland, sites would only have one entrance and exit, and weapons checks would be conducted there. Service providers running the sites would be responsible for security inside and within a 1,000-foot perimeter of the camps. Additionally, each site offers a 24/7 hotline staffed by service provider for complaints or questions about the site or perimeter issues.</p> <p>In Denver, each site has a perimeter fence with a single point of entry that is constantly managed by staff. Only residents of the site will be permitted to enter.</p>	<p>In Fredericton, there is no security onsite.</p>
Maximum Number of Tents and Spacing Requirements within Sanctioned Areas	<p>In Halifax, there is a designated overall space outlined for each site, but no specific space requirements for each tent. Each site permits a maximum of four tents.</p> <p>In Victoria each tent was given a 10 metre-squared living space, and clear pathways between tents were required.</p> <p>There was a total of 20 tents in San Jose’s Hope Village.</p>	<p>In Tacoma each tent was provided a 10 square-foot living space.</p>	<p>In Portland, each site will have a maximum of 150 pods and/or tents, for up to 200 people.</p>	<p>In Fredericton, 36 tiny homes were built in the first phase of the project, with another 50 planned for 2023.</p> <p>In Winnipeg, 22 tiny (modular) homes are currently built, with more planned.</p>

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Item	Self-Governed, Lowest Barrier Models	Fully Managed, Low Barrier Model	Fully Managed, Medium-High Barrier Model	Transitional Model
Location(s)	Victoria, Halifax, San Jose	Waterloo, Toronto (rapid housing pilot), Toronto (respite), Kingston (Our Livable Solutions), Tacoma, Chicago, Oakland	Portland, Denver	Fredericton, Winnipeg
Pay to stay at the site	No payment required.	No payment required.	No payment required.	In Fredericton, the site receives each individual staying at the sites' Ontario Works shelter portion. This is consistent with transitional models implemented in other jurisdictions.
Intake Policies	<p>In Halifax, there are no intake policies due to the nature of the service being unsupervised.</p> <p>In San Jose and Victoria, the sites were previously unsanctioned, so the individuals at that site moved to the sanctioned encampment area.</p>	<p>Toronto (respite) intakes are completed by a centralized intake process and is open to all individuals experiencing homelessness in Toronto.</p> <p>Toronto (rapid housing pilot) did not include an intake process, as the pilot was developed for a site with existing encampments.</p> <p>Tacoma (WS) all adults experiencing homelessness are welcome to access the site.</p> <p>In Chicago (IL), only individuals in high-risk encampments were offered a placement in their low barrier shelter.</p>	<p>In Portland all residents must be referred by Outreach workers. No walk-ins are permitted.</p> <p>In Denver, resident placement is conducted through street outreach and referrals. Residents are then screened and provided relocation assistance, before signing an intake and use agreement at the site.</p>	<p>In Fredericton, the non-profit agency operating the site work with Fredericton's Social Development Department to contact people to gauge their interest and fit for staying at the site.</p> <p>In Winnipeg, the modular/tiny homes are being occupied by people who were previously living in encampments.</p>

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Item	Self-Governed, Lowest Barrier Models	Fully Managed, Low Barrier Model	Fully Managed, Medium-High Barrier Model	Transitional Model
Location(s)	Victoria, Halifax, San Jose	Waterloo, Toronto (rapid housing pilot), Toronto (respite), Kingston (Our Livable Solutions), Tacoma, Chicago, Oakland	Portland, Denver	Fredericton, Winnipeg
Intake: Pets Permitted Onsite	All sites permit pets.	<p>In Toronto (pilot), sites have partnered with community agencies (i.e., SPCA, Humane Society) to offer spay/neuter programs, food, grooming, and other care for animals.</p> <p>All sites permit pets.</p>	In Denver, pets are permitted in each individual shelter.	Yes, pets are permitted in Fredericton.
Intake: Couples Permitted Onsite	Yes, all sites permit couples.	<p>Yes, although in Waterloo each individual was still assigned their own cabin.</p> <p>All sites permit couples.</p>	In Denver, couples are permitted in each individual shelter.	Yes, couples are permitted in Fredericton.
Discharge Policies	<p>In Halifax, significant health and safety issues, or a violation of another policy (i.e., four tents per site) are required for an individual to be moved from their location.</p> <p>In San Jose, the lease was not renewed for the site due to complications with being too close to an airport. A new site has not since been identified, and all residents were given motel vouchers for thirty days on discharge.</p>	Significant health and safety issues are required for an individual to be moved from their location.	<p>In Portland, there is a clear, legislated process for clearing an encampment, which includes a notice being placed on or nearby the tent once it has been deemed to be abandoned. The notice would include a date in which the notice was issued and the date the notice would expire. Upon expiry, all personal property within the individual(s) personal space allotment would be stored, removed, and/or disposed based upon conditions outlined. Additionally in Portland, there will be no strict time limit on duration of stay at the site.</p> <p>In Denver, staff utilize a multi-step, restorative accountability process that is led</p>	Fredericton’s discharge policies were not published or shared.

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Location(s)	Victoria, Halifax, San Jose	Waterloo, Toronto (rapid housing pilot), Toronto (respite), Kingston (Our Livable Solutions), Tacoma, Chicago, Oakland	Portland, Denver	Fredericton, Winnipeg
			by staff and promotes the safety and well-being of all residents, staff, volunteers, and neighbors, prior to discharge.	
Oversight and Appeal Body	<p>In Victoria, due to the self-governing nature of the site, site residents are responsible for governing the site and developing their own roles and responsibilities with some support from community stakeholders and the municipal government.</p> <p>In Halifax, the municipality funded the United Way to bring together a lived experience committee, to ensure the voices and perspectives of persons with lived experience of homelessness are heard in the decision-making process by providing feedback to the municipality on its approach and policies related to homelessness.</p>	<p>In Toronto (pilot), a robust local taskforce utilized expertise of leaders from health, housing, community agencies, and residents, as well as staff from relevant City divisions to help steer and strategize around best practices implemented at sanctioned encampment areas.</p> <p>Toronto (respite) have developed Toronto Respite Standards to govern the services offered, role of staff, etc.</p>	Generally, there is less resident input in high barrier jurisdictions, and more rigid rules and structures are already in place.	Fredericton has its own board that helps direct the services and supports available at the site.

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Item	Self-Governed, Lowest Barrier Models	Fully Managed, Low Barrier Model	Fully Managed, Medium-High Barrier Model	Transitional Model
Location(s)	Victoria, Halifax, San Jose	Waterloo, Toronto (rapid housing pilot), Toronto (respite), Kingston (Our Livable Solutions), Tacoma, Chicago, Oakland	Portland, Denver	Fredericton, Winnipeg
Harm Reduction Supports and Services	<p>In Halifax, in-reach services are provided to individuals who are living in encampments from outreach providers in the community, and sharps containers are provided onsite.</p> <p>In Victoria, people with lived and living experience (peers) of substance use are very often the first, and only responders to overdoses in encampments. As such, peers were resourced and supported to continue to do this life-saving work.</p>	<p>In Waterloo, the service provider for this location operates in a very low barrier and high harm reduction model to address the specific needs of the encampment population. As such, they have a full suite of harm reduction supplies available to residents.</p> <p>In Tacoma, people who use substances will be permitted to stay onsite. Site contracts out to an outreach agency who provide sterile injecting equipment, safer sex supplies, MRSA prevention wound care kits, and Naloxone (opiate overdose reversal drug) to people who use substances.</p> <p>In Toronto (respite), all sites must adhere to Toronto Respite Standards. Use is not tolerated within the site (although some safe consumption areas are being developed). Harm reduction supplies are provided.</p> <p>In Chicago, their low barrier shelter offers a harm reduction approach to people using substances, including counselling and treatment.</p> <p>Additional approaches identified in research include overdose prevention sites or supervised consumption facilities (including for both injection and inhalation of substances) run by workers that include people with lived experience. Additionally,</p>	<p>In Portland, all drugs and alcohol are banned in common areas. Substance use treatment programs are available onsite.</p> <p>In Denver, drugs and alcohol are not permitted onsite.</p>	<p>In Fredericton, the focus is recovery-oriented, and includes substance use counselling.</p> <p>In Winnipeg, the site practices harm reduction, providing unused pipes and needles.</p>

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Location(s)	Victoria, Halifax, San Jose	Waterloo, Toronto (rapid housing pilot), Toronto (respite), Kingston (Our Livable Solutions), Tacoma, Chicago, Oakland	Portland, Denver	Fredericton, Winnipeg
		<p>these settings should also have integrated safe supply programs for residents.</p> <p>In Kingston, staff with harm reduction training and other substance use counselling services are offered onsite.</p>		

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Item	Self-Governed, Lowest Barrier Models	Fully Managed, Low Barrier Model	Fully Managed, Medium-High Barrier Model	Transitional Model
Location(s)	Victoria, Halifax, San Jose	Waterloo, Toronto (rapid housing pilot), Toronto (respite), Kingston (Our Livable Solutions), Tacoma, Chicago, Oakland	Portland, Denver	Fredericton, Winnipeg
Integrated Health Supports	<p>Integrated health supports are commonly provided regardless of the service model employed. The lower barrier models often have more robust and intensive services provided, including ongoing case management.</p> <p>In Waterloo, health Partners have committed to 15 hours per week of nursing, social work, and other health support staff. In Victoria, COVID-19 pandemic health outreach teams were developed and deployed to provide health, harm reduction, and mental health supports in the encampments. In Toronto (pilot), intensive clinical health support was provided by Inner City Health Associates, a local agency staffed by doctors, registered nurses, counselors, and other health professionals.</p>			
Housing Supports	<p>Halifax uses an integrated team-based approach designed to provide comprehensive community-based support to help people remain stably housed.</p>	<p>In Toronto (pilot), a targeted use of existing housing resources for those staying in the Dufferin Grove encampment was implemented, so that everyone could move to a suitable shelter space, or into housing.</p> <p>In Waterloo, there will be two dedicated housing plan, support staff, FTEs onsite.</p> <p>In Toronto (respite), all locations have staff dedicated to developing individualized housing plans and case management.</p> <p>In Tacoma, housing navigation is a part of the site management team's expertise and focus.</p> <p>In Chicago, intensive housing supports are offered onsite via the City's outreach team, with connections to the City's Coordinated Entry System, which connects people to housing.</p>	<p>In Denver, wellness screenings are conducted daily, creating links to hotels and health care services</p>	<p>In Fredericton, individuals are permitted to stay long-term at the site.</p>

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Location(s)	Victoria, Halifax, San Jose	Waterloo, Toronto (rapid housing pilot), Toronto (respite), Kingston (Our Livable Solutions), Tacoma, Chicago, Oakland	Portland, Denver	Fredericton, Winnipeg
Additional Supports	<p>All sites provide some in-reach supports.</p> <p>Lower barrier sites are most likely to provide a wider range of in-reach supports (ID clinics, income tax clinics, legal support), while higher barrier sites often have more abstinence-based and employment-readiness supports.</p> <p>In New Brunswick for example, which operates its site as a transitional housing model, the site includes a social enterprise centre with a café and retail store, and an area onsite where homes are built to train people in carpentry, roofing, insulation, etc.</p>			
Access to Potable Water	All sites provide residents with potable water access onsite.	<p>In Waterloo, potable water is supplied in the main community building with a large holding tank under the building that is refilled weekly.</p> <p>Potable water was available onsite in Tacoma.</p> <p>Potable water is available onsite in Chicago’s low barrier shelter/respite.</p> <p>In Kingston’s cabin solution, no running water is available onsite.</p>	In Portland, access to potable water is available onsite.	<p>In Fredericton, each tiny home has its own sink.</p> <p>In Winnipeg, each unit has a sink.</p>

**Appendix “D” to Report HSC20036(g)**  
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Item	Self-Governed, Lowest Barrier Models	Fully Managed, Low Barrier Model	Fully Managed, Medium-High Barrier Model	Transitional Model
Location(s)	Victoria, Halifax, San Jose	Waterloo, Toronto (rapid housing pilot), Toronto (respite), Kingston (Our Livable Solutions), Tacoma, Chicago, Oakland	Portland, Denver	Fredericton, Winnipeg
Access to Washrooms	<p>Halifax permits use of its existing washroom facilities at sites with sanctioned encampments or provides portable toilets.</p> <p>In Victoria, washrooms were provided by the municipality. Residents took care of cleaning the washroom.</p> <p>In San Jose, portable washrooms were provided at the site.</p>	<p>Toronto (pilot) utilized two portable toilets, extended hours for City washroom building. Facilities were cleaned twice daily.</p> <p>In Waterloo, there were four onsite shower, and washroom units. One additional fully accessible/barrier free washroom/shower.</p> <p>Washrooms are available onsite in Tacoma and Chicago.</p> <p>In Kingston, there are no washrooms onsite.</p>	<p>In Portland, washrooms are available onsite.</p>	<p>In Fredericton and Winnipeg, each tiny home has its own washroom.</p>
Access to Showers	<p>In Victoria, a mobile shower unit was brought to the site and residents were also able to access showers at two nearby service providers.</p> <p>In San Jose, showering facilities were provided at the site.</p>	<p>In Waterloo, there were four onsite shower, and washroom units. One additional fully accessible/barrier free washroom/shower. The grey/black water from sinks and showers/toilets go into a holding tank under the community building; this tank is emptied two times per week.</p> <p>Showers are available onsite in Tacoma and Chicago.</p>	<p>In Portland, showers are available onsite.</p>	<p>In Fredericton, each tiny home has its own shower.</p> <p>Winnipeg has accessible showers available onsite.</p>
Access to Electricity, Heating, and Cooling	<p>No electricity available onsite in Halifax or San Jose.</p> <p>In Victoria, a warming tent was provided and staffed by a Service Provider for eight hours a day. Additional outlets and electricity use provided by municipality.</p>	<p>No electricity access in Tacoma, currently exploring options.</p> <p>No electricity available at Toronto (pilot).</p> <p>In Waterloo, each cabin/unit has electricity (and own breaker panel), A/C, baseboard heater.</p>	<p>In Portland, tents have access to electricity within a common area, as well as Wi-Fi.</p> <p>In Denver, the site has a temporary electric panel with its own meter.</p>	<p>Yes, each unit in Winnipeg and Fredericton has access to electricity.</p>

**Appendix “D” to Report HSC20036(g)**  
**Page 1 of 8 - REVISED**

Item	Self-Governed, Lowest Barrier Models	Fully Managed, Low Barrier Model	Fully Managed, Medium-High Barrier Model	Transitional Model
Location(s)	Victoria, Halifax, San Jose	Waterloo, Toronto (rapid housing pilot), Toronto (respite), Kingston (Our Livable Solutions), Tacoma, Chicago, Oakland	Portland, Denver	Fredericton, Winnipeg
Common Spaces and/or Private Areas	<p>In Victoria, a warming tent was provided and staffed by a Service Provider for eight hours a day.</p> <p>No provided common space in Halifax sanctioned encampment areas.</p>	<p>In Toronto (respites), common areas were limited depending on the layout of the site. Sprung structures in particular have very few private areas.</p> <p>In Toronto (pilot), an onsite Information &amp; Help Centre was established to assist with streamlining connections to services, which was staffed by a Project Coordinator onsite five days a week, seven hours a day.</p> <p>In Chicago’s low barrier/shelter model, encampment residents have access to common spaces and private areas inside the shelter.</p>	<p>In Portland, common space will be offered at each ‘temporary alternative shelter site.’</p>	<p>In both sites, there are common spaces within the site to be accessed by all residents.</p>
Food	<p>In Halifax, no meals are provided.</p> <p>In Victoria, meals were delivered twice daily to the site and encampment residents were provided an honorarium to deliver meals tent to tent.</p> <p>In San Jose, meals were donated by local churches and schools.</p>	<p>Toronto (respites) provides three catered meals every day, along with snacks and water throughout the day.</p> <p>Toronto (pilot) provided meals via a community partner to residents on an ongoing basis.</p> <p>In Tacoma, meals are available onsite at the community kitchen.</p> <p>In Chicago, three meals are provided every day.</p>	<p>In Portland, food is provided to residents onsite twice a day, plus snacks.</p> <p>In Denver, food is provided through partnerships with faith community and existing food service providers</p>	<p>A community kitchen and equipment are provided to give residents the ability to cook meals onsite.</p> <p>Most cabins, tiny homes, or modular spaces are equipped with a mini fridge, sink and hot plate.</p>
Garbage Pickup	<p>All sites have ongoing garbage pickup schedules that utilize municipal resources.</p> <p>Peer cleanup crews were utilized in Victoria, as well as a Cleanup Crew Team and Parks Ambassadors in Toronto (pilot) doing wellness checks and park maintenance.</p> <p>In Portland, trash cleanup in the 1,000 ft. perimeter (at least weekly; hazardous material removed immediately).</p>			

**Appendix “D” to Report HSC20036(g)**  
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Storage of Personal Items	At all sites, personal items were to be kept inside of tent or defined area for personal space.	In Waterloo, individuals have access to their own cabin and can keep their personal belongings inside a locked space.		In Fredericton, individuals have access to dedicated storage space within their tiny home.

**Appendix “D” to Report HSC20036(g)**  
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### Operational Principles of a Fully Managed, Low Barrier Service Model

There are several distinct components that make an overnight accommodation setting *low barrier*. The following are principles of a low barrier operating model at a sanctioned site(s):

1. Adequate staffing is required to provide intensive case management and to manage the day-to-day operations of the site. Staff should be trained in trauma-informed care, de-escalation, conflict mediation, crisis response, and harm reduction, including how to administer naloxone.
2. Intake requirements should be minimal. There should be few barriers to accessing the site preventing access for people who actively use substances, couples who want to cohabitate, and people with pets.
3. Operating staff should be more lenient than a medium or high-barrier shelter when applying service restrictions. Instead, the site should focus on de-escalation, conflict mediation, and restorative approaches that avoid discharge if possible.
4. Overly institutional elements of service delivery should be de-emphasized at the site, including the requirement to be within your tent or cot at a specific time and to participate in onsite programming.
5. Residents should be encouraged to participate in decision-making processes that affect them, to adapt the service model to the specific needs of residents at the site.
6. Harm reduction is an evidence-based, human-centered approach that utilizes a set of strategies, policies, or programs designed to reduce substance-related harm without requiring abstinence and ensures that individuals using substances are not excluded from a range of supports and services that would be valuable to their health, wellbeing, and housing prospects.

**Appendix “D” to Report HSC20036(g)**  
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7. Intensive, integrated physical and mental health services and supports are provided onsite to residents via partnership(s) with community health providers, including doctors, nurses, counsellors, social workers, and other professionals with capacity to provide ongoing, preventative, and intensive supports.
8. Housing workers should collaborate with residents to create customized housing plans and provide ongoing, intensive support to each resident to find suitable housing.
9. Sites should partner with other community agencies that provide legal supports, employment supports, ID clinics, income tax clinics, and any other services or supports requested by residents at the site that will benefit their health, wellbeing, and ability to acquire housing.
10. Sites should provide access to basic needs, such as access to potable water, washroom access, and shower access, to ensure residents have a dignified, respectful environment to maintain their health and hygiene.

While medium- and high-barrier operating models may implement some of the features identified above, the suite of features of a low barrier model are distinct in that they systematically encourage client autonomy, respect, and dignity, particularly for individuals with higher acuity and complex co-occurring needs. There are other aspects of service that are compatible across models, including garbage and waste disposal policies; space for storage of personal items; access to electricity, heat, and cooling; and the provision of additional in-reach services such as ID clinics, income tax clinics, legal services.



**PUBLIC FEEDBACK AND RECOMMENDATIONS FOR  
AN ENCAMPMENT PROTOCOL AND SANCTIONED  
SITES**

(HSC20036(g)) (City Wide)

General Issues Committee

August 14, 2023

# Overview

- Issue and Context
- Public engagement – June 2023
- What did we hear?
- Collaborative approach
- Hamilton Alliance for Tiny Shelters pilot
- Services and Supports
- Recommended Encampment Response
- Complaint response process
- Next steps

# Issue and Context

- The number of individuals living unsheltered has grown as the severity of Hamilton's housing crisis has increased.
- Encampments are a result of lack of affordable, appropriate housing options
- Housing is a Human Right
- Strategy to manage encampments is needed while addressing root causes – respecting autonomy and choice of individuals living unsheltered
- Solutions must address homelessness and its root causes

# Public Engagement – June 2023

- 11,943 Engage Hamilton visitors
- 7,536 Engage Hamilton questionnaire response
- 15,965 Individual comments submitted
- ~2,000 people attended three in-person town hall sessions

# What Did We Hear?

- No tents within public parks, and that parkland should be safe and available for public use and for children and youth
- Contrasting views - Some believing Protocol was too lenient and others too restrictive
- Some agreement around greater proximity from schools, daycares, playgrounds, pools, waterparks, spray pads and private property lines
- Clear consensus for the City to focus on permanent housing

# Collaborative Approach

- Internal
  - Coordinated Response Team:
    - Housing Focused Street Outreach
    - Municipal Law Enforcement
    - Parks Section
    - Hamilton Police Services
      - Encampment Engagement Officers
      - Additional members from the Crisis Support Branch
- External/Stakeholder
  - Encampment Liaison Committee
  - Hamilton Regional Indian Centre

# Hamilton Alliance for Tiny Shelters

- Two-year pilot approach beginning Q4 2023
- Low barrier alternative to emergency shelter
- Strachan Linear Park as preferred short-term site
- Work with Housing Services Division to ensure alignment with Coordinated Access and measurable outcomes

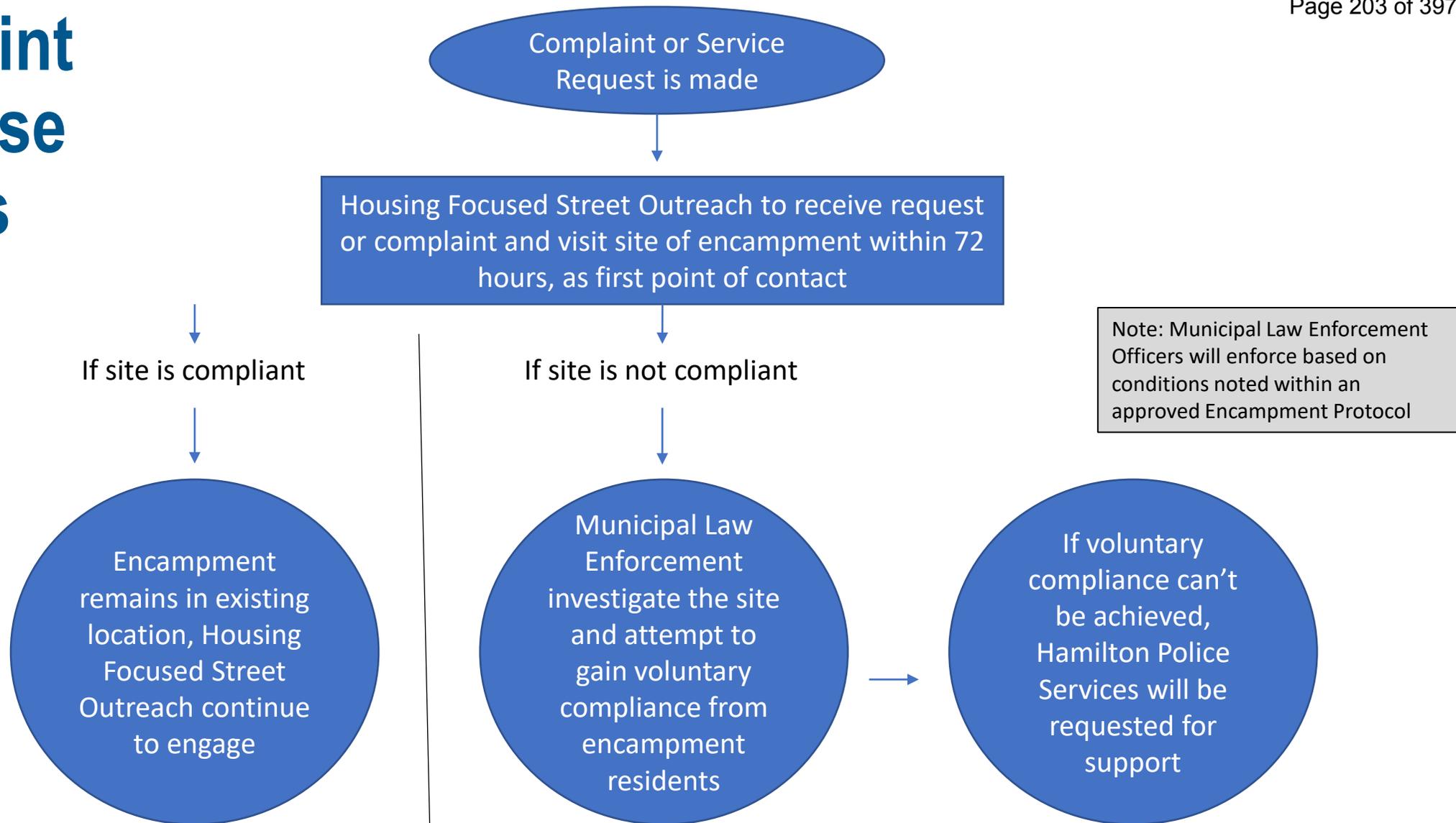
# Services and Supports

- Provide access to washrooms, showers, and drinking water
  - Two 24/7 existing washrooms in two city parks
  - Shower and washroom facilities at two existing recreation facilities for 12 hours daily. Each facility with showers will provide hygiene and sundry supplies
- Integration of indigenous supports (cost-neutral)
- Integration of peer supports
  - Two seconded Outreach workers, with focus on harm reduction

# Recommended Encampment Response

- Implement Protocol to provide guidelines for our City while we work towards permanent housing for all
- Continue 7 day/week, housing-led approach
- Increase services and supports to individuals living unsheltered;
- Increase garbage and waste removal; ensure Monday-Friday service level for By-law officers
- HATS pilot (up to 25 shelters)
- Invest in immediate and long term permanent housing solutions

# Complaint Response Process



# Next Steps

- Council to consider:
  - Adopting Encampment Protocol with Amendments
  - Providing security to ensure access to washroom and/or shower services to support individuals who are unsheltered, including two existing all-year outdoor washroom facilities with 24-hour security and two existing all-year recreation centres with 12-hour security

# Next Steps

- Council to consider:
  - Supporting enforcement of the Protocol based on the existing Monday to Friday level of service, and a four-day response time, via approval of 1 FTE Supervisor of Municipal By-Law, and vehicle
  - Supporting an enhanced service level to allow Parks staff to respond to requests for clean-up and maintenance in alignment with the service levels outlined in the Proposed Encampment Protocol and approve 1 FTE Parks Lead Hand, 2 FTE Parks Operators, and required equipment.

# Next Steps

- Council to consider:
  - Directing staff to enter into the appropriate agreements with the Hamilton Alliance for Tiny Shelters for the operation of a two-year pilot of up to 25 temporary tiny homes on City lands, with appropriate security, services and supports at no cost to the City on the preferred site of Strachan Linear Park
  - Referring 2 FTEs within the Housing Services Division, as Peer Support Workers to the 2024 Tax Operating Budget; and additional costs in 2023 also referred to 2024 Tax Operating Budget to make resources permanent



Hamilton

# THANK YOU

Michelle Baird  
Director, Housing Services Division

[Michelle.Baird@hamilton.ca](mailto:Michelle.Baird@hamilton.ca)



**CITY OF HAMILTON**  
**HEALTHY AND SAFE COMMUNITIES DEPARTMENT**  
**Housing Services Division**

<b>TO:</b>	Chair and Members General Issues Committee
<b>COMMITTEE DATE:</b>	August 14, 2023
<b>SUBJECT/REPORT NO:</b>	Addressing Needs of Unsheltered Individuals and those Relying on Hamilton's Emergency Shelter System (HSC23041) (City Wide)
<b>WARD(S) AFFECTED:</b>	City Wide
<b>PREPARED BY:</b>	Vanessa Parlette (905) 546-2424 Ext. 3863 Rob Mastroianni (905) 546-2424 Ext. 8035 Greg Witt (905) 546-2424 Ext. 4818
<b>SUBMITTED BY:</b>	Michelle Baird Director, Housing Services Division Healthy and Safe Communities Department
<b>SIGNATURE:</b>	<i>Michelle Baird</i>

**RECOMMENDATION(S)**

- (a) That Council approve up to \$5.6M in 2023 for the following in-year emergency response expenditures to address the immediate pressures experienced by unsheltered individuals and individuals requiring assistance from Hamilton's emergency shelter system funded through a combination of sources, deemed appropriate by the General Manager of Corporate Services, and to be confirmed through the 2023 year-end budget variance report beginning with additional Provincial or Federal Funding, City of Hamilton COVID-19 Reserve, or 2023 Corporate Surplus;
- (i) \$4.1M to continue providing shelter overflow in hotels in 2023 for families experiencing homelessness as reported in the April 2023 Budget Variance Report, FCS23063;
- (ii) \$600K to Indwell to provide high level supports from October 1, 2023 – March 31, 2024 for 24 units at City Housing Hamilton's - King William location in order to house individuals from encampments or the by name list as of Q4, 2023;

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**SUBJECT: Addressing Needs of Unsheltered Individuals and those Relying on Hamilton's Emergency Shelter System (HSC23041) (City Wide) - Page 2 of 15**

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- (iii) That up to \$876K in expenditures to provide support for overnight drop in centres, beginning in December 2023 through March 2024 be referred to the discussion of the City's Winter Response in the report coming forward with the same name to the September 7, 2023 Emergency and Community Services Committee;
- (b) That Council approve an in-year immediate commitment of a \$2.3M conditional grant to Indwell Community Homes as the City's municipal contribution to enable construction at Acorn Flats to commence within 30 days of approval in order to build 20-25 units of permanent housing for families experiencing homelessness with occupancy by the end of 2024, funded from the Tax Stabilization Reserve (#110046);
- (c) 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;
- (d) That up to \$5.925M for 2024 emergency response expenditures be referred to the 2024 tax operating budget for Council consideration: to address the needs experienced by unsheltered individuals and individuals requiring assistance from Hamilton's emergency shelter system items;
  - (i) The continuation of shelter hotel overflow for families experiencing homelessness at an anticipated cost of \$4.64M annually
    - (1) \$4.45M for emergency hotel shelter overflow beds for families experiencing homeless.
    - (2) \$190K to fund temporary mobile case management team supporting families experiencing homelessness who are housed in hotel overflow beds.
  - (ii) The continuation of 20 additional beds in the women's emergency shelter system, through 46 West South as a temporary emergency shelter (run by Good Shepherd Centre Hamilton), from April 1, 2024 to December 31, 2024 at a cost of \$952K (annualized cost of \$1.267M)
  - (iii) \$333K to enhance diversion programs within shelters to prevent homelessness for an estimated 600 individuals

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**SUBJECT: Addressing Needs of Unsheltered Individuals and those Relying on Hamilton's Emergency Shelter System (HSC23041) (City Wide) - Page 3 of 15**

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- (e) That up to \$2.3M be referred to the 2024 Tax Operating budget for Council consideration to support individuals experiencing homelessness in securing successful tenancies and prevent homelessness as referenced in the plan to end chronic homelessness and the Housing Sustainability and Investment Roadmap;
  - (i) \$2M increase to the Municipal Housing Benefit equivalent to Rent-Geared-to-Income to end homelessness for an estimated 332 households, in order to reflect the commitment to support 500 households in this way through the HSIR.
  - (ii) Up to \$1.2M to Indwell to provide continued high level supports for 24 units at City Housing Hamilton King William that will take individuals from encampments or the by name list until provincial commitment for these costs can be obtained.
- (f) That expansion of the Housing Services Division's 2024 budgeted complement by 5.0 permanent FTEs to be referred to the 2024 Tax Operating Budget to support execution of recommendations (d) through (e), with annual cost in 2024 of approximately \$502K;
  - (i) 2.0 FTEs, Emergency Shelter Case Managers, to support expanded shelter capacity at an annual cost in 2024 of approximately \$199K for salaries, benefits and ancillary costs.
  - (ii) 3.0 FTEs, a Senior Project Manager, a Housing Support Worker, and a Housing Services Clerk, to design and administer programs offering permanent housing solutions at an annual cost in 2024 of approximately \$303K
- (g) That Council approve in principle the concept of an advance multi-year municipal commitment of \$31M (e.g. \$10.33M per year over 3 years) towards the creation of 200 units supportive housing in order to maximize opportunities for affordable housing providers to leverage provincial and federal funds for projects in development and that Housing Secretariat report back to Council in Q3 on financing options and recommended parameters by which Council would delegate decision making authority to staff to work with providers, identify highest impact projects and administer and allocate these funds to enable flexibility and nimble decision-making;
- (h) That Council direct staff to explore an approach to subsidizing funding of up to 100 additional Residential Care Facility spaces to provide additional permanent

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**SUBJECT: Addressing Needs of Unsheltered Individuals and those Relying on Hamilton's Emergency Shelter System (HSC23041) (City Wide) - Page 4 of 15**

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housing options for individuals requiring shelter and to report back to Council in Q4 2023 with opportunities and costs;

- (i) That Council direct staff to assess Hamilton's current ratio of investment in emergency response compared with upstream housing interventions versus emergency response and propose a policy framework to guide City of Hamilton's future municipal investment in the housing sector to shift from emphasis on emergency response to homelessness prevention and permanent housing solutions that decrease reliance on emergency interventions; and,
- (j) In recognition that funding of housing with supports is not within the municipal tax levy mandate or resources, that Council direct staff to work with the Mayor's office to pursue funding from upper levels of government for the \$1.2M in operating costs for 2024 associated with Indwell King William, the \$3.6M in annual operating costs for permanent housing at the Dorothy Day Centre and the \$2.6M in annual operating costs for transitional housing at the YWCA currently subsidized by the municipality, which have no sustainable funding source, as well as other projects that require similar annual operating costs to provide the supportive housing capacity required to address local need;

## **EXECUTIVE SUMMARY**

As the housing crisis continues, more individuals are living unsheltered and the number of individuals who are homeless continues to rise. Hamilton's shelter system has consistently been at or over-capacity since before the COVID-19 pandemic. The issue has worsened as a result of a severe lack of affordable housing, lingering bottlenecks from the COVID-19 pandemic, and long lengths of stay in the shelter system. While the problem at first glance may appear to be solved with building additional shelter capacity, it is important to recognize that emergency shelters currently absorb the greatest proportion of investment within Hamilton's homeless-serving sector and Hamilton invests more per capita in emergency shelters than many surrounding municipalities. The path forward for Hamilton is more permanent housing while continuing to provide emergency response to individuals who are homeless and/or living unsheltered.

In 2022, staff engaged the Social Planning and Research Council to conduct a review of post-pandemic emergency sheltering needs in Hamilton and provide recommendations. Many of these have already been initiated and/or recommended for consideration through the March 2023 Ending Chronic Homelessness Report and the April 2023 Housing Sustainability and Investment Roadmap Report. At the time of engaging the SPRC, consultant, the focus was determining how many additional beds in the emergency shelter system would be required post-pandemic. Context has since shifted to reflect a new reality growing encampments family homelessness, increased numbers

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**SUBJECT: Addressing Needs of Unsheltered Individuals and those Relying on Hamilton's Emergency Shelter System (HSC23041) (City Wide) - Page 5 of 15**

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of refugee and asylum seekers arriving in Hamilton, and other critical social issues. Both emergency response and a focus on permanent housing solutions are required. There is significant risk to the health of our housing sector if we only respond to crises instead of also focusing efforts and investments upstream to create permanent housing solutions.

Staff from various teams and departments have worked together in this report to provide recommendations to address Hamilton's overburdened shelter system and growing homelessness issues and address basic needs of unsheltered individuals from a human-rights focus. The resulting focus in this report on permanent housing solutions reflects consensus from the June 2023 public engagement on Hamilton's approach to encampment response.

Some recommendations in this report require in-year decisions and it is recommended that where possible, investment decisions be referred to the 2024 budget process in order to provide Council the ability to consider all recommendations and prioritize accordingly. It will not be feasible to invest in all recommendations due to availability of resources. Additionally, partnerships with and funding from upper levels of government are required to make progress on ending chronic homelessness.

Informed by The Social Planning and Research Council's 2022 review of post-pandemic emergency sheltering needs in Hamilton and recommendations, this report outlines a three-pronged approach.

- Prong one recommends continued investment in interim emergency response interventions, including hotel overflow spaces for families experiencing homelessness, temporary shelter beds for women, winter response, and diversion programs to meet immediate need of individuals experiencing homelessness and unsheltered individuals until new permanent solutions are established. In-year decisions are needed for continuing hotel shelter overflow spaces for families and winter response; the remaining recommended investments are referred to the 2024 budget.
- Prong two recommends investments in immediate housing solutions through various strategies, including portable housing benefits for individuals who are unsheltered and/or homeless be referred to the 2024 budget. One recommendation requires an in-year decision related to an immediate opportunity to provide 24 units of housing with supports at City Housing Hamilton's King William project to house individuals directly from encampments this fall; the remaining recommended investments are referred to the 2024 budget.

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- Prong three recommends longer-term strategies and investment in creation of permanent supportive housing as described in the Housing Sustainability and Investment Roadmap, including:
  - One recommendation requires an in-year decision for the City to take advantage of an immediate opportunity to realize 20-25 units of permanent housing for families with occupancy by fall 2024 and provide a capital grant to Indwell for \$2.3M to enable their Acorn Flats project to begin construction within 30 days of approval.
  - Creation of a new Housing reserve fund to facilitate an in-year multi-year municipal commitment towards the creation of 200 new supportive housing units. It is proposed allocate the \$31M capital funding that would have otherwise been required to build new shelter beds instead to a three year, \$10 M annual Housing Secretariat reserve fund as municipal contribution to enable leveraging of provincial and federal funding for capital construction of new permanent supportive housing and that the Secretariat and staff work to develop options and parameters for delegated authority for this fund, and report back to Council in Q3 2023 on options.
  - Exploring the opportunity to create supportive housing through existing but unfunded Residential Care Facility spaces. Currently operators have unfunded beds that could be used to create additional permanent or temporary capacity for housing. Staff will further investigate costs and opportunities and report back to council.

Need and demand will always be greater than available resources, prioritizing recommendations in alignment with available in-year and 2024 resources is exceedingly difficult. Looking ahead, we must establish a policy framework that includes a target ratio for investing in permanent housing solutions versus emergency response to reorient Hamilton's homeless-serving system around prevention and permanent housing options to move people out of homelessness.

**Alternatives for Consideration – See Page 14**

**FINANCIAL – STAFFING – LEGAL IMPLICATIONS**

**Financial:**

Staff are requesting that family shelter overflows and 24 units of high level support services continue in 2023 at a total projected cost of \$4.4M to be funded in 2023, first from any new/additional Provincial or Federal Funding sources and if necessary, from available City of Hamilton COVID-19 Reserve and/or any 2023 Corporate Surplus'.

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\$876,000 will be recommended for the period of December 1, 2023 to March 31, 2024 to provide overnight drop in centres. This will be addressed in further detail in a forthcoming September 7, 2023 in the ECS Winter Response staff report. This results in a total potential additional cost of \$5.3M in 2023 to be funded a combination of the following sources: new/additional Provincial or Federal Funding sources, City of Hamilton COVID-19 Reserve and/or 2023 Corporate Surplus'.

A one-time Grant is also being recommended to the Indwell Acorn Flats Project which will provide an additional 20-25 permanent units for families at a cost of \$2.3M to be funded from the Unallocated Capital Levy Reserve in 2023/2024.

A report will also be forthcoming in Q3 from the Housing Secretariat addressing a multi-year municipal commitment of \$31M (\$10.33M over 3 years) towards the creation of 200 units of supportive housing by leveraging provincial and/or federal funding for projects in development as of this fall. The report will address financing options.

Staffing: Implementation of recommendations in this report will be referred to the 2024 tax operating budget process and require the addition of five permanent FTE within Housing Services Division's budgeted complement at a cost of approximately \$502 K for salary and benefits in 2024: 2.0 Emergency Shelter Case Managers, 1.0 Housing Support Worker, 1.0 Housing Services Clerk, 1.0 Sr. Project Manager.

Legal: Legal Services support will be required in drafting any agreements and developing the terms of those agreements.

## **HISTORICAL BACKGROUND**

On March 23, 2023, the Emergency and Community Services Committee approved Report HSC23021 Ending Chronic Homelessness, outlining a comprehensive approach and investments required to end chronic homelessness in Hamilton. In addition to identifying needs and related investments required for the homelessness serving system, this report included the need for additional capacity of 200 beds and 40 beds in the women's and family shelter system, at an estimated minimum of 5.7M annual operating costs and unknown capital costs, which were later costed by staff at a minimum of \$31M capital costs for a new build.

On April 19, 2023, the General Issues Committee approved Report HSC23028/FCS23055/PED23099 Housing Sustainability Investment Roadmap to guide cross-departmental work related to affordable housing issues. This included eleven first year priorities, including the creation of 200 new supportive housing units and a

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recommendation to provide a new municipal housing benefit to 500 households and approval of \$1M to be invested through the provincial Homelessness Prevention Program to establish a new Housing Benefit for up to 166 households per year at \$500/month/household.

## **POLICY IMPLICATIONS AND LEGISLATED REQUIREMENTS**

On June 21, 2019 the federal government passed the National Housing Strategy Act, Bill C-97, which legislated the right to housing in Canada.

Purchasing Policy 4.11, Section 2 (b) Policy for Negotiations, requires Council Approval when a single source for the supply of a particular Good and/or Service is being recommended because it is more cost effective or beneficial for when the request has a cumulative value of \$250,000.00 or greater.

## **RELEVANT CONSULTATION**

In July 2022, the Housing Services Division contracted the Social Planning and Research Council of Hamilton (SPRC) to support a review of post-pandemic emergency sheltering needs and recommendations (Appendix "A" to Report HSC23041). These recommendations are outlined in the analysis section.

From October 2022 through January 2023, more than 180 individuals with experience using emergency shelters and drop-in programs were engaged to inform review and revision of Hamilton's Emergency Shelter Standards. A staff report will come forward in Q3 2023.

Further consultation with external stakeholders regarding Hamilton's overall strategy to prevent and end experiences of homelessness has included engagement with: Hamilton is Home, Coordinated Access Steering Committee (a group made up of senior leaders within the homeless-serving sector), Coalition of Hamilton's Indigenous Leadership, Community Safety and Wellbeing Plan stakeholders, Hamilton's Community Advisory Board, and stakeholders of the Housing Sustainability Investment Roadmap. Community partners continuously advocate for greater investment in permanent housing. Without more permanent housing options people in shelters and encampments have nowhere to go.

This report and recommendations were also informed by Encampment public Engagement sessions where permanent housing solutions emerged as a consensus theme.

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Internal consultation was conducted with Finance and Procurement. Procurement supports the recommendations in this report

## **ANALYSIS AND RATIONALE FOR RECOMMENDATION**

Emergency shelters are necessary to ensure people experiencing homelessness are safe and their basic needs are met while they pursue stable housing. However, an over-investment in emergency response services runs the risk of regressing to a place of managing homelessness rather than ending it. To accelerate progress toward ending homelessness, Hamilton must move boldly to invest in long-term permanent solutions to homelessness. This is the only way to avoid cycles of short-term measures that help people cope with homelessness, rather than address the root causes.

### **Emergency Shelters**

Emergency shelters are designed to provide short-term shelter and housing supports, ideally for a duration less than 30 days. The City of Hamilton funds 9 shelters that currently offer 365 beds. The City also provides funding for hotel overflow for approximately 30 families because there is great need and no other options for families who find themselves without shelter (see Appendix "B" to Report HSC23041). Provincial Social Services Relief funding enabled the City to increase shelter capacity for all populations through hotel overflow during the pandemic, which brought shelter capacity to more than 600 beds at the peak of Covid-19 response (HSC20020(f)). Although the number of beds within the system was significantly higher from March 2020 through December 2022, demand for emergency shelter increased proportionately and shelter occupancy remained at capacity or over-capacity during the same period.

In 2022, a total of 58% for all populations and 85% of families spent more than 30 nights in shelter. This means that almost 60% of all shelter stayers were in need of shelter and supports beyond the intended design of the emergency shelter system.

Persistent over-capacity and long stays in the emergency shelter system are a direct result of a lack of permanent housing options. Beds are occupied for longer periods, leading to bottlenecks and forcing others to be turned away due to lack of space.

The report completed by Social Planning and Research Council, commissioned by City of Hamilton in July 2022, emphasized the need to prioritize investments in Indigenous community supports, permanent housing, and prevention. Many existing actions towards those priorities are addressed in HSC23021 and HSC23028 and continue to be prioritized by ongoing collaboration through the homeless-serving system. The report also stated a need for an additional 40 beds in the women's shelter system and 50 units (200 beds) in the family shelter system due to ongoing overcapacity and high demand.

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Preliminary estimates of capital costs for shelter expansion of this scale are approximately \$31 M. This is based on the average cost of \$500,000 per unit for new construction with an occupancy of four people per room, but actual costs could be higher. Ongoing operating costs are estimated at a minimum of \$5.7 M annually. Actual operating costs could vary depending on site proposed, development plan, and program model. Given continued pressures in the emergency system and the critical need to focus on permanent housing solutions, the recommendation in this report is to instead invest this amount over the next three years in a new housing reserve fund administered by the Housing Secretariat that acts as municipal contribution to leverage provincial and federal funding for supportive housing projects that can be ready for occupancy in the next 18-26 months. With Council direction, staff will further investigate this opportunity and report back to Council on financial options and an implementation strategy consistent with the Housing Sustainability and Investment Roadmap.

Family homelessness has become a new and significant crisis within our City. Between January 1 and April 30, 2023 there have been 249 'turn-aways' from the Family Centre due to the program having no space available. Currently, we are provided hotel room for families and capped at supporting approximately 30 families. Due to overflow spaces being used consistently, providing these 30 beds translates to a budget pressure of \$4.1 M in 2023 and \$4.45 M anticipated in 2024. Council approval and levy funding is required to continue providing these hotel spaces. Contracts will otherwise be brought to an end.

Likewise, the women's shelter system has continually had to add capacity to meet demand before and throughout the pandemic. Bed capacity in January 2020 was 46 beds and at its peak in early 2023, bed capacity was 109 beds. With Cathedral closed as of May 19, 2023, overflow was established at West Avenue to offer 20 beds for women for a total of 66 in the women's system. Avenue is funded temporarily until March 2024.

These shelter capacity pressures may suggest a need for more shelter beds, however investments in shelter space alone are insufficient without significant investment in homelessness prevention and permanent housing solutions to prevent people from getting stuck in homelessness and in shelter. The City of Hamilton needs to develop an ideal ratio of investments in permanent housing solutions vs. immediate emergency supports.

Hamilton already has more shelter beds per 100,000 compared to peer communities. Hamilton's investment was substantially higher than peer communities in 2021, when Hamilton had 110.4 beds per 100,000 compared to a median of 39.2 due to expansion of use of hotel overflow (see Appendix "B" to Report HSC23041). This tells us that the solution is not to continue expansion of shelter beds. This was demonstrated during

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COVID-19 response when shelter beds were increased to more than 600 spaces and were continually full. Any beds added to the system are likely to be filled while still seeing unmet demand.

**Proposed Solution: A 3-Pronged Approach**

The March 2023 Ending Chronic Homelessness and April 2023 Housing Sustainability and Investment Roadmap reports (HSC23021 and HSC23028) outlined actions that have already been initiated, including expanded prevention supports, Indigenous-led housing and homelessness solutions, enhanced case management programs, and new investments in affordable housing and housing subsidies. More investment is needed to respond to the levels of community need as evidenced by growing encampments and pressure on Hamilton's emergency shelter system.

**Prong One – Continued Interim Investment in Emergency Response**

To bridge the gap between now and when new permanent housing solutions are in place, continued funding for hotel overflow beds and the temporary women's emergency shelter located at 46 West Ave S (operated by Good Shepherd Centre Hamilton) are recommended through December 31, 2024.

If the funding for family hotel overflow is not approved in-year for 2023, capacity will need to be reduced immediately by 20 families (current capacity is 30 families) and capped at a maximum of 10 families, currently funded by provincial funding. As the program is partially funded by provincial programs, closing the remaining 10 beds and ending all hotel contracts would enable \$1.8M of provincial funding to be reinvested in the system in other ways for families. As inflation and costs continue to rise, the expenses related to hotel overflow beds are expected to increase in 2024 but until permanent solutions like Acorn Flats and other similar initiatives are available, the City has limited opportunities for housing families experiencing homelessness. Staff will continue to review and report back on opportunities.

If the funding for overflow at West Avenue is not approved, 20 beds of expanded capacity in the women's system will need to be reduced as of April 1, 2024.

Research indicates that early prevention supports dramatically reduce public spending on homelessness. Diversion is a form of prevention that exists within shelters as an essential component to an effective emergency housing strategy. Enhanced investments in diversion programs will enable hiring fulltime staff roles and dedicated flex funds to engage in mediation, problem solving, and the identification of community and housing supports. It is estimated that approximately 25-30% of people who access the shelter system can be successfully diverted if provided the right supports. This

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recommended enhancement is expected to prevent homelessness for up to 600 people per year.

**Prong Two –Immediate Solutions to Preserve and Attain Affordable and Supportive Housing**

Report HSC23021 in March 2023 outlined a need to establish a municipal housing benefit aligned with Rent-Geared-to-Income for an estimated 500 households to end their experience of homelessness. Portable housing benefits provide direct financial assistance to households rather than being tied to a housing unit. Allocating this benefit directly through homelessness support programs closes the affordability gap for people experiencing homelessness to find suitable stable housing on the private market. In April 2023, Council approved report HSC23028 and the recommendation to allocate \$1 M through the provincial Homelessness Prevention Program towards a municipal housing benefit for 166 households. Recommendation (e) in this report will support an additional 332 households to bring the total households served to the 500 range.

Through federal Rapid Housing Initiative funding, the City of Hamilton has invested in a new CityHousing Hamilton building that will offer 24 new units of housing at 257 King William. This building will be ready for occupancy in fall 2023. The recommendation for City investment of \$600,000 in 2023 and the first quarter of 2024 (\$1.2 M annually) in operational funding, while at the same time pursuing provincial commitment for these ongoing operating costs, will enable Indwell Community Homes and health partners to offer high intensity supports for individuals housed in these units, who may be coming from unsheltered homelessness or long-term periods of homelessness. This addresses a large need for housing with supports to help people exiting chronic homelessness to stabilize their housing and well-being.

Additionally, staff is proposing to explore how Residential Care Facilities can be used to expand the City's capacity to house individuals requiring minimal supports. By doing so, the City aims to increase its capacity to provide housing to more individuals on the By Name List, which is a list of individuals experiencing homelessness in the area. Here are some key points and potential benefits of this potential strategy:

- **Increased Capacity:** By subsidizing existing unsubsidized beds in Residential Care Facilities, the City can increase the overall housing capacity for individuals requiring minimal supports. This may lead to more vacant beds being utilized, thus reducing homelessness.
- **Support for Vulnerable Individuals:** Residential Care Facilities typically offer support services, which can be crucial for individuals with minimal support needs. This can improve the well-being and stability of those individuals and help them transition towards more independent living arrangements.

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- **Reduced Homelessness:** By focusing on housing individuals only from the By Name List, the strategy targets those in most urgent need of housing and aims to reduce the number of people experiencing homelessness in the community.
- **Cost-Effectiveness:** Subsidizing existing beds might be more cost-effective than building new. It can also be a faster solution to provide housing for those in need.
- **Collaboration with Residential Care Facilities:** Involving Residential Care Facilities in the strategy can foster cooperation between public and private sectors, encouraging them to contribute to solving the homelessness issue in the community.

Exploring the use of unsubsidized Residential Care Facilities beds to house individuals from the By Name List, requiring minimal supports, is a promising strategy to address homelessness and reduce the number of people experiencing homelessness in the City. In addition to understanding resource requirements, proper planning, collaboration, and monitoring will be vital to the success of this initiative. Staff will report back to Council with an update on opportunities to implement this strategy.

Prong Three – Invest longer term in permanent supportive housing as described in the Housing Sustainability and Investment Roadmap

Lack of permanent supportive housing for individuals and families with the highest complexity of need remains one of the largest gaps within the homeless-serving system. Towards addressing this gap, the City of Hamilton has made a commitment through the Housing Sustainability Investment Roadmap to work with upper levels of government and community partners to establish 200 units of permanent supportive housing for people with the greatest complexity of need. Currently there are no known supportive housing resources in Hamilton that are dedicated to families and too few for all population groups.

City staff have engaged with non-profit housing providers through Hamilton is Home and the Housing Sustainability and Investment Roadmap to identify permanent supportive housing projects that could be constructed (or substantially constructed) within the next 36 months. Hamilton is Home has identified 418 possible units where the land is owned (or there is a path to ownership), and if project funding were identified, construction of the units could meet this 36-month timeline. The City has worked with planning division staff to determine that almost 200 of these units do not require re-zoning, and construction could begin with one year. Municipal funding is required to make these projects viable. To facilitate leveraging provincial and federal investments, this report recommends the Housing Secretariat report back on a financing strategy and parameters that would enable the allocation of \$31 M municipal investment structured over three years, to ensure that viable projects can move forward quickly while optimizing cost-sharing between levels of government. Once constructed and operating,

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these supportive housing units will reduce pressure on emergency shelters, hotel overflow, and emergency response to encampments.

This report also recommends the City take advantage of an immediate opportunity to realize 20-25 units of permanent housing for families with occupancy by fall 2024 and provide a capital grant for \$2.3M to Indwell Community Homes for \$2.3M. Though community consultation, Indwell's Acorn Flats project has been identified as both the most shovel-ready project that project that best leverages funding from other levels of government, \$2.3M that Indwell has secured through the Federal Co-investment Fund Federal funding. Alternatives would require more time and be higher cost.

## **ALTERNATIVES FOR CONSIDERATION**

### **Alternative A:**

- Instead of allocating \$31M to the Secretariat for a Housing Reserve Fund, Council could direct staff to initiate a Request for Proposals for expansion of shelter beds, 40 beds in the women's system and 200 beds (50 units) in the family system.

The benefit of this approach is that it would help meet expected continued high demand for emergency shelter beds. This would reduce the instances where someone may be turned away from shelter due to lack of space and minimize the need for continued investment in overflow.

Risks include failure to invest in permanent housing, leading to higher numbers of people in shelter with nowhere to go. Investments in prevention and housing subsidies will help offset this risk, though won't meet the depth or diversity of need. Additionally, even with expanded shelter beds in the system, there is always potential for demand to increase and lead to further need to contract new overflow shelters through hotels or alternate sites.

### **Alternative B:**

- Allow contracts with hotel operators to expire and avoid \$4M levy pressure associated with costs of hotel overflow program or direct staff to explore other options for this \$6M investment(1.8M provincial funding). The total cost of hotels used to shelter families is \$6M, however, a portion, \$1.8M is derived from the provincial funding through the Homelessness Prevention Program.

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Benefits include the opportunity to invest further upstream and prevent new homelessness. Risks include even less ability to meet the needs of families currently experiencing homelessness. We currently have nowhere for families to be housed.

**APPENDICES AND SCHEDULES ATTACHED**

Appendix "A" to Report HSC23041: Hamilton Post-Pandemic Emergency Shelter Size Review: Key Findings. SPRC, July 2022

Appendix "B" to Report HSC23041: Hamilton Emergency Shelter Data Trends

# Hamilton Post-Pandemic Emergency Shelter Size Review: Key Findings

July 2022



## LAND ACKNOWLEDGEMENT

We acknowledge that the land on which this work was carried out 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. We hope to honour the spirit of the Dish With One Spoon agreement by working to build a nation-to-nation relationship with Indigenous communities in Hamilton.

## ABOUT SOCIAL PLANNING AND RESEARCH COUNCIL OF HAMILTON

SPRC Hamilton promotes equity, informs policy and planning decisions, and increases community engagement to improve social conditions. We accomplish this through research, policy analysis, community partnerships, and program delivery.

To learn more about SPRC, visit [sprc.hamilton.on.ca](http://sprc.hamilton.on.ca)

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*Photo by Isabela Viana*

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## 1.0 Introduction

The shelter system in Hamilton met the challenge of the COVID-19 pandemic and front-line workers continue to help people through personal struggles in these times of increased housing insecurity. Shelter providers responded quickly and efficiently to emerging needs, particularly over the past two years. They were flexible, creative, and resilient, and managed very good outcomes during the most challenging situations our community has faced. Hamilton's homelessness focussed agencies, including emergency shelters, managed to house 920 individuals during the 2-year period of the pandemic from April 2020 to March 2022.

Emergency shelter is the primary response that cities utilize to react to housing crisis and insecurity, but it is also the least effective and the most expensive. Shelter beds cost more than diversion, supported, or affordable housing subsidies.<sup>1</sup>

In addition, a chronic shortage of permanent affordable housing options, and/or housing with supports, often results in individuals cycling through the shelter system, which negatively impacts people's mental and physical health. Shelter clients have previously reported that shelter environments contribute to their emotional stress. There are also shelter users who report high levels of personal risk, either with respect to theft of their personal belongings or risks to their personal safety while in shelter.<sup>2</sup>

For the last 15 years, Hamilton's emergency shelter system has undergone a system transformation to be more responsive to client needs, provide higher quality service and safety, with more emphasis on diversion and re-housing.<sup>3</sup> The City's goal to end chronic homelessness is an important vision that must guide decision making as the shelter system adapts to post-pandemic emergency shelter needs in the community.

The City of Hamilton, Housing Services Division selected the Social Planning and Research Council of Hamilton to conduct a post-pandemic review of the size of the emergency shelter system. The scope directed the SPRC to consult service providers, review shelter data, and make recommendations for changes to the emergency shelter system needed in the short term, including what the "optimal size" of the shelter system should be to meet current needs.

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<sup>1</sup> <https://www.homelesshub.ca/about-homelessness/homelessness-101/cost-analysis-homelessness>

<sup>2</sup> Swanton, S. and Clinton D. (2010) *System Change: Service User Perspectives on the Homelessness Service System*. City of Hamilton. [https://www.hamilton.ca/sites/default/files/media/browser/2015-02-01/systemchange\\_userperspectives.pdf](https://www.hamilton.ca/sites/default/files/media/browser/2015-02-01/systemchange_userperspectives.pdf)

<sup>3</sup> <https://www.hamilton.ca/city-initiatives/strategies-actions/hamiltons-homelessness-ending-strategy>

## 2.0 Methodology

The time constraints for initiation and completion of this report were very limited. This impacted the methods that could be used and increased the limitations of the resulting findings.

### Quantitative Data Collection

The Homeless Individuals and Families Information System (HIFIS) is a web-enabled Homelessness Management Information System (HMIS) that can provide communities with the information they need to further their efforts with addressing homelessness. It allows multiple service providers from the same geographic area to implement coordinated access using real-time information about people experiencing homelessness and the resources they need to find and keep a home.<sup>4</sup>

Shelter data was accessed through the Open Hamilton data portal<sup>5</sup> and the Housing and Homelessness Dashboard.<sup>6</sup> Point in Time Count data was accessed on the City of Hamilton's website.<sup>7</sup> In addition, city staff provided data on persons who were turned away from accessing homeless shelters in Hamilton.

### Qualitative Data Collection

Interviews and focus groups were conducted with agencies providing shelter services, outreach, diversion, prevention, and/or drop-in services. Partners from Indigenous-led agencies, youth, women's, men's, and family services were consulted, as well as service providers that provide outreach services to shelter clients.

### Limitations

When conducting community consultations for the purpose of qualitative research, we would typically engage in a process that would allow for the collection of data, synthesis of data and reconfirmation of data with participants prior to making final analysis and recommendations. Due to the limited time constraints inherent in this research project, there was insufficient time to engage in follow-up discussion with respondents to validate and confirm our recommendations.

We further recognize this report focussed on engaging with persons who provide services to individuals who access emergency shelter systems. We did not engage persons with lived experience as part of this consultation given the mandate of the City and again, given limited time available for this project. We acknowledge seeking the

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<sup>4</sup> [The Homeless Individuals and Families Information System \(HIFIS\) - Homelessness Learning Hub](#). Accessed June 30, 2022.

<sup>5</sup> <https://open.hamilton.ca>

<sup>6</sup> <https://housing-and-homelessness-dashboard-spatialolutions.hub.arcgis.com/>

<sup>7</sup> <https://www.hamilton.ca/social-services/housing/point-in-time-connection>

input of persons with lived experience is a valuable and necessary best practice when it comes to understanding key issues, gaps in service, and recommendations for change and could be a useful complement to the information contained in this report.

The data analysis component in this report is basic. There are additional insights that could be helpful for shaping the shelter system that could be gleaned from existing datasets if additional time and effort is prioritized for data analysis and visualization.

The shelter data analysed for this report also has important limitations, due to data quality concerns. Shelter users may want to keep their personal information private and they may not share demographic characteristics during the intake process when data is recorded. Shelter staff have high workloads, making data collection and entry a lower priority than service to clients, reducing the quality of the datasets in some periods of high shelter usage. One particular limitation of the HIFIS shelter data collection process is that information pertaining to Indigenous persons entered into the system does not capture the total number of Indigenous shelter clients.

**Who we asked**

Participants were comprised of a mix of agency Executive Directors, Directors of Operations, and front-line managers from each of the direct shelter systems and representatives from agencies outside of direct shelter service but with connections to the same population of people. We were successful in consulting with fifteen programs as follows:

Community Youth Housing Project – Diversion Program	Salvation Army/ Booth Centre
Good Shepherd/ Mary’s Place and Martha House	St. Mathew’s House/ Street Outreach/ Seniors support
Good Shepherd/ Men’s Shelter	Hamilton Trans Health Coalition
Good Shepherd/ Notre Dame Shelter	Wesley Urban Ministries Day Centre
Good Shepherd/ Family Centre	Wesley Youth Housing
Hamilton Regional Indian Centre (HRIC)	Women’s Housing Planning Collaborative (WHPC)
Mission Services/ Willow’s Place/ Inasmuch House	YWCA/ Carol Ann’s Place
Native Women’s Centre/ Honouring the Circle	

## What we asked

The following is the list of questions used for interviews and for email outreach and written responses.

1. What focus population does your team work directly with (check all that apply):
  - Youth
  - Men
  - Women
  - Families
  - Other:
  - We are an Indigenous-led service provider
2. What are the most important, immediate needs in Hamilton's emergency shelter system to better fulfill its role in the housing continuum and better serve clients?
3. Thinking of the needs of the focus population your agency serves, should the City of Hamilton fund additional emergency shelter beds for your focus population(s)?

If yes:

4. Are there specific *types* of emergency shelter beds for your focus population(s) that are especially needed? (including specialized shelters for specific groups not properly served now?)
5. In general, what recommendations do you have for *staffing needs* to support these shelter beds?
6. What is the *number* of additional emergency shelter beds that are needed for your focus population(s) for the next year at least?

If you recommend no additional shelter beds for your focus population(s):

7. What recommendations would you have for City staff and Council for what they should do to better meet the emergency shelter needs of your focus population(s)?
8. Does your organization have (or is your organization involved with) a diversion model to support clients new to the shelter system, so that other solutions can be found for their emergency shelter needs and avoid entering the shelter system?

9. If you answered yes to question #4, can you briefly describe any insights and/or success your organization has had with your diversion model?
  
10. Do you have recommendations on the balance in funding between emergency shelter beds and diversion programs in Hamilton? In other words, what percentage of funds should be allocated for emergency shelter and diversion programs in your sector?
  
11. The SPRC is reviewing HIFIS data provided by the city for this report. Does your team have additional summary data not entered in HIFIS, for example reasons for turnaways, or reports you have prepared previously, that could be helpful to include? If so, who should we contact on your team to discuss further details?
  
12. Is there any other feedback on this topic you would like to add?

### 3.0 Housing Insecurity and Crisis

The effects of the housing crisis are growing exponentially for most low income, vulnerable populations, including those facing multiple challenges. Women who average lower pay, are more likely to experience violence, and are more likely to have children in their care making it more difficult to find affordable housing. Seniors, youth, members of the 2SLGBTQ+ community, and racialized groups face significant barriers to housing.

The housing crisis has significantly affected the shelter system since at least 2009 due to a variety of factors, some of them listed below. This has resulted in encampments and increasing pressures on our housing providers and homeless serving sector. Encampments reveal a clear need for increased affordable housing and are often the only option for people experiencing homelessness who don't meet requirements for admittance by shelter providers or through their own choice. Some avoid shelters to try and avoid COVID-19 transmission, or out of fear of theft, violence, and substance use that may be higher in shelter facilities.<sup>8</sup>

#### **Reduced market affordable housing**

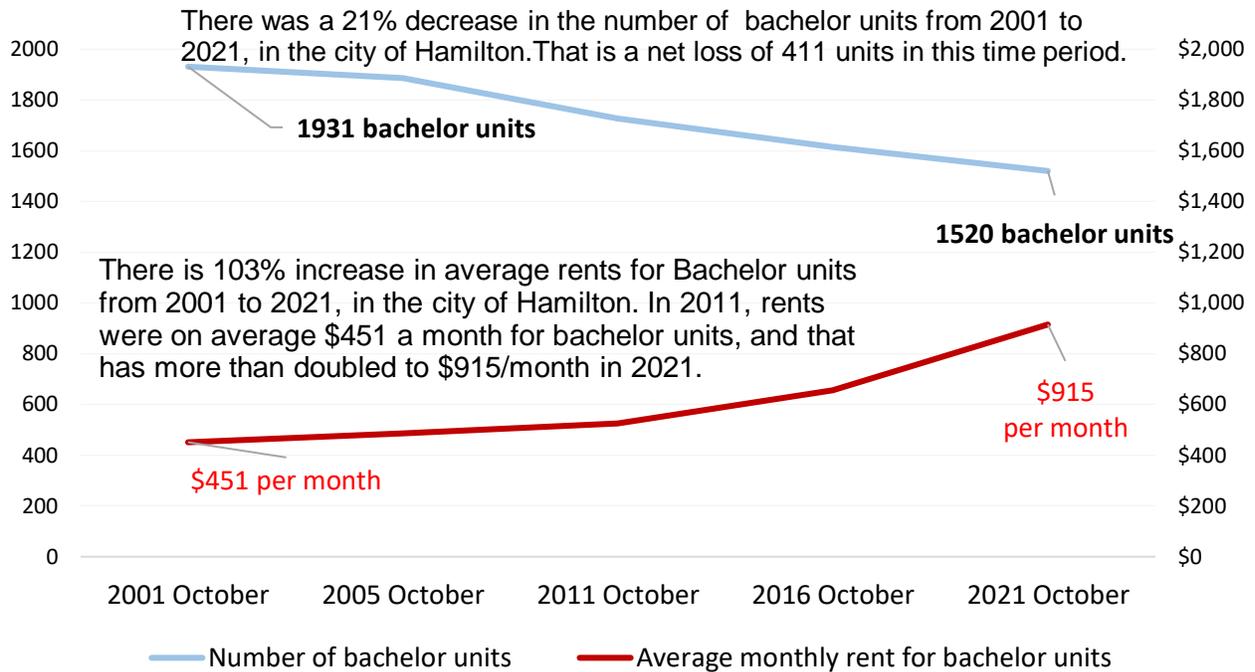
Hamilton previously relied on "market affordable housing" to provide a large portion of the city's affordable housing. Those units have become largely unaffordable as units increase in price, are converted into condominiums, and as the housing market and housing profitability continues to rise. The elimination of rental units has also been affected by a growing shift from long-term to short-term rentals such as AirBnb or Vrbo which can reap higher investment incomes for property owners.

In particular, the lowest priced unit type, bachelor apartments, have been steadily declining, with a loss of 400 bachelor units from the rental market in the past two decades. Formerly affordable bachelor units have now become unaffordable for anyone living on a low income, with rents now close to \$1,000 a month for these units, more than double the price since 2001.

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<sup>8</sup> . Public Health Ontario, Environmental Scan, February 3 2021 <https://www.publichealthontario.ca/-/media/documents/ncov/he/2021/02/covid-19-homelessness-environmental-scan.pdf?la=en>

**Number of bachelor units in the primary private rental market, and average rent, City of Hamilton, 2001-2021 (CMHC Housing Information Portal)**



**Weakened tenant protections**

Ontario’s tenant protections do not provide sufficient protections for tenants to mitigate forced evictions and rental increases between tenancies. Quebec’s stronger tenant protection laws have had some success in reducing rent increases and evictions.<sup>9</sup>

**Government housing investments have not kept pace**

Government investments in housing are still nowhere near the present need and investment levels of previous decades. In addition, new affordable housing programs have lower subsidies than previous programs and the end of previous programs has removed almost 2,000 units in Hamilton of subsidized affordable housing units.<sup>10</sup>

<sup>9</sup> SPRC Hamilton (2018). *Out of Control: Ontario’s acute rental housing crisis – Lessons from Hamilton and Quebec City*. <https://www.sprc.hamilton.on.ca/wp-content/uploads/2018/05/SPRC-Out-of-Control-rental-housing-report-June-2018.pdf>

<sup>10</sup> Housing and Homelessness in Hamilton Quarterly Data Snapshot, Q3 2021, Housing Services Division, City of Hamilton <https://pub-hamilton.escribemeetings.com/filestream.ashx?DocumentId=299327>

## 4.0 Key Findings – What we heard

### 4.1. Indigenous

#### Most immediate needs

Interviews with Indigenous and non-Indigenous leaders in shelter and support services, strongly suggest the need for Indigenous led shelters. Mainstream shelters are not seen as a viable option for Indigenous people.

At the same time, there are not enough beds to meet the current needs of the community, so many people are living in encampments and when feeling unsafe, go further into the bush.

“Don’t invest there (mainstream shelters) but in alternative supportive housing with supports and Indigenous-led efforts,” said one participant and this sentiment was echoed by many.

There is a need for more supports around addiction and mental health due to the amount of trauma experienced by Indigenous people in Canada, as articulated by the Truth and Reconciliation Commission’s Calls to Action.

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*“We need land, and we don’t have any for our people.”*

*“Relationships are so much more important than land acknowledgements.”*

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#### Emergency bed types and numbers

While more emergency beds were highlighted as necessary, the main emphasis from Indigenous voices in the consultation was on the need for shelters to be led by Indigenous organizations. There was also a call for investment in deeply affordable, supportive housing options that are safe and inclusive for Indigenous people, outside of the current mainstream shelters.

“Invest instead of arrest,” remarked one Indigenous leader who was calling for an investment in land and shelters that are Indigenous owned and operated.

While there is a shelter available for single women with low acuity on the VI-SPDAT,<sup>11</sup> and another for women with children next door, both run by Native Women's Centre, that is the extent of Indigenous led shelters.

A particular need for emergency responses for people in couples and families was indicated by Indigenous service providers.

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*"People are in encampments because they won't leave partners or families."*

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Families with children have unique needs that need to be met in spaces that are the right size with the right supports. It was further noted that encampments are populated by many couples, heterosexual, and same-sex, who refuse to be separated into a gender-based system or find no room for pairs to be accommodated.

A final trend heard from conversations with Indigenous service providers is the need for a shelter where people are able to bring their pets with them. As one Indigenous interviewee expressed, "That is their safe 'person'."

With over 100 people on the HRIC housing support waitlist alone, who are homeless and requiring support, there is clearly a need for more emergency beds and affordable housing with supports for Indigenous people.

### **Staffing**

There is a need for Indigenous, trauma-informed clinicians to work with Indigenous people experiencing addiction, trauma-induced mental health challenges, and homelessness as a result of colonization and systems of oppression.

The pandemic has worsened the already difficult challenge to find enough Indigenous people to hire, so it is essential to have ally staff at mainstream shelters who are trauma-informed and particularly adept in the cultural practices to address the trauma experienced by Indigenous people as a result of residential schools and demonstrated through the TRC Calls to Action.

Staff in the women's system need to be well equipped in understanding the impacts of trauma on Indigenous women, girls and 2SLGBTQ people. All staff in each demographic of the emergency shelter system need training in "cultural competency" or other forms of Indigenous education.

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<sup>11</sup> Vulnerability Index - Service Prioritization Decision Assistance Tool

## **Diversion**

Having an Indigenous shelter diversion worker was seen as key to filling the gaps in terms of beds in the system and reducing the number of people who are homeless. For people who need to access shelter, the diversion worker can make that transition smoother and the time in shelter shorter, if there is adequate affordable housing with supports.

## **4.2 Families**

### **Most immediate needs**

More adequate emergency shelter spaces are needed for families and their unique situations. However, shelters are an emergency solution, and often have difficulty connecting people to affordable housing.

There is also an immediate need for more affordable housing with supports and more long-term solutions to end family-related homelessness.

A larger staffing complement is needed to support both the families in the shelter as well as families coming in. An annual increase of funding for operations is needed for family shelters to better fulfill their role in the housing continuum. It is important to be able to adequately compensate staff for the work they are doing.

### **Emergency bed types and numbers**

Families need to be able to normalize their own family life, rituals, and maintain their autonomy. The sector continues to see that hotels are not a good solution for families and their sizes are inadequate. There is a significant need for private, contained units that help families maintain their own routines and independence like cooking their own meals for example.

The number of turnaways per month from Good Shepherd's Family Shelter, the only family shelter in Hamilton, gives some indication of the level of response needed to meet the needs of families experiencing homelessness here.

- March 2022: 49 unique families turned away due to family shelter spaces being full
- April 2022: 44 unique families turned away due to family shelter spaces being full
- May 2022: 46 unique families turned away due to family shelter spaces being full
- June 2022 (up to June 28<sup>th</sup>): 38 unique families turned away due to family shelter spaces being full

## **Staffing**

It is increasingly difficult to recruit people to work in shelters when the pay does not match the demands of the work. The staff are constantly dealing with people in crisis and working weekends and long hours while not being adequately compensated. Frontline shelter workers are leaving at rapid rates and the resulting agency turnover poses additional challenges. Adequate compensation would help retain staff.

It is important to assess the skills and strengths emergency shelter workers need to have and identify the training/professional development needed to better serve people accessing emergency shelters.

Emergency shelters are seeing an increase in mental health concerns, impacts of trauma, family violence, and substance abuse which puts considerable pressure on the two staff that are currently available at the family shelter. There is a significant need for more specialized positions particularly in mental health, harm reduction, and addiction treatment.

Currently the family shelter has 2 staff on-site for 105 people. Shelter staff are dealing with crisis calls as well as problem solving with families that walk into the facility and are unable to support the families that are already in the shelter. A larger staffing complement is needed to support both the families in the shelter as well as families coming in.

## **Diversion**

Diversion is an essential component to an effective emergency housing strategy; however, without access to affordable housing it doesn't resolve the issue. Families continue to have difficulty accessing permanent housing and staff struggle to connect families to units. There are currently only two family diversion workers.

## **4.3 Men**

### **Most immediate needs**

Affordable housing with supports was identified as a top priority by shelter directors and frontline staff alike in the men's system. Adding more emergency shelter beds to the existing number was not identified as a priority for this sector. However more flexibility in the system was identified as a need during extreme weather alerts, when demand is high, and persons turned away face risk if they cannot be protected from the extreme cold, or extreme hot weather.

By far, the most common feedback was that the men's sector faces staffing issues and this was seen as the most immediate challenge that needs to be addressed. The work

performed in the sector was identified as enormously complex and challenging and yet staff are not compensated at a matching level.

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*“We have very difficult clients with concurrent disorders.*

*We don’t know what to do with them.”*

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For many shelter users, what is needed to solve their homelessness is supportive housing. The current situation for these clients is independent housing with staff coming to visit about once a week to help them access other community supports for their other needs. For many clients this is not an adequate level of support, which leads to some clients not being able to maintain their housing.

### **Emergency bed types and numbers**

More of the same type of men’s shelter beds would not improve outcomes, therefore, they were not recommended by those consulted. However, the men’s sector was identified by some as needing more support and flexibility during the most dangerous nights of the year when extreme weather alerts bring the most demand for shelter. On these nights, the shelters are over capacity and shelter workers are forced to turn men away with no service.

More crisis beds are necessary in the men’s sector to respond to the concurrence of mental health disorders and substance use among some shelter users. Interviews with long term shelter workers and managers revealed that the level of acuity is much higher now than what was experienced a decade ago.

Currently there are ten beds at Barrett Centre for Crisis support for people having a mental health crisis and needing stabilization but not hospitalization. This is operated by Good Shepherd and funded through the health system. It mainly serves people who are housed. The long wait lists make it very difficult for someone who is homeless and having a mental health crisis to access those beds. This was given as an example of the type of bed that would increase access for shelter users who have a mental health crisis. This would alleviate pressure on the men’s shelter system and allow staff to give more time and attention to other shelter users. It is also thought this would lead to better outcomes for people accessing shelter.

When it comes to serving Trans, Non-binary and gender-diverse clients, one leader commented, “The men’s system is not known as safe for gender diversity so they may not come or people are staying closeted.”

Improving outflow out of shelter and transitional housing, and also social assistance, is needed, so that individuals get the support they need to have adequate income and housing.

## **Staff**

Men's shelters do not have enough specialized staff - social workers, mental health workers, or addiction workers on staff. COAST and other agencies are often called to support these clients, but their availability or offered services do not always meet the needs of clients.

Clients with concurrent disorders are among the most vulnerable clients, requiring complex care, and the health care system is not adequately meeting their needs. For some clients who have fallen through the cracks of the health system, the emergency shelter system is their main, most reliable, support safety net.

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*"There is a need for staff with specialized training – psychiatry, mental health, and addictions. We used to have city staff social workers."*

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The need for outreach staff to provide support and visit people once they are housed was seen as an important part of the system. In one men's shelter, 20 people who had been housed successfully returned to shelter within the first year.

Low wages were cited as problematic for recruiting and retaining staff, especially in comparison to the type of work performed. An example given for wages by one agency was just over Hamilton's living wage rate of \$17.20 for shelter workers and up to \$22 for caseworkers. It was noted that Personal Support Workers in the health sector were previously identified as workers not adequately compensated, and provincial funding was increased to address some of that gap. This was given as an example of the type of strategy that would help staff, not just financially, but also morally, because it would be a public gesture of support that would boost staff morale. It was also noted that during the pandemic, while shelter workers were on the front lines, doing important work and putting their own health at risk, they didn't feel as though the media or the public included them in the "thank you to front line workers" messaging seen across the city.

The work these individuals perform is enormously complex and challenging, with many positive outcomes, but there is also considerable emotional strain and staff are at high risk for burnout. For example, they may be dealing with multiple urgent issues at once in the shelter or managing a large caseload of clients with not enough support to spend adequate time with each person.

In the men's sector, it was estimated by one leader that well over half the men have concurrent disorders. Funding, however, has not kept pace, therefore, staff

qualifications and types of staff positions have not changed to reflect the different and more intensive needs of these clients.

The low wages, especially in comparison to the type of work performed, and the overall job market, means that staff turnover rates are the highest they have ever been, according to those working in the shelter sector. It is now a common occurrence for staff to be hired and quit within their first days of training. Turnover doesn't just mean additional time is needed to be constantly hiring and training new staff, it also means many positions are vacant for long periods of time. Staff vacancies can have an enormous impact on clients and outcomes. It is common, for example, for shelters to now have enough staff available for cleaning, for assisting with housing, or for extra assistance during urgent incidents. The "great resignation" which has been a widespread economic challenge across all sectors, has been particularly difficult for shelter systems.

The men's sector was further identified as needing more security and maintenance staff. Incidents of vandalism or destruction of essential shelter facilities like toilets were identified as occurring more frequently. When staff cannot remove the vandalized items, or fix the destroyed property, it puts greater stress on shelter clients, who feel heightened threats to their own safety when the environment around them is in disrepair. Shelter staff reported that they are not able to remove individuals who are making other shelter clients feel unsafe, and that police will only respond immediately to active threats of violence. For other situations, police response may be delayed by hours.

### **Diversion**

A shelter diversion model put forth by the City is in place in the men's sector; however, as one director said, "They don't call as much as just show up, therefore diversion is not helping much." On the other hand, another interviewee said diversion in the men's sector is possible with many clients and not just new shelter users. Some in the men's sector reported that even when a person can't be diverted, the communication of what the shelter can offer to support the person to find housing, and/or connect with other services, helps make their shelter stay less stressful and sometimes shorter. This is largely because expectations are clear, resulting in fewer incidents related to miscommunication and misunderstanding.

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*"Even 30% diversion rate in men's system is good success, because even those not diverted have better understanding and expectations and start regaining trust in the system."*

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Portable housing subsidies were identified as a major need in the men's sector, "and would make a dent if they were substantial in duration and amount."

## 4.4 Women

### Most immediate needs

While it was identified as necessary to add shelter beds to the women's emergency shelter system to accommodate growing numbers of people being turned away and living rough, increasing deeply affordable and supportive housing was seen as the most important need in the women's shelter system.

"Right sizing" the emergency shelter system in the post pandemic period" was noted as critical by multiple system leaders. The addition of 65 beds at Cathedral and the temporary support for the drop-ins at the YWCA and Mission Services have been helpful, but there still remains a lack of parity with the men's system

Hamilton's 2021 Point in Time Count showed the number of women in the system at just over half (53%) of those accessing Emma's Place and Carol Anne's Place (YWCA). Drop-in centres reported serving between 300 and 600 unique women in one year.

A historic lack of investment in beds for women, particularly single women without children in their care (different than Violence Against Women VAW beds), has led to this high need. Additional beds are seen as critical in the women's system.

Staffing is the other pressing need to be addressed. Women's shelters are seeing a higher proportion of people with significant mental health and substance use concerns and these spaces are not equipped with the resources to support these individuals. Emergency shelters need to be able to pay staff enough to keep them on full-time. Many staff have two or three jobs in order to support themselves and meet their basic needs due to the rising cost of living and freezing wages.

Many individuals accessing shelter should be on Ontario Disability Support Program but are finding it more difficult to access social assistance programs. An additional number of people accessing shelter are suspended from Ontario Works. A significant number of individuals also have no skill development and have not worked since they were teenagers, therefore, finding well-paying jobs has become near impossible. It is crucial to connect individuals accessing emergency shelter spaces to stable income.

### Emergency bed types and numbers

There is a need for emergency shelter beds with specialized supports for persons who have significant medical and social unmet needs related to mental health and addiction. Adding more beds without the level of support needed to what was often described as a "broken system," will not help.

Low-barrier beds for single homeless women in particular are needed. There are currently more beds for men than women, despite data demonstrating women make up more than half of the numbers. Carole Anne's Place has a deficit of 25 beds every night and it is not a designated shelter.

The right size for beds and even the physical form of a shelter is important. For example, Cathedral was noted by some as too big to accommodate the needs of clients.

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*“Best practices demonstrate that when you provide people with a locked door and private bathroom, people are better able to cope.”*

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There is currently a gap in serving trans and gender-diverse people in the community. Trans people are unable to access men's shelters because they feel unsafe. Outreach and shelter staff struggle to find safe shelter spaces for trans people because of the binary gender segregation integrated into most shelter systems.

Trans and non-binary people frequently need private or semi-private rooms. This can mitigate some of the emotional distress, gender dysphoria, and fear that results from staying in a shelter built according to binary cisgender norms, as well as limit the harassment of visibly trans or non-binary people by other people in the shelter. This also prevents people from being outed as trans by ensuring they have privacy when changing, using the bathroom and sleeping.

There is also a need for pet assistance. As noted in other sector conversations, many women will not move to a shelter because they are required to leave their pets behind.

There is a significant need for more supported living programs to support the growing number of people with significant mental health and substance use issues that make it challenging to access emergency shelter spaces.

## **Staffing**

In order to adequately address the needs of women and gender diverse individuals accessing emergency shelter spaces in Hamilton, it is crucial to have the resources and staff required. Women's shelters are seeing a higher proportion of people with significant unmet needs related to mental health and substance use and these spaces are not equipped to support these individuals.

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*“Staffing is critically dire. Unless we invest in staff wages, benefits and ongoing professional development, this work is teetering. This landscape is dystopian when it comes to the housing market and the*

*opioid crisis with workers bent over multiple times a day reviving overdosed people and responding to complex mental health issues for \$20 an hour after a diploma or degree right out of school.”*

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Emergency shelters are currently hiring new graduates with limited transferrable skills or lived experience of homelessness. These new hires tend to leave quickly, often during the training process, resulting in an ongoing critical staff shortage.

It is becoming harder for young people to handle the intensity of the environment without proper training and support. Shelters are hiring staff with no experience in advocacy, housing, or mental health, and expecting them to be able to provide intensive physical, mental health, and substance use intervention. Emergency shelter organizations need to be able to invest in their staff, education, and professional development. With adequate compensation, they would be able to provide the proper training and support needed for new graduates.

Decentralizing supports and having more internal staff was identified as a measure to relieve some pressure. Reaching Home currently has two staff to support 65 residents and residents are often unable to make it to appointments. Hiring peer workers has made a world of difference in providing one-on-one supports for residents, taking them to appointments and talking with them to better identify their needs.

There is a need for additional support workers for maintenance and cleaning, to deal with issues such as bed bugs, mice and other infestations to take the pressure off the staff who are often required to fulfill these roles, just to improve day to day functioning. Hoarding experts were also noted by some as an essential resource.

### **Diversion**

For the most part, diversion from shelter in the women’s system has not been successful of late. For women, an important factor for consideration in diversion from shelter is her safety. This often means there is no place available to divert her and shelter really could be the right spot.

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*“Diversion depends on early entry into homelessness compared to people who are chronically in need of the system.”*

*“We get people with long histories of homelessness coming to our door and they don’t meet the medium and low acuity – they have been homeless long term so there are no referrals.”*

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The women who are seeking support through a drop-in centre are noted as, “people coming from encampments and they are not being diverted from the shelter system. These are women who have been on the streets. They need to be diverted at the shelter door.”

Transitional housing is needed to move people past the shelter system but the 69 beds at the YWCA are staffed for low acuity and not able to handle the majority of women and gender diverse people experiencing homelessness now. There is also a lack of funding, post-pandemic, to support the food required to serve the population living there.

## **4.5 Youth**

### **Most immediate needs**

There was a call to prioritize funding for affordable housing with life skill development and follow-up care for youth leaving housing programs (including existing transitional housing) to ensure they remain housed and do not return to homelessness.

While the youth shelter system is not currently experiencing occupancy pressures, this does not mean that investments are not required. Dedicating resources to transitional and supportive housing for youth, homelessness prevention, diversion, and case management supports is the most effective means of ensuring that youth in crisis do not age into chronic homelessness.

There is a need to increase funds to support investment in staff wages and retention. This will allow for investment in staff capacity and ability to hire individuals with skills and training to support harm reduction/substance use, trauma, and mental health challenges with the youth shelter population.

The physical space requires investment to support single rooms and reduced shared spaces. These are problematic for infection control and isolation in cases of infectious diseases. Further, single rooms/bathrooms support trauma-informed practice, promote individual dignity, and decreases communal living conflicts. This setting also works best to provide service to trans, non-binary, and gender-diverse youth.

### **Emergency bed types and numbers**

The types of beds needed for youth require low barrier supports for individuals with high acuity support needs. This should be considered through the lens of a crisis level need. At this time, other solutions were identified as being more important for the youth shelter system than additional beds/spaces.

While 2SLGBTQ+ youth and Indigenous youth are welcomed and services strive to provide inclusive, equitable service, it is recognized there may be a preference to have shelter spaces dedicated specifically to these communities.

### **Staffing**

Providing sufficient funding to youth shelters and programs in order to attract and retain the highly trained staff needed for this work is essential.

Similar to other sectors, the Youth system needs staff with more clinical expertise or immediate access to clinical expertise, including psychiatry, to respond to the complex need of youth seeking service. There is an added need for staff to have the ability to support diversion efforts.

### **Diversion**

Involvement with the collaborative approach to youth shelter diversion has shown great success diverting youth from homelessness and shelter stays by engaging families, and natural supports when safe, and appropriate for the youth. Shelter workers are trained in diversion and use this with every encounter with youth. Diversion is offered 24/7 at the shelter in-person or by phone in an effort to divert youth or make youth's experience of homelessness as short as possible.

In a collaborative, multi-agency model, youth are supported in transitioning back to their family, natural supports, or independent housing. It is critical to fund diversion beds to keep this important asset in the youth sector and community alive. This is currently unfunded and at high risk of discontinuing. It is also critical to continue supporting and expanding the number of case managers that provide important supports that can redirect youth before they enter the shelter system.

## 5.0 Data Highlights

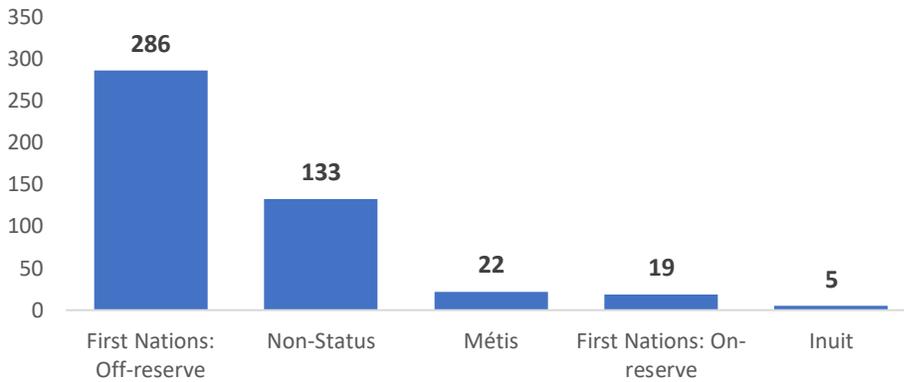
### Turnaway Data

Turnaway data provides insight into the clients that couldn't be served by the shelter system. Since 2019, there have been almost 4,800 turnaway events in Hamilton's emergency shelter system. The most common reason for a turnaway (44%) was bed unavailability. Shelter staff further explained that this occurs most often on the most dangerous nights of the year – when there is a cold or heat alert. The second most common reason was no appropriate bed was available. This includes times when a person has higher needs than can be accommodated by the shelter.

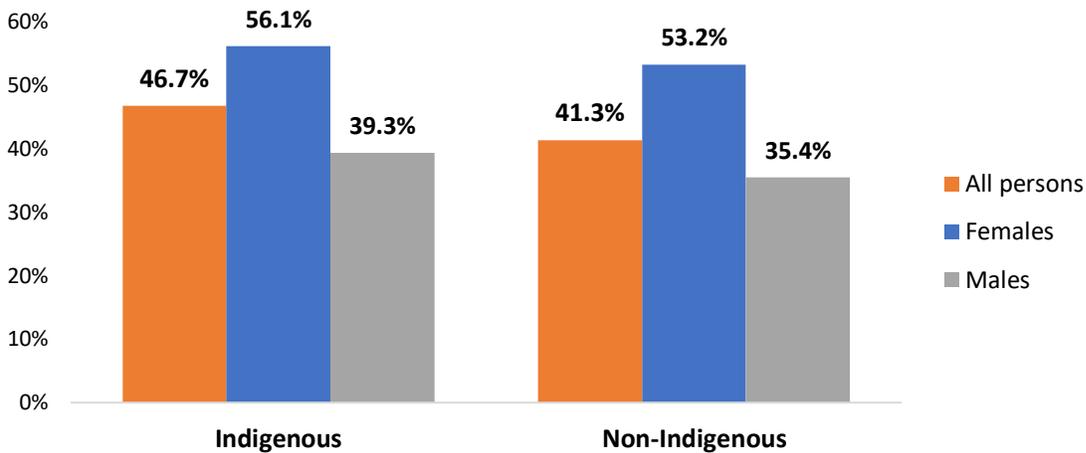
Reason for Turnaway	Turnaway #'s	Turnaways %
Court Order	4	0%
Decided not to Stay	56	1.2%
Difficult to Serve	31	0.6%
Diversion Successful	328	6.9%
Has other Housing	139	2.9%
Highly Intoxicated	6	0.1%
Ineligible for Service - Gender	6	0.1%
Ineligible for Service - Other	438	9.2%
Ineligible for Service - Too Old	205	4.3%
Ineligible for Service - Too Young	25	0.5%
Lack of Identification	7	0.1%
Language Barrier	1	0.0%
No Appointment Scheduled / Available	1	0.0%
No Appropriate Beds Available	691	14.5%
No Beds Available	2095	43.8%
Physical Accessibility	2	0.0%
Safety / Security Risk	154	3.2%
Too Much Household Income	3	0.1%
Service Restriction	590	12.3%
<b>Total</b>	<b>4782</b>	<b>99.8%</b>

## Indigenous status

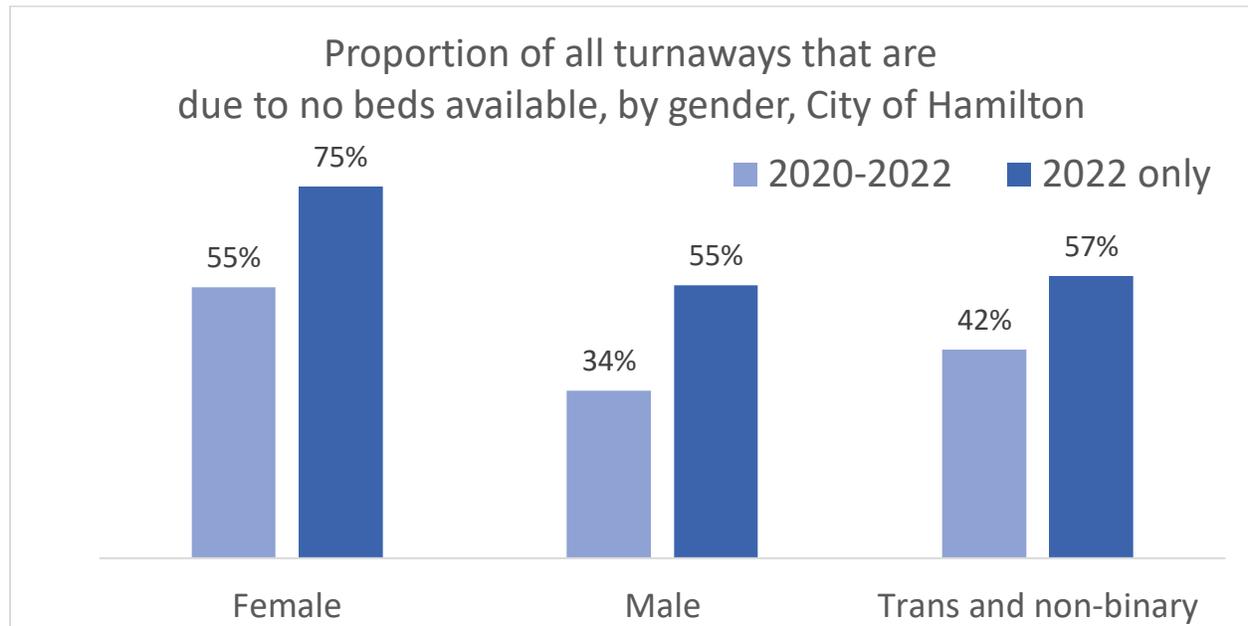
**Indigenous Persons Turned Away from Accessing Shelter  
 Hamilton (January 2020 - May 2022)**



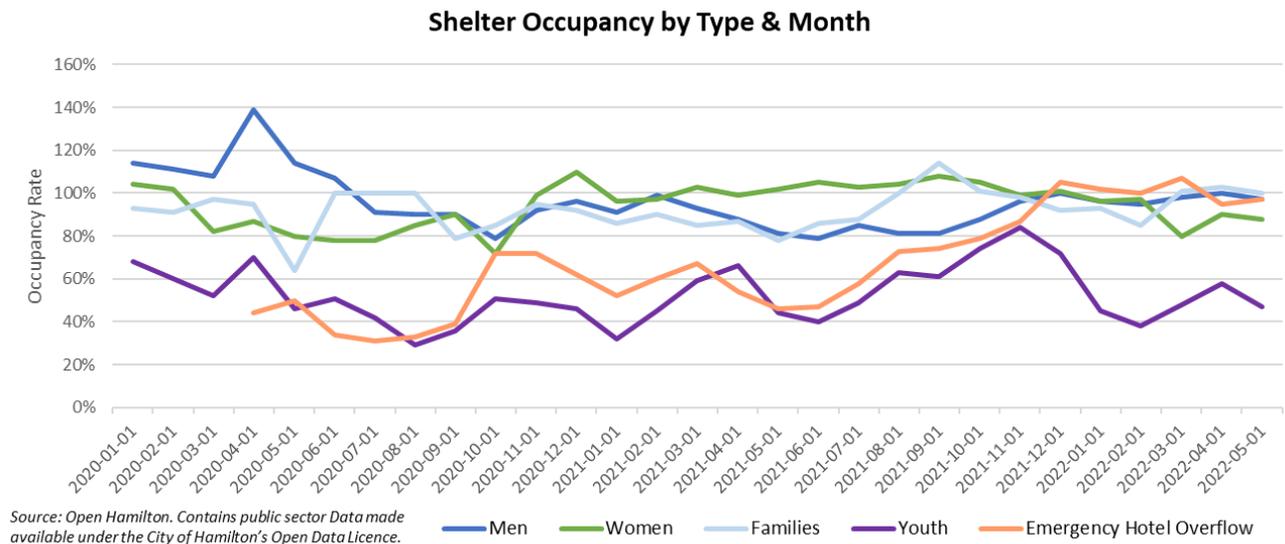
**Percentage of Persons Turned Away from Accessing Shelter Because No Bed Available  
 Hamilton (January 2020 - May 2022)**



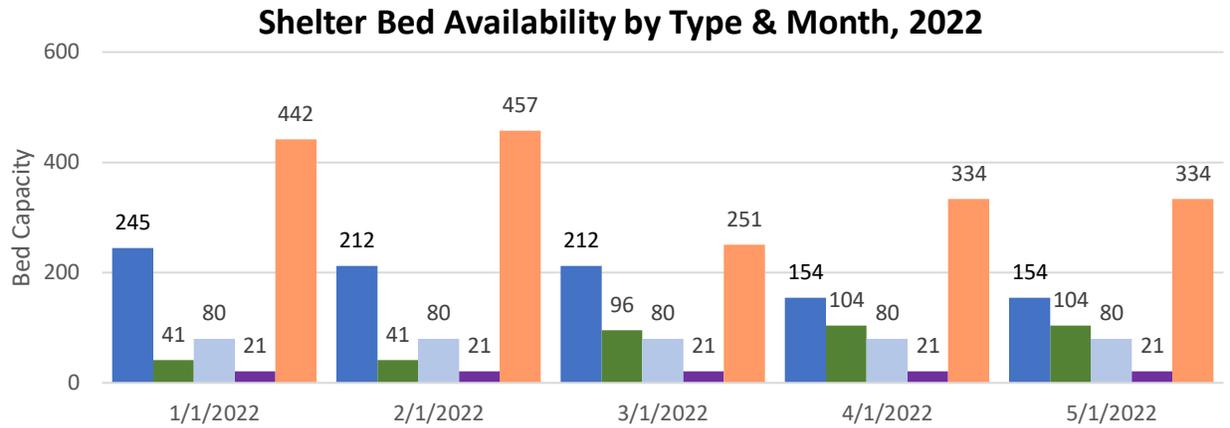
## Gender



## Occupancy rates



Shelter occupancy over the course of the pandemic showed that for most shelter types, occupancy was near or over available beds.



Source: Open Hamilton. Contains public sector Data made available under the City of Hamilton's Open Data Licence.

■ Men ■ Women ■ Family ■ Youth ■ Emergency Hotel Overflow

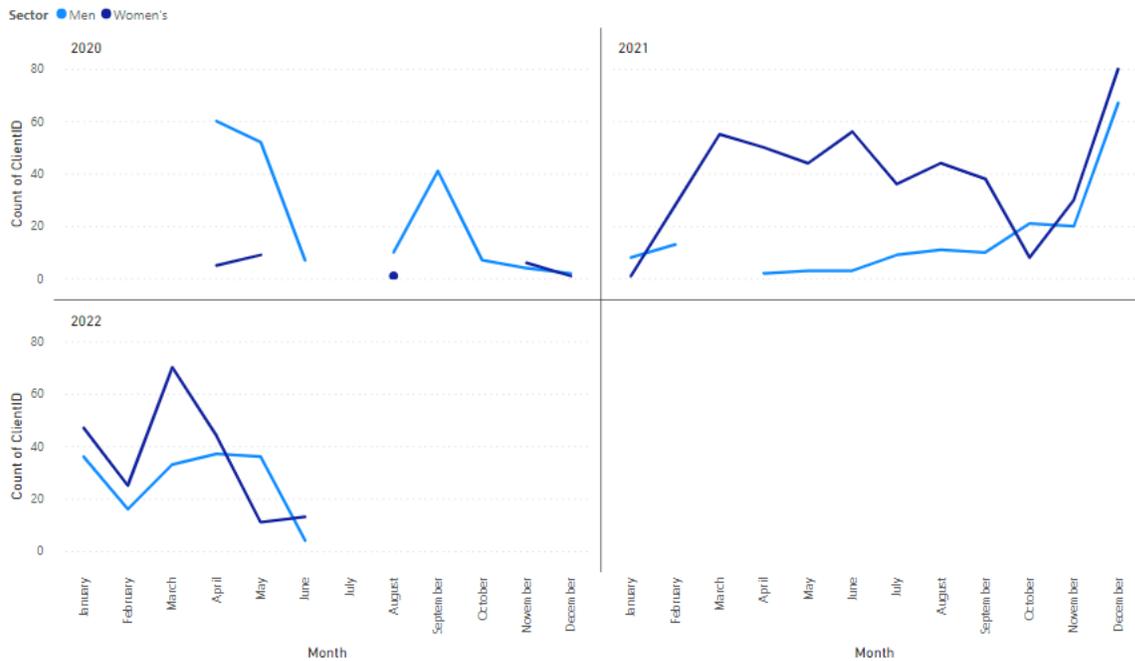
Shelter bed availability varied from 829 in January 2022 to a current availability of 693 beds in May 2022. About half of the shelter bed availability was comprised of emergency hotel overflow.

## Using turnaway data to estimate current needs for additional emergency shelter beds

It is difficult for shelter staff to reliably track unique individuals in turnaway data, because people who aren't offered a bed are much more reluctant to share personal information, compared to shelter clients who are able to access service. Given this limitation, there still is some information about the number of unique individuals turned away in the HIFIS dataset provided by the City, and not just turnaway events.

This chart represents unique individuals turned away each month with the reason that no beds were available in the men's and women's sectors of the emergency shelter system in Hamilton. Earlier data has more missing values, but more recent data is more robust. Nonetheless, given the limitations of this data, only general trends can be highlighted. The graphs show that during most of 2021 the women's sector was averaging over 40 unique persons a month who had to be turned away due to no beds available, while the men's sector had much lower turnaways for no beds available, until the last two months of 2021. More recently, men and women's sector turnaways for no beds available is more variable. In the women's sector the turnaways are much higher than they ever were, reaching over 60 unique persons in March 2022. These numbers can help estimate a ballpark of dozens of beds needed in the women's sector to meet emergency shelter needs that are higher than ever.

Unique individuals turned away due to beds not available, City of Hamilton emergency shelter system, by men's and women's sectors, 2020-2022 (missing data due to difficulties tracking turnaways by unique individuals)



## 6.0 Recommendations

### 6.1 Prioritize the Indigenous Community

Currently in Hamilton, there is one shelter for Indigenous women with children and one for single women with low acuity. There are no Indigenous-specific shelters for youth, men, or families.

Non-Indigenous shelter spaces cannot provide appropriate cultural support for Indigenous people accessing service, such as smudging or elders on site. These supports are considered essential for Indigenous healing from colonization and the practices that have led to extraordinarily high numbers of Indigenous people in the homeless population.

Staff in non-Indigenous led shelters and other services along the housing continuum, do not have the knowledge or training to provide appropriate responses to Indigenous people experiencing homelessness.

#### Recommendations

**6.1.1** New shelter space should be prioritized for the Indigenous community. The shelter should be designed through an Indigenous-led process to determine the highest need.

**6.1.2** Staff in non-Indigenous shelters should undertake training to increase knowledge and understanding of Truth and Reconciliation Commission's *Calls to Action*, and the Murdered and Missing Indigenous Women and Girls' *Calls to Justice*.

**6.1.3** It is further recommended that training connected to Indigenous people's specific experiences and needs along the housing continuum become embedded in City emergency shelter service contracts.

### 6.2 Prioritize safe and deeply affordable housing with supports and transitional housing

Service providers across the sectors, both Indigenous and non-Indigenous, agreed there was a preeminent need for emphasis on deeply affordable housing with supports, including transitional housing.

In a February 2022, a report on the rental market, the Canadian Mortgage and Housing Corporation (CMHC) stated, "Rents have persistently grown faster than incomes in Hamilton CMA, leaving even mid-income renters with few affordable options." "Low-

income renters at the 20th income percentile, or \$25,000, continued to have relatively no vacant units that were affordable.”<sup>12</sup>

## **Recommendation**

**6.2.1** The City must pursue policies, relationships, and actions that prioritize the development of safe and deeply affordable and low barrier housing with supports, including transitional housing for people across sectors. This housing should include a priority for Indigenous people.

## **6.3 Prioritize staff recruitment and retention**

The pandemic has already hindered the ability for agencies to recruit and retain experienced social workers and other much needed practitioners. Funding streams do not provide for an increase in wages and shelter funding has been stagnant.

People accessing shelter services, drop-in centres, and/or living in encampments, present with an increasingly complex set of realities, often including concurrent mental health disorders and addictions.

**6.3.1** Increase operational funding for shelters in every sector in order to adequately compensate staff with cost of living increases and to match the level of work it takes - intellectual, physical and emotional - to respond to high acuity clients.

**6.3.2** Provide additional funds to hire the specialized staff needed to respond to the concurrent mental health disorders and addictions predominant throughout each sector.

**6.3.3** Trans, Non-binary, Gender-diverse training is recommended in each sector in order to better serve 2SLGBTQ+ people in general, and Trans people specifically.

## **6.4 Emergency shelter bed types and numbers**

All sectors agreed that affordable housing with supports was the priority for Hamilton. However, three sectors – Indigenous, Women, and Family – were identified as populations requiring an increase in emergency shelter responses.

Men and Youth sectors were seen as currently having the right number of beds and not requiring additional beds at this time. The emphasis in these sectors was on the need for specialized staffing and programming for existing beds and increased portable

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<sup>12</sup> Canadian Mortgage and Housing Corporation (CMHC), *Rental Market Report, Canada and Selected Markets*. February 2022. <https://assets.cmhc-schl.gc.ca/sites/cmhc/professional/housing-markets-data-and-research/market-reports/rental-market-report/rental-market-report-2021-en.pdf?rev=a5a0eaac-6f70-4058-8aa3-e6d307685910>

housing allowances for stabilizing people in their housing opportunities. For many clients accessing shelter, there are no appropriate housing options for them to move to and, as a result, often have lengthy stays in shelter. The need for low-barrier transitional housing that can support individuals on their housing journey was highlighted, specifically within the youth sector.

## **Indigenous**

As stated in section 6.1, there was a strong call to prioritize the Indigenous community in this response. Currently in Hamilton, there is one shelter for Indigenous women with children and one for single women with low acuity. There are no Indigenous-specific shelters for youth, men, or families.

## **Recommendations**

**6.4.1** New shelter beds should be prioritized for the Indigenous community. Based on current waitlists at HRIC of over 100 people looking for housing, and the high numbers of turnaways for Indigenous people trying to access shelter (see page 25) there is a high need for shelter beds designated for Indigenous people.

**6.4.2** New shelter beds must take couples and pets into consideration.

**6.4.3** Long-term, any new shelter should be designed through an Indigenous-led process to determine the best way forward to support the highest needs in the community.

**6.4.4** If Indigenous people are still required to access emergency beds in the mainstream shelters, training and education to better understand and serve Indigenous people will be necessary. In addition, accommodation for smudging and access to elders in mainstream shelters will be needed to support Indigenous shelter clients.

## **Women**

Hamilton has a long history of inequity as it pertains to emergency shelter beds for men and women. Currently, the Point in Time count has indicated women are more than half (53%) of the people experiencing homelessness in this community, yet this is not reflected in the resources provided for each demographic.

The prevalence of trans, non-binary, and gender-diverse people receiving care in the women's system has shown a need for more particular training and an exploration of other best practices to respond best to this demographic. (See staff training recommendation 6.3.2 above)

The number of unique women, trans, non-binary and gender-diverse people with high acuity who are unable to stay at shelters, remains between 300 and 600 according to the two drop-ins (CAP and Emma's) where they access service.

## **Recommendations**

**6.4.5** Recognizing women make up more than half of the people experiencing homelessness in Hamilton, increase the number of low barrier shelter beds available for women, trans, non-binary and gender-diverse people to a level of parity with the men's system. Most responses estimated an additional 40 beds are required.

**6.4.6** Provide ongoing and stable funding for the drop-in centres, Carol Anne's Place and Emma's, especially as it relates to increasing staff to client ratios.

## **Families**

The sector has been experiencing a marked increase in family homelessness since the pandemic. Good Shepherd Family Centre is currently the only family shelter in Hamilton and has seen an increase in families staying in the hotel. Before the pandemic there were approximately 20 families staying in hotels. Now there are between 47-50 families staying in the hotels in addition to the 20 staying in shelter.

The shelter is consistently full and recent statistics indicate anywhere from 35 – 50 families turned away per month in the last four months.

Since the pandemic measures have been scaled back, there are no longer sufficient numbers of hotel rooms to accommodate the overflow.

### **Recommendation:**

**6.4.7** The City should fund an additional 50 family units in the system, supported by qualified staff as noted in 6.3 and 6.5.1.

## **Youth**

While there is broad consensus that additional shelter beds are not needed in the youth sector, there is a high need for increased investment in the sector to expand current programs and fill gaps in the youth sector.

Diversion and prevention programs are the key to youth intervention to help mitigate the need for youth to access emergency shelter and to prevent youth from becoming entrenched in the shelter system.

Trauma-informed, best practices indicate a need for single sleeping space and bathrooms across sectors, and particularly for trans, non-binary, and gender-diverse youth.

## **Recommendations**

**6.4.8** Increase funds to support investment in staff wages and retention. This will allow for investment in staff capacity and ability to hire individuals with skills and training to

support harm reduction / substance use, trauma, and mental health concerns with the shelter population.

**6.4.9** Investment is required to support a physical space with more single rooms and reduced shared spaces, highlighted as a trauma-informed best practice. These are also seen as problematic for infection control and isolation in cases of infectious diseases.

## **Men's**

While increasing the current bed types in the men's sector was not identified as a priority, the men's system faces pressures from the growing unmet health needs of their clients. The men's sector does not have adequate specialized staff and supports to ensure shelter clients always feel safe and able to connect to appropriate housing in an acceptable time frame. Pressures in the men's sector are heightened during extreme weather alerts, which are increasing in number.

### **Recommendations**

**6.4.10** Provide more flexibility in the system during extreme weather events, so the men's sector can provide safe shelter for the increased demand during cold and hot alerts.

**6.4.11** Increase funding for staff wages and specialized staffing to increase retention and reduce staffing pressures in the men's system. Increase support for security and/or maintenance staff to address vandalism and property destruction in a shorter time frame, to ensure shelter users feel safe and protected from risks.

**6.4.12** Continue to find ways to develop partnerships with the health sector to find more sustainable supports for the unmet health needs of many shelter clients.

## **6.5 Diversion**

Diversion was reported as working particularly well in both the youth and family sectors.

Involvement with the collaborative approach to Youth shelter Diversion has shown great success diverting youth from homelessness and shelter stays by engaging families, and natural supports when safe and appropriate for the youth. Shelter workers are trained in diversion and use with every encounter with youth.

While there has been success in women, men, and Indigenous sectors, generally the population appearing for service in these sectors have been long entrenched in homelessness and diversion has less of a chance of being successful. Some feedback from the men's sector was that for their shelter, exploring the possibility of diversion is still important for everyone accessing shelter. It was highlighted that when individuals

can be supported to reconnect with family or friends, they often will have increased support in their lives compared to what shelter can offer. Diversion practices also increase communication and relationship building with shelter clients at an early stage, which was identified as an important benefit for all clients and staff.

In all sectors, it was noted that diversion was not possible when there was significant family disconnection, as well as a lack of affordable or transitional housing options.

### **Recommendations**

**6.5.1** Increase funding directed toward diversion in the sectors where it demonstrates positive outcomes.

**6.5.2** Increase cross-sectoral learnings from diversion teams. Support the continued development of the Prevention and Diversion Check-in Table.

**Appendix “B” to Report HSC23041  
Page 1 of 2**

**Hamilton’s Emergency Shelter Data**

As of May 2023, the City of Hamilton funds 9 shelters including 365<sup>^</sup> emergency shelter beds.

**Table 1: Hamilton Emergency Shelter Beds Per System – May 2023**

Target Population / System	Number of Beds per System	Average Occupancy (%)	Shelter Name	Number of Beds per Shelter – May 2023
Men’s Shelter System	198	99%	Good Shepherd Men’s Centre & West Ave	54
			Mission Services Men Centre	58
			Salvation Army Booth Centre	86
Women’s* Shelter System	46	93%	Good Shepherd Mary’s Place	25
			St Joseph’s Womankind	6
			Mission Services Emma’s Place	15
	20	West Avenue S Overflow	20	
Family Shelter* System	80	100%	Good Shepherd Family Centre	80 (20 rooms)
	208 (52 rooms)		Hotel Overflow	208 (52 rooms)
Youth Shelter System	21	57%	Good Shepherd Notre Dame House	21

\* Temporary shelter overflow in the women’s system and family system are factored into occupancy. This means that the women’s system is operating at 93% occupancy with 20 additional temporary beds in the system. The family system is at 100% occupancy with an additional 52 rooms (approximately 208 beds) beyond the 20 permanent units (80 beds) within the system.

<sup>^</sup>There are also 112 beds available through Violence Against Women Shelters, that are not City-funded.

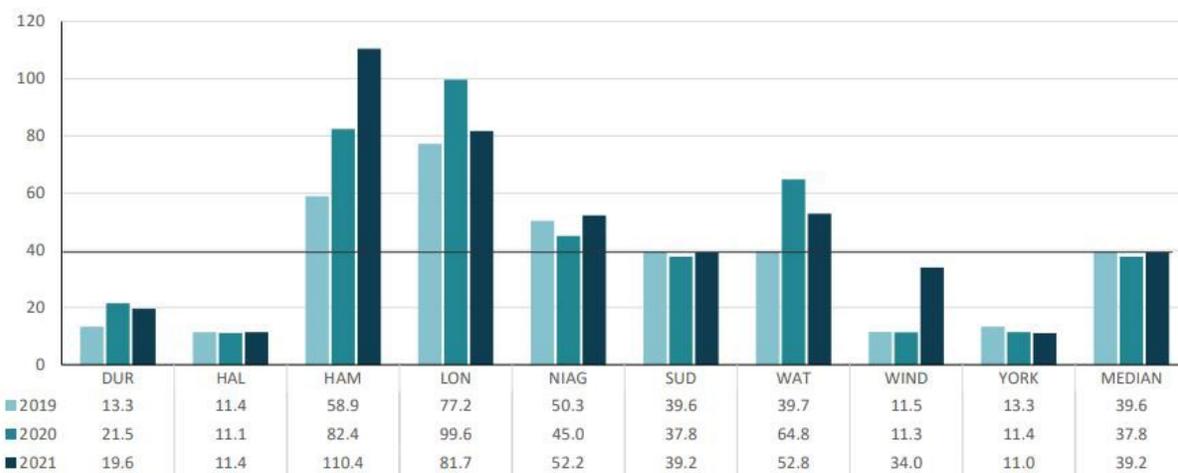
**Appendix “B” to Report HSC23041**  
**Page 2 of 2**

**Table 2: Comparative Trends - Emergency Shelter Beds Per 100,000 Population**

**Emergency Shelters**

**HSTL205 - Average Nightly Number of Emergency Shelter Beds Available per 100,000 Population**

Where motel rooms are a permanent part of the shelter model, motel rooms are included in the total. However, where motel rooms are not a permanent part to the model but are used as needed, the total number of shelter beds does not include motel rooms.



Hamilton: 2021 includes emergency hotel spaces made available and used.

Windsor: The large increase in 2021 was due to the addition of an 84-bed shelter being funded by the Service Manager for the first time.

Source: Municipal Benchmarking Network of Canada (MBNC) 2022

Note: In 2021, Hamilton had the highest number of beds per 100,000 at 110.4 compared to a median of 39.2 due to expansion of use of hotel overflow for all population groups during the pandemic.

According to data compiled by Municipal Benchmarking Network Canada, pre-pandemic. Hamilton had 58.9 shelter beds per 100,000 people. This was higher than the median of 38.9 among eight<sup>1</sup> other comparator communities and less than only one community, London.

Although Hamilton does have more or a comparable number of shelter beds to comparator communities, there is also a high level of need as well as an imbalance in the number of beds available between population groups. Table 1 in Appendix “C” illustrates that Hamilton’s shelter system is consistently at or over-capacity, with unique pressures in the family and women’s systems.

<sup>1</sup> Comparator communities in MBNC data include: Durham, Halton, Hamilton, London, Niagara, Sudbury, Waterloo, Windsor, York



# Addressing Needs of Unsheltered Individuals and those relying on Hamilton's Emergency Shelter System (HSC23041) (City Wide)

General Issues Committee August 14, 2023

## Issue/Extent of Need

- Since 2020, the total number of people experiencing homelessness has increased and shelters have remained at or over capacity, especially in the women's and family shelter systems
- As of June 2023, 1723 individuals were known to have connected with the homeless-serving system in the three months prior
  - This is an increase from 1545 in January 2023:
    - a 12% increase in 6 months
    - a 69% increase from in 3 years (June 2020)
- Increasingly, Hamilton's shelter system is serving more refugee and asylum seekers (from 20% - 32% on a given night)

# Context

- In July 2022, the Social Planning Research Council Report analyzed post-COVID shelter demand and capacity, and recommended a suite of actions to address homelessness and pressures in the emergency shelter system.
- Staff brought forward Ending Chronic Homelessness (March 2023) and The Housing Sustainability and Investment Roadmap (April 2023) with recommended actions.
- In light of the alarming trends related to Hamilton's Housing Crisis, on April 2023, the City of Hamilton declared a crisis related to homelessness, mental health and opioid addiction
- In June 2023, public engagement on Hamilton's approach to encampments resulted in a consensus on the City's need to invest in permanent housing solutions

# We must address both Emergency Response AND Permanent Housing Solutions



# 3 Pronged Solution

Housing-Focused  
Emergency Response



Immediate  
Housing Solutions



Long-Term Housing  
Strategies



# Immediate Opportunities To Help People

	Recommendations	\$ Levy 2023	Outcome
	Emergency Shelter Overflow	\$4.1M	Temporary accommodations for up to 30 families/night in hotels
	Winter Response	\$876,000	Warming centres for 150-200 people/night experiencing homelessness (September 7, ECS)
	CHH-King William	\$600,000	Move 24 individuals from encampments into housing
	Acorn Flats Housing for Families	\$2.3M	Grant to Indwell to construct 20-25 permanent supportive housing units for families by end of 2024

These recommendations require in-year decisions



Recommendations	\$ Levy 2024	Outcome
<b>Prong 1 – Housing Focused Emergency Response</b>		
Emergency Shelter Overflow	\$4.5M	Temporary accommodations for up to 30 families/night in hotels
Case Management Supports	\$190K	Support for families in hotels
Women’s Shelter Beds	\$952K	Continued funding for 20 overflow beds in women’s homelessness system
Shelter Diversion	\$333K	Prevent up to 600 men, women, youth and families from homelessness

These investment decisions are referred to the 2024 budget process in order to provide Council the ability to consider all recommendations and prioritize accordingly

# Opportunities To Help People - Referred to 2024 Budget (2 of 2)



Recommendations	\$ Levy 2024	Outcome
<b>Prong 2 – Immediate Housing Solutions</b>		
CHH-King William - Supports	\$1.2M	Supports for 24 individuals from encampments when in housing
Housing Allowances	\$2.0M	Create 333 additional housing allowances/municipal housing benefit
5x Housing Services Staff	\$502K	Staff to deliver homelessness prevention and shelter services
<b>Prong 3 - Long Term Housing Strategies</b>		
HSIR Reserve	~\$10.3M	Commitment of funding for future permanent supportive housing projects

These investment decisions are referred to the 2024 budget process in order to provide Council the ability to consider all recommendations and prioritize accordingly

## Additional Recommendations



### Explore opportunities to create supportive housing through unfunded beds in Residential Care Facilities

- ✓ Additional capacity, up to 100 new spaces
- ✓ Support for vulnerable people
- ✓ Cost-effective
- ✓ Collaborative approach requires Provincial & Federal partnership
- ✓ Will create flow through system

## Additional Recommendations



\$31M investment over three years towards the development of supportive and/or affordable housing, led by the Housing Secretariat, to leverage provincial and federal funding



## Additional Recommendations



Policy framework to guide future municipal investment in the housing sector to shift to an ideal ratio for emergency response, homelessness prevention and permanent housing solutions to decrease reliance on emergency interventions



Advocacy to Provincial and Federal government



# STRATEGIES FOR ENDING HOMELESSNESS

CAN WE MOVE FROM THIS...



...TO THIS!





QUESTIONS?



## **TRANSIT AREA RATING REVIEW SUB-COMMITTEE CLERK'S REPORT 23-001**

10:00 a.m.

Thursday, July 27, 2023

Room 192/193

Hamilton City Hall

71 Main Street West

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Pursuant to Section 5.4(5) of the City of Hamilton's Procedural By-law 21-021, as amended, at 10:30 a.m. the Legislative Coordinator to the Committee advised those in attendance that quorum had not been achieved within 30 minutes after the time set for the Transit Area Rating Review Sub-Committees, therefore, the Legislative Coordinator to the Committee noted the names of those in attendance and the meeting stood adjourned.

Present: Councillors B. Clark, C. Cassar and T. McMeekin

Absent

with Regrets: Councillors T. Hwang, M. Tadeson and A. Wilson

Respectfully submitted,

Carrie McIntosh  
Legislative Coordinator



**LIGHT RAIL TRANSIT SUB-COMMITTEE  
REPORT 23-003**

10:00 a.m.

Wednesday, July 26, 2023

Council Chambers

Hamilton City Hall

71 Main Street West

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**Present:** Mayor A. Horwath, Councillors M. Wilson (Chair), N. Nann (Vice-Chair) C. Cassar, J.P. Danko, and T. Hwang

**Absent with**

**Regrets:** Councillors M. Francis and C. Kroetsch – Personal

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**THE LIGHT RAIL TRANSIT SUB-COMMITTEE PRESENTS REPORT 23-003 AND RESPECTFULLY RECOMMENDS:**

**1. Light Rail Transit Operations Models (PED23166) (City Wide) (Item 8.1)**

That Report PED23166, respecting Light Rail Transit Operations Models, be received.

**FOR INFORMATION:**

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

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

**6. DELEGATION REQUESTS**

- 6.1 Brian Connolly, ATU Canada, respecting Keep Transit Public and Perils of Using Public-Private-Partnerships (P3) / Alternative Finance Procurement (AFP) to Design, Build, Finance, Operate and Maintain Public Transit (for today's meeting)
- 6.2 Anthony Marco, Hamilton & District Labour Council, respecting the Procurement and Tendering Processes with Regard to Operation and Maintenance of Hamilton's LRT (for today's meeting)

- 6.3 Eric Tuck, ATU Local 107, respecting ATU Historical Contractual Rights and Major Stakeholder (for today's meeting)
- 6.4 Violetta Nikolskaya, YWCA Hamilton, respecting Gendered Issues Impacting Transit (for today's meeting)
- 6.5 Koubra Haggar, Hamilton Centre for Civic Inclusion, respecting Keeping the LRT Public (for today's meeting)
- 6.6 Lyndon George, HARRC, respecting LRT Transit Models (for today's meeting)

the agenda for the July 26, 2023 Light Rail Transit Sub-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) June 2, 2023 (Item 4.1)**

The Minutes of the June 2, 2023 meeting of the Light Rail Transit Sub-Committee were approved, as presented.

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

**(i) Correspondence from Ian Borsuk, Environment Hamilton, respecting Item 8.1 Light Rail Transit Operations Models (PED23166) (City Wide)**

The correspondence from Ian Borsuk, Environment Hamilton, respecting Item 8.1 Light Rail Transit Operations Models (PED23166) (City Wide), was received and referred to the consideration of Item 8.1

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

The following Delegation Requests, were approved:

- (i) Brian Connolly, ATU Canada, respecting Keep Transit Public and Perils of Using Public-Private-Partnerships (P3) / Alternative Finance Procurement (AFP) to Design, Build, Finance, Operate and Maintain Public Transit (for today's meeting) (Item 6.1)

- (ii) Anthony Marco, Hamilton & District Labour Council, respecting the Procurement and Tendering Processes with Regard to Operation and Maintenance of Hamilton's LRT (for today's meeting) (Item 6.2)
- (iii) Eric Tuck, ATU Local 107, respecting ATU Historical Contractual Rights and Major Stakeholder (for today's meeting) (Item 6.3)
- (iv) Violetta Nikolskaya, YWCA Hamilton, respecting Gendered Issues Impacting Transit (for today's meeting) (Item 6.4)
- (v) Koubra Hagggar, Hamilton Centre for Civic Inclusion, respecting Keeping the LRT Public (for today's meeting) (Item 6.5)
- (vi) Lyndon George, HARRC, respecting LRT Transit Models (for today's meeting) (Item 6.6)

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

- (i) **Brian Connolly, ATU Canada, respecting Keep Transit Public and Perils of Using Public-Private-Partnerships (P3) / Alternative Finance Procurement (AFP) to Design, Build, Finance, Operate and Maintain Public Transit (Item 7.1)**

Brian Connolly, ATU Canada, addressed the Committee respecting Keep Transit Public and the perils of using Public-Private-Partnerships (P3) now known as Alternative Finance Procurement (AFP) to design, build, finance, operate and maintain public transit.

- (ii) **Anthony Marco, Hamilton & District Labour Council, respecting the Procurement and Tendering Processes with Regard to Operation and Maintenance of Hamilton's LRT (Item 7.2)**

Anthony Marco, Hamilton & District Labour Council, addressed the Committee respecting the procurement and tendering processes regarding the operation and maintenance of Hamilton's Light Rail Transit.

- (iii) **Eric Tuck, ATU Local 107, respecting ATU Historical Contractual Rights and Major Stakeholder (Item 7.3)**

Eric Tuck, ATU Local 107, addressed the Committee respecting ATU's historical contractual rights and status as a major stakeholder Hamilton's Light Rail Transit.

- (iv) **Koubra Hagggar, Hamilton Centre for Civic Inclusion, respecting Keeping the LRT Public (Item 7.4)**

Koubra Hagggar, Hamilton Centre for Civic Inclusion, addressed the Committee respecting Keeping the LRT Public.

**(v) Violetta Nikolskaya, YWCA Hamilton, respecting Gendered Issues Impacting Transit (Item 7.5)**

Violetta Nikoskaya, YWCA Hamilton addressed the Committee respecting Gendered Issues Impacting Transit.

**(v) Lyndon George, Hamilton Anti-Racism Resource Centre (HARRC), respecting LRT Transit Models (Item 7.5)**

Lyndon George was not present when called upon.

The following Delegations, were received:

- (i) Brian Connolly, ATU Canada, respecting Keep Transit Public and Perils of Using Public-Private-Partnerships (P3) / Alternative Finance Procurement (AFP) to Design, Build, Finance, Operate and Maintain Public Transit
- (ii) Anthony Marco, Hamilton & District Labour Council, respecting the Procurement and Tendering Processes with Regard to Operation and Maintenance of Hamilton's LRT
- (iii) Eric Tuck, ATU Local 107, respecting ATU Historical Contractual Rights and Major Stakeholder
- (iv) Koubra Hagggar, Hamilton Centre for Civic Inclusion, respecting Keeping the LRT Public
- (v) Violetta Nikolskaya, YWCA Hamilton, respecting Gendered Issues Impacting Transit

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

**(i) Light Rail Transit Operations Models (PED23166) (City Wide) (Item 8.1)**

Jason Thorne, General Manager of Planning and Economic Development, and Abdul Shaikh, Director of Hamilton Light Rail Transit, provided the Committee with a presentation respecting Report PED23166, Light Rail Transit Operations Models, with the aid of a PowerPoint presentation.

**Light Rail Transit Sub-Committee  
Report 23-003**

**July 26, 2023  
Page 5 of 5**

The presentation by Jason Thorne, General Manager of Planning and Economic Development, and Abdul Shaikh, Director of Hamilton Light Rail Transit respecting Report PED23166, Light Rail Transit Operations Models, was received.

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

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

There being no further business, the meeting adjourned at 11:40 a.m.

Respectfully submitted,

Councillor M. Wilson, Chair,  
Light Rail Transit Sub-Committee

Carrie McIntosh  
Legislative Coordinator  
Office of the City Clerk



## **OPEN FOR BUSINESS SUB-COMMITTEE REPORT 23-001**

**11:00 a.m.**

**Friday, July 28, 2023**

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

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**Present:** Councillors C. Cassar, T. Hwang and M. Wilson M. Tadeson

**Also in Attendance:** Greg Dunnett, Hamilton Chamber of Commerce  
Terri Johns, West End Home Builders' Association  
Matteo Patricelli, Flamborough Chamber of Commerce  
Kyle Slote, Hamilton-Burlington Society of Architects  
Amanda Stringer, Realtors Association of Hamilton-Burlington  
Nadine Ubl, Business Improvement Area Sub-Committee  
Brenda Wilson, Stoney Creek Chamber of Commerce

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### **THE OPEN FOR BUSINESS SUB-COMMITTEE PRESENTS REPORT 23-001 AND RESPECTFULLY RECOMMENDS:**

#### **1. APPOINTMENT OF CHAIR AND VICE-CHAIR (Item 1)**

- (a)** That Councillor T. Hwang be appointed as Chair of the Open for Business Sub Committee for the 2022-2026 Term of Council.
- (b)** That Councillor C. Cassar be appointed as Vice-Chair of the Open for Business Sub Committee for the 2022-2026 Term of Council.

#### **2. Open for Business Update (PED23118) (City Wide) (Item 8.1)**

That staff be directed to report back to the Open for Business Sub-Committee on the impacts of Bill 23 on the grading plan requirement for development projects and what the new grading requirements are for the projects that didn't previously require them.

**FOR INFORMATION:**

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

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

**9. CONSENT ITEMS**

**9.1 Open for Business Sub-Committee – Terms of Reference**

The agenda for the July 28, 2023 Open for Business Sub-Committee 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) October 21, 2019 (Item 4.1)**

The Minutes of the October 21, 2019 meeting of the Open for Business Sub-Committee were approved, as presented.

**(d) STAFF PRESENTATIONS (Item 8)**

**(i) Open for Business Update (PED23118) (City Wide) (Item 8.1)**

Jason Thorne, General Manager, Planning and Economic Development, addressed the Committee respecting the Open for Business Update, with the aid of a presentation.

The presentation respecting Report PED23118, Open for Business Update, was received.

For further disposition of this matter, refer to Item 2.

**(e) CONSENT ITEMS (Item 9)**

**(i) Open for Business Sub-Committee – Terms of Reference (Added Item 9.1)**

The consideration of the Open for Business Sub-Committee – Terms of Reference, was deferred to the October 26, 2023 meeting of the Open for Business Sub-Committee.

(f) **ADJOURNMENT (Item 15)**

There being no further business, the Open for Business Sub-Committee be adjourned at 12:19 p.m.

Respectfully submitted,

Councillor Tammy Hwang  
Chair, Open for Business  
Sub-Committee

Matt Gauthier  
Legislative Coordinator  
Office of the City Clerk



Hamilton

**ADVISORY COMMITTEE FOR PERSONS WITH  
DISABILITIES  
REPORT 23-007**

4:00 p.m.

Tuesday, July 11, 2023

Room 264, 2nd Floor

Hamilton City Hall

71 Main Street West

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**Present:** Councillor M. Tadeson, A. Mallett (Chair)  
J. Kemp (Vice-Chair), P. Cameron, M. Dent,  
L. Dingman, L. Janosi, P. Kilburn, M. McNeil,  
T. Murphy, K. Nolan, T. Nolan

**Absent**

**with Regrets:** S. Aaron, J. Cardno, A. Frisina, C. McBride,  
R. Semkow

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**THE ADVISORY COMMITTEE FOR PERSONS WITH  
DISABILITIES PRESENTS REPORT 23-007 AND  
RESPECTFULLY RECOMMENDS:**

- 1. Stakeholder Consultation Process to Explore  
Options for an Effective Governance Structure for  
the Board of Health (no copy) (Item 11.1)**

That the Advisory Committee for Persons with Disabilities supports the adoption of a hybrid model of governance for the City of Hamilton's Board of Health, whereby the membership includes representation of persons with disabilities.

## **2. Reimbursement for the Purchase of Candy for the Senior's Month Kick-off Event (Item 12.2)**

WHEREAS, members of the Advisory Committee for Persons with Disabilities' Outreach Working Group represented the Committee at the Senior's Month Kick-Off Event on June 20, 2023; and

WHEREAS, the Outreach Working Group decided that in lieu of a more permanent and costly giveaway, sugar free candies would be offered as way to attract visitors to the Advisory Committee for Persons with Disabilities' table.

THEREFORE, BE IT RESOLVED:

- (a) That reimbursement to James Kemp in the amount of \$47.28, including HST, attached as Appendix "A", for the cost of sugar free candies from the Bulk Barn, handed out by the Outreach Working Group on behalf of the Advisory Committee for Persons with Disabilities at the June 20, 2023, Senior's Month Kick-off Event, from account 300303, be approved.

**FOR INFORMATION:****(a) CHANGES TO THE AGENDA (Item 2)**

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

The Agenda for the July 11, 2023, meeting of the Advisory Committee for Persons with Disabilities, 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) June 13, 2023 (Item 4.1)**

The June 13, 2023, minutes of the Advisory Committee for Persons with Disabilities meeting, were approved, as presented.

**(d) COMMUNICATIONS (Item 5)****(i) Invitation to participate in an interview regarding Hamilton's Board of Health Governance Structure (Item 5.1)**

The invitation to participate in an interview regarding Hamilton's Board of Health Governance Structure (Item 5.1), was received and referred to the consideration of Item 11.1, Stakeholder Consultation Process to Explore Options for an Effective Governance Structure for the Board of Health.

**(f) PRESENTATIONS (Item 8)**

**(i) Temporary Outdoor Patio Program - Accessibility Upgrades to Pedestrian By-pass Structure 2023 (Item 8.1)**

Cristina Geissler, Business Development and BIA Officer, provided the Committee with a presentation respecting the Temporary Outdoor Patio Program and Accessibility Upgrades to Pedestrian By-pass Structure 2023, with the aid of a PowerPoint presentation.

The presentation from Cristina Geissler, Business Development and BIA Officer, respecting the Temporary Outdoor Patio Program and Accessibility Upgrades to Pedestrian By-pass Structure 2023, was received.

**(g) CONSENT ITEMS (Item 9)**

**(i) Built Environment Working Group Update (Item 9.1)**

The Built Environment Working Group Update (Item 9.1): Built Environment Working Group Meeting Notes – June 23, 2023 (Item 9.1(a)), was deferred to the August 8, 2023 meeting of the Advisory Committee for Persons with Disabilities.

The following updates and meeting notes, were received:

- (1) Housing Issues Working Group Update (Item 9.2)
  - (a) Housing Issues Working Group Meeting Notes – June 27, 2023 (Item 9.2(a))
- (2) Outreach Working Group Update (Item 9.3)
  - (a) Outreach Working Group Meeting Notes – July 3, 2023 (Item 9.3(a))
  - (b) “Ability First” Accessibility Fair Update – July 2023 (Item 9.3(b))

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

- (i) **Stakeholder Consultation Process to Explore Options for an Effective Governance Structure for the Board of Health (no copy) (Item 11.1)**

Maha Arshad, Director, MASS LBP was present to discuss the Stakeholder Consultation Process to Explore Options for an Effective Governance Structure for the Board of Health.

The information respecting Stakeholder Consultation Process to Explore Options for an Effective Governance Structure for the Board of Health, was received.

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

#### **(h) MOTIONS (Item 12)**

A. Mallett relinquished the Chair to T. Murphy in order to introduce the following Motion:

##### **(i) Postponing the Annual “Ability First” Accessibility Fair (Item 12.1)**

WHEREAS, an annual “Ability First” Accessibility Fair was approved by Council on February 22, 2023, which is to be organized by the Advisory Committee for Persons with Disabilities and held on September 28, 2023; and

WHEREAS, it was a last minute decision to commit to holding the “Ability First” Accessibility Fair in 2023 in this transitional year for the Committee as new members are yet to be

appointed to the Advisory Committee for Persons with Disabilities;

WHEREAS, the Advisory Committee for Persons with Disabilities would like additional time to review the look and design of the website and media and to include the input of the newly appointed members; and

WHEREAS, the Advisory Committee for Persons with Disabilities would like to work with staff to review the look and design of the website and media to create a more professional appearance.

THEREFORE, BE IT RESOLVED:

- (a) That the September 28, 2023 “Ability First” Accessibility Fair, be postponed until 2024 to a date to be decided on by the newly appointed Advisory Committee for Persons with Disabilities; and
- (b) That the Advisory Committee for Persons with Disabilities, including the newly appointed Committee members, review and revise the look and design of the website and media, with the assistance of staff for the annual “Ability First” Accessibility Fair to be held in 2024.

The above motion was DEFEATED.

A. Mallet assumed the Chair.

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

**(i) Accessibility Complaints to the City of  
Hamilton (Item 14.1)**

There were no accessibility complaints reported.

**(ii) *Accessibility for Ontario with Disabilities Act,  
2005 (AODA) Update*(Item 14.2)**

No update.

**(iii) Presenters List for the Advisory Committee for  
Persons with Disabilities (Item 14.3)**

There were no changes to the Presenters List.

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

There being no further business, the Advisory  
Committee for Persons with Disabilities meeting, be  
adjourned at 6:07 p.m.

Respectfully submitted,

A. Mallett, Chair

**Advisory Committee for  
Persons with Disabilities**

**Carrie McIntosh  
Legislative Coordinator  
Office of the City Clerk**



**Hamilton-Wentworth District School Board (HWDSB)  
Liaison Committee  
REPORT 23-001  
Tuesday, July 18, 2023  
10:00 a.m.  
City Hall  
Room 264, 2<sup>nd</sup> Floor, 71 Main Street West, Hamilton**

<b>Present:</b>	D. Danko, Chair, HWDSB (Co-Chair) Councillors J. Beattie and M. Tadeson Trustee P. Tut, HWDSB
<b>Also Present:</b>	Councillors T. McMeekin and M. Wilson
<b>Absent with regrets:</b>	Mayor A. Horwath (Co-Chair) – City Business

**THE FOLLOWING ITEMS WERE REFERRED TO THE GENERAL ISSUES COMMITTEE FOR CONSIDERATION:**

**1. Correspondence to the Minister of Education in Support of Funding for the Construction of a New School in Southeast Waterdown (Added Item 11.1)**

That the Mayor send Correspondence to the Minister of Education in support of funding for the construction of a new school in Southeast Waterdown, to correspond with the HWDSB's next round of Capital Priorities Submissions.

**FOR INFORMATION:**

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

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

The agenda for the September 12, 2022 meeting of the Hamilton-Wentworth District School Board Liaison Committee 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) September 12, 2022 (Item 4.1)**

The Minutes of the September 12, 2022 meeting of the Hamilton-Wentworth District School Board Liaison Committee were approved, as presented.

**(d) NOTICE OF MOTION (Added Item 12)****(i) Correspondence to the Minister of Education in Support of Funding for the Construction of a New School in Southeast Waterdown (Added 12.1)**

The Rules of Order were waived to allow for the introduction of a Motion respecting Correspondence to the Minister of Education in Support of Funding for the Construction of a New School in Southeast Waterdown.

For further disposition of this matter, refer to Item 1

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

The following Items were received:

**(i) Bernie Custis Secondary Access to Tim Horton's Field Verbal Update (deferred from the September 12, 2022 meeting) (Item 13.1)**

Rob Gatto, Manager of Sports & Entertainment Facilities addressed Committee with an overview of the access schedule for Bernie Custis Secondary School, to the Tim Horton's Field.

**(ii) Active and Sustainable School Transportation Program Update by Public Health Staff (Item 13.2)**

Heather Harvey, Manager, Chronic Disease Prevention, addressed Committee with an overview of the Active and Sustainable Transportation Program.

Staff were directed to provide the HWDSB Liaison Committee a bi-annual update on the Active and Sustainable School Transportation Program.

**(iii) City of Hamilton Update on Agreements with the Hamilton-Wentworth District School Board for Shared Use of Properties (Item 13.3)**

Chris Herstek, Director of Recreation, addressed Committee with an overview of the Agreements with the Hamilton-Wentworth District School Board for Shared Use of Properties.

**(f) ADJOURNMENT (Item 15)**

There being no further business, the Hamilton-Wentworth District School Board Liaison Committee meeting was adjourned at 11:21 a.m.

Respectfully submitted,

Dawn Danko, Co-Chair  
Hamilton Wentworth District School  
Board Liaison Committee

Loren Kolar  
Legislative Coordinator  
Office of the City Clerk



# Hamilton

## **BUSINESS IMPROVEMENT AREA SUB-COMMITTEE**

### **REPORT 23-007**

**10:30 a.m.**

**Tuesday, July 11, 2023**

**Hamilton City Hall**

**71 Main Street West**

**Room 264**

**Present:**

- S. Braithwaite (Chair) – International Village BIA
- S. Pennie (Vice-Chair) – Waterdown BIA
- C. – Ottawa Street BIA
- A. Chavez – Concession Street BIA
- T. MacKinnon – Westdale Village BIA and Stoney Creek BIA
- K. Nydam – Dundas BIA
- H. Peter – Ancaster BIA
- B. Schormann – Locke Street BIA - Personal
- N. Ubl – Barton Village BIA
- E. Walsh – Downtown Hamilton BIA

**Absent with  
Regrets:**

- Councillors T. Hwang, E. Pauls, and M. Wilson – City Business
- B. Chug – Main West Esplanade BIA and M. Cybin – King West BIA – Personal

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### **THE BUSINESS IMPROVEMENT AREA SUB-COMMITTEE PRESENTS REPORT 23-007 AND RESPECTFULLY RECOMMENDS:**

- 1. Ottawa Street Business Improvement Area Expenditure Requests 2023 (Added Item 11.1)**
  - (a) That the expenditure request from the Ottawa Street Business Improvement Area, in the amount of \$12,229.09 for the purchase of branded banners, office and street maintenance, street furniture maintenance, hanging basket maintenance, and hanging baskets for Fall/Winter to be funded from the Community Improvement Plan (CIP) Contribution Program (BIA Payments Account 815010-56905), be approved; and,
  - (b) That the expenditure request from the Ottawa Street Business Improvement Area, in the amount of \$16,884.50 for the cost of Christmas décor, Christmas décor storage and maintenance, free parking initiatives, public art projects and hanging baskets for Spring/Summer, to be funded from the Shared Parking Revenue Program (Parking Revenue Account 815010-45559), be approved.

**FOR INFORMATION:****(a) CHANGES TO THE AGENDA (Item 2)**

The Committee Clerk advised the following change to the agenda:

**12. NOTICES OF MOTION****12.1 Ottawa Street Business Improvement Area Expenditure  
Requests 2023**

The agenda for the July 11, 2023 Business Improvement Area Sub-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) June 13, 2023 (Item 4.1)**

The June 13, 2023 Minutes of the Business Improvement Area Sub-Committee were approved, as presented.

**(d) PRESENTATIONS (Item 8)****(i) Updates from Economic Development - General (Item 8.1)**

Norm Schleeahn, Director Economic Development, addressed the Committee respecting General Updates from Economic Development.

The presentation from Norm Schleeahn, Director Economic Development, respecting General Updates from Economic Development, was received.

**(ii) Updates from Economic Development - Research and Marketing and  
Data Collection Project (Item 8.2)**

Michael Marini, Marketing Coordinator Economic Development, and Adam Durrant, Economic Development and Research Officer, addressed Committee respecting Updates from Economic Development on Research and Marketing, and Data Collection Project.

The presentation from Michael Marini, Marketing Coordinator Economic Development, and Adam Durrant, Economic Development and Research Officer, respecting Updates from Economic Development on Research and Marketing, and Data Collection Project, was received.

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

**(i) Ottawa Street Business Improvement Area Expenditure Requests  
2023 (Added Item 12.1)**

The Rules of Order were waived to allow for the introduction of a Motion respecting Ottawa Street Business Improvement Area Expenditure Requests 2023.

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

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

**(i) Verbal Update from Cristina Geissler, Business Development & BIA  
Officer (Item 13.1)**

Cristina Geissler, Business Development & BIA Officer, addressed the Committee respecting updates on Commercial Districts and Small Business.

The verbal update respecting Commercial Districts and Small Business, was received.

**(ii) Statements by Members (Item 13.2)**

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

The updates from Committee Members, were received.

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

There being no further business, the Business Improvement Area Sub-Committee was adjourned at 11:28 a.m.

Respectfully submitted,

Susie Braithwaite  
Chair,  
Business Improvement Area Sub-  
Committee



**CITY OF HAMILTON**  
**CITY MANAGER'S OFFICE**  
**Digital, Innovation & Strategic Partnerships**

<b>TO:</b>	Mayor and Members General Issues Committee
<b>COMMITTEE DATE:</b>	August 14, 2023
<b>SUBJECT/REPORT NO:</b>	Our City Survey (CM23011(a))
<b>WARD(S) AFFECTED:</b>	City Wide
<b>PREPARED BY:</b>	Aimee Tan (905) 546-2424 Ext. 5332 Lisa Zinkewich (905) 546-2424 Ext. 5312
<b>SUBMITTED BY:</b>	Cyrus Tehrani Chief Digital Officer & Director of Innovation City Manager's Office
<b>SIGNATURE:</b>	

### RECOMMENDATIONS

- a) That the triennial undertaking of the Our City Survey, be stopped.
- b) That the associated operating budget of \$65,000 remain in the Digital & Innovation Office and be used to support other performance-based initiatives such as tracking of 2022 – 2026 Council Priority progress.

### FINANCIAL – STAFFING – LEGAL IMPLICATIONS

**Financial:** An operating budget of \$65,000 was Council approved as part of the Our City Survey business case (BC-08) ([Report CM19002](#)), where \$130,000 was approved on a biennial basis (\$65,000 annually). This will be used used to support other performance-based initiatives such as tracking of 2022 – 2026 Council Priority progress.

**Staffing:** There is no staffing impact as resources to support the Our City Survey was through temporary contracts.

**Legal:** N/A

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**SUBJECT: Our City Survey (CM23011(a)) (City Wide) - Page 2 of 4**

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**HISTORICAL BACKGROUND**

The first Our City Survey was conducted between January 15 and February 6, 2018, with results presented as part of [Report CM18016](#). The second iteration was undertaken September 9, 2019 through January 8, 2020, with results presented as part of Report [CM20009](#). The third iteration was undertaken between November 1 and December 18, 2022, with results presented as part of Report [CM23011](#), at the May 3, 2022 General Issues Committee (GIC) meeting.

As part of the 2022 Our City Survey, 2,500 online surveys were collected, where a response was provided for at least one survey question and 1,052 phone surveys were completed, with a margin of error +/-3.0%, 19 out of 20 times. Although the undertaking of the 2022 Our City Survey is considered statistically significant, the Council approved margin of error was not met for either the City or ward level, although the time the survey was active was extended by 10 days (total 6 weeks). Challenges in meeting the Council approved margin of error for the phone survey began with the 2019 survey and will continue to be a challenge going forward due to changing social practices related to answering calls from unknown numbers, along with on-going concerns related to:

- survey format (high-level nature of questions)
- survey methodology (random phone versus self-selected online)
- number of diverse topics included
- time commitment to complete; and
- lack of availability of actionable insights to drive continuous improvement.

These concerns were expressed by staff as part of internal consultation around how the survey results were being used and shared by members of Council at the May 3<sup>rd</sup> GIC meeting.

**POLICY IMPLICATIONS AND LEGISLATED REQUIREMENTS**

There are no policy implications.

**RELEVANT CONSULTATION****Internal Consultation and Collaboration**

When the 2022 Our City Survey results were presented to Senior Leadership Team and Departmental Leadership Teams, including service area leads for service areas included in the Our City Survey, the value of the survey was discussed. During these conversations, the main feedback expressed by staff was that the survey results did not provide enough detail to provide actionable insights to drive continuous improvement. In addition, concerns were raised around the multiple diverse topics covered by the survey and if the methodology used gathered a true understanding of the quality, impact

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**SUBJECT: Our City Survey (CM23011(a)) (City Wide) - Page 3 of 4**


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and satisfaction of each City service, given the high-level nature of the questions, perception-based structure and random nature. In addition, some service area leads noted that more detailed resident feedback was gathered outside of the Our City Survey. Examples include:

- Long-term Care annual surveys with key stakeholders, including the Annual Resident Satisfaction Survey and Annual Family Satisfaction Survey of services;
- Building Division Customer Service Survey which invites building permit applicants to provide feedback on the building permit application process;
- The My ride on-demand Transit app which asks riders to rate their ride; and
- Level of Service feedback being gathered to inform the development and execution of the City's Corporate Asset Management Plans, which is a required component of [Ontario Regulation 588/17](#).

As part of consultation around the evolution of the Our City Survey staff spoke with the Community Initiatives team, who are responsible for leading the development of the City's Public Engagement Policy and Framework, to discuss how the forthcoming policy and framework would inform how and when public engagement takes place. Regarding survey purpose, the Community Initiatives staff reinforced the importance of value-based or meaningful public participation to ensure broad representation of community voices; that all contributions, regardless of methodology used, be shared in a thematic or overall summary; and that engagement be decision-orientated and goal-driven. Staff also noted that if feedback from specific questions would not inform decisions or influence discussions, that there be consideration towards removing those questions, and that if the public had recently been engaged on similar topics via City-led engagement initiatives, staff consider using that data to inform work as opposed to re-asking comparable questions.

### **Municipal Best Practice Research and Consultation**

A best practice review with 15 comparative municipalities that have conducted similar surveys was completed. This review looked to understand survey objectives, survey frequency, methodology, survey administration and result use. This research revealed that many of the municipalities experience the same challenges related to methodology and utilization, with some also noting they were in the process of reviewing survey effectiveness as well. The review identified that these types of surveys varied extensively between municipalities with phone sample sizes ranging from 500 to 7,600 and survey budget ranging from \$14,500 to \$125,000 depending on survey length, survey sample size, time of year and vendor.

### **ANALYSIS AND RATIONALE FOR RECOMMENDATIONS**

Staff's recommendation is to not undertake any future iterations of the Our City Survey. This is supported in the feedback received internally to the organization and confirmed through the City's best practices research, that the value-add provided by the survey is

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**SUBJECT: Our City Survey (CM23011(a)) (City Wide) - Page 4 of 4**

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limited given the survey results do not provide enough detail to define actionable insights to drive continuous improvement. This is in addition to the other challenges noted around survey format and methodology that were also expressed by some members of Council.

Given the foundation for the recommendation is to stop the survey, detailed analysis related to recommendations on methodology, resourcing, and data integration opportunities are not included, however municipalities consulted with identified similar concerns, particularly challenges in meeting the Council-approved margin of error for phone methodologies.

Staff also believe that there are opportunities to revisit how to best meet the initial intentions of the Our City survey through the newly identified 2022 – 2026 Council priority outcomes of Improved Public Engagement and Efficient Customer Service and Communications. Through the work that will be undertaken to support the achievement of the Council Priority outcomes, staff will look for opportunities to revisit how to gauge satisfaction with services and present feedback to illustrate service performance and drive improvements consistently across all City services.

**ALTERNATIVES FOR CONSIDERATION**

The status quo of a triennial (every three years) Our City Survey phone survey (sample size of 1,500, City level results accurate to +/-2.5% at the 95% confidence level, and ward level results accurate to +/-9.8% at the 95% confidence level) and open-link online survey is not recommended based on:

- Comments and concerns noted by Councillors on the value and format of the survey
- Feedback from staff related to utilization of the data gathered from the Our City Survey, particularly that the Our City Survey does not provide enough detail to provide actionable insights to drive continuous improvement activities
- On-going challenges related to existing methodology and survey format

**APPENDICES AND SCHEDULES ATTACHED**

N/A

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**CITY OF HAMILTON**  
**CORPORATE SERVICES DEPARTMENT**  
**Financial Planning, Administration and Policy Division**

<b>TO:</b>	Mayor and Members General Issues Committee
<b>COMMITTEE DATE:</b>	August 14, 2023
<b>SUBJECT/REPORT NO:</b>	Hamilton Waterfront Trust Business Model Review (FCS23029(a)) (City Wide) <b>(Outstanding Business List Item)</b>
<b>WARD(S) AFFECTED:</b>	City Wide
<b>PREPARED BY:</b>	Carolyn Paton (905) 546-2424 Ext. 4371
<b>SUBMITTED BY:</b>	Mike Zegarac General Manager, Finance and Corporate Services Corporate Services Department
<b>SIGNATURE:</b>	

**Discussion of Confidential Appendix “C” to Report FCS23029(a) is subject to the following requirement(s) of the City of Hamilton’s Procedural By-law and the *Ontario Municipal Act, 2001*:**

- **A trade secret or scientific, technical, commercial, financial or labour relations information, supplied in confidence to the municipality or local board, which, if disclosed, could reasonably be expected to prejudice significantly the competitive position or interfere significantly with the contractual or other negotiations of a person, group of persons, or organization.**

**RATIONALE FOR CONFIDENTIALITY**

Appendix “C” to Report FCS23029(a) is being considered in Closed Session as it contains information provided to the City in confidence.

**RATIONALE FOR MAINTAINING CONFIDENTIALITY**

Appendix “C” to Report FCS23029(a) is to remain confidential as it was provided to the City in confidence.

**SUBJECT: Hamilton Waterfront Trust Business Model Review (FCS23029(a)) (City Wide) – Page 2 of 8**

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**RECOMMENDATIONS (CLOSED SESSION)**

None

**RECOMMENDATIONS (OPEN SESSION)**

- (a) That Council approve the scope of work to be undertaken by KPMG, City of Hamilton staff, in consultation with the Hamilton Waterfront staff related to the Hamilton Waterfront Trust Business Model Review as described in Appendix “A” of Report FCS23029(a);
- (b) That the City of Hamilton provide a grant to the Hamilton Waterfront Trust in an amount up to \$455,000 (exclusive of depreciation expenses), funded from the Tax Stabilization Reserve #110046, to aid Hamilton Waterfront Trust in avoiding a deficit position in 2023 with operating expenditures to December 31, 2023;
- (c) That the Hamilton Waterfront Trust be requested to provide supporting documentation satisfactory to the General Manager, Finance and Corporate Services, to the City along with any claims as to aid with the grant in an amount up to \$455,000 (exclusive of depreciation expenses) being provided by the City;
- (d) That staff be directed to follow up with Hamilton Waterfront Trust regarding the recommendation approved by Hamilton Waterfront Trust Board of Trustees on June 13, 2023 as per Confidential Appendix “C” to Report FCS23029(a) and report back to General Issues Committee;
- (e) That the General Manager, Finance and Corporate Services, be authorized to negotiate, enter into and execute, on behalf of the City of Hamilton, all necessary agreements, extensions, amendments and any ancillary documents with Hamilton Waterfront Trust, in a form satisfactory to the City Solicitor and with content acceptable to the General Manager, Finance and Corporate Services; and
- (f) That Confidential Appendix “C” to Report FCS23029(a) remain confidential.

**EXECUTIVE SUMMARY**

In 2022, the City of Hamilton engaged KPMG to prepare a report on the future of the Hamilton Waterfront Trust. More specifically, a review was requested to provide options for the business operations model of Hamilton Waterfront Trust including future programs and services (see Appendix “F” to Report FCS23029(a)).

On March 29, 2023, Hamilton City Council approved recommendations for KPMG to undertake a detailed review of the following two business models for the Hamilton Waterfront Trust future operations:

**SUBJECT: Hamilton Waterfront Trust Business Model Review (FCS23029(a)) (City Wide) – Page 3 of 8**

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- a) A joint model whereby the management and operations of programs and services are delivered by the Hamilton Waterfront Trust and the City of Hamilton;
- b) Winding up the Hamilton Waterfront Trust, inclusive of a recommended process founded on the City of Hamilton assuming the responsibility for existing programming and services delivered by the Hamilton Waterfront Trust.

The scope of work as per Appendix “A” to Report FCS23029(a) outlines a process based on a systemic review of services and programs in the immediate vicinity of Hamilton Harbour (Eastwood Park to Princess Point) for the two Council-directed business models. The success of the area is dependent on each of the operations of the Hamilton Waterfront Trust and the City working together to create synergy. The intent of the review is for KPMG to incorporate broader city priorities and risk in the development of recommendations.

Recommendations coming out of the review should address the governance of the waterfront as a whole moving forward. As one of the business model options represents a hybrid model, it is important that under this model that there be delineation of governance structure between the Hamilton Waterfront Trust and the City. As identified in Appendix “A” to Report FCS23029(a), the scope of work will include human resource and legal impacts.

On April 11, 2023, the Board of Trustees of the Hamilton Waterfront Trust approved a motion to negotiate with the City to secure future funding for the Hamilton Waterfront Trust, so they will be in a position to maintain business operations during the City’s study for Options for the Future Operations, Programs and Services of the Hamilton Waterfront Trust and assist in funding their projected 2023 operating deficit of \$455,000.

The financial viability of the Hamilton Waterfront Trust has been a discussion topic with past councils, generating Council deliberations and directions.

Over the past number of years, there have been a series of staff reports relating to the Hamilton Waterfront (see Appendices “E” and “F” to Report FCS23029(a)).

Furthermore, Council, at its meeting of September 11, 2019, approved Item 3 of the Audit, Finance and Administration Committee Report 19-012, the 2019 to 2022 Workplan for the Office of the Auditor General in Report AUD19007 which included a Value for Money audit of the Hamilton Waterfront Trust. Due to other commitments, staff in the Office of the Auditor General has not been able to perform this work. The Office of the Auditor General will be consulted in future discussions surrounding business model options.

On June 13, 2023, the Board of Trustees of the Hamilton Waterfront Trust approved motions as identified in Confidential Appendix “C” to Report FCS23029(a) regarding future operations of the Hamilton Waterfront Trust.

**SUBJECT: Hamilton Waterfront Trust Business Model Review (FCS23029(a)) (City Wide) – Page 4 of 8**

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**Alternatives for Consideration – N/A**

**FINANCIAL – STAFFING – LEGAL IMPLICATIONS**

Financial: The Hamilton Waterfront Trust is seeking financial assistance in an amount up to \$455,000 to assist with operating expenditures to December 31, 2023.

On April 11, 2023, the Board of Hamilton Waterfront Trust received information from their staff of a forecasted 2023 Operational Budget deficit. The Consolidated Budget illustrates an estimated projected net loss for the Hamilton Waterfront Trust of \$455,882 in 2023. Table 1 sets out the breakdown of the Hamilton Waterfront Trust’s line of business which, if they materialize, would generate the projected loss.

Table 1

<b>CONSOLIDATED</b>	<b>Net Income(loss)</b>
Williams	\$ (118,356)
Scoops	\$ 55,289
Grill	\$ (905)
Skate Rental	\$ 64,300
Hamiltonian	\$ 18,735
Trolley	\$ 26,460
Admininstration	\$ (416,405)
NET INCOME(LOSS)	\$ (370,882)
Less Depreciation- estimated	\$ (85,000)
<b>TOTAL NET INCOME (LOSS)</b>	<b>\$ (455,882)</b>

As noted, Williams is forecast to operate at a loss for 2023 as it did in 2022. Two key contributing factors to this loss are the rising cost of food, beverages and other supplies along with increases in labour costs. Administrative costs also contribute significantly to the 2023 projected deficit.

It is being recommended that funding in an amount up to \$455,000 from the Tax Stabilization Reserve (#110046) be provided to Hamilton Waterfront Trust to assist with their projected 2023 operating loss. It will be incumbent on Hamilton Waterfront Trust staff providing year end reporting to the City of 2023 actual operating expenses and providing rationale as to how funding was applied. City staff will be required to review financial information as provided by Hamilton Waterfront Trust after December 31, 2023 to ensure funding was applied in accordance with City practices including netting off any receivables owed to the City.

While the operational review is ongoing, City staff are not recommending the buyout of the lease for 57 Discovery Drive (approximately \$1.5 M) as identified in Appendix “B” to FCS 23029(a). The City will continue to pay the Trust \$166,000 per annum as set out in the agreement.

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**SUBJECT: Hamilton Waterfront Trust Business Model Review (FCS23029(a)) (City Wide) – Page 5 of 8**

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**Staffing:** Staff in the Financial Planning, Administration and Policy Division of the Corporate Services Department will be the lead division for the contract for the review approved in Report FCS23029 (see Appendix “F” to Report FCS23029(a)). Relevant staff across the City will be an essential part of discussions surrounding business model options.

**Legal:** Staff in the Legal and Risk Management Services Division will be engaged during the completion of any necessary agreements.

**Option 1: Winding up the Trust**

The Trust Deed that established the Hamilton Waterfront Trust requires the City to provide a notice of termination to the Hamilton Waterfront Trust in order to dissolve the Hamilton Waterfront Trust. Following receipt of the notice from the City, the Hamilton Waterfront Trust is required to take immediate steps to wind up the operations and its related companies, trusts and other entities. This includes providing working notice to its employees, notice of contract termination to its contractors and service providers, disposition of its existing assets and resolving all outstanding liabilities. Once the winding up is completed, the Hamilton Waterfront Trust is required to transfer any of the remaining assets and any monetary assets to the City. The Legal work that would be involved includes a review of all the employment contracts, franchise agreements and other contractual and financial arrangements in order to initiate the steps to dissolve the Hamilton Waterfront Trust.

**Option 2: Joint Operating / Hybrid Model**

The Hamilton Waterfront Trust deed is silent on entering into a hybrid model for the joint delivery of services. All agreements entered into by the Hamilton Waterfront Trust, including employment contracts, will be evaluated to better understand the implications of providing services jointly. Contracts will have to be amended to reflect the new arrangement and new contracts entered into for the delivery of the shared services. In addition, the City will likely need to enter into a formal agreement with the Hamilton Waterfront Trust for the joint delivery of services which will detail the roles and responsibilities of the parties. As such, information on all the assets and liabilities of the Hamilton Waterfront Trust will need to be reviewed to fully evaluate the legal work that is required to give effect to this model.

**HISTORICAL BACKGROUND**

Hamilton Waterfront Trust, initially known as Hamilton Harbour Development Trust, was established through a Trust Deed dated November 24, 2000 between the City and the Hamilton Harbour Commissioners (the “Commissioners”) now known as the Hamilton-Oshawa Port Authority (the “HOPA”). Council, at its meeting of September 26, 2018, approved a Revised Deed of Trust.

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**SUBJECT: Hamilton Waterfront Trust Business Model Review (FCS23029(a)) (City Wide) – Page 6 of 8**

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In October 2022, the City of Hamilton engaged KPMG to prepare a report on the future of Hamilton Waterfront Trust. More specifically, a review of the Hamilton Waterfront Trust was requested to provide options for the business operations model of Hamilton Waterfront Trust including future programs and services.

On March 29, 2023, upon receiving the report from KPMG, Hamilton City Council approved the following recommendations (“City of Hamilton – Hamilton Waterfront Trust Future Options”):

Hamilton Waterfront Trust – Options for Future Operations, Programs & Services (FCS23029) (City Wide) (Item 8.1) (see Appendix “F” to Report FCS23029(a))

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

KPMG recommended that both the City and Hamilton Waterfront Trust establish a Steering Committee to further review the preferred option. For the Steering Committee to be effective, the composition of the Committee requires a cross-departmental team including members of Finance, Legal, Real Estate, Public Works, Parks, Human Resources and Internal Audit, as well as, staff from the Hamilton Waterfront Trust. Since March 29, 2023, the Board of the Hamilton Waterfront Trust has passed two additional sets of recommendations at their Board meetings on April 11, 2023 and June 13, 2023. These are included as Appendix “B” and Confidential Appendix “C” to Report FCS23029(a).

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OUR Vision: To be the best place to raise a child and age successfully.

OUR Mission: To provide high quality cost conscious public services that contribute to a healthy, safe and prosperous community, in a sustainable manner.

OUR Culture: Collective Ownership, Steadfast Integrity, Courageous Change, Sensational Service, Engaged Empowered Employees.

**SUBJECT: Hamilton Waterfront Trust Business Model Review (FCS23029(a)) (City Wide) – Page 7 of 8**

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**POLICY IMPLICATIONS AND LEGISLATED REQUIREMENTS**

N/A

**RELEVANT CONSULTATION**

Corporate Services: Legal and Risk Management Services Division

Planning and Economic Development: Economic Development, Real Estate Division

City Manager's Office: Human Resources

Financial projections included in Report FCS23029(a) are based on information received from the Hamilton Waterfront Trust.

**ANALYSIS AND RATIONALE FOR RECOMMENDATIONS**

As approved by Council on March 29, 2023, through Report FCS23029 (see Appendix "F" to Report FCS23029(a)), KPMG has been appointed to complete a review of business models for Hamilton Waterfront Trust going forward. A proposed Scope of Work is outlined in Appendix "A" to Report FCS23029(a).

A systematic review will be undertaken in the immediate vicinity of Hamilton Harbour (Eastwood Park to Princess Point) to determine the most appropriate way to deliver them under the two scenarios and that the business review include opportunities such as consolidation of resources in conjunction with broader priorities including environmental, social and governance.

Of particular concern is the clear delineation that needs to be addressed on both the future of Hamilton Waterfront Trust and the governance of the waterfront moving forward. The review undertaken by KPMG will provide valuable input and recommendations to City staff to assist them in determining what recommendations to make to Council going forward. It is crucial that a clear delineation of governance structure between the two entities (or one, as may be the case) results.

Recommendations should also consider and reference any one-time and ongoing financial benefits and risks. The viability of the recommendations is to be determined by detailed review and due diligence and should include the implementation timeframes required and other considerations, such as, changing operating demands, the future development surrounding these lands or new legislative requirements.

The deliverable should include an evaluation framework that contains factors such as:

- Governance – what objectives will be prioritized and how will they recognize market trends and policy

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**SUBJECT: Hamilton Waterfront Trust Business Model Review (FCS23029(a)) (City Wide) – Page 8 of 8**

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- Financial Model – how is capital raised for expansion and how are performance measures set and tracked
- Assets and Infrastructure – how are investments in assets assessed and are there economies of scale
- Services and Programming Offers – identify customer segments and assess opportunities for partnerships and service offerings

#### Immediate Financial Assistance

Hamilton Waterfront Trust is seeking financial assistance in the amount of \$455,000 to assist with operating expenditures to December 31, 2023 (see Appendix “B” to FCS23029(a)). Through Report FCS23029(a), it is being recommended Hamilton Waterfront Trust receive a grant in an amount up to \$455,000 to assist with operating expenditures to December 31, 2023.

With respect to the other financial assistance that is being sought related to the amount payable by the City to Hamilton Waterfront Trust related to 57 Discovery Drive and possible advance payment (approximately \$1.5 M), City staff is not recommending this option at this time while the operational review is in process. The City will continue to pay the Trust \$166,000 per annum as set out in the agreement.

#### **ALTERNATIVES FOR CONSIDERATION**

N/A

#### **APPENDICES AND SCHEDULES ATTACHED**

Appendix “A” to Report FCS23029(a) – Scope of Work for Review of the Hamilton Waterfront Trust Business Models

Appendix “B” to Report FCS23029(a) – Funding Request from the Hamilton Waterfront Trust

Confidential Appendix “C” to Report FCS23029(a)

Appendix “D” to Report FCS23029(a) – Hamilton Waterfront Trust Consolidated Financial Statements for the year ended December 31, 2021

Appendix “E” to Report FCS23029(a) – Analysis for Hamilton Waterfront Trust – December 31, 2020 – Audited Financial Statements (FCS22019)

Appendix “F” to Report FCS23029(a) – Hamilton Waterfront Trust Business Model Review (FCS23029)

**SCOPE OF WORK FOR REVIEW OF THE HAMILTON WATERFRONT TRUST  
BUSINESS MODELS**

On March 29, 2023, upon receiving the report from KPMG, Hamilton City Council approved the following recommendations: “City of Hamilton – Hamilton Waterfront Trust Future Options”

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

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

The City of Hamilton and the Hamilton Waterfront Trust separately delivery public services along parts of the Hamilton Harbour waterfront. Also, the Hamilton Waterfront Trust and the City of Hamilton work in connection with one another in the areas of waterfront development, waterfront animation, recreation. The review undertaken by KPMG will provide valuable input and recommendations to City staff to assist them in determining what approach to take going forward. It is crucial that a clear delineation of governance structure between the two entities (or one as may be the case) results. The focus of this work will be, where possible, finding new, more cost-effective ways to deliver the services the municipality has determined it wants or needs to continue providing, in conjunction with broader City priorities.

## Scope

A systematic review of services and programs in the immediate vicinity of Hamilton Harbour (Eastwood Park to Princess Point) to determine the most appropriate way to deliver them under the two business models described above, and that the business review include opportunities such as consolidation of resources in conjunction with broader priorities including Environmental, Social and Governance (ESG) and risk matters. Recommendations should also consider and reference any one-time and ongoing financial benefits and risks. The viability of the recommendations is to be determined by detailed review and due diligence and should include the implementation timeframes required and other considerations such as, changing operating demands, the future development surrounding these lands or new legislative requirements.

The deliverable should include an evaluation framework that contains factors such as:

Governance – what objectives will be prioritized and how will they recognize market trends and policy

Financial Model – how is capital raised for expansion and how are performance measures set and tracked

Assets and Infrastructure – how are investments in assets assessed and are there economies of scale

Services and Programming Offerings – identify customer segments and assess opportunities for partnerships and service offerings

## Legal Service Impacts

### Option 1: Winding up the Trust

The Trust Deed that established the Hamilton Waterfront Trust requires the City to provide a notice of termination to the Trust in order to dissolve the Trust. Following receipt of the notice from the City, the Trust is required to take immediate steps to wind up the operations of the Trust and its related companies, trusts and other entities. This includes providing working notice to its employees, notice of contract termination to its contractors and service providers, disposition of its existing assets; and resolving all outstanding liabilities. Once the winding up is completed, the Trust is required to transfer any of the remaining Trust assets and any monetary assets to the City. The Legal work that would be involved includes a review of all the employment contracts, franchise agreements and other contractual and financial arrangements in order to initiate the steps under the Trust to dissolve the Trust.

## Option 2: Joint Operating / Hybrid Model

The Trust deed is silent on entering into a hybrid model for the joint delivery of services. All agreements entered into by the Trust, including employment contracts will be evaluated to better understand the implications of providing services jointly. Contracts will have to be amended to reflect the new arrangement and new contracts entered into for the delivery of the shared services. In addition, the City will likely need to enter into a formal agreement with the Trust for the joint delivery of services which will detail the roles and responsibilities of the parties. As such, information on all the assets and liabilities of the Trust will need to be reviewed to fully evaluate the legal work that is required to give effect to this model.

### **Human Resources Impacts**

In 2018, staff reported to Council on the transfer of Hamilton Waterfront Trust to the City through a Private and Confidential report CM18002. An updated and comprehensive review of the potential labour relations, legal, staffing and associated costs will need to be conducted in order to fully assess the human resources and labour relations impacts and relevant costs under both of the business model options.

**FUNDING REQUEST FROM HAMILTON WATERFRONT TRUST**

On April 11, 2023, the Hamilton Waterfront Trust approved the following motions:

1. That the Hamilton Waterfront Trust Board of Trustees secure future funding for the Hamilton Waterfront Trust, so they will be in a position to maintain business operations during the City’s study for Options for the Future Operations, Programs and Services of the Hamilton Waterfront Trust and the transition phase as directed by City Council on March 29, 2023; and
2. That the two sources of funding outlined below, be further investigated so that funds will be made available by September 1, 2023.
  - a) The City provides an operating fund that the Hamilton Waterfront Trust can draw on when cash shortages exist to remain solvent. This fund must be accessible by the Hamilton Waterfront Trust on an as-needed basis with immediate access to the funds.
  - b) The City advances all funds owed to the Hamilton Waterfront Trust immediately. This would include the receivable that the City owes the Hamilton Waterfront Trust for the buyout of the lease in 2018 for 57 Discovery Drive. Currently, the Hamilton Waterfront Trust receives an annual instalment of this receivable in the amount of \$166,000 per year, up to 2032. The value of this receivable is approximately \$1.5 M.

**Hamilton Waterfront Trust**  
**Consolidated Financial Statements**  
For the year ended December 31, 2021

**Hamilton Waterfront Trust**  
**Consolidated Financial Statements**  
For the year ended December 31, 2021

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Oakville ON L6H 6K8 Canada

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## Independent Auditor's Report

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To the Board of Directors of  
Hamilton Waterfront Trust

### Opinion

We have audited the consolidated financial statements of Hamilton Waterfront Trust and its subsidiaries (the "Group"), which comprise of the consolidated statement of financial position as at December 31, 2021, and the consolidated statements of operations and changes in net assets and cash flows for the year then ended, and a summary of significant accounting policies and other explanatory information.

In our opinion, the consolidated financial statements present fairly, in all material respects, the financial position of the Group as at December 31, 2021, and its results of operations and its cash flows for the year then ended in accordance with Canadian accounting standards for not-for-profit organizations.

### Basis for Opinion

We conducted our audit in accordance with Canadian generally accepted auditing standards. Our responsibilities under those standards are further described in the *Auditor's Responsibilities for the Audit of the Consolidated Financial Statements* section of our report. We are independent of the Group in accordance with the ethical requirements that are relevant to our audit of the consolidated financial statements in Canada, and we have fulfilled our other ethical responsibilities in accordance with these requirements. We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our opinion.

### Emphasis of Matter - Comparative Information

We draw attention to Note 9 to the consolidated financial statements, which explains that certain comparative information presented for the year ended December 31, 2020 has been restated. Our opinion is not modified in respect of this matter.

### Responsibilities of Management and Those Charged with Governance for the Consolidated Financial Statements

Management is responsible for the preparation and fair presentation of these consolidated financial statements in accordance with Canadian accounting standards for not-for-profit organizations, and for such internal control as management determines is necessary to enable the preparation of consolidated financial statements that are free from material misstatement, whether due to fraud or error.

In preparing the consolidated financial statements, management is responsible for assessing the Group's ability to continue as a going concern, disclosing, as applicable, matters related to going concern and using the going concern basis of accounting unless management either intends to liquidate the Group or to cease operations, or has no realistic alternative but to do so.

Those charged with governance are responsible for overseeing the Group's consolidated financial reporting process.



### **Auditor's Responsibilities for the Audit of the Consolidated Financial Statements**

Our objectives are to obtain reasonable assurance about whether the consolidated financial statements as a whole are free from material misstatement, whether due to fraud or error, and to issue an auditor's report that includes our opinion. Reasonable assurance is a high level of assurance, but is not a guarantee that an audit conducted in accordance with Canadian generally accepted auditing standards will always detect a material misstatement when it exists. Misstatements can arise from fraud or error and are considered material if, individually or in the aggregate, they could reasonably be expected to influence the economic decisions of users taken on the basis of these consolidated financial statements.

As part of an audit in accordance with Canadian generally accepted auditing standards, we exercise professional judgment and maintain professional skepticism throughout the audit. We also:

- Identify and assess the risks of material misstatement of the consolidated financial statements, whether due to fraud or error, design and perform audit procedures responsive to those risks, and obtain audit evidence that is sufficient and appropriate to provide a basis for our opinion. The risk of not detecting a material misstatement resulting from fraud is higher than for one resulting from error, as fraud may involve collusion, forgery, intentional omissions, misrepresentations, or the override of internal control.
- Obtain an understanding of internal control relevant to the audit in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the Group's internal control.
- Evaluate the appropriateness of accounting policies used and the reasonableness of accounting estimates and related disclosures made by management.
- Conclude on the appropriateness of management's use of the going concern basis of accounting and, based on the audit evidence obtained, whether a material uncertainty exists related to events or conditions that may cast significant doubt on the Group's ability to continue as a going concern. If we conclude that a material uncertainty exists, we are required to draw attention in our auditor's report to the related disclosures in the consolidated financial statements or, if such disclosures are inadequate, to modify our opinion. Our conclusions are based on the audit evidence obtained up to the date of our auditor's report. However, future events or conditions may cause the Group to cease to continue as a going concern.
- Evaluate the overall presentation, structure and content of the consolidated financial statements, including the disclosures, and whether the consolidated financial statements represent the underlying transactions and events in a manner that achieves fair presentation.
- Obtain sufficient appropriate audit evidence regarding the financial information of the entities or business activities within the Group to express an opinion on the consolidated financial statements. We are responsible for the direction, supervision and performance of the group audit. We remain solely responsible for our audit opinion.

We communicate with those charged with governance regarding, among other matters, the planned scope and timing of the audit and significant audit findings, including any significant deficiencies in internal control that we identify during our audit.

BDO CANADA LLP

Chartered Professional Accountants, Licensed Public Accountants  
Oakville, Ontario  
August 18, 2022

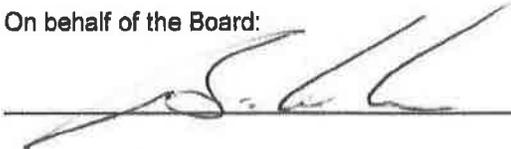
**Hamilton Waterfront Trust**  
**Consolidated Statement of Financial Position**

December 31	2021	2020
		(restated - Note 9)
<b>Assets</b>		
<b>Current</b>		
Cash	\$ 361,648	\$ 278,786
Accounts receivable (Note 2)	2,054,071	185,270
Inventories and prepaid expenses	29,427	28,221
Current portion of note receivable (Note 4)	107,831	103,683
	<u>2,552,977</u>	<u>595,960</u>
<b>Capital assets (Note 3)</b>	<b>1,249,844</b>	<b>1,312,804</b>
<b>Note receivable (Note 4)</b>	<b>1,404,581</b>	<b>1,516,559</b>
	<u>\$ 5,207,402</u>	<u>\$ 3,425,323</u>

**Liabilities and Net Assets**

<b>Current</b>		
Accounts payable and accrued liabilities (Note 5)	\$ 1,253,045	\$ 486,529
Current portion of deferred capital contributions (Note 6)	37,922	40,273
	<u>1,290,967</u>	<u>526,802</u>
<b>Deferred revenue - City of Hamilton</b>	<b>-</b>	<b>380,049</b>
<b>Deferred capital contributions (Note 6)</b>	<b>1,095,671</b>	<b>1,131,242</b>
	<u>2,386,638</u>	<u>2,038,093</u>
<b>Net assets</b>	<b>2,820,764</b>	<b>1,387,230</b>
	<u>\$ 5,207,402</u>	<u>\$ 3,425,323</u>

On behalf of the Board:

 Director

\_\_\_\_\_  
Director

## Hamilton Waterfront Trust Consolidated Statement of Operations and Changes in Net Assets

For the year ended December 31	2021	2020
		(restated - Note 9)
<b>Revenue</b>		
Investment income	\$ 101	\$ 2,674
City of Hamilton contract and management income	35,662	46,602
Hamiltonian Tour Boat	26,868	15,826
Williams Fresh Cafe	777,952	637,677
Hamilton Scoops	112,537	74,191
Hamilton Trolley	36,774	24,407
Waterfront Grill	32,963	24,513
HWT Centre	50,214	5,512
Outdoor Ice Rink	337,149	330,862
Skate Rental	36,064	59,092
Waterfront Development, City of Hamilton management contract (Note 7)	1,497,834	166,209
Waterfront Wheels	512	5,765
	<b>2,944,630</b>	<b>1,393,330</b>
<b>Expenses</b>		
Williams Fresh Cafe	954,895	744,636
Salaries and benefits	372,767	326,788
Outdoor Ice Rink	337,530	330,766
Hamilton Scoops	78,988	58,894
Skate Rental	46,109	19,337
Waterfront Grill	43,197	34,732
Hamilton Trolley	24,511	28,959
HWT Centre	22,366	24,156
Professional fees	19,406	50,696
Building expenses	14,180	765
Hamiltonian Tour Boat	13,494	14,791
Office expenses	12,287	17,533
Telephone	9,343	8,159
Insurance	6,681	6,054
Bank charges	6,301	2,427
Music on the waterfront	4,370	-
Travel	1,862	990
Equipment expenses	1,612	1,631
Advertising and promotion	1,588	1,023
Waterfront Wheels	700	12,151
Dues and memberships	518	585
Training	420	-
Bad debts	-	45,167
Other expenses	-	7,891
	<b>1,973,125</b>	<b>1,738,131</b>
<b>Excess (deficiency) of revenue over expenses before other revenue (expenses)</b>	<b>971,505</b>	<b>(344,801)</b>
<b>Other revenue (expenses)</b>		
Amortization of capital assets	(75,250)	(71,352)
Amortization of deferred capital contributions	37,922	40,273
Government assistance (Note 10)	273,768	340,654
Grant income	167,420	4,669
Interest income	58,169	62,316
	<b>462,029</b>	<b>376,560</b>
<b>Excess of revenue over expenses for the year</b>	<b>1,433,534</b>	<b>31,759</b>
<b>Net assets, beginning of year - restated (Note 9)</b>	<b>1,387,230</b>	<b>1,355,471</b>
<b>Net assets, end of year</b>	<b>\$ 2,820,764</b>	<b>\$ 1,387,230</b>

The accompanying notes are an integral part of these consolidated financial statements.

**Hamilton Waterfront Trust**  
**Consolidated Statement of Cash Flows**

<b>For the year ended December 31</b>	<b>2021</b>	<b>2020</b>
<b>Cash flows from operating activities</b>		
Excess of revenue over expenses for the year	\$ 1,433,534	\$ 31,759
Adjustments to reconcile excess of revenue over expenses to net cash used in operating activities		
Amortization of capital assets	75,250	71,352
Amortization of deferred capital contributions	(37,922)	(40,273)
Changes in non-cash working capital balances		
Accounts receivable	(1,868,801)	(125,496)
Inventories and prepaid expenses	(1,206)	-
Note receivable	107,830	125,266
Accounts payable and accrued liabilities	766,516	(200,519)
Deferred revenue	(380,049)	(56,000)
	<u>95,152</u>	<u>(193,911)</u>
<b>Cash flows from investing activity</b>		
Purchase of capital assets	<u>(12,290)</u>	<u>-</u>
<b>Increase (decrease) in cash during the year</b>	<b>82,862</b>	<b>(193,911)</b>
<b>Cash, beginning of year</b>	<u><b>278,786</b></u>	<u><b>472,697</b></u>
<b>Cash, end of year</b>	<u><b>\$ 361,648</b></u>	<u><b>\$ 278,786</b></u>

The accompanying notes are an integral part of these consolidated financial statements.

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## Hamilton Waterfront Trust Notes to Consolidated Financial Statements

**December 31, 2021**

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### 1. Significant Accounting Policies

#### **Nature of Business**

The purpose of the Hamilton Waterfront Trust (the "Organization") is to improve and develop lands around the Hamilton Harbour and to encourage the local community to enjoy the Bay area. Hamilton is a culturally and ethnically diversified mosaic. Therefore, the Organization helps to promote the image of Hamilton to businesses and individuals over a wide radius.

Following a strategic review undertaken by the Board of Directors, it was decided to restructure the Organization to become a not-for-profit organization effective November 21, 2016. As part of the reorganization on that same date, HWT Inc., a wholly-owned subsidiary, was incorporated.

The Organization is incorporated under the Ontario Corporations Act, and now have a continuance under the Canada Not-for-Profit Corporations Act.

The Organization is registered under the Income Tax Act (Canada) (the "Tax Act") and, as such, is exempt from income taxes.

#### **Basis of Accounting and Presentation**

The consolidated financial statements of the Organization have been prepared using Canadian accounting standards for not-for-profit organizations (ASNPO).

These consolidated financial statements include the accounts of the Organization and HWT Inc. All significant intercompany transactions and balances have been eliminated.

#### **Revenue Recognition**

The Organization follows the deferral method of accounting for contributions.

Unrestricted revenue is recognized when received or receivable if the amount to be received can be reasonably estimated and collection is reasonably assured. Waterfront Development, City of Hamilton management contract revenue is recognized on a net basis.

Deferred capital contributions related to capital assets represent the unamortized and unallocated amount of grants received for the purchase of capital assets. The amortization of capital contributions is recorded as revenue in the statement of operations.

The Organization recognizes all other revenue when services are performed or goods are sold, there is no uncertainty as to the customer acceptance, the price to the buyer is fixed or determinable and collection is reasonably assured.

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**Hamilton Waterfront Trust**  
**Notes to Consolidated Financial Statements**

**December 31, 2021**

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**1. Significant Accounting Policies (Continued)**

**Capital assets**

Capital assets are recorded at cost. Amortization is based on their estimated useful life using the following methods and rates or terms:

Boat	-	15 years straight-line
Building	-	5% declining balance
Computer equipment	-	30% declining balance
Dock	-	5% declining balance
Furniture and equipment	-	20% declining balance
Trolleys	-	15 years straight-line
Leasehold improvements	-	straight-line over the term of the lease

**Government Assistance**

During the year, the Organization made periodic application for financial assistance under the Canada Emergency Wage Subsidy ("CEWS") program in order to recover certain payroll expenditures. Government assistance received during the year for current expenses is shown as other revenue. When government assistance is received which relates to expenses of future periods, the amount is deferred and amortized to income as the related expenses are incurred.

**Use of Estimates**

The preparation of consolidated financial statements in accordance with Canadian accounting standards for not-for-profit organizations requires management to make estimates and assumptions that affect the reported amounts of assets and liabilities at the date of the consolidated financial statements, and the reported amount of revenue and expenses during the reporting period. Actual results could differ from management's best estimates as additional information becomes available in the future.

**Financial Instruments**

Financial instruments are recorded at fair value when acquired or issued. Subsequently, financial instruments are reported at cost or amortized cost less impairment, if applicable. Financial assets are tested for impairment when changes in circumstances indicate the asset could be impaired. Transaction costs on the acquisition, sale or issue of financial instruments are charged to the financial instrument for those measured at amortized cost.

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**2. Accounts Receivable**

	<u>2021</u>	<u>2020</u>
Trade accounts receivable	\$ 2,054,071	\$ 252,751
Impairment allowance	-	(67,481)
	<u>\$ 2,054,071</u>	<u>\$ 185,270</u>

**Hamilton Waterfront Trust**  
**Notes to Consolidated Financial Statements**

**December 31, 2021**

**3. Capital Assets**

	2021		2020	
	Cost	Accumulated Amortization	Cost	Accumulated Amortization
Boat	\$ 52,156	\$ 48,995	\$ 52,156	\$ 45,518
Building	17,016	8,894	17,016	8,443
Computer equipment	42,844	42,328	42,844	42,107
Dock	15,522	10,424	15,522	10,155
Furniture and equipment	221,382	202,851	209,092	188,828
Trolleys	335,782	236,875	335,782	214,277
Leasehold improvements	2,542,155	1,426,646	2,542,155	1,392,435
	<b>\$ 3,226,857</b>	<b>\$ 1,977,013</b>	<b>\$ 3,214,567</b>	<b>\$ 1,901,763</b>
Net book value		<b>\$ 1,249,844</b>		<b>\$ 1,312,804</b>

**4. Note Receivable**

Effective January 1, 2018, the Organization's lease on the Parks Discovery Centre with the City of Hamilton was terminated. In consideration of the Organization entering into this arrangement, The City of Hamilton agreed to pay an early surrender fee in the form of a note. The note receivable bears interest at 4% per annum and is payable in equal annual instalments of \$166,000 (2020 - \$166,000) inclusive of interest, with final payment made on January 1, 2032.

**5. Government Remittances Payable**

Included in accounts payable and accrued liabilities, are government remittances payables in the amount of \$36,451 (2020 - \$23,315).

**Hamilton Waterfront Trust**  
**Notes to Consolidated Financial Statements**

**December 31, 2021**

**6. Deferred Capital Contributions**

Restricted capital contributions are amortized on the same basis as the underlying capital assets.

	2021	2020
<b>Balance</b> , beginning of year	\$ 1,171,515	\$ 1,211,788
Less: contributions recognized as revenue	(37,922)	(40,273)
	1,133,593	1,171,515
Less: current portion	(37,922)	(40,273)
<b>Balance</b> , end of year	\$ 1,095,671	\$ 1,131,242

**7. Waterfront Development, City of Hamilton Management Contract**

Waterfront development revenue is presented on a net basis, net of the contractor expenses. Disclosure of this revenue on a gross basis is not required by ASNPO. Gross revenue is not included in revenue and should not be considered in isolation or as a substitute for other information prepared in accordance with ASNPO. Management believes gross revenue is meaningful because such information, and in particular year-to-year changes in such information, is useful information for the users of these consolidated financial statements.

	2021	2020
Waterfront development revenue	\$ 15,057,974	\$ 683,151

**8. Financial Instrument Risks**

**Credit Risk**

*Credit risk* is the risk that one party to a financial instrument will cause a financial loss for the other party by failing to discharge an obligation. The Organization is exposed to credit risk resulting from the possibility that a customer or counterparty to a financial instrument defaults on their financial obligations. The Organization's financial instruments that are exposed to concentrations of credit risk relate primarily to its accounts receivable and note receivable balances. This risk has not changed from the prior year.

**Liquidity Risk**

*Liquidity risk* is the risk that the Organization encounters difficulty in meeting its obligations associated with financial liabilities. Liquidity risk includes the risk that, as a result of operational liquidity requirements, the Organization will not have sufficient funds to settle a transaction on a due date; will be forced to sell financial assets at a value which is less than what they are worth; or may be unable to settle or recover a financial asset. Liquidity risk arises from the Organization's accounts payable and accrued liabilities. This risk has not changed from the prior year.

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## Hamilton Waterfront Trust Notes to Consolidated Financial Statements

**December 31, 2021**

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**9. Prior Period Comparative Information**

During the year, management determined that the note receivable from the City of Hamilton, as described in Note 4, was understated as the termination fee recognized in fiscal 2018 did not include an additional agreed upon amount. The comparative figures have been retrospectively updated in these consolidated financial statements accordingly.

The restated consolidated financial statement comparative figures for the prior year include adjustments to the consolidated statement of financial position and consolidated statement of operations and changes in net assets as set out below.

	As previously reported	Adjustments	As restated
<b>Consolidated statement of financial position</b>			
<u>December 31, 2020</u>			
Note receivable	\$ 1,154,669	\$ 465,573	\$ 1,620,242
Net assets	\$ 921,657	\$ 465,573	\$ 1,387,230
<b>Consolidated statement of operations and changes in net assets</b>			
<u>December 31, 2020</u>			
Interest income	\$ -	\$ 62,316	\$ 62,316
Net assets, beginning of year	\$ 952,214	\$ 403,257	\$ 1,355,471
Net assets, end of year	\$ 921,657	\$ 465,573	\$ 1,387,230

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**10. COVID-19**

On March 11, 2020, the World Health Organization declared the outbreak of a novel coronavirus ("COVID-19") as a global pandemic, which continues to spread throughout Canada and around the world. As a direct result of the COVID-19 pandemic, the Organization was qualified for financial assistance from the Canada Emergency Wage Subsidy (CEWS) government incentive program in the amount of \$273,768 (2020 - \$320,654). As at year end, \$63,075 (2020 - \$60,367) of CEWS is receivable and is included in accounts receivable on the consolidated statement of financial position. This amount has been received subsequent to year end.

Management is actively monitoring and planning for contingencies in the event that there is continued effect on the financial condition, liquidity, operations, suppliers, sector and workforce of the Organization. During this time, the Organization continues to operate. The Organization is not able to estimate the potential future effects of the COVID-19 outbreak on its operations, financial condition or liquidity at this time.



# INFORMATION REPORT

<b>TO:</b>	Chair and Members Audit, Finance and Administration Committee
<b>COMMITTEE DATE:</b>	April 21, 2022
<b>SUBJECT/REPORT NO:</b>	Analysis for Hamilton Waterfront Trust – December 31, 2020 – Audited Financial Statements (FCS22019) (City Wide)
<b>WARD(S) AFFECTED:</b>	City Wide
<b>PREPARED BY:</b>	Kayla Petrovsky Fleming (905) 546-2424 Ext. 1310
<b>SUBMITTED BY:</b>	Brian McMullen Director, Financial Planning, Administration and Policy Corporate Services Department
<b>SIGNATURE:</b>	

## COUNCIL DIRECTION

Audit, Finance and Administration Committee, at its meeting on November 4, 2021, directed staff to meet with Hamilton Waterfront Trust Staff and gather information surrounding their 2020 audited financial statements in an effort to provide a summary of the relevant changes and report back to the Audit, Finance and Administration Committee.

## INFORMATION

### Background

Each year, the financial statements of the Hamilton Waterfront Trust (HWT) are audited by external auditors as prescribed by the Revised Deed of Trust (dated October 1, 2018) between the City of Hamilton and HWT.

According to the Revised Deed of Trust, within 90 days of the end of each fiscal year of the Trust, the Trust shall appear before Council, or an appropriate Committee of the City to present and report on its annual audited Financial Statements.

The 2020 audited financial statements of the HWT were provided to Council through the Audit, Finance and Administration Committee on November 4, 2021.

**SUBJECT: Analysis for Hamilton Waterfront Trust – December 31, 2020 –  
Audited Financial Statements (FCS22019) (City Wide) – Page 2 of 8**

During the November 4<sup>th</sup> meeting, a motion was put forth that staff be directed to meet with HWT staff and gather information surrounding their 2020 audited financial statements in an effort to provide a summary of the relevant changes and report back to the Audit, Finance and Administration Committee.

The 2019 and 2020 Consolidated Financial Statements for the HWT are prepared in accordance with Canadian generally accepted auditing standards.

Report FCS22019 provides both a balance sheet and income statement analysis for HWT providing commentary, as appropriate, on any material trending between 2019 and 2020.

The consolidated financial statements, for reference, are provided in Appendix "C".

**Discussion and Analysis**

The financial position of HWT for 2019 and 2020 is presented in Table 1.

**Table 1  
Hamilton Waterfront Trust Consolidated Statement of Financial Position**

December 31	2020	2019	Increase or Decrease during 2020	
			\$	%
<b>Assets</b>				
<b>Current</b>				
Cash	\$ 278,786	\$ 472,697	\$ (193,911)	(41.0%)
Accounts receivable	185,270	59,775	125,495	209.9%
Inventories and prepaid expenses	28,221	28,221	0	0.0%
Current portion of note receivable	166,000	233,000	(67,000)	(28.8%)
	658,277	793,693	(135,416)	(17.1%)
<b>Capital assets</b>	1,312,804	1,384,156	(71,352)	(5.2%)
<b>Note receivable</b>	988,669	1,109,249	(120,580)	(10.9%)
	\$ 2,959,750	\$ 3,287,098	\$ (327,348)	(10.0%)
<b>Liabilities and Net Assets</b>				
Accounts payable and accrued liabilities	\$ 486,529	\$ 687,047	\$ (200,518)	(29.2%)
Current portion of deferred capital contributions	40,273	40,273	0	0.0%
	526,802	727,320	(200,518)	(27.6%)
<b>Deferred revenue - City of Hamilton</b>	380,049	436,049	(56,000)	(12.8%)
<b>Deferred capital contributions</b>	1,131,242	1,171,515	(40,273)	(3.4%)
	2,038,093	2,334,884	(296,791)	(12.7%)
<b>Net assets</b>	921,657	952,214	(30,557)	(3.2%)
	\$ 2,959,750	\$ 3,287,098	\$ (327,348)	(10.0%)

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**SUBJECT: Analysis for Hamilton Waterfront Trust – December 31, 2020 –  
Audited Financial Statements (FCS22019) (City Wide) – Page 3 of 8**

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## **Balance Sheet Analysis**

### Net Worth

HWT's 2020 net worth represented by the net assets position of \$921.7 K has decreased by \$31 K as a result of a deficit in earnings in 2020. Explanations on revenue and expenses contributing to this decrease are explained in the income statement analysis section.

### Assets

HWT's total assets in 2020 were \$3.0 M. This represents a decrease of \$327 K over 2019 mainly as a result of decreased cash from paying off current liabilities (Accounts Payable) and as a result of decreased revenues. The note receivable current portion is decreasing as expected.

### Liabilities

HWT's total liabilities in 2020 were \$2.0 M. This has decreased from 2019 as deferred capital contributions, deferred revenue and current liabilities all have decreased by a combined \$300 K over 2019.

The comparative financial results of HWT for 2019 and 2020 is presented in Table 2.

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**Table 2  
Hamilton Waterfront Trust Consolidated Statement of Operations  
and Changes in Net Assets**

For the year ended December 31	2020	2019	Increase or Decrease during 2020	
			\$	%
<b>Revenue</b>				
Investment income	\$ 2,674	\$ 3,397	\$ (723)	(21.3%)
City of Hamilton contract and management income	46,602	59,445	(12,843)	(21.6%)
Other income	4,669	13,300	(8,631)	(64.9%)
Hamiltonian Tour Boat	15,826	36,929	(21,103)	(57.1%)
Williams Fresh Cafe	637,677	1,428,213	(790,536)	(55.4%)
Hamilton Scoops	74,191	163,488	(89,297)	(54.6%)
Kids Fest	-	19,192	-	-
Hamilton Trolley	24,407	27,783	(3,376)	(12.2%)
Waterfront Grill	24,513	47,167	(22,654)	(48.0%)
HW T Centre	5,512	94,007	(88,495)	(94.1%)
Outdoor Ice Rink	330,862	319,059	11,803	3.7%
Skate Rental	59,092	136,856	(77,764)	(56.8%)
Waterfront Development, City of Hamilton management contract	683,151	374,992	308,159	82.2%
Tall Ships	-	-	-	-
Fishing Derby	-	-	-	-
Waterfront Wheels	5,765	12,541	(6,776)	(54.0%)
	1,914,941	2,736,369	(821,428)	(30.0%)
<b>Expenses</b>				
Advertising and promotion	1,023	664	359	54.1%
Bad debts	45,167	67,461	(22,294)	(33.0%)
Bank charges	2,427	4,088	(1,661)	(40.6%)
Building expenses	765	10,458	(9,693)	(92.7%)
Dues and memberships	585	2,570	(1,985)	(77.2%)
Equipment expenses	1,631	1,853	(222)	(12.0%)
Insurance	6,054	5,400	654	12.1%
Office expenses	17,533	35,785	(18,252)	(51.0%)
Professional fees	50,696	25,812	24,884	96.4%
Salaries and benefits	326,788	274,510	52,278	19.0%
Telephone	8,159	9,348	(1,189)	(12.7%)
Travel	990	147	843	573.5%
Other expenses	7,891	11,789	(3,898)	(33.1%)
Hamiltonian Tour Boat	14,791	34,484	(19,693)	(57.1%)
Williams Fresh Cafe	744,636	1,372,964	(628,328)	(45.8%)
Hamilton Scoops	58,894	121,669	(62,775)	(51.6%)
Kids Fest	-	12,219	-	-
Hamilton Trolley	28,959	31,023	(2,064)	(6.7%)
Fishing Derby	-	13,026	-	-
Waterfront Grill	34,732	51,651	(16,919)	(32.8%)
HW T Centre	24,156	50,464	(26,308)	(52.1%)
Outdoor Ice Rink	330,766	315,147	15,619	5.0%
Skate Rental	19,337	72,544	(53,207)	(73.3%)
Waterfront Development, City of Hamilton management contract	516,942	388,239	128,703	33.2%
Tall Ships	-	-	-	-
Waterfront Wheels	12,151	12,828	(677)	(5.3%)
	2,255,073	2,926,143	(671,070)	(22.9%)
<b>Deficiency of revenue over expenses</b>				
<b>before amortization and other revenue (expenses)</b>	<b>(340,132)</b>	<b>(189,774)</b>	<b>(150,358)</b>	<b>79.2%</b>
<b>Other revenue (expenses)</b>	<b>(71,352)</b>	<b>(72,761)</b>	<b>1,409</b>	<b>(1.9%)</b>
Amortization of capital assets				
Amortization of deferred capital contributions	40,273	40,273	0	0.0%
Government assistance	340,654	-	-	-
Gain on Disposal of HWT Centre	-	-	-	-
Property Taxes	-	-	-	-
Expenses associated w with tenant dispute	-	(759,008)	-	-
	309,575	(791,496)	1,101,071	(139.1%)
<b>Excess (Deficiency) of revenue over expenses for the year</b>	<b>(30,557)</b>	<b>(981,270)</b>	<b>950,713</b>	<b>(96.9%)</b>
<b>Net assets, beginning of year</b>	<b>952,214</b>	<b>1,933,484</b>	<b>(981,270)</b>	<b>(50.8%)</b>
<b>Net assets, end of year</b>	<b>\$ 921,657</b>	<b>\$ 952,214</b>	<b>(30,557)</b>	<b>(3.2%)</b>

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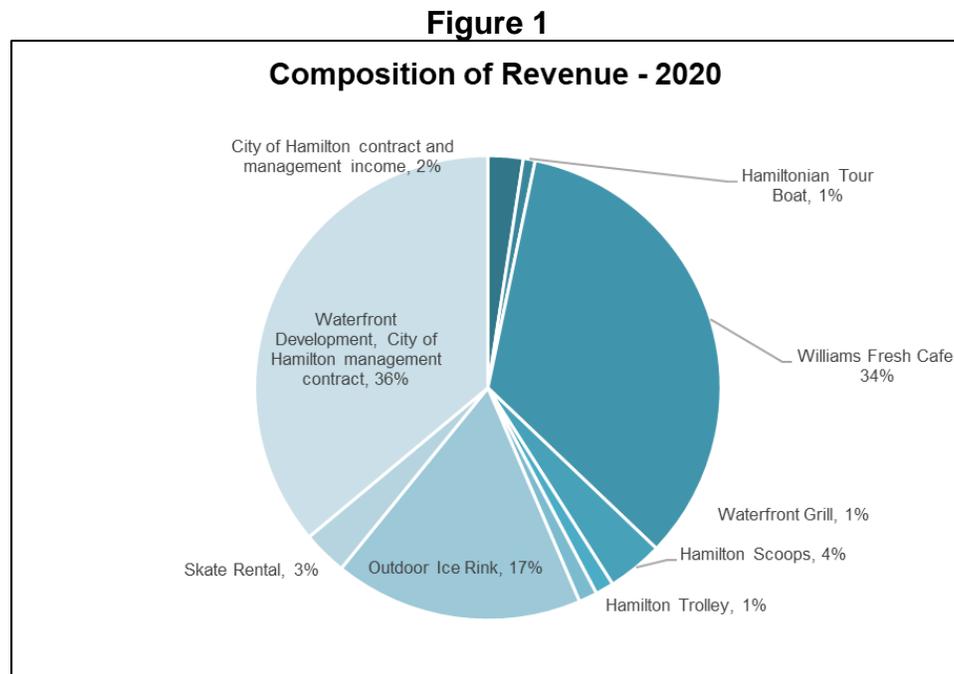
## Income Statement Analysis

### Net Deficit

HWT's net deficit shown as Deficiency of revenue over expenses in the HWT's financial statement was \$30 K for 2020 which was an improvement of \$950 K against the 2019 result. This change is mainly due to expenses associated with tenant dispute in 2019 and government assistance of \$341 K in 2020.

### Revenue

HWT's total revenue for the 2020 year was \$1.9 M. The main composition of revenue is shown in Figure 1.



HWT's revenue saw a decrease of 30% (\$821 K) in 2020, predominately attributable to the Williams Fresh Café revenue decrease of \$790 K.

As a direct result of the COVID-19 pandemic, HWT experienced a reduction in revenue that qualified it for financial assistance from the Canada Emergency Wage Subsidy (CEWS) government incentive program in the amount of \$320 K. Furthermore, the HWT recognized \$20 K in financial assistance received as part of the forgivable portion of the Canada Emergency Business Account ("CEBA") loan. As a result of COVID-19, HWT's revenue sources have experienced significant decreases as compared to previous years.

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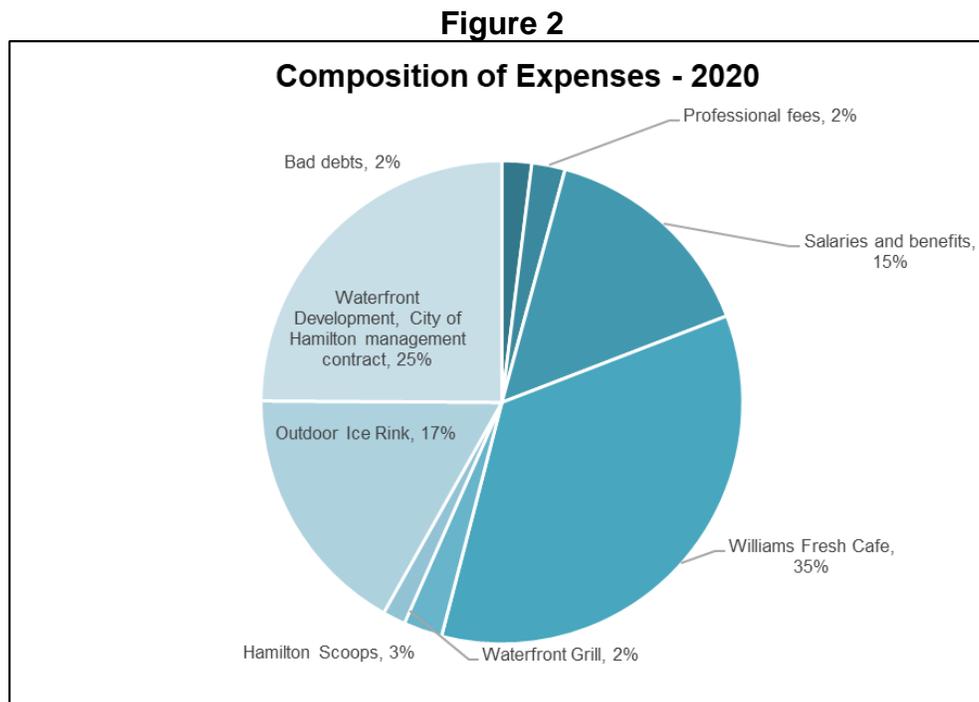
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## Expenses

The HWT's total expenses for the 2020 year were \$2.3 M. This represents a decrease of 23% over 2019.

The main composition of HWT's expenses for 2020 is shown in Figure 2.



In the same way that revenues have decreased as a result of COVID-19, operating expenses have also decreased as a result of closures and slowed operations. The main decrease was \$628 K relating to Williams Fresh Café.

The organization experienced a reduction in revenue as a result of COVID-19 that qualified for financial assistance. Even with this assistance, HWT experienced a deficit for 2020, although an increase in net income over 2019. This decreased net income led to an overall decrease in net assets for 2020. Despite this decrease in net assets, the organization managed to reduce short-term liabilities, which helped to improve its current ratio and liquidity.

## Financial Indicators

Table 3 provides some of the HWT's financial indicators.

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**Table 3  
 Financial Statement Financial Indicator Trending (2020 versus 2019)**

Financial Indicator	HWT	
	\$	Trend
Assets	2,959,750	↓
Current Assets (CA)	658,277	↓
Equity	921,657	↓
Net Income (Loss)	(30,557)	↑
Cash	278,786	↓
Liabilities		
Current Liabilities (CL)	526,802	↓
Non-Current Liabilities	1,511,291	↓
Debt (Borrowings)	0	
<b>Ratios:</b>		
<u>Liquidity Measurement Ratio</u>		
Current Ratio (CA/CL)		
	2020	1.25 ✓
	2019	1.09
<u>Debt Ratio</u>		
Debt to Equity Ratio		
	2020	2.21 X
	2019	2.45
<u>Income</u>		
Gross Margin		
	2020	(17.8%) ↓
	2019	(6.9%)

The definitions for terms used in Table 3 are detailed below.

- Current Assets = Assets that are expected to be sold, consumed, utilized or exhausted through the standard business operations over the next one year.
- Current Liabilities = Debts or obligations that are due within one year or within a normal operating cycle.
- Non-Current = Debts or obligations that are not due within one year or within normal operations.
- Current Ratio is an industry standard liquidity ratio calculated as Current Assets dividing by its Current Liabilities. It measures an entity's ability to pay its short and long-term obligations. A higher current ratio is ideal as this would signify that the assets are higher than the liabilities, indicating an easier ability to pay off obligations.

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- The Debt Ratio is calculated as total liabilities divided by equity. It is used to evaluate an entity's financial leverage. Total liabilities is used in the ratio calculation. In the case of the Hamilton Waterfront Trust (HWT), though they have no bank borrowings / long-term debt, they have non-current liabilities relating to pension plan obligations that are included. Generally a ratio of over one signifies that the entity is heavily funded by debt.
- Equity is the value of all assets less any liabilities. It is the value left over if an entity would utilize its assets to meet its liability obligations.
- Gross Margin is one of the primary metrics used to evaluate an entity's health and competitiveness. Measured as a percentage, gross margin will tell you how much revenue is being generated per dollar after subtracting expenses.

With respect to assets, the HWT's balance sheet contains both cash and a healthy accounts receivable balance that once collected, will add to its overall liquidity. The current liabilities decreased this year, attributing to the decline in current asset balance. The decreased revenues (mainly COVID-19 related) resulted in decreased net assets. With respect to liabilities, the HWT's Liquidity Current Ratio (Current Assets versus Current Liabilities) is positive at 1.25 (1.25 times the assets versus liabilities) and has improved from 2019 at 1.09. A ratio over 1.0 is considered positive.

Debt to Equity Ratio is also a common measure of financial health. In general, a measure less than 1.0 is considered positive (indicating equity surpasses debt), while a measure over 1.0 is considered poor (more debt than equity). HWT's ratio is 2.21 for 2020, compared to 2.45 for 2019.

The HWT's gross margin is trending negatively as the deficit as a portion of net sales has increased from -6.9% in 2019 to -17.8% in 2020.

With the submission of Report FCS22019 to the standing committee, Item 21-O can be removed from the Outstanding Business List

## **APPENDICES AND SCHEDULES ATTACHED**

Appendix "A" to Report FCS22019 – Hamilton Waterfront Trust Consolidated Statement of Financial Position (2017 to 2020)

Appendix "B" to Report FCS22019 – Hamilton Waterfront Trust Consolidated Statement of Operations and Changes in Net Assets (2017 to 2020)

Appendix "C" to Report FCS22019 – Hamilton Waterfront Trust Consolidated Financial Statements for the Year Ended December 31, 2020

KP/dt

## Hamilton Waterfront Trust Consolidated Statement of Financial Position (2017 to 2020)

December 31					Year over Year Change (%)		
	2020	2019	2018	2017	2017-2018	2018-2019	2019-2020
<b>Assets</b>							
<b>Current</b>							
Cash	\$ 278,786	\$ 472,697	\$ 553,896	\$ 220,558	151.1%	(14.7%)	(41.0%)
Accounts receivable	185,270	59,775	185,065	347,246	(46.7%)	(67.7%)	209.9%
Inventories and prepaid expenses	28,221	28,221	28,221	29,942	(5.7%)	0.0%	0.0%
Current portion of note receivable	166,000	233,000	0	0	-	-	(28.8%)
	<b>658,277</b>	<b>793,693</b>	<b>767,182</b>	<b>597,746</b>	<b>28.3%</b>	<b>3.5%</b>	<b>(17.1%)</b>
<b>Capital assets</b>	<b>1,312,804</b>	<b>1,384,156</b>	<b>1,456,917</b>	<b>2,419,936</b>	<b>(39.8%)</b>	<b>(5.0%)</b>	<b>(5.2%)</b>
<b>Note receivable</b>	<b>988,669</b>	<b>1,109,249</b>	<b>2,202,149</b>	<b>0 -</b>		<b>(49.6%)</b>	<b>(10.9%)</b>
	<b>\$ 2,959,750</b>	<b>\$ 3,287,098</b>	<b>\$ 4,426,248</b>	<b>\$ 3,017,682</b>	<b>46.7%</b>	<b>(25.7%)</b>	<b>(10.0%)</b>
<b>Liabilities and Net Assets</b>							
Accounts payable and accrued liabilities	\$ 486,529	\$ 687,047	\$ 781,873	\$ 957,711	(18.4%)	(12.1%)	(29.2%)
Current portion of deferred capital contributions	40,273	40,273	41,742	69,298	(39.8%)	(3.5%)	0.0%
	<b>526,802</b>	<b>727,320</b>	<b>823,615</b>	<b>1,027,009</b>	<b>(19.8%)</b>	<b>(11.7%)</b>	<b>(27.6%)</b>
<b>Deferred revenue - City of Hamilton</b>	<b>380,049</b>	<b>436,049</b>	<b>458,830</b>	<b>444,498</b>	<b>3.2%</b>	<b>(5.0%)</b>	<b>(12.8%)</b>
<b>Deferred capital contributions</b>	<b>1,131,242</b>	<b>1,171,515</b>	<b>1,210,319</b>	<b>2,158,964</b>	<b>(43.9%)</b>	<b>(3.2%)</b>	<b>(3.4%)</b>
	<b>2,038,093</b>	<b>2,334,884</b>	<b>2,492,764</b>	<b>3,630,471</b>	<b>(31.3%)</b>	<b>(6.3%)</b>	<b>(12.7%)</b>
<b>Net assets</b>	<b>921,657</b>	<b>952,214</b>	<b>1,933,484</b>	<b>(612,789)</b>	<b>(415.5%)</b>	<b>(50.8%)</b>	<b>(3.2%)</b>
	<b>\$ 2,959,750</b>	<b>\$ 3,287,098</b>	<b>\$ 4,426,248</b>	<b>\$ 3,017,682</b>	<b>46.7%</b>	<b>(25.7%)</b>	<b>(10.0%)</b>

## Hamilton Waterfront Trust Consolidated Statement of Operations and Changes in Net Assets (2017 to 2020)

For the year ended December 31	Year over Year Change (%)						
	2020	2019	2018	2017	2017-2018	2018-2019	2019-2020
<b>Revenue</b>							
Investment income	\$ 2,674	\$ 3,397	\$ 2,015	\$ 14,547	(86.1%)	68.6%	(21.3%)
City of Hamilton contract and management income	46,602	59,445	119,663	103,558	15.6%	(50.3%)	(21.6%)
Other income	4,669	13,300	70,877	37,610	88.5%	(81.2%)	(64.9%)
Hamiltonian Tour Boat	15,826	36,929	35,202	35,199	0.0%	4.9%	(57.1%)
Williams Fresh Cafe	637,677	1,428,213	1,459,362	1,466,079	(0.5%)	(2.1%)	(55.4%)
Hamilton Scoops	74,191	163,488	171,165	167,053	2.5%	(4.5%)	(54.6%)
Kids Fest	-	19,192	0	0	-	-	-
Hamilton Trolley	24,407	27,783	41,372	41,681	(0.7%)	(32.8%)	(12.2%)
Waterfront Grill	24,513	47,167	50,316	60,669	(17.1%)	(6.3%)	(48.0%)
HW T Centre	5,512	94,007	74,701	258,845	(71.1%)	25.8%	(94.1%)
Outdoor Ice Rink	330,862	319,059	307,049	303,450	1.2%	3.9%	3.7%
Skate Rental	59,092	136,856	99,345	90,741	9.5%	37.8%	(56.8%)
Waterfront Development, City of Hamilton management contract	683,151	374,992	605,759	668,624	(9.4%)	(38.1%)	82.2%
Tall Ships	-	-	-	93,070	-	-	-
Fishing Derby	-	-	1,094	2,188	(50.0%)	-	-
Waterfront Wheels	5,765	12,541	13,611	16,510	(17.6%)	(7.9%)	(54.0%)
	1,914,941	2,736,369	3,051,531	3,359,824	(9.2%)	(10.3%)	(30.0%)
<b>Expenses</b>							
Advertising and promotion	1,023	664	43	340	(87.4%)	1444.2%	54.1%
Bad debts	45,167	67,461	-	-	-	-	(33.0%)
Bank charges	2,427	4,088	4,508	10,803	(58.3%)	(9.3%)	(40.6%)
Building expenses	765	10,458	6,001	12,926	(53.6%)	74.3%	(92.7%)
Dues and memberships	585	2,570	1,537	2,124	(27.6%)	67.2%	(77.2%)
Equipment expenses	1,631	1,853	3,766	3,490	7.9%	(50.8%)	(12.0%)
Insurance	6,054	5,400	11,248	9,948	13.1%	(52.0%)	12.1%
Office expenses	17,533	35,785	14,839	15,610	(4.9%)	141.2%	(51.0%)
Professional fees	50,696	25,812	60,182	49,374	21.9%	(57.1%)	96.4%
Salaries and benefits	326,788	274,510	329,008	294,415	11.7%	(16.6%)	19.0%
Telephone	8,159	9,348	9,399	9,066	3.7%	(0.5%)	(12.7%)
Travel	990	147	373	472	(21.0%)	(60.6%)	573.5%
Other expenses	7,891	11,789	29,288	14,230	105.8%	(59.7%)	(33.1%)
Hamiltonian Tour Boat	14,791	34,484	35,274	28,604	23.3%	(2.2%)	(57.1%)
Williams Fresh Cafe	744,636	1,372,964	1,378,293	1,368,048	0.7%	(0.4%)	(45.8%)
Hamilton Scoops	58,894	121,669	151,443	119,685	26.5%	(19.7%)	(51.6%)
Kids Fest	-	12,219	-	-	-	-	-
Hamilton Trolley	28,959	31,023	43,275	47,462	(8.8%)	(28.3%)	(6.7%)
Fishing Derby	-	13,026	13,561	14,389	(5.8%)	(3.9%)	-
Waterfront Grill	34,732	51,651	62,309	68,213	(8.7%)	(17.1%)	(32.8%)
HW T Centre	24,156	50,464	95,839	413,581	(76.8%)	(47.3%)	(52.1%)
Outdoor Ice Rink	330,766	315,147	306,994	303,000	1.3%	2.7%	5.0%
Skate Rental	19,337	72,544	53,516	41,625	28.6%	35.6%	(73.3%)
Waterfront Development, City of Hamilton management contract	516,942	388,239	605,759	668,624	(9.4%)	(35.9%)	33.2%
Tall Ships	-	-	-	64,941	-	-	-
Waterfront Wheels	12,151	12,828	13,446	11,769	14.2%	(4.6%)	(5.3%)
	2,255,073	2,926,143	3,229,901	3,572,739	(9.6%)	(9.4%)	(22.9%)
<b>Deficiency of revenue over expenses</b>							
<b>before amortization and other revenue (expenses)</b>	(340,132)	(189,774)	(178,370)	(212,915)	(16.2%)	6.4%	(79.2%)
<b>Other revenue (expenses)</b>							
Amortization of capital assets	(71,352)	(72,761)	(73,134)	(176,489)	(58.6%)	(0.5%)	1.9%
Amortization of deferred capital contributions	40,273	40,273	41,742	69,298	(39.8%)	(3.5%)	-
Government assistance	340,654	-	-	-	-	-	-
Gain on Disposal of HWT Centre	-	-	2,667,343	-	-	-	-
Property Taxes	-	-	405,421	-	-	-	-
Expenses associated with tenant dispute	-	(759,008)	(316,729)	(292,397)	8.3%	139.6%	-
	309,575	(791,496)	2,724,643	(399,588)	(781.9%)	(129.0%)	139.1%
<b>Excess (Deficiency) of revenue over expenses for the year</b>	(30,557)	(981,270)	2,546,273	(612,503)	(515.7%)	(138.5%)	96.9%
<b>Net assets, beginning of year</b>	952,214	1,933,484	(612,789)	(286)	214161.9%	(415.5%)	(50.8%)
<b>Net assets, end of year</b>	\$ 921,657	\$ 952,214	\$ 1,933,484	\$ (612,789)	(415.5%)	(50.8%)	(3.2%)

Hamilton Waterfront Trust  
Consolidated Financial Statements  
For the year ended December 31, 2020

**Hamilton Waterfront Trust**  
**Consolidated Financial Statements**  
For the year ended December 31, 2020

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BDO Canada LLP  
360 Oakville Place Drive, Suite 500  
Oakville ON L6H 6K8 Canada

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## Independent Auditor's Report

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To the Board of Directors of  
Hamilton Waterfront Trust

### Opinion

We have audited the consolidated financial statements of Hamilton Waterfront Trust and its subsidiaries (the "Group"), which comprise of the consolidated statement of financial position as at December 31, 2020, and the consolidated statements of operations and changes in net assets and cash flows for the year then ended, and a summary of significant accounting policies and other explanatory information.

In our opinion, the consolidated financial statements present fairly, in all material respects, the financial position of the Group as at December 31, 2020, and its results of operations and cash flows for the year then ended in accordance with Canadian accounting standards for not-for-profit organizations.

### Basis for Opinion

We conducted our audit in accordance with Canadian generally accepted auditing standards. Our responsibilities under those standards are further described in the *Auditor's Responsibilities for the Audit of the Consolidated Financial Statements* section of our report. We are independent of the Group in accordance with the ethical requirements that are relevant to our audit of the consolidated financial statements in Canada, and we have fulfilled our other ethical responsibilities in accordance with these requirements. We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our opinion.

### Responsibilities of Management and Those Charged with Governance for the Consolidated Financial Statements

Management is responsible for the preparation and fair presentation of these consolidated financial statements in accordance with Canadian accounting standards for not-for-profit organizations, and for such internal control as management determines is necessary to enable the preparation of consolidated financial statements that are free from material misstatement, whether due to fraud or error.

In preparing the consolidated financial statements, management is responsible for assessing the Group's ability to continue as a going concern, disclosing, as applicable, matters related to going concern and using the going concern basis of accounting unless management either intends to liquidate the Group or to cease operations, or has no realistic alternative but to do so.

Those charged with governance are responsible for overseeing the Group's consolidated financial reporting process.

### Auditor's Responsibilities for the Audit of the Consolidated Financial Statements

Our objectives are to obtain reasonable assurance about whether the consolidated financial statements as a whole are free from material misstatement, whether due to fraud or error, and to issue an auditor's report that includes our opinion. Reasonable assurance is a high level of assurance, but is not a guarantee that an audit conducted in accordance with Canadian generally accepted auditing standards will always detect a material misstatement when it exists. Misstatements can arise from fraud or error and are considered material if, individually or in the aggregate, they could reasonably be expected to influence the economic decisions of users taken on the basis of these consolidated financial statements.



As part of an audit in accordance with Canadian generally accepted auditing standards, we exercise professional judgment and maintain professional skepticism throughout the audit. We also:

- Identify and assess the risks of material misstatement of the consolidated financial statements, whether due to fraud or error, design and perform audit procedures responsive to those risks, and obtain audit evidence that is sufficient and appropriate to provide a basis for our opinion. The risk of not detecting a material misstatement resulting from fraud is higher than for one resulting from error, as fraud may involve collusion, forgery, intentional omissions, misrepresentations, or the override of internal control.
- Obtain an understanding of internal control relevant to the audit in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the Group's internal control.
- Evaluate the appropriateness of accounting policies used and the reasonableness of accounting estimates and related disclosures made by management.
- Conclude on the appropriateness of management's use of the going concern basis of accounting and, based on the audit evidence obtained, whether a material uncertainty exists related to events or conditions that may cast significant doubt on the Group's ability to continue as a going concern. If we conclude that a material uncertainty exists, we are required to draw attention in our auditor's report to the related disclosures in the consolidated financial statements or, if such disclosures are inadequate, to modify our opinion. Our conclusions are based on the audit evidence obtained up to the date of our auditor's report. However, future events or conditions may cause the Group to cease to continue as a going concern.
- Evaluate the overall presentation, structure and content of the consolidated financial statements, including the disclosures, and whether the consolidated financial statements represent the underlying transactions and events in a manner that achieves fair presentation.
- Obtain sufficient appropriate audit evidence regarding the financial information of the entities or business activities within the Group to express an opinion on the consolidated financial statements. We are responsible for the direction, supervision and performance of the group audit. We remain solely responsible for our audit opinion.

We communicate with those charged with governance regarding, among other matters, the planned scope and timing of the audit and significant audit findings, including any significant deficiencies in internal control that we identify during our audit.

*BDO Canada LLP*

Chartered Professional Accountants, Licensed Public Accountants  
Oakville, Ontario  
September 28, 2021

## Hamilton Waterfront Trust Consolidated Statement of Financial Position

December 31	2020	2019
<b>Assets</b>		
<b>Current</b>		
Cash	\$ 278,786	\$ 472,697
Accounts receivable (Note 2)	185,270	59,775
Inventories and prepaid expenses	28,221	28,221
Current portion of note receivable (Note 5)	166,000	233,000
	658,277	793,693
<b>Capital assets (Note 3)</b>	<b>1,312,804</b>	1,384,156
<b>Note receivable (Note 5)</b>	<b>988,669</b>	1,109,249
	<b>\$ 2,959,750</b>	<b>\$ 3,287,098</b>

### Liabilities and Net Assets

<b>Current</b>		
Accounts payable and accrued liabilities	\$ 486,529	\$ 687,047
Current portion of deferred capital contributions (Note 4)	40,273	40,273
	526,802	727,320
<b>Deferred revenue - City of Hamilton</b>	<b>380,049</b>	436,049
<b>Deferred capital contributions (Note 4)</b>	<b>1,131,242</b>	1,171,515
	2,038,093	2,334,884
<b>Net assets</b>	<b>921,657</b>	952,214
	<b>\$ 2,959,750</b>	<b>\$ 3,287,098</b>

On behalf of the Board:

*Trent Jarvis*  
\_\_\_\_\_ Director

*Bernie Mueller*  
\_\_\_\_\_ Director

## Hamilton Waterfront Trust Consolidated Statement of Operations and Changes in Net Assets

<b>For the year ended December 31</b>	<b>2020</b>	<b>2019</b>
<b>Revenue</b>		
Investment income	\$ 2,674	\$ 3,397
City of Hamilton contract and management income	46,602	59,445
Other income	4,669	13,300
Hamiltonian Tour Boat	15,826	36,929
Williams Fresh Cafe	637,677	1,428,213
Hamilton Scoops	74,191	163,488
Kids Fest	-	19,192
Hamilton Trolley	24,407	27,783
Waterfront Grill	24,513	47,167
HWT Centre	5,512	94,007
Outdoor Ice Rink	330,862	319,059
Skate Rental	59,092	136,856
Waterfront Development, City of Hamilton management contract	683,151	374,992
Waterfront Wheels	5,765	12,541
	<b>1,914,941</b>	<b>2,736,369</b>
<b>Expenses</b>		
Advertising and promotion	1,023	664
Bad debts	45,167	67,461
Bank charges	2,427	4,088
Building expenses	765	10,458
Dues and memberships	585	2,570
Equipment expenses	1,631	1,853
Insurance	6,054	5,400
Office expenses	17,533	35,785
Professional fees	50,696	25,812
Salaries and benefits	326,788	274,510
Telephone	8,159	9,348
Travel	990	147
Other expenses	7,891	11,789
Hamiltonian Tour Boat	14,791	34,484
Williams Fresh Cafe	744,636	1,372,964
Hamilton Scoops	58,894	121,669
Kids Fest	-	12,219
Hamilton Trolley	28,959	31,023
Fishing Derby	-	13,026
Waterfront Grill	34,732	51,651
HWT Centre	24,156	50,464
Outdoor Ice Rink	330,766	315,147
Skate Rental	19,337	72,544
Waterfront Development, City of Hamilton management contract	516,942	388,239
Waterfront Wheels	12,151	12,828
	<b>2,255,073</b>	<b>2,926,143</b>
<b>Deficiency of revenue over expenses before amortization and other revenue (expenses)</b>	<b>(340,132)</b>	<b>(189,774)</b>
<b>Other revenue (expenses)</b>		
Amortization of capital assets	(71,352)	(72,761)
Amortization of deferred capital contributions	40,273	40,273
Government assistance (Note 7)	340,654	-
Expenses associated with tenant dispute	-	(759,008)
	<b>309,575</b>	<b>(791,496)</b>
<b>Deficiency of revenue over expenses for the year</b>	<b>(30,557)</b>	<b>(981,270)</b>
<b>Net assets, beginning of year</b>	<b>952,214</b>	<b>1,933,484</b>
<b>Net assets, end of year</b>	<b>\$ 921,657</b>	<b>\$ 952,214</b>

The accompanying notes are an integral part of these consolidated financial statements.

## Hamilton Waterfront Trust Consolidated Statement of Cash Flows

<b>For the year ended December 31</b>	<b>2020</b>	<b>2019</b>
<b>Cash flows from operating activities</b>		
Deficiency of revenue over expenses for the year	\$ (30,557)	\$ (981,270)
Adjustments to reconcile deficiency of revenue over expenses to net cash used in operating activities		
Amortization of capital assets	71,352	72,761
Amortization of deferred capital contributions	(40,273)	(40,273)
Changes in non-cash working capital balances		
Accounts receivable	(125,496)	125,290
Accounts payable and accrued liabilities	(200,519)	(94,826)
Deferred revenue	(56,000)	(22,781)
	<b>(381,493)</b>	<b>(941,099)</b>
<b>Cash flows from financing activity</b>		
Repayment of note receivable	<b>187,582</b>	859,900
<b>Decrease in cash during the year</b>	<b>(193,911)</b>	<b>(81,199)</b>
<b>Cash, beginning of year</b>	<b>472,697</b>	553,896
<b>Cash, end of year</b>	<b>\$ 278,786</b>	<b>\$ 472,697</b>

The accompanying notes are an integral part of these consolidated financial statements.

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## Hamilton Waterfront Trust Notes to Consolidated Financial Statements

**December 31, 2020**

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### 1. Significant Accounting Policies

#### **Nature of Business**

The purpose of the Hamilton Waterfront Trust (the "Organization") is to improve and develop lands around the Hamilton Harbour and to encourage the local community to enjoy the Bay area. Hamilton is a culturally and ethnically diversified mosaic. Therefore, the Organization helps to promote the image of Hamilton to businesses and individuals over a wide radius.

Following a strategic review undertaken by the Board of Directors, it was decided to restructure the Organization to become a not-for-profit organization effective November 21, 2016. As part of the reorganization on that same date, HWT Inc., a wholly-owned subsidiary, was incorporated.

The Organization is incorporated under the Ontario Corporations Act, and now have a continuance under the Canada Not-for-Profit Corporations Act.

The Organization is registered under the Income Tax Act (Canada) (the "Tax Act") and, as such, is exempt from income taxes.

#### **Basis of Accounting and Presentation**

The consolidated financial statements of the Organization have been prepared using Canadian accounting standards for not-for-profit organizations.

These consolidated financial statements include the accounts of the Organization and HWT Inc. All significant intercompany transactions and balances have been eliminated.

#### **Revenue Recognition**

The Organization follows the deferral method of accounting for contributions.

Unrestricted revenue is recognized when received or receivable if the amount to be received can be reasonably estimated and collection is reasonably assured.

Deferred capital contributions related to capital assets represent the unamortized and unallocated amount of grants received for the purchase of capital assets. The amortization of capital contributions is recorded as revenue in the statement of operations.

The Organization recognizes all other revenue when services are performed or goods are sold, there is no uncertainty as to the customer acceptance, the price to the buyer is fixed or determinable and collection is reasonably assured.

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## Hamilton Waterfront Trust Notes to Consolidated Financial Statements

**December 31, 2020**

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### 1. Significant Accounting Policies (Continued)

#### Capital assets

Capital assets are recorded at cost. Amortization is based on their estimated useful life using the following methods and rates or terms:

Boat	-	15 years straight-line
Building	-	5% declining balance
Computer equipment	-	30% declining balance
Dock	-	5% declining balance
Furniture and equipment	-	20% declining balance
Trolleys	-	15 years straight-line
Leasehold improvements	-	straight-line over the term of the lease

#### Government Assistance

During the year, the Organization made periodic application for financial assistance under the Canada Emergency Wage Subsidy ("CEWS") program in order to recover certain payroll expenditures. Government assistance received during the year for current expenses is shown as other income. When government assistance is received which relates to expenses of future periods, the amount is deferred and amortized to income as the related expenses are incurred.

#### Use of Estimates

The preparation of consolidated financial statements in accordance with Canadian accounting standards for not-for-profit organizations requires management to make estimates and assumptions that affect the reported amounts of assets and liabilities at the date of the consolidated financial statements, and the reported amount of revenue and expenses during the reporting period. Actual results could differ from management's best estimates as additional information becomes available in the future.

#### Financial Instruments

Financial instruments are recorded at fair value when acquired or issued. Subsequently, financial instruments are reported at cost or amortized cost less impairment, if applicable. Financial assets are tested for impairment when changes in circumstances indicate the asset could be impaired. Transaction costs on the acquisition, sale or issue of financial instruments are charged to the financial instrument for those measured at amortized cost.

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### 2. Accounts Receivable

	2020	2019
Trade accounts receivable	\$ 252,751	\$ 127,236
Impairment allowance	(67,481)	(67,461)
	\$ 185,270	\$ 59,775

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## Hamilton Waterfront Trust Notes to Consolidated Financial Statements

**December 31, 2020**

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### 3. Capital Assets

	2020		2019	
	Cost	Accumulated Amortization	Cost	Accumulated Amortization
Boat	\$ 52,156	\$ 45,518	\$ 52,156	\$ 42,042
Building	17,016	8,443	17,016	7,992
Computer equipment	42,844	42,107	42,844	41,755
Dock	15,522	10,155	15,522	8,385
Furniture and equipment	209,092	188,828	209,092	178,989
Trolleys	335,782	214,277	335,782	193,025
Leasehold improvements	2,542,155	1,392,435	2,542,155	1,358,223
	<b>\$ 3,214,567</b>	<b>\$ 1,901,763</b>	<b>\$ 3,214,567</b>	<b>\$ 1,830,411</b>
Net book value		<b>\$ 1,312,804</b>		<b>\$ 1,384,156</b>

### 4. Deferred Capital Contributions

Restricted capital contributions are amortized on the same basis as the underlying capital assets.

	2020	2019
Balance, beginning of year	\$ 1,211,788	\$ 1,252,061
Less: contributions recognized as revenue	(40,273)	(40,273)
	1,171,515	1,211,788
Less: current portion	(40,273)	(40,273)
Balance, end of year	<b>\$ 1,131,242</b>	<b>\$ 1,171,515</b>

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## Hamilton Waterfront Trust Notes to Consolidated Financial Statements

**December 31, 2020**

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### 5. Note Receivable

Effective January 1, 2018, the Organization's lease on the Parks Discovery Centre with the City of Hamilton was terminated. In consideration of the Organization entering into this arrangement, The City of Hamilton agreed to pay an early surrender fee in the form of a note. The note receivable bears interest at 4% per annum and is payable in equal annual instalments of \$166,000 (2019 - \$230,000) inclusive of interest, with final payment made on January 1, 2032.

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### 6. Financial Instrument Risks

#### Credit Risk

Credit risk is the risk that one party to a financial instrument will cause a financial loss for the other party by failing to discharge an obligation. The Organization is exposed to credit risk resulting from the possibility that a customer or counterparty to a financial instrument defaults on their financial obligations. The Organization's financial instruments that are exposed to concentrations of credit risk relate primarily to its accounts receivable and note receivable balances. This risk has not changed from the prior year.

#### Liquidity Risk

Liquidity risk is the risk that the Organization encounters difficulty in meeting its obligations associated with financial liabilities. Liquidity risk includes the risk that, as a result of operational liquidity requirements, the Organization will not have sufficient funds to settle a transaction on a due date; will be forced to sell financial assets at a value which is less than what they are worth; or may be unable to settle or recover a financial asset. Liquidity risk arises from the Organization's accounts payable and accrued liabilities. This risk has not changed from the prior year.

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### 7. COVID-19

On March 11, 2020, the World Health Organization declared the outbreak of a novel coronavirus ("COVID-19") as a global pandemic, which continues to spread throughout Canada and around the world. As a direct result of the COVID-19 pandemic, the Organization experienced a reduction in revenue that qualified it for financial assistance from the CEWS government incentive program in the amount of \$320,654. Furthermore, the Organization recognized \$20,000 in financial assistance received as part of the forgivable portion of the Canada Emergency Business Account ("CEBA") loan.

Management is actively monitoring and planning for contingencies in the event that there is continued effect on the financial condition, liquidity, operations, suppliers, sector and workforce of the Organization. During this time, the Organization continues to operate. The Organization is not able to estimate the potential future effects of the COVID-19 outbreak on its operations, financial condition or liquidity at this time.



**CITY OF HAMILTON**  
**CORPORATE SERVICES DEPARTMENT**  
**Financial Planning, Administration and Policy Division**

<b>TO:</b>	Chair and Members General Issues Committee
<b>COMMITTEE DATE:</b>	March 22, 2023
<b>SUBJECT/REPORT NO:</b>	Hamilton Waterfront Trust Business Model Review (FCS23029) (City Wide) (Outstanding Business List)
<b>WARD(S) AFFECTED:</b>	City Wide
<b>PREPARED BY:</b>	Carolyn Paton (905) 546-2424 Ext. 4371
<b>SUBMITTED BY:</b>	Brian McMullen Director, Financial Planning, Administration and Policy Corporate Services Department
<b>SIGNATURE:</b>	

**RECOMMENDATION(S)**

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

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OUR Vision: To be the best place to raise a child and age successfully.

OUR Mission: To provide high quality cost conscious public services that contribute to a healthy, safe and prosperous community, in a sustainable manner.

OUR Culture: Collective Ownership, Steadfast Integrity, Courageous Change, Sensational Service, Engaged Empowered Employees.

**SUBJECT: Hamilton Waterfront Trust Business Model Review (FCS23029)  
(City Wide) – Page 2 of 7**

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

**EXECUTIVE SUMMARY**

Council, at its meeting on September 28, 2022, directed staff to work with the Hamilton Waterfront Trust and prepare a report for the General Issues Committee on how to transfer the Hamilton Waterfront Trust's operational responsibilities and Hamilton Waterfront Trust's assets to the City of Hamilton.

In October 2022, the City of Hamilton engaged KPMG to prepare a report on the future of the Hamilton Waterfront Trust ("HWT"), more specifically, a review of HWT was requested to provide options for the operations model of HWT including future programs and services of the Trust.

Since engaging KPMG, the following work was undertaken:

- KPMG engaged with both City staff and HWT staff;
- Established three high-level options for the future of HWT as follows:
  1. Transfer all assets and operations to the City: HWT is dissolved with all assets and operations absorbed by the City;
  2. Transfer all assets and operations to another entity: HWT is dissolved and all assets and operations absorbed by an outside entity;
  3. HWT remains status quo or operates under a hybrid model: HWT operates under a hybrid model or remains status quo;
- Defined understanding of the current governance and operating model of HWT, as well as, thoughts on future operating models of HWT;
- KPMG collected relevant information on HWT's current mandate and operations. The key steps in this process included: reviewing documents, stakeholder consultation and analysis of the three high-level options (identified above);
- A SWOT (strengths, weaknesses, opportunities and threats) analysis was prepared by KPMG to help assess internal and external factors affecting the three operational models / options for consideration; and
- KPMG released a final report for consideration (attached as Appendix "A" to Report FCS23029).

After further discussion with senior leadership, staff is recommending that a detailed review of the following two business models for HWT future operations be conducted:

- (i) Status quo with consideration of varying the business model and governance structure; and

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**SUBJECT: Hamilton Waterfront Trust Business Model Review (FCS23029)  
(City Wide) – Page 3 of 7**

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- (ii) A joint model whereby the management and operations of programs and services are principally delivered by the HWT with the potential for some operations delivered by the City of Hamilton.

The cost for the detailed review will be funded from the Corporate Financials operating budget (Dept ID 211090).

It is being recommended that KPMG be retained pursuant to Procurement Policy #11 – Non-competitive Procurements for the services required in Report FCS23029. As KPMG completed the initial evaluation (Appendix “A” to Report FCS23029), their knowledge of HWT and its operations will ensure this new work is carried out in a cost-effective and timely fashion. Staff will report back to City Council on the preferred model, and the cost including the resources necessary to deliver the programs and services required.

The terms and conditions in the Revised Deed of Trust between the City and HWT, effective as of October 1, 2018, indicate that it shall continue until terminated by the City on no less than 12 months’ written notice to the Trust. Further, this Revised Deed of Trust may be amended by a Special Resolution of the Trustees, subject to the prior written approval of the City, provided that the Trust Assets shall, at all times, be held in trust absolutely and exclusively for the purposes set out in this Revised Deed.

**FINANCIAL – STAFFING – LEGAL IMPLICATIONS**

**Financial:** The cost of the detailed review will be funded from the Corporate Financials operating budget (Dept ID 211090).

**Staffing:** Staff in the Financial Planning, Administration and Policy Division of the Corporate Services Department will be the lead division for the contract for the review outlined in Report FCS23029. It is highly unlikely that existing staff would be able to take on the necessary thorough review required to make a recommendation to Council on what the best option would be for the future of the HWT. Staff will certainly be an integral part of discussions surrounding options (i.e. effort and impacts on bringing in-house). However, a consulting firm with experience in business operations modelling and tax expertise is essential.

**Legal:** Staff in Legal and Risk Management Services of the Corporate Services Department may be required to review the Revised Deed of Trust and review agreements related to changes to the HWT business model.

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**SUBJECT: Hamilton Waterfront Trust Business Model Review (FCS23029)  
(City Wide) – Page 4 of 7**

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## **HISTORICAL BACKGROUND**

Hamilton Waterfront Trust (HWT), initially known as Hamilton Harbour Development Trust, was established through a Trust Deed dated November 24, 2000 between the City and the Hamilton Harbour Commissioners (the “Commissioners”) now known as the Hamilton Port Authority (the “HPA”).

On or about November 24, 2000, the Commissioners transferred to HWT approximately \$6.3 M for the purposes of land assembly, improvements and development costs relating to Hamilton’s West Harbour which funds have long since been invested or expended and HWT has since developed several alternative revenue sources.

Council, at its meeting of September 26, 2018, approved a Revised Deed of Trust.

In closed session at its meeting on April 27, 2022, Council received confidential correspondence from David A. van der Woerd, Ross & McBride LLP, respecting the Hamilton Waterfront Trust.

Council, at its meeting on September 28, 2022, received correspondence from HWT Board Chair and Executive Director Werner Pleschl stating: “As mutually desired, the Hamilton Waterfront Trust team welcomes the imminent arrival of amicable and productive dialogue with City Staff respecting the future path of management of all of our much loved and managed operations.”

Council, at its meeting on September 28, 2022, approved the release of the direction to staff from the closed session Council meeting on April 27, 2022 which stated:

“That staff be directed to work with the Hamilton Waterfront Trust and prepare a report for the General Issues Committee within 90 days on how to transfer the Hamilton Waterfront Trust’s operational responsibilities and Hamilton Waterfront Trust’s assets to the City of Hamilton.”

In October 2022, and in accordance with Procurement Policy #11, Non-Competitive Procurements, the City of Hamilton engaged KPMG to prepare a report on the future of HWT, more specifically, a review of HWT was requested to provide options for the business operations model of HWT including future programs and services of HWT.

## **POLICY IMPLICATIONS AND LEGISLATED REQUIREMENTS**

In accordance with By-law 20-205 as amended, Procurement Policy #11, Non-Competitive Procurements, staff is recommending that a single-sourced contract through Policy #11 of the City’s Procurement Policy be awarded to KPMG as it is more cost effective or beneficial for the City.

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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 Waterfront Trust Business Model Review (FCS23029)  
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**RELEVANT CONSULTATION**

Staff representatives from appropriate city departments, including Procurement and Legal Services, were consulted in the preparation of Report FCS23029.

HWT staff and HWT Board members were consulted in the preparation of KPMG's report, attached as Appendix "A" to Report FCS23029.

**ANALYSIS AND RATIONALE FOR RECOMMENDATION(S)**

Since engaging KPMG, the following work was undertaken:

October 2022

- KPMG engaged with both City staff and HWT leadership and Board Members
- Scope of work defined
- Established three high-level options for the future of HWT as follows:
  1. Transfer all assets and operations to the City: HWT is dissolved with all assets and operations absorbed by the City;
  2. Transfer all assets and operations to another entity: HWT is dissolved and all assets and operations absorbed by an outside entity;
  3. HWT remains status quo or operates under a hybrid model: HWT operates under a hybrid model or remains status quo;
- During research, review and stakeholder engagement, KPMG gained an understanding of the current governance and operating model of HWT, as well as, thoughts on future operating models of HWT;
- Staff in the Office of the City Auditor were consulted in preparation of Report FCS23029.

October / November 2022

- KPMG collected relevant information on HWT's current mandate and operations. The key steps in this process included: reviewing documents, stakeholder consultation and analysis of the three high-level options (identified above).
- A SWOT (strengths, weaknesses, opportunities, and threats) analysis was prepared by KPMG to help assess internal and external factors affecting the three operational models / options for consideration.
- KPMG released a final report for consideration (attached as Appendix "A" to Report FCS23029).

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**SUBJECT: Hamilton Waterfront Trust Business Model Review (FCS23029)  
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KPMG is recommending that following Council endorsement of their report, both the City and HWT establish a Steering Committee to further review the preferred option. For the Steering Committee to be effective, the composition of the committee requires a cross-departmental team including members of Finance, Legal, Human Resources and Internal Audit. Policies and implementation plans are to form part of the plan.

#### City Staff Discussions

Through a consensus of leadership, a sustainable framework going forward to further assess the options being considered for a future operating model of the HWT is warranted. The framework would ensure consideration of the following principles and criteria in assessing any business model of the HWT. They are as follows:

1. That the role and purpose of the waterfront lands is, first and foremost, a public space, for the free and accessible enjoyment of residents and visitors;
2. Land and other assets relating to Hamilton's waterfront will remain public (i.e. use of spaces or buildings would be contemplated through leases and licenses, but not sale of assets);
3. All decisions must consider Hamilton's waterfront in its entirety. The geographic scope of the "operator" would, at minimum, include Pier 5-8 lands, but should consider a single entity to be responsible for the operations of the full waterfront area from Bayfront Park to Pier 8;
4. The chosen operating model should be one that generates revenues to help offset operating costs and ensures that commercial and for-profit entities pay appropriate market rates for use of waterfront spaces or buildings; and
5. The Hamilton waterfront should be financially stable not excluding an investment by the City.

#### **ALTERNATIVES FOR CONSIDERATION**

Alternatives to selecting KPMG, an external vendor, for the consulting services review of the two recommended business models for the HWT would be preparing a Request for Proposal or having internal City staff manage the review.

Existing City staff do not have the complete expertise and capacity to undertake the review required to make a recommendation to Council on the best option for the future of the Hamilton Waterfront Trust operations. Staff will certainly be an integral part of discussions surrounding options (i.e. effort and impacts on bringing in-house). KPMG has the experience in business operations modelling and tax expertise that will be required.

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**SUBJECT: Hamilton Waterfront Trust Business Model Review (FCS23029)  
(City Wide) – Page 7 of 7**

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**ALIGNMENT TO THE 2016 – 2025 STRATEGIC PLAN****Community Engagement and Participation**

Hamilton has an open, transparent, and accessible approach to City government that engages with and empowers all citizens to be involved in their community.

**Economic Prosperity and Growth**

Hamilton has a prosperous and diverse local economy where people have opportunities to grow and develop.

**Healthy and Safe Communities**

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

**Clean and Green**

Hamilton is environmentally sustainable with a healthy balance of natural and urban spaces.

**Built Environment and Infrastructure**

Hamilton is supported by state-of-the-art infrastructure, transportation options, buildings and public spaces that create a dynamic City.

**Culture and Diversity**

Hamilton is a thriving, vibrant place for arts, culture, and heritage where diversity and inclusivity are embraced and celebrated.

**Our People and Performance**

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

**APPENDICES AND SCHEDULES ATTACHED**

Appendix "A" to Report FCS23029 – City of Hamilton – Hamilton Waterfront Trust Future Operations – Final Report by KPMG November 29, 2022.

CP/dt

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# City of Hamilton

# Hamilton Waterfront Trust Future Options

**Final Report**

November 29, 2022



# Disclaimer

This report has been prepared by KPMG LLP ("KPMG") for City of Hamilton (the "City", or "Client") pursuant to the terms of our engagement agreement with Client dated July 8, 2022 (the "Engagement Agreement"). KPMG neither warrants nor represents that the information contained in this report is accurate, complete, sufficient or appropriate for use by any person or entity other than Client or for any purpose other than set out in the Engagement Agreement. This report may not be relied upon by any person or entity other than Client or for any purpose other than set out in the Engagement Agreement. This report may not be relied upon by any person or entity other than Client, and KPMG hereby expressly disclaims any and all responsibility or liability to any person or entity other than Client in connection with their use of this report.

The information provided to us by Client was determined to be sound to support the analysis. Notwithstanding that determination, it is possible that the findings contained could change based on new or more complete information. KPMG reserves the right (but will be under no obligation) to review all calculations or analysis included or referred to and, if we consider necessary, to review our conclusions in light of any information existing at the document date which becomes known to us after that date. Analysis contained in this document includes financial projections. The projections are based on assumptions and data provided by Client. Significant assumptions are included in the document and must be read to interpret the information presented. As with any future-oriented financial information, projections will differ from actual results and such differences may be material. KPMG accepts no responsibility for loss or damages to any party as a result of decisions based on the information presented. Parties using this information assume all responsibility for any decisions made based on the information.

No reliance should be placed by Client on additional oral remarks provided during the presentation, unless these are confirmed in writing by KPMG.

KPMG have indicated within this report the sources of the information provided. We have not sought to independently verify those sources unless otherwise noted within the report.

KPMG is under no obligation in any circumstance to update this report, in either oral or written form, for events occurring after the report has been issued in final form.



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**01**

# **Project Overview**

# City of Hamilton | Hamilton Waterfront Trust Future Options

## Project Overview



### Project Objectives

The City of Hamilton (the “City”) engaged KPMG to prepare a report on the future of the Hamilton Waterfront Trust (the “Trust”). Due to the nature of its operations, the Trust has a for-profit (HWT Inc.) and non-profit status.

The overall objectives of this report were to identify and analyze three high-level options for the Trust:

1. Transfer all assets and operations to the City.
2. Transfer all assets and operations to another entity.
3. Trust remains status quo or operates under a hybrid model.

Note: the above actions were not mutually exclusive and may have evolved over the course of the project.



### Project Principles

- The knowledge and expertise of City and Trust staff will be fully engaged and built upon, to arrive at recommended actions through a transparent participative and inclusive process facilitated by KPMG.
- The development of the report will be conducted in a way that engages stakeholders.
- The framework and approach will be based on leading practices from other municipalities, or other levels of government experience and/or private sector.
- Lastly, this is not an audit nor a deeper-dive operational review. This is a review to provide options for the future programs and services of the Hamilton Waterfront Trust.

# City of Hamilton | Hamilton Waterfront Trust Future Options Project Overview



## Project Work Plan

The project commenced on October 14<sup>th</sup>, 2022 and will be completed when the Final Report is presented to the Project Team in January 2023.



### Project Initiation

#### October

Meet with the Project Team to clarify expectations, clarify lines of inquiry, and refine proposed work program and stakeholder engagement plan.



### Options Analysis

#### October - November

Key steps in this process include

- Documentation review
- Stakeholder consultation
- Analysis of three high-level options



### Final Report

#### January 2023

Develop a draft Final Report. Incorporate City feedback to enhance and finalize the Final Report.

**02**

# **Trust Background Information**

# City of Hamilton | Hamilton Waterfront Trust Future Options

## Trust Background

The City of Hamilton and the Hamilton Harbour Commission's November 24<sup>th</sup>, 2000 Deed of Trust resulted in the constitution of the Hamilton Waterfront Trust (Trust). During this time, the Hamilton Harbour Commission transferred funds to the Trust for the purposes of land assembly, improvements and development costs relating to Hamilton's West Harbour. A Board of Trustees managed the Trust and ensured that the investment of funds to designated projects aligns with the terms of the Deed of Trust. On October 26<sup>th</sup>, 2018, the City, Hamilton Port Authority, and the Trust approved a restructuring of the board removing the Port Authority from further participation and allowing the City to appoint all Trustees. This agreement also noted that the Trustees may, when in that position, carry out any transaction on behalf of the Trust and exercise any of the powers, discretion and authorities (e.g., enter into contracts) conferred upon them in the revised Deed.<sup>1</sup>

### Purpose

The Hamilton Waterfront Trust (HWT) is an organization that creates public benefit through its dedication to developing facilities and activities that enhance the public's access to the water's edge and enjoyment of Hamilton's waterfront.

### Mission Statement

HWT makes it possible for everyone to use and enjoy Hamilton's waterfront. The HWT is a leader in providing developments designed to enhance the waterfront experience and promote easy access to the water's edge within its beautiful surroundings.

### Tagline

*"Connecting you to the water's edge"*

### Mandate

HWT is dedicated to finding new, exciting ways of making it easier for residents and visitors to experience this wonderful part of the City.

### Goals

- Engage more citizen's to the water's edge.
- Implement structure and practices which will maximize the efforts and resources of the HWT.
- Be respected as a leader and expert in development at the water's edge.

Source – Deed of Trust Effective October 1, 2018

# City of Hamilton | Hamilton Waterfront Trust Future Options

## Trust Operations

As of November 21, 2016, the Trust restructured and began operating as a not-for-profit organization. On the same date, the trust incorporated HWT Inc. as a wholly-owned subsidiary.

### For-profit Operations

- Waterfront Rink Operation
- Hamiltonian Tour Boat
- Williams Fresh Café
- Hamilton Harbour Queen
- Waterfront Scoops
- Waterfront Trolley
- Waterfront Grill
- Skate Rental Concession
- HWT Centre Operations
- Bike Rental Concession

### Not-for-profit Events and Activities

- Hamilton Harbour Fishing Derby
- Hamilton Waterfront Wingfest
- Music on the Waterfront
- Winter Light Display

**03**

# **Stakeholder Engagement**

# City of Hamilton | Hamilton Waterfront Trust Future Options

## Stakeholders Engaged

KPMG interviewed City staff and members of the Trust to obtain an understanding of the current governance and operating model as well as uncover any insights on the future options for the Trust. Below is a summary of the interviews (one-on-one) that were held.

01

### City Staff Interviews

1. City Auditor
2. Executive Director, Human Resources
3. Director, Financial Planning, Administration & Policy
4. Director, Environmental Services
5. General Manager, Planning & Economic Development
6. General Manager, Finance & Corporate Services
7. Director, Economic Development
8. Manager, Municipal Land Development
9. Manager, Construction, Engineering Services

02

### Trust Members

1. Former Executive Director, HWT
2. Chairman / Treasurer / Citizen Representative, HWT
3. Interim Executive Director / Administrative Assistant, HWT
4. Legal Advisor

# City of Hamilton | Hamilton Waterfront Trust Future Options

## Summary of Stakeholder Themes

### Stakeholder Interviews

Based on our stakeholder interviews, KPMG identified the following consistent themes:

1

### Importance of Trust Operations

All stakeholders identified the Trust's operations as crucial to the City and that they should continue regardless of the selected future option. Stakeholders expressed the need for animation and events to promote the waterfront as a tourism destination.

2

### City's Liability

The Trust maintains an arms length relationship with the City. This relationship leaves the City with limited oversight into the Trust's compliance with City policies (e.g., City's procurement policy). Stakeholders also described the language within the current contracts between the Trust and the City as 'weak' due to the City's limited ability to monitor assets and that ultimately the City remains responsible for any liability incurred by the Trust.

3

### Trust's Financial Constraints

All stakeholders identified financial sustainability as a barrier contributing to continued Trust operations. They noted that the project management work the Trust performs for the City is a key financial contributor for their operations. With the projects expected to end in the spring of 2023, stakeholders noted concerns with the financial implications for the Trust.

4

### City's Ability / Capability to Operate

Stakeholders indicated that the City retains the ability, but not the capacity, to absorb Trust operations. The City will need financial and operational resources to carry out the Trust mandate. Some stakeholders indicated that the City might not have the bandwidth to manage Trust operations.

# City of Hamilton | Hamilton Waterfront Trust Future Options

## Stakeholder Feedback – Trust Objectives

Key themes from the stakeholder interviews are summarized below:

	Observations
<p><b>Trust Objectives</b></p>	<ul style="list-style-type: none"> <li>• All stakeholders identified the Trust’s operations as crucial to the City and that they should continue regardless of the selected future option. All stakeholders indicated that the Trust has met its objectives and mandate, is a valuable contributor to waterfront development and has created a strong goodwill within the community. Stakeholders noted that the Trust has the structure and model that allows focused attention and dedicated energy for the assets.</li> <li>• Stakeholders agreed that the Trust has been able to deliver on the City’s capital projects effectively.</li> <li>• Trust stakeholders indicated that the Trust has been able to achieve its objectives due to their independent nature, quick decision making and minimal procedural red tape.</li> <li>• Some stakeholders indicated that overtime there has been a ‘scope creep’ that lead the Trust to engage in activities that is not aligned with municipal mandate.</li> <li>• Stakeholders identified a misalignment between the City’s goal of a self-sustaining entity and the Trust’s goal of enhancing the enjoyment of the waterfront. To operate as a self-sustaining entity, the Trust may need to eliminate popular activities that operate at a loss (i.e., the Trolley).</li> <li>• Stakeholders noted that City staff, members of the public, and Trust members have an inconsistent understanding of the Trust’s mandate and objectives.</li> <li>• All stakeholders agreed that the Trust has maintained an arms length relationship with the City that has at times created a knowledge gap for City staff.</li> <li>• Stakeholders noted that City staff are unsure about their roles and responsibilities regarding Trust operations. There remains unclarity around who is the “owner” of Trust related documents/processes (for e.g. financial statements, rink agreement etc.).</li> <li>• All stakeholders believe that the Trust can not continue operations without increased financial support.</li> </ul>

# Stakeholder Feedback – Trust Operations

Key themes from the stakeholder interviews are summarized below:

	Observations
<p style="text-align: center;"><b>Trust Operations</b></p>	<ul style="list-style-type: none"> <li>Stakeholders indicated that the Trust has historically been seen as a “vendor” versus an agency and the City’s overall approach to the Trust differs from how the City financially supports and manages other transfer payment recipients (for e.g. CityHousing Hamilton).</li> <li>Stakeholders expressed a difference in opinion regarding the Trust’s transparency. City stakeholders noted the Trust’s current independent governance structure provides limited transparency and accountability for the City. Trust stakeholders identified that the Trust remains transparent by posting all meeting minutes, videos, and financial statements to their website and YouTube channel.</li> <li>Stakeholders indicated that the Trust’s performance is regularly reported to the Board. These reports include an analysis of the Trust’s sales per customer, number of customers, etc. The Trust also tracks performance through website analytics.</li> <li>Stakeholders expressed concerns regarding the Trust’s limited policy guidance, systems, and supports.</li> <li>The Trust follows the City’s procurement guidelines. However, given the arms length relationship, the City has limited oversight over compliance of the procurement policy (for example, if City’s standard terms and conditions were employed) by the Trust. Stakeholders recognized that the City will ultimately be responsible for any liability incurred by the Trust.</li> <li>From a governance and controls perspective, Trust operations have not been internally audited by the City Auditor. However, Trust operations are part of the overall audit plan.</li> <li>Stakeholders indicated that the Trust provides their audited financials to the City annually. Some stakeholders believe that the Trust should provide further information regarding the activities that make a profit, breakeven, and require subsidization.</li> <li>Stakeholders noted that the City has limited ability to monitor the Trust’s assets. Stakeholders described the contract language surrounding the monitoring of physical assets as ‘weak’. The contract also has limited ‘checks and balances’ pertaining to environmental inspections.</li> <li>Stakeholders identified that a gap exists between the Trust Board members understanding of their role and the City’s expectation’s of the Trust’s Board.</li> </ul>

# City of Hamilton | Hamilton Waterfront Trust Future Options

## Stakeholder Feedback - Constraints

Key themes from the stakeholder interviews are summarized below:

	Observations
<b>Financial Sustainability</b>	<ul style="list-style-type: none"> <li>All stakeholders expressed financial sustainability as a barrier to continued Trust operations. Trust staff noted that the not-for-profit status of the Trust limits its ability to generate funds. Moreover, Trust operations were also negatively impacted in recent years due to the pandemic.</li> <li>Stakeholders noted that the project management work the Trust has performed for the City is a key financial contributor for Trust operations. With the projects expected to end in the spring of 2023, stakeholders noted concerns with financial implications for the Trust.</li> <li>Stakeholders expressed concern regarding the Trust's ability to address any significant capital failures independent of the City.</li> </ul>
<b>Reporting Structure</b>	<ul style="list-style-type: none"> <li>City stakeholders indicated that the current Trust governance model and Council presence on the Trust board sometimes informs City actions/involvement without sufficient City staff input.</li> </ul>
<b>Recruitment</b>	<ul style="list-style-type: none"> <li>The Trust is facing challenges in recruitment of seasonal staff with the number of applications declining significantly in recent years.</li> <li>Stakeholders identified the retirement of the Trust's current Executive Director (ED) as a major barrier for the Trust's continued operations due to their institutional knowledge, experience and skills. Stakeholders noted it will be challenging to fill the ED position.</li> </ul>
<b>Parking and Storage Constraints</b>	<ul style="list-style-type: none"> <li>Stakeholders identified storage as an operational constraint; the Trust has limited space for storing assets in the winter. Stakeholders also identified parking as an ongoing constraint and noted that the opening of Pier's five to seven will create a further strain on already limited parking.</li> </ul>
<b>City Support</b>	<ul style="list-style-type: none"> <li>Trust stakeholders indicated that under the current arms length arrangement, the Trust receives limited operational and financial support from the City. The City provides advice and support on a limited basis (by human resources, landscape architects etc.).</li> <li>The City provides other mechanisms to support the Trust – for. e.g. the City utilized the Trust to deliver project management services that boosted the financial performance of the Trust in recent years.</li> <li>Multiple stakeholders indicated that the overall relationship between the City and Trust has not been the strongest. City staff do not fully understand the Trust scope and mandate (confusion around why services are provided by the Trust versus the City). The gap in understanding Trust mandate has lead to a barrier in terms of developing or leveraging relationships.</li> </ul>

# City of Hamilton | Hamilton Waterfront Trust Future Options

## Stakeholder Feedback – Future Operations

Key themes from the stakeholder interviews are summarized below:

	Observations
<b>Continued Operations</b>	<ul style="list-style-type: none"> <li>• Most stakeholders expressed the significance of the City retaining control of the waterfront either through the Trust or absorption of Trust operations.</li> <li>• Some stakeholders indicated that the Trust provides a valuable service, but that other entities, both internally within the City or a third-party, could provide similar services.</li> <li>• Stakeholders noted that regardless of the chosen model, the future leaders will require significant knowledge transfer to obtain an adequate understanding of the current processes, policies, and agreements.</li> <li>• Stakeholders indicated that the unique Trust offerings (e.g., skate rentals) and the waterfront animation should continue regardless of the selected option.</li> </ul>
<b>City Assumes Operations</b>	<ul style="list-style-type: none"> <li>• Stakeholders indicated that the City retains the ability, but not the capacity, to absorb Trust operations. The City will need financial and operational resources to carry out the Trust mandate. The additional resources are expected to be at a higher cost due to unionized employment for some of the roles. The City will also have to take into account labour relation implications.</li> <li>• Some stakeholders indicated that the City might not have the bandwidth to manage Trust operations. City staff indicated plans are in place to operationalize Discovery Centre in the near future.</li> <li>• Stakeholders acknowledged that if Trust operations are absorbed by the City, the overall responsibility would have to be clearly defined and the City departments will need to collaborate to manage operations. This division of responsibilities may include the Corporate Facilities team in Public Works overseeing the facilities management, the Parks and Recreation department handling asset management (e.g., grass cutting, garbage removal), and potentially tourism managing the animation of the waterfront.</li> <li>• Stakeholders noted that the City's mandate does not include the operation of a commercial business (i.e., Williams Café). The potential absorption of the Trust operations by the City may require the City to lease out the business to new operators.</li> </ul>
<b>Possible Future State</b>	<ul style="list-style-type: none"> <li>• Multiple stakeholders suggested that there is an opportunity for the City to collaborate with the Trust to develop a strategic plan (with an updated agreement) and operate as a hybrid model in the short-term. The model will be successful if roles, responsibilities, funding, accountability and governance are clearly defined, there is explicit direction and the model integrates with the City's vision for the waterfront.</li> <li>• Stakeholders acknowledged that decisions regarding the future of the Trust should be taken based on impact on community and the City's overall commitment to waterfront development.</li> </ul>

**04**

# Options

# City of Hamilton | Hamilton Waterfront Trust Future Options

## Summary of Options

### Options Development

Based on our interviews with stakeholders, KPMG identified three options. The options for the City's consideration regarding the future of the Trust are:

1

### Transfer all assets and operations to the City

The Trust is dissolved with all its assets and operations absorbed by the City.

2

### Transfer all assets and operations to another entity

The Trust is dissolved with all its assets and operations absorbed by an outside entity.

3

### Trust remains status quo or operates under a hybrid model

The Trust remains either status quo or operates under a hybrid model.

# Option 1 – Transfer all Assets and Operations to the City

## Strengths

- As the City currently performs maintenance services (e.g., grass cutting) for other City properties, the assumption of additional maintenance services will not significantly impact City's operations.
- The City's direct ownership of all other waterfront assets will ensure smoother coordination of activities across the waterfront.
- The quality of maintenance and other operations may increase as trained personnel complete the specialized jobs.
- The City can leverage its larger social media presence to more effectively promote waterfront events.
- The City's policies and procedures reduce the its potential liabilities and increases the transparency compared to the Trust.
- The City's policies and procedures will improve overall governance of Trust operations. For e.g., the City will have control over physical assets, will be able to conduct environmental inspections etc.
- The City has the resources to provide streamlined back office functions (e.g. HR, Finance etc.).

## Weaknesses

- To meet the expected service levels with the additional assets and responsibilities, the City will require additional resources.
- The City's bureaucratic barriers may make the decision-making process slower.
- The current decentralized nature of the City will create difficulties when determining the ownership of the absorbed assets and responsibilities.
- The City does not retain the in-house expertise to program events for the waterfront.
- The City's current collective agreements will increase the operating costs associated with Trust activities as the union absorbs Trust positions.
- The staff will take time integrating into the new model and this may impact staff morale.

## Opportunities

- All waterfront development will be housed within the City allowing the City to have more control over waterfront development and a strategic/connected vision.
- Current Trust staff will potentially move into the City and benefit from a higher pay/benefits (through the unionized environment).

## Threats

- Retirement of the Trust's current Executive Director poses as a loss of institutional knowledge and skills.
- The Trust maintains long-standing relationships with community partners (e.g., Rotary Club utilizes Williams Café for meetings). If the City ends these informal agreements, it may pose as a reputational risk.
- The City's mandate does not include operation of a commercial restaurant. This will require the City to lease out the space and decrease the revenue currently used to support some Trust activities. The City also identified facing challenges leasing space.
- If the City absorbs Trust operations without proper resourcing or necessary leadership, it could negatively impact Trust operations and the historical goodwill the Trust has created.
- The City may not find an operator to manage the "for profit" structure of the Trust (for e.g. Williams Café). In this situation, the City might have to operate a business that does not align with the City's mandate. The City also has limited experience in managing food handling (with the exception of the food handling at the two golf courses).
- Insufficient change management resulting in Trust operations not receiving due attention.
- The City will have to explore any tax implications of this option.

# Option 2 – Transfer All Assets and Operations to Another Entity

## Strengths

- As an independent agency, the entity would face limited bureaucratic decision-making barriers (e.g., Council approval not required to increase staffing complement).
- If the assets and operations are transferred to a not-for-profit entity, there is potential for the entity to access grants, such as Trillium Foundation grants, to offset cost of operations.
- The entity may remain a non-unionized environment with lower staffing costs compared to the City's unionized positions.
- The City can draft and implement modern contracts with the entity to increase the City's authority and limit their liability exposure.

## Weaknesses

- The entity's overall goal and vision may not be aligned with the City's vision for waterfront development.
- The entity will not possess the same level institutional knowledge or skills when compared to Trust or the City.
- The entity may not have the governance structure, internal controls an/or procedures that meet City requirements. The entity may not be bound to use the City's procurement policies and contractual terms and conditions.
- If recruiting challenges continue, the entity will face similar challenges as the Trust in staffing seasonal positions.

## Opportunities

- A new entity with a newly developed MOU and contracts will ensure the clarity of responsibilities.
- The potential for shared services agreements with the City would give the entity access to the City's expertise and tools (e.g., City of Hamilton social media accounts, HR functions).
- A new entity with an expanded mandate that includes the entire waterfront would ensure a coordination of activities across the waterfront.
- The City can further support the entity through a funding agreement similar to the one in place with City Housing Hamilton.
- The entity can purchase and operate a dinner boat on the harbour to generate additional revenues.
- The entity will need to ensure the governance model promotes transparency and accountability.

## Threats

- The new entity will not have access to the project management revenues that currently sustain the Trust.
- There may be labor relations implications in providing any shared services to another entity. The new model will have to clearly identify the level and kind of services the City will provide.
- Ongoing construction projects will negatively impact waterfront access and parking. This may impact the Trust's attendance and revenues.
- If the entity operates without proper resourcing or necessary leadership, it could negatively impact operations and the historical goodwill the Trust has created.

# Option 3 – Trust Remains Status Quo or Operates Under a Hybrid Model

## Strengths

- As an independent agency, the Trust remains agile with limited bureaucratic decision-making barriers (e.g., the Trust does not require Council approval to increase staffing complement).
- The Trust can access grants, such as Trillium Foundation grants, to offset cost of operations.
- The Trust may remain a non-unionized environment with lower staffing costs compared to the City's unionized positions.
- The Trust can continue operations without significant staffing/organizational changes.

## Weaknesses

- The current standalone governance model limits the Trust's transparency and accountability.
- The Trust will need to implement additional governance policies and contracts that align with City's overall governance structure.
- If recruiting challenges continue, the Trust may not receive enough applications to appropriately staff the operations.

## Opportunities

- A refined mandate will increase the clarity of the Trust's responsibilities and ensure the Trust focuses on in-scope activities.
- A hybrid model will allow the City and Trust to enter into shared services agreements that give the Trust access to the City's expertise and tools (e.g., City of Hamilton social media accounts, HR functions).
- The Trust can create social media accounts to further promote events occurring at the waterfront.
- A hybrid model that expands the Trust's mandate to include other areas within the waterfront will ensure a coordination of activities across the waterfront.
- The City can further support the Trust through a formalized funding agreement.
- The Trust can purchase and operate a dinner boat on the harbour to generate additional revenues.
- The hybrid model will have defined roles, responsibilities, funding, reporting, accountability and governance, with a clear direction on the mandate objectives.

## Threats

- Retirement of the Trust's current Executive Director poses a threat due to the loss of institutional knowledge and skills. The Trust may be unable to find a replacement with the same skill set.
- After spring 2023, the Trust will not perform project management responsibilities related to the pier construction. This loss in revenue will create additional financial challenges for the Trust.
- There may be labor relations implications in providing any shared services to the Trust. The new model will have to clearly identify the level and kind of services the City will provide.
- Ongoing construction projects will negatively impact waterfront access and parking. This may impact the Trust's attendance and revenues.

**05**

# Next Steps

# City of Hamilton | Hamilton Waterfront Trust Future Options

## Next Steps

These SWOT analyses identify the strengths, weaknesses, opportunities, and threats of each option. Following this report, the City and Trust should review the following considerations prior to determining the preferred option and developing an implementation plan.

### Steering Committee

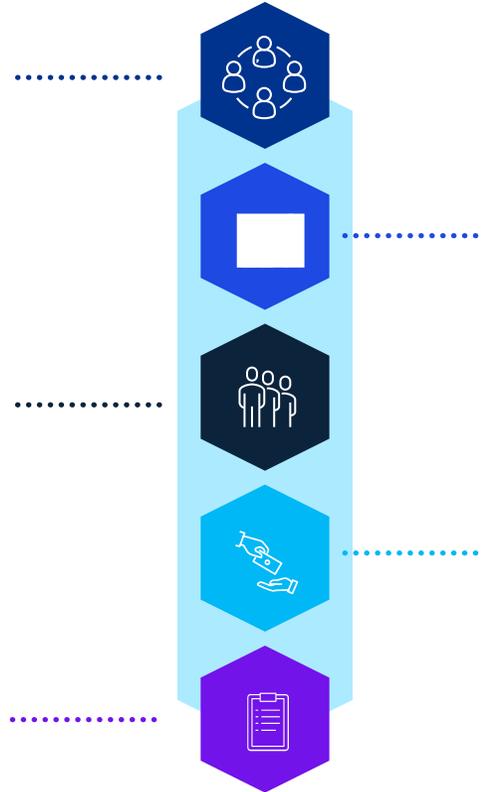
The City and Trust should establish a collaborative team (e.g., a steering committee) to review all options and considerations. The team's role should include the coordination of analyses and interviews to obtain a fulsome understanding of each option. This includes the development of governance policies, implementation plan, etc.

### Labour Implications

The City's Human Resource department can provide input regarding the labour implications associated with each option.

### Audit Input

The team should consult the Office of the City Auditor prior to determining the preferred option. The City Auditor can provide input regarding the financial sustainability, and comment on governance risks and controls for each option.



### Legal Constraints

The collaborative team should consult the City's Solicitor to obtain legal implications of all options. This includes the amendment of current contracts, by-laws, or other legal documentation.

### Financial Constraints

The collaborative team should perform an analysis of the financial implications of each option. This includes any financial support the Trust would require when continuing operations, the salary costs associated with the positions absorbed by the City, and any potential tax implications.

**05**

# Appendices

# Project Approach

KPMG’s approach to this project was divided into three (3) phases. Each phase was focused on the accomplishment of specific tangible objectives and activities. Below is an outline of KPMG’s approach for each phase.

Phase 1: Project Initiation October	Phase 2: Options Analysis October – November	Phase 3: Final Report & Presentation November
Met with the Project Team to clarify expectations, lines of inquiry, refine work program, and stakeholder engagement plan.	Collected relevant information on Trust’s current mandate, structures and operations, and conducted stakeholder engagement exercises. Performed an analysis of the three high-level options.	Developed a draft final report and recommendations for the City of Hamilton’s consideration. Incorporated the City of Hamilton’s feedback and presented the final report.

# Documents Reviewed

Throughout the project KPMG reviewed documentation provided by the Project Team and documentation discovered during desktop research to support the analysis. Below is a listing of the documentation reviewed over the course of this project.

Document Title	Document Title	Document Title	Document Title
Deed of Trust – Effective October 1, 2018 – SIGNED COPY	Organizational Chart – 2022	General Security Agreement	HWT 2022 PowerPoint Presentation
Executive Director – contract	Salary Employees – vacation entitlement	Full and Final Release – June 24 2011	HWT Background
HWT – Incorporation	HWT Board By-Law No. 1	BARC – Occupancy Agreement – 47 Discovery Drive	HWT Vision
HWT Letters Patent	Franchise Agreement – WFC – June 24 2011	Building Lease – 47 Guise St.	Waterfront Outdoor Rink Management Agreement – 2017 – HWT Signatures
Signed Minutes mtg auth continuance 1.10.2017	Franchise AMENDING Agreement – WFC – June 24 2011	Continuance – Prorogation.2017	HWT – Needs and Challenges
			HWT Vision Session Report Apr. 2016 BOOKER

# Stakeholders Engaged

Throughout the project KPMG engaged stakeholders to gain an understanding of the current operating environment and obtain their perspectives regarding the desired future state. Below is a listing of all the stakeholders engaged over the course of this project.

City Stakeholders Engaged	Hamilton Waterfront Trust Stakeholders Engaged
City Auditor	Executive Director, HWT
Executive Director, Human Resources	Vice-Chairman, Treasurer, Citizen Representative, HWT
Director, Financial Planning, Administration & Policy	Administrative Assistant, HWT
Director, Environmental Services	Legal Advisor
General Manager, Planning & Economic Development	
General Manager, Finance & Corporate Services	
Director, Economic Development	
Manager, Municipal Land Development	
Manager, Construction, Engineering Services	



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The information contained herein is of a general nature and is not intended to address the circumstances of any particular individual or entity. Although we endeavour to provide accurate and timely information, there can be no guarantee that such information is accurate as of the date it is received or that it will continue to be accurate in the future. No one should act on such information without appropriate professional advice after a thorough examination of the particular situation.

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**CITY OF HAMILTON**  
**CITY MANAGER'S OFFICE**  
**Government Relations & Community Engagement**

<b>TO:</b>	Mayor and Members General Issues Committee
<b>COMMITTEE DATE:</b>	August 14, 2023
<b>SUBJECT/REPORT NO:</b>	Establishment of a Mayor's Task Force on Transparency, Access and Accountability (CM23018) (City Wide) <b>(Outstanding Business List Item)</b>
<b>WARD(S) AFFECTED:</b>	City Wide
<b>PREPARED BY:</b>	Greg Tedesco (905) 546-2424 Ext. 7168
<b>SUBMITTED BY:</b>	Morgan Stahl Director, Government Relations & Community Engagement City Manager's Office
<b>SIGNATURE:</b>	

## RECOMMENDATION

That the Terms of Reference for the Mayor's Task Force on Transparency, Access and Accountability, attached as Appendix "A" to Report CM23018, be approved.

## EXECUTIVE SUMMARY

The Terms of Reference for the Mayor's Task Force on Transparency, Access and Accountability (Appendix "A" to Report CM23018) provides a framework for the Task Force to undertake its mandate to:

- ensure input is solicited from Hamiltonians and provide independent, non-partisan, actionable recommendations to the General Issues Committee for improvements on citizen access, transparency, and accountability at the City of Hamilton; and
- suggest measurements for success linked to each recommendation where applicable.

The Mayor's Task Force will be made up of 5 citizen members, including 2 co-chairs, and will be accountable to the City of Hamilton through the Mayor and Council, as well

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OUR Vision: To be the best place to raise a child and age successfully.

OUR Mission: To provide high quality cost conscious public services that contribute to a healthy, safe and prosperous community, in a sustainable manner.

OUR Culture: Collective Ownership, Steadfast Integrity, Courageous Change, Sensational Service, Engaged Empowered Employees.

**SUBJECT: Establishment of a Mayor's Task Force on Transparency, Access and Accountability (CM23018) (City Wide) - Page 2 of 3**

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as to the citizens of Hamilton as the Task Force considers the impact of their decisions and recommendations on the broader community. The Mayor's Task Force initiative is sponsored by the City Manager and supported through the Government Relations and Community Engagement Division.

**FINANCIAL – STAFFING – LEGAL IMPLICATIONS**

Financial: n/a

Staffing: The Mayor's Task Force is sponsored by the City Manager and support will be staffed by the Government Relations & Community Engagement Division in the office of the City Manager. The Project Sponsor will ensure the necessary staff and resources are in place to support the Task Force and meet the deliverables of the project.

The Corporate Services Department, Clerk's Division will provide administrative support to the Task Force, including agenda setting, minute-taking and meeting management.

Legal: n/a

**HISTORICAL BACKGROUND**

On January 25, 2023, Council approved General Issues Committee Report 23-004, which included Motion 11.4 - Establishment of a Mayor's Task Force on Transparency, Access and Accountability. The approved motion included the following items:

- a) That the City of Hamilton establish a diverse Mayor's Task Force on Transparency, Access and Accountability to be tasked with undertaking a comprehensive review of public concerns regarding access, transparency, and accountability at City Hall;
- b) That staff, in consultation with the Mayor, develop and report back with a Terms of Reference for the Mayor's Task Force on Transparency, Access and Accountability, that includes a one year term with a regular reporting schedule and that the meetings be chaired by two Co-Chairs, appointed by the Mayor;
- c) That the Mayor's Task Force on Transparency, Access, and Accountability provide actionable recommendations to the General Issues Committee to address these concerns and improve public access, transparency and accountability at Hamilton City Hall including the suggested measurements for success linked to each recommendation; and,
- d) That the Mayor's Task Force on Transparency, Access, and Accountability at City Hall be provided with a budget of up to \$50,000 for the purpose of soliciting input

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**SUBJECT: Establishment of a Mayor's Task Force on Transparency, Access and Accountability (CM23018) (City Wide) - Page 3 of 3**

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and feedback from Hamiltonians to inform their work, and that this be funded through the Tax Stabilization Reserve 110046.

**RELEVANT CONSULTATION**

The Terms of Reference for the Mayor's Task Force on Transparency, Access and Accountability have been developed by staff, in consultation with the Mayor's Office and Corporate Services to ensure that the Task Force is able to work toward its mission to seek citizen input to chart a path forward for renewal of trust and transparency between the City of Hamilton as a corporation and Hamilton residents including equity-seeking groups and diverse communities.

**ANALYSIS AND RATIONALE FOR RECOMMENDATION**

The proposed Terms of Reference will guide the work of the Mayor's Task Force on Transparency, Access and Accountability through its mission to advance Council Term priority, 'Working at City Hall and Transparency in Municipal Government', this Mayor's task force will recommend a path forward for the improvement of trust and transparency between the City of Hamilton and Hamilton residents and diverse communities. The structure of the Mayor's Task Force aligns with and aspires to advance Council term priority of 'Working of City Hall and Transparency in Municipal Government'.

The Terms of Reference support the stated mission by further outlining the mandate and governance structure for the Mayor's Task Force, as well as providing details on overall composition, recruitment, and selection of membership. This includes the characteristics of membership, accountability, overview of term, regular reporting schedule, and ongoing meeting structure.

Support for the Mayor's Task Force on Transparency, Access, and Accountability will be staffed by the Government Relations & Community Engagement Division in the office of the City Manager. This Division will provide resources for research and assume accountability for the project, providing any necessary reporting to Council and will be the Task Force's linkage to other City staff and City departments.

**APPENDICES AND SCHEDULES ATTACHED**

Appendix "A" to Report CM23018: The Mayor's Task Force on Transparency, Access and Accountability – Terms of Reference

# THE MAYOR'S TASK FORCE ON ACCESS, TRANSPARENCY AND ACCOUNTABILITY

## TERMS OF REFERENCE

### 1.0 Mission

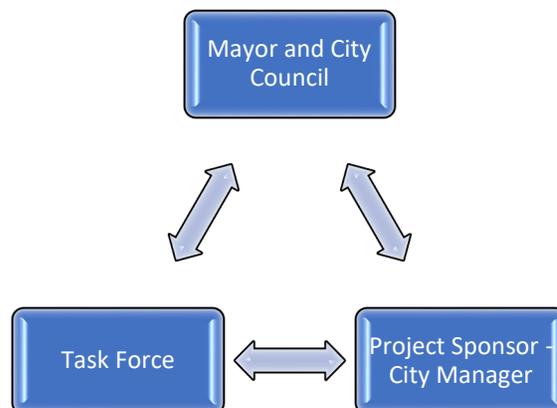
- To advance Council Term priority, 'Working at City Hall and Transparency in Municipal Government', this Mayor's task force will recommend a path forward for the improvement of trust and transparency between the City of Hamilton and Hamilton residents and diverse communities.

### 2.0 Mandate

- The task force shall ensure input is solicited from Hamiltonians and provide independent, non-partisan, actionable recommendations to the General Issues Committee for improvements on citizen access, transparency, and accountability at the City of Hamilton.
- The task force shall also suggest measurements for success linked to each recommendation where applicable.

### 3.0 Governance

#### 3.1 Governance Model



#### 3.2 Project Sponsor

- The Mayor's Task Force initiative is sponsored by the City Manager, City of Hamilton.

- The Government Relations & Community Engagement division in the Office of the City Manager will support the Mayor's Task Force.
- The Project Sponsor will ensure the necessary staff and resources are in place to support the Task Force and meet the deliverables of the task force.

### 3.3 Composition of the Task Force

The Task Force will consist of 5 citizen members:

- Two (2) Co-Chairs (appointed by the Mayor); and
- Three local representatives

### 3.4 Characteristics of a Task Force Member

The characteristics required of a Task Force member include:

- A proven municipal leader with a track record of public service, and civic engagement;
- A combined lived experience with a professional background and expertise in relevant subject matters;
- An ability to be open and reflective in order to assist the Task Force in developing necessary improvements;
- A non-partisan approach which seeks to engage others with diplomacy;
- An ability to bring a unique perspective from Hamilton's diverse communities and regions; and
- A willingness to pioneer, break through and identify innovative solutions to complex issues.

### 3.5 Accountability

The Task Force is accountable to the following:

- 1) ***The City of Hamilton:***  
The Task Force is accountable to the City of Hamilton through the Mayor and Council.
- 2) ***The Citizens of Hamilton:***  
The Task Force is accountable for considering the impact of their decisions and recommendations on the broader community. The Task Force is charged in conducting their affairs in ways that uphold the mandate of accessibility, transparency and accountability.

## **4.0 Task Force**

### **4.1 Co-Chairs**

The Task Force will be jointly led by Co-Chairs.

Role of the Co-Chairs:

- Preside over Task Force meetings;
- Lead and facilitate during team building exercises;
- Oversee the Task Force's reports to stakeholders;
- Convene the appropriate local knowledge leaders and community stakeholders; and
- Represent (spokespersons) the Task Force to the City of Hamilton, media and the public.

### **4.2 Working Groups**

Working groups will be established on an as needed basis and the Task Force members may be asked to volunteer in various aspects of these working groups. Working groups will report directly to the Task Force.

### **4.3 Staff Support**

The Project Sponsor will ensure the necessary staff and resources are in place to support the Task Force and meet the deliverables of the project.

The Government Relations & Community Engagement Division will provide resources for research and assume accountability for the project. The Government Relations & Community Engagement division will provide any necessary reporting to Council and be the Task Force's linkage to other City staff and City departments.

The Corporate Services Department, Clerk's Division will provide administrative support to the Task Force, including agenda setting, minute-taking and meeting management.

The Task Force is provided with a budget of up to \$50,000 for the purpose of gathering resident feedback to inform their work and drafting an action plan to improve public access, transparency and accountability at City Hall. This shall be funded through the Tax Stabilization Reserve 110046.

### **4.4 Decision-Making Authority**

All Task Force members are equal voting members for decision-making that will be done on a consensus basis seeking 80% agreement,

notwithstanding section 13.7 of the City's Procedural By-law 21-021, as amended, the rules relating to voting in this Terms of Reference prevail over anything to the contrary in the City's Procedural By-law 21-021, as amended.

The Task Force will meet at the call of the Co-Chairs. Meetings of the Task Force will be held in a hybrid format.

## 5.0 Term

The Task Force is intended to convene for a period of one (1) year, and the members of the Task Force will serve for a one (1) year term. Meeting frequency to be determined by the co-chairs. Members should expect the time commitment to be greatest in the first three (3) months.

If a member resigns before the end of their term, they can recommend a replacement to complete their term. The Task Force co-chairs will make the final determination for the replacement.

## 5.1 Recruiting and Selecting Members

The process for recruiting and selecting new members will be as follows:

- The Mayor will appoint two (2) Co-Chairs (as per council approval on January 25, 2023);
- Candidates for the remaining three (3) task force positions will apply through a call for applicants on the City's website, as per the recruiting process for Local Boards and Committees; and
- The Co-Chairs, by consensus, will select the final three (3) members of the task force as per the recruiting process for Local Boards and Committees. All co-chair appointments will be ratified by council.

## 6.0 Code of Conduct

Members of the Task Force are to comply with the Code of Conduct for Local Boards, attached as Appendix 'C' to the Procedural Handbook for Citizen Appointees to City of Hamilton Local Boards and are bound by the *Municipal Conflict of Interest Act*, found at the following link: <https://www.ontario.ca/laws/statute/90m50>. Members are required to, upon appointment and prior to attending their first meeting, sign the Acknowledgement Form and forward it to the Legislative Coordinator.

Members have a duty to make decisions solely in terms of the best interest of the community. It is expected that the members will not engage in any behaviour or

conduct that may be seen to be an attempt to gain, through their position as a member or through their knowledge or contacts gained as a Task Force member, any personal advantage, advancement, favour, influence, benefit, discount or other interest, for themselves, their spouses, their relatives, or their friends.

There may be times when members will be required to treat discussions, documents or other information relating to the work of the Task Force in a confidential manner.

Members of the Task Force will commit themselves to the following:

- Will conduct their affairs in a manner that upholds the integrity of the task force and enables access, transparency, and accountability.
- Shall work for the well-being of all citizens of Hamilton.

Members are expected to attend all meetings of the Task Force. Should a member not be meeting the general expectations of participation on the Task Force, they will be contacted by the Co-Chairs to discuss their ongoing participation.

# CITY OF HAMILTON

## MOTION

**General Issues Committee: August 14, 2023**

**MOVED BY COUNCILLOR N. NANN.....**

**SECONDED BY COUNCILLOR.....**

**Ottawa Street BIA and Ottawa Street Pride Committee Public Art (Wards 3 and 4)**

WHEREAS, the City of Hamilton’s strategic plan priority for Healthy and Safe Communities consists of a caring place that is safe and inviting, with people working together to care and support each other, which is inclusive of the communities of people who are Two Spirit, lesbian, gay, bisexual, trans, queer, questioning, intersex, asexual, and those for whom letters cannot fully yet describe (2SLGBTQIA+);

WHEREAS, the City of Hamilton is committed to working with artists, businesses, and citizens in the ongoing development and implementation of art in public places to enhance our sense of community;

WHEREAS, the Ottawa Street BIA intends to hang 12 new mobiles, six on each side of Ottawa Street North, from May until September every year for the next five years, to signal to the 2SLGBTQIA+ community that they are recognized and cared for outside the boundary of Pride month celebrations;

WHEREAS, the art is a result of a project lead by the Ottawa Street Pride Committee and created as part of STEPS’ I HeART Main Street initiative;

WHEREAS, the mobiles are designed by Riley Jamieson, a trans artist, and are a symbol of the joy of summer and of queer people working together to care and support each other;

THEREFORE, BE IT RESOLVED:

- (a) That \$1,500 be allocated from the Ward 3 Bell Tower Funds Non-Property Tax Revenue Account (3301609603) and \$1,500 from the Ward 4 Capital Discretionary Account (3302109400) to the Ottawa Street BIA toward costs associated with the installation of the 12 Pride mobiles; and
- (b) That the Mayor and City Clerk be authorized and directed to execute any required agreement(s) and ancillary documents, with such terms and conditions in a form satisfactory to the City Solicitor.

# CITY OF HAMILTON

## MOTION

General Issues Committee: August 14, 2023

**MOVED BY COUNCILLOR M. WILSON.....**

**SECONDED BY COUNCILLOR.....**

### **Revenue Sources to fund Council Priorities and Ongoing Operating and Capital Works**

WHEREAS, Hamilton City Council has identified a set of priorities to guide its legislative agenda for the 2022-2026 term of Council;

WHEREAS, access to sufficient and sustainable revenue sources is critical to the city's ability to achieve these priorities along with ongoing operating, maintenance and capital programming needs;

WHEREAS, the fiscal framework within which Canadian municipalities work limits opportunities for local government to advance solutions at the scale required to address many of today's challenges, including but not limited to affordable and supportive housing, climate change mitigation, technology and an ageing infrastructure and population;

WHEREAS, Ontario municipalities like Hamilton are heavily reliant on property taxes as a source of revenue;

WHEREAS, property taxes are a regressive form of taxation;

WHEREAS, in 2021, Hamilton's taxes for a detached bungalow were 3.52% higher than municipalities with comparable populations, but 24.30% higher than a broader compactor group;

WHEREAS, municipalities are responsible for 60% of public infrastructure while collecting only 9 cents for every tax dollar collected in Ontario;

WHEREAS, municipalities continue to face the following challenges:

- Ongoing impacts related to the COVID-19 pandemic;
- Rising inflation and interest rates;
- Supply chain disruptions and tight labour supply;
- Increasing demand for services; and,

- Unanticipated legislative changes (such as Bill 23).

WHEREAS, the City of Hamilton directly invests a significant share of property tax revenues, in extensions of federal and provincial responsibilities, such as housing, social services, and health services;

WHEREAS, in the absence of other non-residential property tax revenue, property taxes will become less affordable for more people over the next few years while the need for local investments will continue to grow;

THEREFORE, BE IT RESOLVED:

That staff be directed to report back to the General Issues Committee the following information by Q1 2024:

- (a) A scan of revenue authorities contained in the Municipal Act, 2021 or other Provincial legislation that do not require the expressed permission of the Government of Ontario;
- (b) An inventory of revenue sources that are contained in the City of Toronto Act, 2006 but not contained in the Municipal Act, 2021; and,
- (c) A scan of municipal revenue tools in other jurisdictions that may be more progressive and could support in the achievement of this term of Council priorities and ongoing programming needs and any expressed permissions necessary to implement the strategies.

# CITY OF HAMILTON

## MOTION

**General Issues Committee: August 14, 2023**

**MOVED BY COUNCILLOR T. HWANG.....**

**SECONDED BY COUNCILLOR .....**

### **Support for Francophone Seniors Active Living Centre (SALCA) in Hamilton**

WHEREAS, the City of Hamilton has been designated under the provincial French Language Service Act of Ontario as a francophone city as of December 31, 2000 to provide municipal services in both English and French,

WHEREAS, Hamilton is one of 14 Canadian cities designated by the Government of Canada’s Francophone Immigration Strategy to service Francophones,

WHEREAS, the Fédération des aînés et des retraités francophones de l’Ontario (FARFO) and the Centre Francophone are the lead organizations applying for funding from the Ministry of Seniors and Accessibility (MSA) for a new Francophone Seniors Active Living Centre (SALCA) in Hamilton,

WHEREAS, the 2021 census identified over 50,000 Hamiltonians who speak French and of that population, approximately 10% are over the age of 55,

WHEREAS, FARFO and Centre Francophone have budgeted \$72,000 per year to provide French programming to serve Francophone seniors at the new French SALCA,

WHEREAS, the funding from the Ministry of Seniors and Accessibility requires that the Municipality must contribute a minimum of 20% of the net annual cost for maintaining and operating the program and that the contribution can be in cash, or in kind, or a combination thereof

WHEREAS, Hamilton has 11 Senior Active Living Centers (SALCA) but none serving the French population

WHEREAS, the City of Hamilton’s Recreation Department is authorized to provide eligible groups engaged in eligible activities a 100% Fee Waiver or part thereof, up to a maximum of \$10,000.00 per request based on the merit of the activity and their ability to demonstrate financial hardship in accordance with the Fee Waiver/Reduction Policy for use of City of Hamilton recreation facilities;

WHEREAS, the Fédération des aînés et des retraités francophones de l'Ontario (FARFO) and Centre Francophone meets the eligibility criteria, as a community group; and

WHEREAS, the Fédération des aînés et des retraités francophones de l'Ontario (FARFO) and Centre Francophone's, Francophone Seniors Active Living Centre (SALCA) is considered an eligible activity.

THEREFORE, BE IT RESOLVED:

- (a) That a grant funded from the Ward 4 Capital Discretionary Account [3302109400] be provided to the Fédération des aînés et des retraités francophones de l'Ontario (FARFO) and Centre Francophone to support their application for a Francophone Seniors Active Living Centre (SALCA), at an upset limit, including contingency, not to exceed \$4,400;
- (b) That Recreation Staff be authorized to waive rental fees for 2023 for the Francophone Seniors Active Living Centre (SALCA) to an upset limit of \$10,000;
- (c) That Recreation Staff be authorized to waive future facility rental fees for the Francophone Seniors Active Living Centre (SALCA) to an upset limit of \$10,000 per calendar year;
- (d) That the funding in the amount of \$4,400 to support the Francophone Seniors Active Living Centre (SALCA) in future years be included in the 2024 Healthy and Safe Communities Department base operating budget; and,
- (e) That the Mayor and City Clerk be authorized and directed to execute any required agreement(s) and ancillary documents, with such terms and conditions in a form satisfactory to the City Solicitor.

# CITY OF HAMILTON MOTION

**General Issues Committee: August 14, 2023**

**MOVED BY MAYOR HORWATH .....**

**SECONDED BY COUNCILLOR .....**

## **Commemorative Street Naming - Nicolaus Copernicus Way**

WHEREAS, the year 2023 marks the 550th anniversary of Polish scientist Nicolaus Copernicus' birth;

WHEREAS, Copernicus is regarded as the father of modern astronomy, whose heliocentric model of the universe launched the Copernican Revolution;

WHEREAS, there are several Polish community landmarks in Ward 3, including St. Stanislaus Church at 8 Saint Ann Street, Dom Polski at 4 Solidarnosc Place, and the White Eagle Banquet Center at 1015 Barton Street East;

WHEREAS, the Canadian Polish Congress Hamilton District, which represents the Polish community in Hamilton, Burlington and Brantford, would like to honour the life, work and influence of Nicolaus Copernicus, through the commemorative naming of Saint Ann Street in Hamilton, as Nicolaus Copernicus Way;

WHEREAS, the cost associated with the commemorative signage will be borne by the Canadian Polish Congress Hamilton District; and

WHEREAS, a ceremony is planned for September 10, 2023.

THEREFORE, BE IT RESOLVED:

- (a) That the entire length of Saint Ann Street, between Barton Street East and Solidarnosc Place, have a commemorative designation as Nicolaus Copernicus Way; and,
- (b) That the commemorative signage be installed by September 8, 2023 for the Polish community's event "Jubilee Celebration - Ceremonial Street Re-naming Nicolaus Copernicus Way".

# CITY OF HAMILTON MOTION

General Issues Committee: August 14, 2023

**MOVED BY COUNCILLOR N. NANN .....**

**SECONDED BY MAYOR HORWATH .....**

**Declaration of Gender-Based Violence and Intimate-Partner Violence as an epidemic in the City of Hamilton**

WHEREAS gender-based violence is defined as violence or abuse perpetrated against a woman, girl or gender-diverse individual because of their gender, gender expression, gender identity or perceived gender;

WHEREAS according to official 2023 UN Women statistics, globally, an estimated one in three women have been subjected to physical and/or sexual violence by an intimate partner, non-partner sexual violence, or both at least once in their life (30 per cent of women aged 15 and older);

WHEREAS, globally, according to the same report, there is a woman or girl being killed every 11 minutes in their home;

WHEREAS femicide is a result of gender-based violence and 22 countries specifically reference it in their criminal legislation;

WHEREAS Canada does not currently include the term femicide in their criminal legislation;

WHEREAS Indigenous women, girls and 2SLGBTQIA+ people experience higher rates of gender-based violence;

WHEREAS Indigenous women are more likely than non-Indigenous women to have experienced sexual assault at a younger age;

WHEREAS transgender and gender diverse people are significantly more likely to have experienced physical or sexual assault at least once since 15 years of age;

WHEREAS the Canadian Femicide Observatory for Justice and Accountability (CFOJA) found that in Canada between 2018 and 2022 one woman was killed every 48 hours;

WHEREAS in the same report not all femicide cases have an identified accuser, the majority of identified accusers have been male suspects;

WHEREAS according to the Annual Femicide List published by the Ontario Association of Interval and Transition Houses, the number of femicides from 2019 to 2022 has increased by approximately 30%:

WHEREAS 75% of women reported abuse and conflict with a partner, spouse, or parent as their top reason for their housing loss;

WHEREAS the federal government has allocated 25% of the federal housing budget to housing for vulnerable women;

WHEREAS global data indicates an indisputable intensification of gender-based violence since the onset of the COVID-19 pandemic, with survivors seeking emergency shelter and community-based supports more frequently;

WHEREAS in 2022 the Ontario government committed to investing \$5.9 million over two years through the [Victim Support Grant](#) (VSG) program to enhance capacity to support survivors of intimate partner violence and human trafficking;

WHEREAS the demand for support services increases as awareness increases;

WHEREAS in 2022, 4,498 women were turned away from women's shelter's due to limited capacity in Hamilton, while only 878 women, some with children, were able to access a shelter;

WHEREAS Hamilton Police Services received 12,514 domestic violence or intimate partner violence calls in 2022;

WHEREAS Hamilton Police Services received 657 reports of sexual violence in 2022 while the average wait time to access counselling services through the Sexual Assault Centre (Hamilton & Area) was six months;

WHEREAS women living in rural areas experience intimate partner violence at a 75 per cent higher rate than women living in urban areas; and currently Hamilton receives only \$5,000 per year stable funding through the MCCSS Rural and Remote stream from MCCSS for rural issues despite 40% of Hamilton's population is considered as residing in rural areas;

WHEREAS violence is one of the priorities of the Community Safety and Well Being Plan and sexual violence has been recognized as a more specific area for attention;

WHEREAS the City Enrichment Fund has made unprecedented investments to equity deserving communities in 2023, an increase in 23.8% between 2022 and 2023;

WHEREAS within the past 5 years, nearly all women-led and/or women-serving organizations applicants have received funding through the City Enrichment Fund; and,

WHEREAS, over 30 municipalities and regions across Ontario have already declared gender-based violence and intimate partner violence an epidemic in their jurisdictions, including Ottawa, Toronto, Peel Region, Halton Region and Renfrew County;

THEREFORE, BE IT RESOLVED:

- (a) That Council declare gender-based violence and intimate-partner violence an epidemic in Hamilton;
- (b) That staff meet with the Women Abuse Working Group (WAWG) to develop recommendations that will further address gender-based violence and intimate-partner violence in Hamilton;
- (c) That staff be authorized to provide one-time funding in the amount of \$30,129.00 from the City Enrichment Fund Reserve (ID112230) to support the Women Abuse Working Group (WAWG) to further identify and help address service gaps;
- (d) That staff continue to actively engage with the Hamilton [Just Recovery](#) Coalition and their recommendations to identify further actions;
- (e) That staff continue to work closely with the Community Safety and Well-Being System Leadership Table to increase awareness of gender-based violence and intimate-partner violence and explore opportunities for further action;
- (f) That Council, by way of a letter from the Mayor, and staff continue to actively engage with the Province of Ontario to advocate for sustainable investments that meaningfully address gender-based violence and intimate-partner violence;
- (g) That the City of Hamilton send a communication to the Honourable Arif Virani, Minister of Justice and Attorney General Canada, and the Prime Minister of Canada, advocating that Femicide be added as a term to the Criminal Code of Canada;
- (h) That Council, by way of a letter from the Mayor, forward this item to Hamilton Members of Parliament and Members of Provincial Parliament, and to Ontario's Associate Minister of Women's Social and Economic Opportunity; and
- (i) That the City of Hamilton send a copy of this Resolution to the Federation of Canadian Municipalities (FCM) and Association of Municipalities of Ontario (AMO) to take action on gender-based violence and intimate partner violence.

# CITY OF HAMILTON

## MOTION

General Issues Committee: August 14, 2023

**MOVED BY COUNCILLOR J.P. DANKO.....**

**SECONDED BY COUNCILLOR.....**

### **Ward Specific Funding Policy Revisions**

WHEREAS, some Hamilton City Councillors have access to several Ward specific funding sources including Area Rating Special Capital Re-investment (Area Rating) Reserve Funding, Area Rating Special Capital Re-investment Discretionary (Area Rating Discretionary) Fund, Cellular Tower and Ward-Specific Non-Property Tax Revenues and Minor Maintenance Council Priority Projects;

WHEREAS, these funds are intended to fund Capital infrastructure projects in the Ward;

WHEREAS, Council may overrule the mandate of these funds and approve grants or other operational funding to third parties;

WHEREAS, the use of Ward specific taxpayer dollars to fund third party operational expenses can lead to issues of trust and accountability for Council and the City of Hamilton;

**THEREFORE, BE IT RESOLVED:**

That staff be directed to review funding policies for all Ward specific funding sources and report back to the General Issues Committee with recommendations on revisions to these policies to restrict funding to capital infrastructure as defined by the individual fund mandates.

# CITY OF HAMILTON

## NOTICE OF MOTION

General Issues Committee: August 14, 2023

**MOVED BY COUNCILLOR J.P. DANKO.....**

### **City of Hamilton Meta Advertising**

WHEREAS, Meta announced in June 2023 that it has already started blocking Canadian news content and links on its social media sites, including Instagram and Facebook platforms; and

WHEREAS, Meta has refused to comply with federal legislation, the Online News Act, and instead has deliberately chosen to disadvantage 40 million Canadians, including nearly 600,000 Hamilton residents, by removing the ability to share local and national news on their platforms, limiting the ability for Canadians to view content from local and national news publications in Canada; and

WHEREAS, in the past several years, Hamilton has faced severe weather conditions, including extreme cold and blizzards, heat waves, and funnel clouds; as well as other emergencies, including but not limited to homelessness, crime and an epidemic related to substance use and addictions; and particularly the recent COVID-19 pandemic; in all of these situations, the ability to share timely, reliable, local news with residents was critically essential; and

WHEREAS, Meta’s decision would severely impact and limit the ability of both the City of Hamilton, and individual Members of Council, to share information with residents; and to share critical and timely updates from local media; and

WHEREAS, recognizing that utilizing all available media, may at times be required for disseminating critical and public safety information, as well, that existing communication plans may contain budgetary and contractual legal obligations; and

WHEREAS, Hamilton residents have a fundamental right to a strong, free, and independent Press, one that is not censored or dictated by American social media giants; and

WHEREAS, access to reliable, quality news information, prepared by independent journalists and media, is essential to any healthy, functioning democracy.

THEREFORE, BE IT RESOLVED:

- (a) That any new, non-critical advertising campaigns by Public Information and Media Relations be immediately suspended on all Meta-owned platforms, and
- (b) That the suspension last until Meta resumes discussions with the government of Canada, or reverses its ban on placing Canadian media news stories on its platforms, and
- (c) That this motion be shared with the Ontario Premier's Office, local Members of Parliament, local Members of Provincial Parliament, the Federation of Canadian Municipalities, and all Ontario municipalities.